

**LIST OF MEMBERS OF THE
NATIONAL ASSEMBLY**

SPEAKER

Dr T-B Gurirab (Mr)

**DEPUTY SPEAKER AND CHAIRPERSON OF THE
WHOLE HOUSE COMMITTEE**

Ms D Sioka

THE CABINET

MINISTERS

(21 March 2005 – Elected in terms of Article 133 of the Constitution)

Mr N Angula	<i>(Prime Minister)</i>
Dr L Amathila (Ms)	<i>(Deputy Prime Minister)</i>
Dr G H Geingob (Mr)	<i>(Trade and Industry)</i>
Dr N Tjiriange (Mr)	<i>(Minister of Veterans Affairs)</i>
Dr A Kawana (Mr)	<i>(Presidential Affairs)</i>
Mr J Mutorwa	<i>(Agriculture, Water & Forestry)</i>
Dr N Iyambo (Mr)	<i>(Safety and Security)</i>
Mr J Kaapanda	<i>(Information & Communication Technology)</i>
Rev W Konjore (Mr)	<i>(Youth, National Service, Sport & Culture)</i>
Ms S Kuugongelwa-Amadhila	<i>(Finance)</i>
Dr A Iyambo (Mr)	<i>(Fisheries and Marine Resources)</i>
Mr M Hausiku	<i>(Foreign Affairs)</i>
Dr R Kamwi (Mr)	<i>(Health and Social Services)</i>
Ms R Nghidinwa	<i>(Home Affairs and Immigration)</i>
Mr N Mbumba	<i>(Education)</i>
Mr C Namoloh	<i>(Defence)</i>
Ms N Nandi-Ndaitwah	<i>(Environment and Tourism)</i>
Ms P Iivula-Ithana	<i>(Justice)</i>
Mr A !Naruseb	<i>(Lands & Resettlement)</i>
Mr J Ekandjo	<i>(Regional and Local Government, Housing and Rural Development)</i>
Mr E Nghimtina	<i>(Mines and Energy)</i>
Mr I Ngatjizeko	<i>(Labour & Social Welfare)</i>
Ms M Mungunda	<i>(Gender Equality and Child Welfare)</i>
Mr H Angula	<i>(Works and Transport)</i>

DEPUTY MINISTERS

(21 March 2005 – Elected in terms of Article 133 of the Constitution)

Mr P Shifeta	<i>(Youth, National Service, Sport & Culture)</i>
Mr P Smit	<i>(Works & Transport)</i>
Mr T Tweya	<i>(Finance)</i>
Ms L Lucas	<i>(Foreign Affairs)</i>
Ms P Haingura	<i>(Health and Social Services)</i>
Ms T Mushelenga	<i>(Trade & Industry)</i>
Dr R Ndjoze-Ojo (Ms)	<i>(Education)</i>
Mr V Simunja	<i>(Defence)</i>
Mr R Dinyando	<i>(Information & Communication Technology)</i>
Mr U Nujoma	<i>(Justice)</i>
Mr P Ilonga	<i>(Labour and Social Welfare)</i>
Mr I Katali	<i>(Agriculture, Water & Forestry)</i>
Mr K Kazenambo	<i>(Regional and Local Government, Housing and Rural Development)</i>
Mr B Esau	<i>(Mines & Energy)</i>
Ms Muharukua	<i>(Gender Equality and Child Welfare)</i>

SECRETARY

Mr. J Jacobs

DEPUTY SECRETARY

Mr F S Harker

LIST OF MEMBERS AND PARTIES WHICH THEY REPRESENT

CONGRESS OF DEMOCRATS (COD)

Mr A. Chilinda	
Ms E Dienda	
Ms L. Kaveri	
Mr T Gurirab	<i>(Deputy Whip)</i>
Ms N Schimming-Chase	<i>(Chief Whip)</i>

DTA OF NAMIBIA

Mr J De Waal	<i>(Chief Whip)</i>
Mr K Kaura	<i>(Party Leader)</i>
Mr P Moongo	
Mr M Venaani	<i>(Deputy Whip)</i>

MONITOR ACTION GROUP

Mr J Viljoen *(Chief Whip)*

NATIONAL UNITY DEMOCRATIC ORGANISATION OF NAMIBIA (NUDO)

Mr A Mbai
Mr K Riruako *(Party Leader)*
Mr A Tjihuiko *(Chief Whip)*

REPUBLICAN PARTY

Mr H Mudge *(Chief Whip and Party Leader)*

SWAPO OF NAMIBIA

Dr L Amathila (Ms) *(Deputy Prime Minister)*
Dr M Amweelo (Mr)
Dr K Amutenya (Mr)
Mr N Angula *(Prime Minister)*
Mr H Angula *(Minister)*
Dr S C Ankama (Mr)
Ms L Basson
Ms A Bayer
Ms C Bohitile
Mr H Booyis *(Chief Whip and Deputy Chairperson
of the Whole House Committee)*
Ms H Christian
Mr Dinyando *(Deputy Minister)*
Mr J Ekandjo *(Minister)*
Mr B Esau *(Deputy Minister)*
Dr H Geingob (Mr) *(Minister)*
Dr T-B Gurirab (Mr) *(Speaker)*
Ms P Haingura *(Deputy Minister)*
Mr M Hausiku *(Minister)*
Mr P Iilonga *(Deputy Minister)*
Ms E Iipinge
Ms P Iivula-Ithana *(Minister)*
Dr A Iyambo (Mr) *(Minister)*
Dr N Iyambo (Mr) *(Minister)*
Mr J Kaapanda *(Minister)*
Mr E Kaiyamo
Dr R Kamwi (Mr) *(Minister)*
Ms L Kasingo
Mr I Katali *(Deputy Minister)*

Ms J Kavetuna	
Dr A Kawana (Mr)	<i>(Minister)</i>
Mr K Kazenambo	<i>(Deputy Minister)</i>
Rev W Konjore (Mr)	<i>(Minister)</i>
Ms S Kuugongelwa – Amadhila	<i>(Minister)</i>
Ms L Lucas	<i>(Deputy Minister)</i>
Mr N Mbumba	<i>(Minister)</i>
Ms A Muharukua	<i>(Deputy Minister)</i>
Ms M Mungunda	<i>(Minister)</i>
Mr P Mushelenga	<i>(Assistant Whip)</i>
Ms T Mushelenga	<i>(Deputy Minister)</i>
Mr J Mutorwa	<i>(Minister)</i>
MR N Nashandi	
Mr T Nambahu	
Mr A !Naruseb	<i>(Minister)</i>
Ms E !Nawases-Taeyele	
Mr I Ngatjizeko	<i>(Minister)</i>
Ms N Nandi-Ndaitwah	<i>(Minister)</i>
Ms R Nghidinwa	<i>(Minister)</i>
Mr E Nghimtina	<i>(Minister)</i>
Mr U Nujoma	<i>(Deputy Minister)</i>
Mr P Shifeta	<i>(Deputy Minister)</i>
Mr V Simunja	<i>(Deputy Minister)</i>
Ms D Sioka	<i>(Deputy Speaker)</i>
Dr N Tjiriange (Mr)	<i>(Minister)</i>
Mr T Tweya	<i>(Deputy Minister)</i>
Mr R /Ui/o/oo	

UNITED DEMOCRATIC FRONT (UDF)

Mr J //Garöeb	<i>(Party Leader)</i>
Mr M Goreseb	
Ms G Tjombe	<i>(Chief Whip)</i>

APPOINTED BY THE PRESIDENT IN TERMS OF ARTICLE 32(5)(c) OF THE CONSTITUTION

Mr R Diergaardt	
Ms I Hoffmann	
Ms A Manombe-Ncube	
Mr C Namoloh	<i>(Minister)</i>
Dr R Ndjoze-Ojo (Ms)	<i>(Deputy Minister)</i>
Mr P Smit	<i>(Deputy Minister)</i>

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBER
02 JUNE 2009
WINDHOEK**

The Assembly met pursuant to the adjournment.

HON SPEAKER took the Chair and read Prayers and the Affirmation.

HON SPEAKER: The House shall today, the 2nd of June 2009, resume its business and I welcome you all back, Honourable Members.

BILLS CONFIRMED BY NATIONAL COUNCIL

HON SPEAKER: I have been informed by the Chairman of the National Council that the Council, in terms of Article 75(2) of the Constitution, considered and confirmed the following Bills without Amendments:

1. *Appropriation Bill* [B.4-'09];
2. *Magistrate's Bill* [B.1-'09]; and
3. *Magistrate's Courts Amendment Bill* [B.2-'09].

I shall now, in terms of Article 75(3), refer these Bills to the President to deal with them under Articles 56 and 64 of our Constitution.

I will report to the House on the outstanding Constitutional Amendment Bill after consultation with the relevant stakeholders.

Also, Honourable Members, our Parliament and we all as elected representatives of the people join the world community in expressing shock and dismay at the catastrophe experienced by the Air France Flight 447 from Brazil to Paris, resulting in the possible demise of 228 passengers and crew members. The Air France plane remains missing, there were some bits and pieces on the screen as I left my office. Since yesterday and up to this moment it remains missing. It is hard to accept the inevitable, but all passengers and crew members on board are presumed dead. May their souls rest in peace.

On a promising and positive note, South Africa did it and Malawi copied that success story by getting elections clean and right, we will get that

02 June 2009

**TABLING OF REPORTS
HON KASINGO**

report in due course, and SADC is soon to follow. Let us see to it that the rest of the regional elections this year will come clean and will be so certified.

HON SPEAKER: Any Petitions? Any Reports of Standing or Select Committees?

**TABLING: PRELIMINARY REPORT ON
PAN AFRICAN PARLIAMENT**

HON KASINGO: Before I lay upon the Table the Preliminary Report on PAP, I would like to humbly inform the Honourable Members that the Eleventh Ordinary Session of the Pan African Parliament took place from the 18th to 29th of May 2009.

The Members of the Pan African Parliament that attended this Session were Honourable Booy, who is our leader, Honourable Kasingo, Honourable !Nawases-Taeyele, Honourable T Gurirab and Honourable Hakaye.

The Session was characterised with heated Debates about the decision Doc. EX.CL/459 (XIV) of the Assembly of the African Union that requested the Pan African Parliament to urgently fix a term of office for its Bureau, drawing inspiration from the AU organs and to immediately hold elections to renew the mandate of the current bureau or to elect a new Bureau. The decision further instructed the Pan African Parliament to change its rules to be in line with the Protocol to the Treaty establishing the African Economic Community Relating to the Pan African Parliament.

Eventually after a hot Debate, the election of the Bureau took place on the 28th of May 2009 and the new Bureau is as follows;

President: Honourable Dr Idriss Ndele Moussa from Chad
First Vice-President: Honourable Bethel Amadi from Nigeria
Second Vice-President: Honourable Mary Mugenyi from Uganda
Third Vice-President: Honourable Laroussi Hammi from Algeria
Fourth Vice-President: Honourable Joram Gumbo from Zimbabwe.

02 June 2009

**NOTICE OF QUESTIONS
HON VENAANI**

The days leading to the elections were tense. The Rules of Procedure of the Pan African Parliament were discussed to make changes for the elections to take place. The proposed changes to the Protocol to the Treaty establishing the African Economic Community Relating to the Pan African Parliament were also discussed, but the discussion was also not completed. The Rules were eventually not changed and the elections took place in terms of the existing Rules on the advice from the Deputy Legal Counsel from the African Union. The full Report will be tabled next week.

HON SPEAKER: Will the Honourable Member table the Report? Other Reports of Standing or Select Committees? Other Reports and Papers? Any Notice of Questions? Honourable Venaani.

NOTICE OF QUESTIONS

QUESTION 40:

HON VENAANI: I give Notice that on Thursday, the 11th of June 2009, I shall ask the Minister of Finance the following:

In view of the current media reports and analyst views that our national economy has moved from a slowdown into a full-blown recession, may the Minister appraise the House on the following:

1. The overall state of our national economy and the Region?
2. The impact of SACU deficit on our future Budget?
3. What job losses are expected through the recession?
4. Is she contemplating any bailouts for worst hit industries?

QUESTION 41:

HON VENAANI: I give Notice that on Thursday, the 11th of June 2009, I shall ask the Honourable Minister of Mines and Energy the following:

02 June 2009

**NOTICE OF QUESTIONS
HON VENAANI**

1. How far is the progress of the construction of the Kudu Gas Field as of date and when can we expect its operation?
2. Is the South African power utility, Eskom, having any equity shares in the project and if the answer is in the affirmative, how much?
3. Which international players or companies have any stake whatsoever in the project?
4. What is the estimated cost of the completion of the project and how would the world economic recession impact on its completion?

QUESTION 42:

HON VENAANI: Honourable Speaker, I give Notice that on Thursday, the 11th of June 2009, I shall ask the Minister of Environment and Tourism the following:

The Warmquelle hot springs in Kunene Region in the Sesfontein constituency has been turned into a washing bay of school children during wintertime because of negligence. The springs have become heavily polluted and are an eyesore for any tourist to look at it. May the Minister answer the following?

1. What measures will the Minister impose to address this precarious situation at the hot springs?
2. Is the Minister aware that tourists that visit the area are now only visiting the surrounding lodges and not the springs at the school because of the situation and in the process revenue is not created to support the local school and surrounding community?
3. Which other tourist attraction sites need to be revamped and cared for to boost our fauna and flora to the tourism sector in the Country? Will the Minister ensure that all these sites are rehabilitated the soonest?

QUESTION 43:

HON VENAANI: I give Notice that on the 11th of June 2009, I shall ask

02 June 2009

**NOTICE OF QUESTIONS
HON KAURA**

the Minister of Regional and Local Government, Housing and Rural Development:

1. Is it true that Government still owes Ramatex an N\$80 million refund to the City of Windhoek?
2. Is it further true that 100 percent of vehicle registration fees goes directly to Central Government through its subsidiary and the City of Windhoek receives nothing?
3. In the Ministry's view, does the Minister think that the financial position of the City of Windhoek would be sustainable in the future without any Central Government intervention?

HON SPEAKER: Will the Honourable Member table the Questions?
Honourable Kaura.

QUESTION 44:

HON KAURA: Honourable Speaker, I give Notice that on the 11th of June 2009, I shall ask the Minister of Health and Social Services the following:

1. Are you aware of the fact that out of five elevators at the Katutura State Hospital for the general public, three have been out of order for the last three weeks? Is this situation not reported to you and if not, who is the responsible official who must report to you or take steps to rectify the situation?
2. Honourable Minister, the supply of oxygen at the Katutura State Hospital is sometimes unavailable up to an hour while there are patients who need continuous supply of oxygen. Does this situation not place the security of patients in jeopardy and what do you intend to do about that?
4. Honourable Minister, there are staircases at the Katutura State Hospital and during visiting hours even senior citizens are required to scale those stairs up to the first floor to take the elevators. The members of the Field Force deployed at the State

02 June 2009

**NOTICE OF QUESTIONS
HON DE WAAL / HON SCHIMMING-CHASE**

Hospital display no civility or discretion to allow senior citizens to use the elevators from the ground floor. This is a painful state of affairs and it warrants your immediate attention to rectify or standardise it to the Central State Hospital.

HON SPEAKER: Will the Honourable Member table the Questions?
Honourable De Waal.

QUESTION 45:

HON DE WAAL: Thank you, Honourable Speaker. I give Notice that on Thursday, the 11th of June 2009, I shall ask the Minister of Finance the following:

On the 9th of November 2008, Air Namibia concluded a contract with a private company to the effect that the private company will buy and pay for 12 tons of airfreight on each flight of Air Namibia both to London Gatwick as well as to Frankfurt in Germany at a price of US\$1.42 per kilogram. This equals an amount of US\$119,280 per week and is worked out at 12,000 kilograms times seven days times US\$1,42 per kilogram.

At an average exchange rate of N\$8 to one US dollar, it boils down to an income of N\$2,982,000 per week.

Can the Honourable Minister inform the Honourable House what the actual income of Air Namibia was for the period 9 November 2008 until the end of May 2009 out of this contract?

HON SPEAKER: Will the Honourable Member table the Question?
Honourable Schimming-Chase.

QUESTION 46:

HON SCHIMMING-CHASE: Honourable Speaker, I give Notice that on Thursday, the 11th of June 2009, I shall as the Honourable Minister of Works and Transport the following questions:

02 June 2009

**NOTICE OF QUESTIONS
HON SCHIMMING-CHASE**

Of late there were various reports in the media regarding the acquisition of the train engines from China, amongst others, their cost, their usefulness in Namibia and who should ultimately be held responsible for the deal. Can the Honourable Minister, therefore, provide this august House with the following:

1. What was the total cost for these engines?
2. Are they functioning and if not, why not?
3. Was a feasibility study conducted and if yes, by whom and at what cost? If it was not conducted, why not?
4. Could the Honourable Minister provide copies of this study if there is one?
5. If it is true that these engines are white elephants, who bears the responsibility for the deal and who will cover the losses suffered by the Namibian taxpayer?

QUESTION 47:

HON SCHIMMING-CHASE: I give Notice that on Thursday, the 11th of June 2009, I shall ask the same Minister of Works and Transport the following questions:

Before Independence NGOs and CBOs were very concerned about Bantu and Coloured education and got involved in alternative education projects. When the Interim Government wanted to blow up the old compound in Katutura, these organisations held demonstrations and marches until they were given permission, in writing to convert the market into classrooms and offices. The Peoples Primary School was founded to help the oppressed and using donor monies of approximately N\$50,000 to build classrooms. After Independence the Ministry demanded that the buildings be handed to Government: The organisations were asked to provide documentary evidence that was demanded by the Ministry, after which they were promised that the Ministry would consider a refund. I therefore ask:

1. Since the law stipulates that, provided written evidence of the permissions is provided and this was done, why is the Ministry

02 June 2009

**NOTICE OF QUESTIONS
HON CHILINDA**

refusing to refund the Peoples Primary School?

2. Does this not smell of nationalisation, which is against the Constitution?
3. Is the Minister aware that this money is being requested to build additional classrooms at Jakob Marengo Tutorial College in order to accommodate more previously disadvantaged children?
4. Since the Ministry is benefiting from the use of the old building, can the Minister, especially since we have a pro-poor policy, not assist these children of the poor by refunding the money to enable them to build other classrooms?

HON SPEAKER: Will the Honourable Member table the Questions?
Honourable Chilinda.

QUESTION 48:

HON CHILINDA: I give Notice that on the 11th of June 2009, I shall ask the Honourable Minister of Mines and Energy the following question:

Rural electrification is a welcome development to every Namibian. In the Caprivi Region electricity cables are hanging over the roofs of some schools, village houses and huts without being installed in these buildings. This selective morality is thus benefiting some schools which can have computers and technologies installed in their schools, while their neighbours in the same constituencies and localities are being neglected. What criteria are being used in deciding which school or village will be electrified or not?

QUESTION 49:

HON CHILINDA: I give Notice that on the 11th of June 2009, I shall ask the Honourable Minister of Agriculture, Water and Forestry the following questions:

For the past two years or so our people of the Caprivi Region have been severely affected by the ban placed by the Government, barring them from

02 June 2009

**NOTICE OF QUESTIONS
HON CHILINDA**

selling their cattle due to the foot-and-mouth disease. This has serious repercussions on the livelihood of the community of the Caprivi Region: parents have no money to pay for their school fees and related needs, to purchase food especially after their crops have been destroyed by the heavy rains and floods and to pay for other essential commodities. The Caprivi Region is one of the areas already marred by poverty, unemployment and underdevelopment and therefore, the situation is worsening on a daily basis.

1. Honourable Minister, what is your Ministry's immediate plans with regard to this problem?
2. What is your long-term solution to the foot-and-mouth disease control measures in the Regions likely to be affected?
3. How and when can Government get MeatCo to reopen its business activities in the Caprivi Region?

QUESTION 50:

HON CHILINDA: Honourable Speaker, I give Notice that on the 11th of June 2009, I shall ask the Honourable Prime Minister the following question:

During the flood disaster in the Caprivi, both people and animals, including crops on their fields, were trapped. Government successfully relocated the people and provided food for the starving wild buffaloes, but ignored and left the domestic animals, like cattle and crops, unattended to. Some cattle were left to die of starvation, while the people could not be assisted to harvest their fields, even those not submerged but surrounded by water.

1. What are the priorities of the Government to alleviate the current problems experienced in this regard?
 2. Were buffaloes more important than the livelihood of the people that were both caught up there?
 3. What is the long-term solution to this predicament?
-

02 June 2009

**NOTICE OF MOTIONS
HON KAURA / HON KAAPANDA**

HON SPEAKER: Will the Honourable Member table the Question? any further Notices of Questions? Any Notices of Motions? Honourable Kaura.

NOTICE OF MOTIONS

HON KAURA: Honourable Speaker, I give Notice that on the 10th of June 2009, I shall Move –

That this House deliberates the issue of established conservancies in view of the increasing conflict between man and beast, such as elephants, buffaloes, hippos, lions, crocodiles and spotted hyenas.

I shall also move that at the end of the deliberations, this Motion be referred to the relevant Committee on Nature Conservation to do a deeper introspection to find a solution to this conflict between man and beast.

HON KAURA: Honourable Speaker, I also give Notice that on the 10th of June 2009, I shall Move –

That old-aged pensions be increased to N\$1,000 per month.

HON SPEAKER: Honourable Kaapanda.

HON MINISTER OF INFORMATION AND COMMUNICATION TECHNOLOGY: Honourable Speaker, I give Notice that tomorrow, the 3rd of June 2009, I shall Move –

That leave be given to introduce a Bill to provide for the regulation of telecommunication services and networks, broadcasting, postal services and the use and allocation of radio spectrum, for that purpose the establishment of an Independent Communication Regulatory Authority of Namibia; to make provision for its powers and functions; the granting of specialised telecommunication licences; the creation of an Association to

02 June 2009

**MOTION ON GRADE 10 AND 12 RESULTS
HON DIENDA**

manage the .na internet domain name space; and for matters connected therewith.

HON SPEAKER: Will the Honourable Minister table the Motion? Any further Notice of Motions? Any Ministerial Statements?

The First Notice of Motion is the one of Honourable Dienda. Does the Honourable Member move the Motion?

MOTION ON GRADE 10 AND 12 RESULTS OF 2008

HON DIENDA: I move the Motion.

HON SPEAKER: Any objection? Agreed to. Honourable Dienda has the Floor.

HON DIENDA: Honourable Speaker, Honourable Members, it is a privilege for me to motivate this Motion in this august House. As a former teacher during the colonial regime and also after Independence, and as former SWAPO member I did some observations on education.

The objective of this Motion is to call for a national Debate to completely review our education system in consultation with other stakeholders, such as labour market consultants, guidance teachers, economists, etcetera. This time around I propose that we do not make use of consultants whom we have to pay enormous amounts of money, but rather to make use of our own stakeholders. We have professionals who have been involved in education since the time of Bantu Education and alternative education during the liberation struggle both inside and outside the country. They have more knowledge and experience of our education and its problems than any consultant from outside the Namibian set-up. We have to work as partners and not as tools.

Tools can only be used when they are needed at that particular time and when there is work for them. When there is no work, tools tend to be

02 June 2009

**MOTION ON GRADE 10 AND 12 RESULTS
HON DIENDA**

discarded. Partners are lifelong collaborators. How many of our learners who enter Grade 12 pass it well enough to go to university? It was my hope that ETSIP might improve the situation, but sadly, not all our schools are currently benefiting from ETSIP. In our role as agents of change, our influence must go beyond decision-making by demanding accountability from implementers at all levels.

Honourable Speaker, Honourable Members, it is not a matter of former white or black schools, but rather a matter of service delivery. Windhoek High School, which has been classified as one of the top schools in the country, cannot even compete with Oshigambo Secondary School which is situated far in the North. People who are saying that schools in Windhoek are better off than rural schools and must, therefore, perform better than other schools have missed the point.

Teachers who are not responsible cannot be kept as assets in our Ministry. We have to get rid of liabilities. People are being promoted who are not promotable.

Let us look at the following challenges that we are facing:

Primary Education: Honourable Members, we need to put more emphasis on primary education. More money must be put aside to ensure that the groundwork is done at the lower primary level and the best foundation laid. Primary education must be our priority when we debate our Education Budget. Reading and writing, arithmetic and mathematic skills must be mastered at the lower primary level. The current situation whereby all learners will progress from Grade 1 to 9 without repeating when they fail is an unhealthy situation and does not benefit the Nation.

National development endeavours we set ourselves to achieve will never improve if we will not do away with this policy of automatic promotion anywhere in the current education system. The present practice where only in cases where the class teacher or moderating team, in consultation with the principal and the HOD, are absolutely convinced that the learner would definitely not benefit from progressing to the next grade, should a learner be held back and have to receive compensatory teaching towards promotion to the next year is totally counter-productive. This seems to be a short-term solution which is proven wrong in Grade 10 and 12. If the child has not mastered the work in Grade 1, it is inconceivable that it will do so in Grade 2, and this is repeated up to Grade 9. It is therefore not surprising, that we have a high percentage of Grade 10 failures. What are we trying to achieve? Do we compromise quality? Do we try to give the

02 June 2009

**MOTION ON GRADE 10 AND 12 RESULTS
HON DIENDA**

wrong picture to the international world?

Teachers are complaining that many children are forced through the system although their marks are not good enough. This means that they either fall by the wayside or the teachers have to neglect other children in the class to give them special attention. The marks needed to pass Grade 10 and 12 are very low and yet our children cannot achieve it.

Our BETD courses offered: Do our Teacher Training Colleges address the needs of our schools? Remedial teaching or multi-grade teaching are not part of our curriculum, they are only treated like an informal subject. We have to bring our BETD courses up to standard.

I, therefore, call for a total review of teacher training curricula to provide learners that are marketable.

Limited facilities for children with special educational needs: Special schools for mentally impaired learners caters for learners with moderate to profound cognitive and other development programmes. They provide special programmes or special skills development.

Senior special schools for learners over 14 years of age cater for learners with poor academic history and a backlog which could not be corrected through remedial teaching. My question, therefore, remains as follows: Does our curriculum courses make provision for such graduates at either our colleges or university?

Resources required for the implementation of free and compulsory primary education and also for Education-for-All (EFA).

Honourable Speaker, Honourable Members, if we do not put our money where our mouths are, lip-service will not take us anywhere. As much as we might think that primary education is free of charge, according to the Constitution of our country, the problems we are facing on the ground are telling the truth. A child who does not have a textbook, a pencil, a writing pad or any other kind of material needed for education cannot be successful at the end of the day. The Education Act of 2001 and the Constitution make provision for compulsory attendance of school from the age of 7 until the age of 16 years or after completing primary education, whichever is the sooner, but both these two documents do not make provision for steps to be taken against the non-compliance. How many of our kids have become street kids?

02 June 2009

**MOTION ON GRADE 10 AND 12 RESULTS
HON DIENDA**

Shortages of well-motivated, committed and qualified school teachers:

History has proven to us that teaching is a call. Low salaries, housing problems, school environment, shortages of classrooms, inadequate teaching and learning materials may lead to non-performance of teachers. Industrialisation, the free market system and capitalism have turned the calling in another job opportunity to the best advantage of the child. ETSIP is a new system and many teachers had to re-learn how to teach. While the Education Department presented many training workshops, the classroom is a very different environment from a training seminar, especially when a teacher is dealing with a very large class in which it is impossible to give individual attention to all the children who need it. Many excellent dedicated teachers are finding it increasingly difficult to teach effectively and they are being lost to the profession.

So much of our Education Budget goes for the salaries of teachers, but that does not mean that teachers are well-paid, it only means that the Education Ministry is the largest employer. Little of the Education Budget goes for learning materials and teachers' upgrading courses.

The staffing norms multi-grade teaching:

Honourable Speaker, Honourable Members, teaching more than thirty learners is nothing new, this happened in the colonial regime. The problem with the staffing norm of 35 learners per teacher becomes a problem when it leads to overcrowding and multi-grade teaching. We cannot decide it on the merits of fifty learners in one grade not to appoint another teacher for teaching that grade. The staffing norm is thirty-five, so if there are fifty learners, we are saying that because of the staffing norms, only one teacher will be responsible for fifty learners and this is where the problem comes in. This leads to so many problems in our education system.

The channels of communication for reference of learners with learning problems:

Teachers must identify the problem at class level; parents may also report concerns about school to teachers; discuss with an advisory teacher, so many things.

Honourable Speaker, Honourable Members, if all these channels are being followed, why is the failure rates of Grade 10 and Grade 12 still high? We also have compulsory compensatory teaching which is there to assist learners with learning backlogs, repeaters, if any, and transferred learners,

02 June 2009

**MOTION ON GRADE 10 AND 12 RESULTS
HON DIENDA**

but no change in the results. Is there something wrong with these channels or what is the problem?

About ETSIP: The only textbooks available are for English, Mathematics and Science. Where do the other books come from? How long do we want to compromise our needs in favour of recommendations made by consultants? ETSIP is aimed at encouraging learners to think for themselves and to do their own research, but this means that learners are expected to do their own research in libraries, but for learners in poor and rural areas where there are no libraries, what are we talking about?

On the other hand, Honourable Speaker, I will also say that a teacher who is well trained and creative might be able to do a lot with very little resources.

Parental involvement: Honourable Speaker, grandparents are looking after the children. Parents have disappeared or they are out there looking for jobs somewhere or they do not want to acknowledge their children, so these children do not listen to their grandparents or the grandparents can simply not even read or write to help them with their homework and they must make a living out of the low pension grants. How can parents be one hundred percent involved in the education of their children when they only come home at dark? Now I am referring to the six months winter-time in the country. When we leave here, they are already sleeping.

The three trimesters of our education calendar is also very long. Children need a short break now and then just to freshen them up. (Interjections). My Motion says, *“motivation of the Motion on the Grade 10 and Grade 12 results and to look at the root causes of it.”* I am busy with the root causes. You will not understand, you are not CoD. You will not understand, I was a teacher. Both teachers and children are tired when they have reached the month of March, but still they have to continue until the end of April before having their first break.

I quote from what was said by a principal in one of the local newspapers. *“Parents who are not involved in their children’s education are failing them and will regret it in the future. Parents can also make a difference by praising the good teacher and confronting the bad ones”* – like the son of the Nation – *“as well as ensuring that their own children are not responsible for disrupting Honourable Dienda, like the son of the Nation is doing.”* The son of the Nation is one of those children who are disrupting the order in the House and he needs to be disciplined.

02 June 2009

**MOTION ON GRADE 10 AND 12 RESULTS
HON DIENDA**

Subject Choices: Honourable Speaker, Honourable Members, are we not overloading our children with all these subjects in Grade 8 and 10? 9 Subjects, Honourable Speaker. Grade 11 to 12, six subjects. Why can we not agree on only six subjects as from Grade 10 until Grade 12? Why can learners not already choose their field of studies in Grade 10 and continue with it in Grade 12? Is the knowledge to be acquired really applicable, relevant and needed in the job market today?

Libraries at all schools from Grade 1 until Grade 12: The libraries must be a full-time job. We cannot have a class teacher who is responsible for the library and the libraries must be open during the day until 17:00. What is this that we call libraries if it does not meet the minimum requirements for the definition of “library”, if there are no books in the library and it is not open during the weekend?

The media: Many newsrooms do not have an education specialist desk. Editors feel that education issues do not contribute to the sale of their newspapers. Whether the media is owned by Government or private enterprises, the end-result is still the same. The *Namibian* newspaper has a news desk which mainly covers letters from children on youth matters and not necessarily on education. They do not have any specialised reporters assigned especially to the education desk. The NBC has a programme called “**IOL Learning**” from 15:00 until 16:00 every day, but also no specialised reporters in education.

Education itself is about communication, for this is what happens in class. The media should take an aggressive stand in supporting and creating public awareness for development.

Alternative additional education opportunities: Not all human beings are academically good and some can make a meaningful contribution through vocational fields. Why can we not consider a parallel system where learners who are at a young age are given the opportunity to be included in the sphere of their abilities and interest? Currently vocational training is regarded only where the academics fall short.

In conclusion, our Grade 10 and 12 results cannot and will not improve unless we acknowledge that as partners and stakeholders in education we need to sit together and seriously address the issue. The input by Government must be complemented through the output. I thank you so much.

02 June 2009

MOTION ON GRADE 10 AND 12 RESULTS
HON RIRUAKO

HON SPEAKER: I thank the Honourable Member. Chief Riruako.

HON RIRUAKO: Mr Speaker, I have listened very carefully to the Honourable Member and the way she expressed herself, but unfortunately you are the product of Bantustans and all of them are sitting here. (Interjection)

HON MEMBER: And you too.

HON RIRUAKO: Yes, no one escaped that, we suffered the same way, all of us here and Honourable De Waal is a product of servitude to the Cape. You would not notice it, but it happened that way, to serve somebody but not to serve yourself. This is the reality.

We are crying for better education. Although the curriculum was not bad, it was in a very good position because the failure was not mentioned so much as we are mentioning now. (Interjection). Those who did not participate in that system should keep quiet and listen.

The fact remains that the education had to be changed by the Honourable Prime Minister and please, let us reverse to our old system and groom it to be a very good productive education, not Bantustan but the earlier one. (Interjection). You were not even here, you are from Russia. Let us face the reality, we try our best to give our children good education, but it does not mean anything at all. Let us reverse it to a better way and reintroduce it the way we want, rather than arguing with one another on who is the best teacher. That will not help, we know where the problem lies, let us face the reality.

Honourable Speaker, let us sit down and find out what has to be done. The teachers do not even have a simple psychology subject to understand the child's mind. Honourable Dienda, this is a fact, we base our education on the European education, we do not have a single subject to fascinate the child to your bosom. Do we have it? (Intervention)

RT HON PRIME MINISTER: On a Point of Order. I am interested in your question on psychology and I have a tiny question. What does B F

02 June 2009

MOTION ON GRADE 10 AND 12 RESULTS
HON NUJOMA

Skinner say about learning? and what does ...(Intervention)

HON RIRUAKO: Skinner was my teacher, not your teacher. He was my tutor, not even teacher. Four times a month I had to travel to Boston to sit in on lectures with him. He never trained his own child but he trained others. We always hear that a doctor cannot doctor himself.

You have a very good higher education, but to go back to human endeavour and behaviour, can you identify yourself to that? (Interjection)

HON MEMBER: A Chief cannot Chief himself.

HON RIRUAKO: I am not talking about chieftainship, I am talking about learning. But let us face the reality, let us sit down and select how our teaching should be. We are criticising one another, but we have to sit down together and solve the problem in a very good manner. That is the way how to do it.

Honourable Speaker, I may say that you did not listen very carefully, but as a person who is so educated you ought to listen and take it from there and keep to what we said. I hope that goes where it belongs. I thank you.

HON SPEAKER: Honourable Nujoma.

HON DEPUTY MINISTER OF JUSTICE: Honourable Speaker, I want to make a few comments on the Motion introduced by Honourable Dienda. Before I start, I want to ask her, do you know B F Skinner's theory of classical conditioning? Have you heard of something like that? You say you are a teacher, go and read Skinner's book and Pavlov.

I listened attentively to Honourable Dienda and I also read the Report of the Deputy Minister when she toured the thirteen Regions and when I was

02 June 2009

**MOTION ON GRADE 10 AND 12 RESULTS
HON NUJOMA**

interjecting, saying this is plagiarism at its worst, I was referring to the issues you have raised today. Most of them have been raised in that Report and most of those issues are being tackled. As I am speaking now, most of these issues are being addressed seriously and also through ETSIP. That is why I was a bit annoyed and I thought it was not the best practice to plagiarise other people's work and make it an issue of Parliament. (Intervention)

HON SCHIMMING-CHASE: May I ask the Honourable Member a question? Honourable Deputy Minister, I suppose all of us have a clear idea what "*plagiarism*" means and for an Honourable Member to start accusing another Member of intellectual theft is a serious accusation and I think it needs to be substantiated. To take an example, the Standing Committee on Foreign Affairs, Defence and Security regularly visits prisons and police cells. So does the Ombudsman, so does the Minister and they all report the same things, because that is what they have seen. Does that constitute plagiarism and who is committing plagiarism?

HON DEPUTY MINISTER OF JUSTICE: I think I am entitled to say what I think in this House and according to what I heard today and what I have read, I think I have that right to correct some of the Colleagues not to take advantage of the situation. We must not take advantage of the situation we are finding ourselves in because of the history of colonialism and because of the poverty we have in this country. Therefore, we must always recognise the efforts others have done. (Interjection)

HON SCHIMMING-CHASE: Where is the Report?

HON DEPUTY MINISTER OF JUSTICE: You have seen the Report.

**HOUSE ADJOURNS AT 15:40
HOUSE RESUMES AT 16:18 PURSUANT TO ADJOURNMENT**

02 June 2009

**MOTION ON GRADE 10 AND 12 RESULTS
HON NUJOMA**

HON DEPUTY MINISTER OF JUSTICE: Comrade Speaker, I was referring to this Report and this Report has been on the Internet since 2007 and it is very clear. If you look at the statement, most of the issues raised in this report is there and nobody can accuse me of unsubstantiated statements.

Comrade Speaker, nevertheless, while I appreciate her work, I just wanted to say that her work and all our contributions here...(Intervention)

HON RIRUAKO: On a Point of Order. I think you said it well, Honourable Member, but I was saying we have to come together and solve the problem once and for all. We do not need to sit down and argue with one another for nothing. Let us face it now and come with a proposal.

HON DEPUTY MINISTER OF JUSTICE: Finally, Comrade Speaker, I just wanted to say that the efforts of her work and all our contributions here are in jeopardy, because I have learned from NBC-TV that the work of Parliamentarians will be broadcast at midnight every night and in the morning at 09:00. Thank you, Comrade Speaker.

HON SPEAKER: I thank the Honourable Deputy Minister. Honourable Viljoen.

HON CHILINDA: Honourable Speaker, I move that the Debate be adjourned until Tuesday, 9 June 2009.

HON SPEAKER: Any objection? The Debate on this Motion stands adjourned until next week, Tuesday. The Secretary will read the Second Order of the Day.

MOTION ON DRUG ABUSE IN NAMIBIA

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON VILJOEN**

HON VILJOEN: Honourable Speaker, before I move the Motion, I move that the wording of this Motion be amended by removing the word “*alcohol*” from the original Motion and to read as follows: “*That this Honourable House discusses and considers the extensive problem of drug abuse in Namibia and the problems which the Ministry of Health and Social Services and law enforcement officials encounter in dealing with this problem.*” I also move that this Motion be referred to the Standing Committee on Human Resources.

HON SPEAKER: Will the Honourable Member table the Amendment? Any objection to the Amendment as tabled by the Honourable Member? None.

HON VILJOEN: Honourable Speaker, my intention is not to give a full lecture on the dangers of drug abuse, the different kinds of drugs, the danger of using drugs or the rehabilitation of drug users, neither is the purpose to criticise the Namibian Government for not doing its work properly. The purpose of my contribution is to make Parliamentarians aware of the dangers of drugs in Namibia and to inform this Honourable House and all Namibians that our country has become a paradise for drug smugglers and that we are not equipped to fight this problem of drug trafficking. (Intervention)

HON MINISTER OF JUSTICE: I am sorry if I am transgressing, I am ready to be called to Order, but I just wanted to find out from the Honourable Member whether I heard properly what he said, that the Government is paralysed by the drugs or something like that. Did I hear him properly? Can he repeat himself?

HON SPEAKER: Honourable Viljoen, the Minister of Justice wishes you to repeat what you have said.

HON VILJOEN: I said it is not my purpose to criticise the Namibian Government for not doing its work properly. Honourable Speaker, the

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON VILJOEN**

purpose is to emphasise that drug abuse is a reality in the streets of Windhoek and in all other villages of this country. It is a reality in our schools and it is being used by those children whom we regard as our children.

I am convinced that many Members in this Honourable House will not recognise drugs such as Mandrax, Rock, Ecstasy and LSD and other available drugs when they see it on the street. Even solvents are used in various using forms as sniffing glue. Solvents include various glues, petrol, paint thinners, nail polish remover and household products such as cooking spray.

Honourable Speaker, there is still a chance to control the drug trafficking culture in Namibia if we realise the seriousness and act immediately. I hope my Motion is not just another fruitless action which will be doomed to be filed somewhere, like many motions and discussions of the past couple of years. History has proved that many of the motions are not regarded as important until a crisis occurs, until the paw-paw strikes the fan.

I have discovered a comprehensive document named National Drug Control Master Plan, 2002/2003 to 2008 which was designed by the National Drug Commission of Namibia. It contains four of the objectives and a detailed plan of activities. It was signed by the present Deputy Prime Minister who was at that stage the Minister of Health and Social Services.

The previous President of Namibia addressed the Nation in February 1994 on National Television and identified the rapidly escalating drug problem as a national problem. There is also a Drug Abuse Enforcement Unit trying to cope with the problems of drug smuggling in this country, so everything is in place. However, despite all the efforts and all the available documentation, Namibia has become, as I said, a paradise for drug smugglers. These drugs are not only meant for Namibia, but drug syndicates find Namibia a safe transit zone for these drugs for other countries. We can only read the newspapers of this country to realise that our country and our children are soft targets to absorb this nectar from the table of the devil and that our country is being used as a freeway to other countries.

Honourable Speaker, why is Namibia a soft target? Some of the reasons are that Namibia is a vast country and share long unprotected borders with neighbouring countries like Angola, Zambia, Zimbabwe, Botswana and South Africa and a long coastline. It makes illicit entry effective and

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON VILJOEN**

possible. The infrastructure of the country is hooked with a well-developed airport and several regional airports and some uncontrolled airstrips. We also have a good developed telecommunication network, also to be used by criminals. Namibia has certain assets that may convince drug traffickers that Namibians have the money to pay for drugs. These assets are natural resources and attractive opportunities for the tourism industry.

Smugglers know that Namibia does not have the necessary human resources and equipment, nor does it have adequate border control to deal with these practices. Some of our weaknesses are a lack of human resources and a lack of knowledge to the few who are willing to fight this battle. Secondly, a lack of equipment to deal effectively with this problem. The Drug Law Enforcement Unit needs electronic equipment, like computers with information of all vehicle registration numbers, with the information of all airlines entering our skies and the profiles of possible drug smugglers. They need electronic contact with all border posts, digital cameras and equipment for monitoring cell phones of suspects.

I am convinced that the Drug Law Enforcement Unit has the use of only one computer. There is little or no border control at our border with Angola and there is absolutely no effort to monitor the importation of cargo.

In the first place, they do not have the equipment to screen the cargo and secondly, they do not have the necessary skills. Our counterparts on the other side of the borders with South Africa and Botswana have equipment to protect their own countries. Namibia does not have sniffer dogs to utilise at the airports and borders for the detection of drugs. In some countries they put these dogs on the conveyor belts to go through the luggage of incoming passengers. We have only two or three German Shepherd dogs to serve the whole country. A sniffer dog unit must be established with well-trained animals. It is difficult to take dogs from South Africa because they are busy with a training programme for the 2010 Soccer World Cup. (Interjection). You are barking up the wrong tree. (Laughter). (Intervention)

HON DEPUTY MINISTER OF FINANCE: On a Point of Order. The Honourable Member said “you are barking wrongly.” Can the Member withdraw that? He is talking about the dogs and the dogs were introduced here, we do have dogs.

02 June 2009

MOTION ON DRUG ABUSE IN NAMIBIA
HON VILJOEN

HON VILJOEN: Honourable Speaker, according to my information, we have three German Shepherd dogs to serve the whole country, only three.

Honourable Speaker, officials of Customs and Home Affairs at border posts and other Line Ministries should be properly paid. There are many uncontrolled ways to carry these drugs to Namibia. There are Mainliners, Econoliners and other bus services which carry potential drug smugglers. There are courier services carrying parcels to and from neighbouring countries.

The other day I read a letter in one of the newspapers about a concerned Namibian from Keetmanshoop suggesting that drugs are being carried to Namibia by these courier services.

In conclusion, drugs destroy the lives of our own people. It does not only cause harm to the bodies, but the drugs attack the minds and souls of the individuals. It also drains the end-user economically and many families suffer the consequences. It costs a lot of money to help drug addicts to overcome addiction. The bill on the combating of the abuse of drugs is outstanding since 2006 and should be dealt with as soon as possible. I want to suggest that if this bill is finalised and stronger legislation and penalty clauses put in place, it will not only help(Interjection)

HON MEMBER: Which Bill?

HON VILJOEN: It is the Bill on the Combating of the Abuse of Drugs, tabled in this House and referred to the National Council. It will not only help to solve the drug problem, but it will also convince donors to make money available for drug prevention programmes and I hope that our ignorance to deal with this problem effectively will give us as Members of Parliament the sleepless nights we deserve for not acting now. I thank you.

HON SPEAKER: I thank Honourable Viljoen. Honourable Venaani.

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON VENAANI**

HON VENAANI: Honourable Speaker, I want to wholeheartedly support the intention of Honourable Viljoen with his Motion and as a prelude would want to quote a famous Afrikaans poet, C J Langenhoven, who said: “*Maak jou hout bymekaar in die somer sodat jy in die winter hout kan he.*” Collect your wood in the summer so that in winter you can have wood available for your fire.”

Honourable Speaker, Honourable Viljoen has raised one of the most salient issues that one would generally want to ignore as a non-priority issue, but it is an issue that is in many of our homes in one way or another. It is in our homes especially if you look at the young teachers, if it is not their peers at school, in their circles of friends you would find young people using drugs and those of us who were at high school not so long ago know this for a fact. (Interjection). Well, it was a questionable thing at school to use dagga. Those children would use it would smoke how many cigarettes and when it comes to Friday, they challenge the system by smoking dagga sometimes in classrooms, but it has gone further than that.

I remember so vividly the names of drugs that people were using, the “*half-kick*” which is half a Mandrax and we know all these words. Therefore, this thing is destroying our children. (Interjection)

HON MEMBER: How many half-kicks did you have?

HON VENAANI: Well, I tended to be a very good child. This thing is influenced by the television. Each and every programme you watch, there is a drug-related problem and young people see using drugs as being cool. It is a war that is entering our own homes through the backdoor and it is a serious issue.

Honourable Viljoen, one issue that we must underline is the fact that drug-related problems are very complex in nature because of the trafficking routes.

I had the opportunity to attend a international conference on drugs and human trafficking a few years ago and we were taken to behind Heathrow Airport to be shown the kind of machinery and equipment they have to be able to detect some of those using drugs. I can tell you, if one says

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON VENAANI**

Namibia must acquire that equipment, tomorrow we will not be able to send our children to school.

One piece of equipment that really caught my attention is an air blaster. When you walk through it, it pushes air towards you and then it detects whether you have been close to a person using drugs or what perfume you are using or anything. They can detect from that whether you were very close to a person using drugs or whether you are carrying drugs in one way or another and you will be surprised at the way the drug smugglers are concealing these drugs. You would think this person is just importing and exporting furniture, but drugs are concealed in the table legs. Detection is a challenge.

I can tell you one of the biggest challenges we have as a country is money made in this country by companies which are leaving in containers. We cannot detect money leaving our ports, let alone people who are trying to conceal drugs.

I went to school in the Khomasdal area and that is an area which is highly affected by a drug problem. Katutura is coming up, but I have been living in Khomasdal since childhood and attended school there. Every second young unemployed Namibian is intoxicated as a result of drug abuse.

You are articulating correctly that we do not have the capacity, but my problem is that when you have so many competing needs as a country, do you go and buy this expensive equipment to detect drug abuses or do you take your children to school? I think the international donors should try to play a bigger role in trying to assist countries such as Namibia.

Sometimes our students are lured into these things. They are going to London for *au pair* services and when this child reaches London, she is told that, “*no, my sister, your job is that you are going to be a mule, you are going to transport drugs.*” They put it in plastic and put it in your stomach. You will find young girls in London today who, if you check on their passports, have been to Sierra Leone, France, Switzerland and they are being used to transport these drugs all over the world. (Interjection)

HON MEMBER: Why girls?

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON VENAANI**

HON VENAANI: They are mostly girls because of a variety of reasons.

HON MEMBER: Did you check their passports?

HON VENAANI: I did check some of the passports, I know what I am talking about, because I attended a conference and we were shown that even Namibians are travelling so much and they are students. Where do you think they get the money to be able to go around? This person comes from Sierra Leone, the immigration is telling you that this person is leaving the country on a weekly basis. These are possible mules and we should be looking at these things.

However, at the centre of the drug problem is the need to address, prevention and rehabilitation. We need to beef up our rehabilitation and the only role that our country with its meagre resources can play effectively, is when we fully equip our rehabilitation centres to be able to rehabilitate students. One thing that I think is important to even be put in legislation is to be able to do random testing at schools for drug abuse, because we will only be able to treat drug-related problems when it is discovered early. This is important especially at our high schools.

You would find a student in a classroom swearing at a teacher and then you wonder what is wrong with this child. These things are happening. The teacher would call the parents and say the child is suspended because he is swearing at the teachers, but then the problem is much greater. Then it is a drug-related problem and for us to be able to curb this drug problem, we should legislate to do continuous random testing at schools. That is how we can curb the drug abuse problems that we encounter.

On the question for the need of sniffer dogs, I can tell you that these dogs are expensive, because in London you have dogs which can detect if you are carrying a large bulk of money. Imagine training a dog to be able to sniff the ink on the money. Dogs are being trained to detect dairy products, leaf products, drugs. We have a lot of dogs in this country, perhaps we should just get trainers, but it is not all dogs that are able to do this, these dogs have to be extremely smart.

At the conference I said that our countries would want to curb this problem facing our people, but competing needs are just higher than the problem.

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON DR N IYAMBO**

Therefore, I think we should really call for international support, the entities which are here should help us with the rehabilitation centres and try to create a much greater capacity, because we do not have the resources at our disposal. With these few remarks, I support what Langenhoven has said, that you are collecting the wood in the summer so that you have it in winter. It is a very important Motion and I thank you very much.

HON SPEAKER: Thank you. Dr Iyambo.

HON MINISTER OF SAFETY AND SECURITY: Thank you very much, Honourable Speaker, Honourable Members. I also rise to support the Motion introduced by Honourable Viljoen. I also agree with him when he changed the title of the Motion from “*alcohol*” to “*drugs*”, because obviously, alcohol is also a drug in this respect. Using the name drug is very inclusive.

Honourable Members, there are many cancers in society, cancer as a disease and obviously, drug abuse in our country could equally be characterised as one of the cancers in our society. You have heard me and other Honourable Members of this society complaining about police cells and prisons being too full. If you go there, the population of our Prisons is by and large composed of people of the age group of 19 to 35. When you look at the nature of their cases, whether it was rape, murder, housebreaking, stealing, normally the reason is poverty. They said they did this to get money. However, when they are asked about their household, one will discover that they come from households composed of 6, 7 people.

When asked whether their family members visit them regularly, you would find that 90% of them are visited by family members. That would indicate that if the reason was poverty, then the rest of the members of the household would equally have fallen prey to committing crimes, because that poverty could not have applied to only that individual of that household, but to everybody. Obviously these people snatch cell phones, commit housebreaking to get hold of money to buy drugs and that is the main reason.

When you visit them in the police cells and in prison and look them in the eyes, their eyes are red and the way they look at you makes you realise that

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON DR N IYAMBO**

there is something wrong here. (Interjections). Probably all of them do not belong to the Red Eye Gang, but it is caused by drugs. It is really a cancer in our society today as we sit here.

I am also very happy that Honourable Viljoen proposed that this Motion be referred to the appropriate Committee of this House and I would immediately advise that Committee Members invite members of the Namibian Police Force who deal with this issue, to hear in detail what is going on, because I think you agree with me that some of the issues cannot be openly discussed in this House. However, the issue is very serious.

There are plans on the table which are being worked on to deal with these issues, but I am sure the Members of the appropriate Committee can be informed about what is being planned.

In the past Namibia was basically used as a transit area for drugs, but now it has also become a place where drugs are heavily consumed, to the point that we have many areas in Namibia where drugs are cultivated, which has never happened before. There are also a few laboratories where some of the hard drugs are being manufactured and that most probably indicates to us which road we are travelling in as a country.

I think it would be appropriate that we as lawmakers are concerned about this and our concern is the concern of the whole society of Namibia. It is also true, as Honourable Viljoen has mentioned, that the Combating of the Abuse of Drugs Bill has been passed in this House, sent to the National Council which proposed certain Amendments and I think the legal drafters are now busy working on it before it will come back here. Thereafter certain steps will be taken how to put that Act into operation. We have a lot to do and obviously, this issue does not concern Namibia only. You have seen on television and read in the newspapers of the drug wars in Latin America. You would have heard of it between the United States and Mexico, from Afghanistan, Pakistan, name it. It is everywhere and the mode of carrying these drugs is also sophisticated. By the way, there are ways in which the drugs are being transported that nothing can detect it, not even the sniffer dogs and I will not go into those details. That makes it very difficult to deal with. Of course, people are working together on the international front to see how to overcome this.

I think it is also true that when you have a developed country being affected by an issue, then they immediately become active, because the drug problem is not only in Africa or Namibia, but everywhere. In Europe it is a cancer and it is a cancer here and that is why European countries,

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON DR N IYAMBO**

including the United States, are actually up in arms to fight these drugs and therefore, if efforts are made to seek assistance from them, they will most probably assist. There are certain things which they are prepared to, certain things they are not prepared to do. Sniffer dogs are one of the very complicated issues and they can only assist you to a certain level, not in all aspects because certain aspects are reserved for national character only. We would have wanted to have the whole spectrum of it.

South Africa, Angola and countries which are going to host these world events next year are positioning themselves to deal with all these unwanted substances and going to the next tier, all the necessary equipment might have been activated to detect these things. However, right now they are mobilising and positioning themselves.

For example, to mention one very simple thing: When you import coffee through the port of Walvis Bay, you might think this is a tin of coffee being imported, but there are drugs in those tins. The methods used are just too many and while the law enforcement agencies the world over are coordinating to keep abreast with all the methods, the criminals are even further ahead and they have developed new methods.

This is really an issue that we should all be involved in and it requires financial resources. Honourable Viljoen made mentioned of the borders and those of you who have been at Oshikango have seen all those loaded trucks. Even if you want to do inspection, how can you it? How do you inspect those trucks? It is just possible.

Certain gadgets are needed to be in place that could be used to detect some of these things. I can only tell you that the Drug Enforcement Unit of the Namibian Police are doing everything possible to put certain logistics in place to move into a bigger scheme. I am sure that when the time comes and all the other gadgets are made available, we would then move to make our own contribution as a Nation to the regional fight against this. Of course, we are doing it in collaboration with neighbouring countries, South Africa, Botswana, Zambia, Angola. All these countries are collaborating on this and if you hear about drugs being confiscated in Keetmanshoop which have come from South Africa, it is exactly through that cooperation. (Intervention)

HON DR AMWEELO: Comrade Speaker, may I ask a tiny question, please? The Honourable Member mentioned that especially at Oshikango heavy trucks cannot be offloaded to check for drugs. Some trucks are

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON DR N IYAMBO**

loaded with containers and cannot be offloaded to be searched. It is true and I agree with him, but in other countries where the trucks go through the weighbridge and there is an X-ray machine which scans the insides of the containers and the trucks and you will see what exactly is inside those trucks. Are you not perhaps thinking of introducing such technology at our borders in order to identify what is inside the trucks or the containers?

HON MINISTER OF SAFETY AND SECURITY: Thank you very much for the question. Indeed, I can answer that straightaway by saying that hopefully before the end of this year, about seven of those machines will be available in the country. That is being done in conjunction with the Ministry of Finance for Customs, because it is not only drugs but also other things that people are bringing in illegally and I believe we will be able to work on other issues that would assist us.

Can you imagine, for example, if it was possible to have enough dogs and we would simply take these dogs down Independence Avenue or to any school or shopping mall and these dogs would sniff out the people who have these drugs in their pockets? We will have to go to this extent if we want to fight it properly and be very serious. We could take them to the streets of Windhoek and the dogs would indicate at which houses there are drugs. (Interjections). It is for this House to decide what is the priority. Is it a priority to find drugs in somebody's house or is it to protect our Nation? It will have to be decided by this House. I just mentioned an example, I did not say that is what is going to happen.

Therefore, I really support Honourable Viljoen's Motion in this case. I thank you.

HON SPEAKER: I thank you very much, Minister. There is so much to say on the subject and there are no easy answers, but I just wanted to say to Honourable Viljoen, you were a bit cynical when you were introducing the Motion, but I believe that you appreciate the intensity of concern on the part of the Government and what is being done.

Many of us here lived in countries which had the technology Honourable Dr Amweelo was talking about and they are worse off in spite of the sophisticated technology that is tailor-made for each challenge. In spite of that they are failing. It is a cancer for us, but it is a lucrative industry, a

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KATALI**

lucrative, multi-billion dollar industry and there are consumers and people who are able to transport.

When I became Foreign Minister after Independence there were two questions among many that were being asked by potential tourists and others. They wanted to know whether we have AIDS in Namibia and we would say, "*of course not!*" Would I say that today? Would you say that today? The other one was, "*do you have drugs like so and so country?*" Of course I said "*no*". Would I say that today? No. However, I am very much moved by the level of engagement of the Government and what the Government is planning to do. We are parents and we would be dishonest to ourselves, we honestly could not say here that our children, children from these global people, do not use drugs. Everything that the Minister has said and has implied is happening in our own households and we know it. Honourable Katali.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:

Thank you, Comrade Speaker. Comrade Speaker, I am in an awkward situation to stand up and contribute to this Motion, simply because I do not know drugs, but unfortunately I hate drugs. I hate drugs when I hear the stories being told about them. I hear that these drugs are very expensive, but the people who are consuming them are the poor people on the streets. Now I am trying to understand how do they manage to buy these drugs.

One hears on the media that the Police have arrested somebody in possession of drugs. It is very difficult for us to know whether we should commend the Police for arresting these people. I am saying this because we do not know whether those are arrested are the only ones or whether a large number of people who have escaped. Therefore, I am in a difficult situation to say the Police are doing a marvellous job. Of course, they are doing their best and that is all I can say because I do not know whether they are really making a difference to the extent of this problem.

Comrade Speaker, as I said, I am very ignorant about this. I know of many attempts being made to arrest these people, but it is going to be tough. It is only if we as a Nation start policing ourselves that we would maybe achieve something. We can buy expensive equipment with the money which could have been used to build schools and other necessities, but yet we know we have long borders and that equipment cannot be at every entrance point. It is not possible. The South African Army tried to

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KATALI**

prevent the PLAN fighters from entering the country, but the border is so long, people are just coming in. Therefore, even if you have the equipment at Oshikango and other border posts, people can still use other illegal entrances.

The only point where we can deal with this problem is where these drugs are being consumed. Our Police Force should liase with the public so that the public can police themselves and report these cases. Then I think we could go a long way and we will succeed. (Intervention)

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION: May I ask the Honourable Member a question? Is the Honourable Member aware that in some countries the drugs are being cultivated the same as any other crop?

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: Comrade Speaker, I have heard about these plants and when we talk about buying expensive equipment while those things are here around is, I think we will end up barking up the wrong tree. I am suggesting that we should arrest them at the point where it is being planted. We have a big country with a small population and it would be better if the Police could liase with the public, because currently the *botsotsos* here in Windhoek and in many other places are on their toes because the public is really liasing well with the Police. One hears about a break-in being foiled here and foiled there, this one was arrested, this one was unfortunately shot dead and one can see that if we involve the public at the point where these drugs are being consumed, we will make headway in fighting this.

Comrade Speaker, as I said, I do not know much about the subject, I have just heard about it and that was my humble contribution and my suggestion. I thank you.

HON SPEAKER: Honourable Kaura.

02 June 2009

MOTION ON DRUG ABUSE IN NAMIBIA
HON KAURA

HON KAURA: Thank you very much, Honourable Speaker. This is a very interesting Motion introduced by Honourable Viljoen and it needs the support of all of us. However, Honourable Speaker, as Honourable Venaani said that when he was at school, they knew about all these drugs, but during our days in the sixties, even the use of dagga was something which was frowned upon, it was something confined to outcasts, *tsotsis* and those types of things. It was not part of our culture. I can testify that at Augustineum in Okahandja there was not a single student who was smoking dagga. It was something totally unknown and even in Windhoek proper, it was something confined to *tsotsis* or people from South Africa. It was not something very common here in Namibia. However, if you walk around Katutura today, you can smell dagga being smoked all over. (Intervention)

HON MINISTER OF SAFETY AND SECURITY: On a Point of Information. Honourable Kaura, you said one can smell the dagga in Katutura, but I can inform you that in Ludwigsdorf people are cultivating dagga in their yards.

HON KAURA: It seems to me our people from Katutura are buying from Ludwigsdorf. In the mid-sixties when we were students in the United States of America, the use of LSD, Speed and all these types of things was a hippy culture. It was confined to hippies and those kind of people. We, the non-hippy people, shied away from using these things, but now it has become something for everybody.

Recently I read in the newspapers about the tragedy of a lady who travelled with her husband from Brazil and who has swallowed these drugs and apparently when they reached here, the plastic containing these drugs dissolved in her stomach and the poor lady died of an overdose of drugs. For me as an adult it was the first time that I heard that the people could swallow these things to transport them from one country to another inside their bellies.

In Jamaica dagga is being referred to as "*gandja*". The reggae culture popularised dagga in Jamaica and it has become a fashion that when people are wearing dreadlocks and sing reggae, you have to smoke dagga. Apparently in Jamaica a man smokes dagga and then he goes into the field and work in the sugar plantation throughout the whole day. He cannot do his work without smoking dagga. Now I am just wondering whether dagga is a drug or is it like tobacco?

02 June 2009

MOTION ON DRUG ABUSE IN NAMIBIA
HON KAURA

I remember that at a certain point in time in the United States of America there was a Prohibition Act where they prohibited people from importing whisky from Great Britain. It was a crime to import whisky from Great Britain into the United States of America and people were smuggling in whisky into the United States of America through all kinds of ways. Mind you, some big families today in the United States were smuggling whisky to such an extent that up until today they get 10 or 15 cents per bottle of whisky coming into the United States and they are multi-billionaires. Is there perhaps a possibility of de-classifying dagga as a drug? If we cannot do that, why do we not launch an education campaign to teach our people not to use drugs? We cannot afford the expensive equipment, we cannot afford the dogs, we cannot afford anything, but can we not educate our people not to use drugs? (Intervention)

HON DEPUTY MINISTER OF JUSTICE: May I ask a small question? Honourable Kaura, many speakers have mentioned that drug abuse is almost like a cancer in our society and I know of countries that have taken drastic measures. For example, in the olden days people were decapitated when caught with drugs and nowadays you go for the firing squad if you are found guilty. In Singapore they chop your head off. Once I was flying over Saudi Arabia and the hostesses were saying, "*no more drinks, because if they get you in Saudi Arabia, you are going to be in trouble.*" (Interjection)

HON MEMBER: Did they stop you?

HON DEPUTY MINISTER OF JUSTICE: No, I am not a drinker, I only drink wine, that is all. (Laughter). Honourable Kaura, should we go to these drastic measures? People are now classifying those countries as undemocratic. Recently a pregnant woman travelled from the UK to Thailand and she has been arrested and sentenced to death and there is a campaign for this woman to be released.

HON DEPUTY PRIME MINISTER: On a Point of Information. The Honourable Member said the woman was pregnant, but on Sky News they said this woman became pregnant by agreement with a prisoner in Thailand

02 June 2009

MOTION ON DRUG ABUSE IN NAMIBIA
HON KAURA

to avoid being hanged. That is the information, she did not go there being pregnant, she got pregnant in prison to avoid being shot.

HON DEPUTY MINISTER OF JUSTICE: Honourable Kaura, the question is, should we go to those drastic measures and will they help? Even in those countries where they have these drastic measures, the drug smugglers still take chances. There are even Namibians in those prisons in Saudi Arabia. They are still taking chances despite the possibility of facing a death penalty.

HON KAURA: Honourable Deputy Minister, I would say that we should not take those drastic measures and I agree with you that wine is not a drug because you take it in church when you go to Holy Communion.

I think we must educate our people. (Intervention)

RT HON PRIME MINISTER: May I ask a question? Honourable Kaura, you are saying that in Jamaica the Rastafarians are allowed to smoke dagga and therefore, dagga should be legalised. Is that part of the DTA Manifesto?

HON KAURA: No, I only asked a question, whether one could consider legalising dagga, because it is readily available all over the place and I think even the Police look the other way when they smell it.

What I want to ask is whether it is not possible to educate our people not to use drugs? I think it is more difficult to educate people to abstain from sex and HIV has been reduced because of the education of our people. (Intervention)

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION: On a Point of Information. Honourable Speaker, the problem of alcohol and drugs is that whenever a person tastes it, it stimulates a certain part of the

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KAURA**

brain and you would want to taste it again. That same part of the brain also stimulates love and that is why the people cannot control themselves.

HON KAURA: That part I do not know, but what I am trying to say is that an intensive campaign has been launched to reduce to HIV-infection and it has been reduced from about 35% to 19% and it is still going down. (Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: May I ask a question? You said there was a reduction in AIDS cases as a result of education. Are you aware that this is not only as a result of education, but because people are afraid of death. Dagga does not kill, it only makes the person mad and he becomes a serial killer.

HON KAURA: You are correct, AIDS can kill, but I think it is difficult to fight AIDS, because it is a biological imperative that between the ages of 15 and 35 there is that strong drive for any human being to get involved in that act. It is a biological imperative, but the use of drugs is an learned behaviour. (Intervention)

HON MEMBER: Kaura, do you say they stop at 35?

HON KAURA: No, it goes beyond that but the drive slows down after 30. I know it, I have gone through that. I feel that the use of drugs is an acquired behaviour, it is not something natural within you. Therefore, is it not easier to educate people not to use drugs? (Intervention)

HON NAMBAHU: On a Point of Information. My Colleague said drugs do not kill and I think our kids should not hear that statement. Even Oshivambo there is a saying and maybe Comrade Nahas Angula can translate, "*Epangwe la lya omugili*", which literally means that a smoker is killed by dagga. An overdose is the amount of the substance that your body cannot take and we have just passed a Bill here on narcotic drugs.

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON IIVULA-ITHANA**

We have different categories of drugs and we must be able to say that we are actually at the stage where we are creating awareness and acknowledgement. After passing that stage, we have to go to the stage where the communities will recognise the danger inherent in the abuse of drugs. Therefore, I do not think that statement is correct.

HON KAURA: Thank you very much. Honourable Speaker, I think in view of the absence of drug detecting machines and sniffer dogs, why do we not launch a similar campaign as the one on AIDS to educate our young people not to use drugs? Would that not be a better way to reduce the drug abuse in our country? I thank you, Honourable Speaker.

HON SPEAKER: Thank you. Minister of Justice.

HON MINISTER OF JUSTICE: Thank you, Comrade Speaker. On this score I am going to be very, very brief. Comrade Speaker, when Honourable Viljoen started his motivation of this Motion, I became sceptical as I usually do when he starts from a wrong footing. I think the Honourable Member should learn something from our interaction in Parliament. Sometimes good intended Motions are killed not on account of their merits, but on account of its introduction. This Motion is very important, as the Honourable Members can see from the interventions of those who spoke before me across the aisle.

Comrade Speaker, I thought I was the only ignorant person among the Members of Parliament although I live in Ludwigsdorf where apparently the drugs are cultivated. I remember at one point my late husband was alerting me to the smell of dagga. (Interjection)

HON MEMBER: In Ludwigsdorf?

HON MINISTER OF JUSTICE: And truly, I did not smell it. We went to a place and he said there is the smell of dagga here and I said I cannot smell it and up to now I am telling you that I do not know how it smells

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON DR AMUTENYA**

and I do not take myself as the epitome of people of my generation. People of my generation and many Namibians of my age and older do not know this culture of drug abuse and drug use, but it appears from the description by those who are streetwise that drugs are here. Initially we thought that Namibia was only being used as a transit route and the drugs were going somewhere, but apparently drugs are being offloaded here and consumed. That, Comrade Speaker, is a cause for alarm, it is a serious cause for alarm and I cannot agree more with Honourable Kaura that if at our level we can be so ignorant about drugs, what about the ordinary citizens of the country?

Therefore, I am endorsing the proposal by Honourable Kaura that we should take this issue as a campaign issue. We must educate our citizens and particularly the parents who may be living with the drug abusers in their own homes, yet they do not know the symptoms or the smell. We should fight it at household level, we should fight it at school level, we should fight it in our churches, we must educate everybody. That way we will be able to defeat this scourge.

Namibia is not a wealthy country, although sometimes we say so out of ignorance. Drug barons are looking for big money and therefore, Namibia is not yet at that level where we can say we cannot turn the clock back. Drug sellers are looking for countries such as Angola and South Africa where there is big money. Obviously, out of ignorance we think that we are a small country, we do not use those things and, therefore, the drug mules are targeting Namibia to reach their destinations and in the process small amounts are dropped here and there. Therefore we must do something, I do not think it is too late. If we design that campaign properly and all of us here could drive that campaign, I think we can succeed.

Having said so, Comrade Speaker, I rest my case. Thank you.

HON SPEAKER: Honourable Amutenya, can you, from your professional perspective, tell us in two minutes what to do?

HON DR AMUTENYA: Thank you very much, Comrade Speaker. The Motion is contextual and I am very happy, being a newcomer, to see what is happening today, despite the person who was somehow cynical with the Motion at the beginning. One can really see that when a Motion is

02 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON DR AMUTENYA**

contextual, we will come together to tackle the problem facing us despite, the differences we have as Political Parties.

There are two issues that have come out, that the drug business is a lucrative one, making big money and secondly, that there are consumers who are consuming the drugs on the market at a very high price.

Now, how does one create that consumer? The consumer is being produced by the drug itself. The effect of the drug is that when you consume a drug, one gets into a state called euphoria, a state of happiness, a state of appreciating, a state of courage. You feel you have courage and you can do anything on earth. However, that is not worst, the worst is dependence. The moment the elements of this substance leave your body, your body biologically starts demanding more. That is where the danger is and as one said, how will I notice that there is a problem in my own house? You have provided everything to your son or daughter and then you find that the cell phone which you provided is gone, the jacket is gone. It is because of the demand.

HON SPEAKER: You will continue. The House shall rise under automatic adjournment until tomorrow at 14:30.

HOUSE ADJOURNS AT 17:49 UNTIL 2009.06.03 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBER
03 JUNE 2009
WINDHOEK**

The Assembly met pursuant to the adjournment.

HON DEPUTY SPEAKER took the Chair and read Prayers and the Affirmation.

HON DEPUTY SPEAKER: Any Petitions? Any Reports of Standing or Select Committees? Other Reports and Papers?

TABLING: REPORTS OF THE AUDITOR GENERAL

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

1. Office of the Auditor General for the Financial Year ended 31 March 2008;
2. Ministry of Justice for the Financial Year ended 31 March 2008;
3. Ministry of Trade and Industry for the Financial Year ended 31 March 2008;
4. Ministry of Home Affairs and Immigration for the Financial Year ended 31 March 2008;
5. Ministry of Information and Communication Technology for the Financial Year ended 31 March 2008;
6. Ministry of Health and Social Services for the Financial Year ended 31 March 2008.

03 June 2009

**INFORMATION COMMUNICATIONS BILL
HON KAAPANDA**

HON DEPUTY SPEAKER: Further Reports and Papers? Notice of Questions? Notice of Motions? Ministerial Statements? The Notice of Motion is one by the Honourable Minister of Information and Communication Technology. Does the Honourable Minister Move that the Bill be now introduced?

**INFORMATION COMMUNICATIONS BILL
INTRODUCTION AND FIRST READING**

HON MINISTER OF INFORMATION AND COMMUNICATION TECHNOLOGY: I move the Motion.

HON DEPUTY SPEAKER: Who seconds? Any objection? Agreed to. Will the Honourable Minister please table the Bill? The Secretary will read the Bill a First Time.

SECRETARY: *Information Communications Bill.*

HON DEPUTY SPEAKER: Does the Honourable Minister of Information and Communication Technology Move that the Bill be now read a Second Time?

**INFORMATION COMMUNICATIONS BILL:
SECOND READING**

HON MINISTER OF INFORMATION AND COMMUNICATION TECHNOLOGY: I so Move.

HON DEPUTY SPEAKER: Who seconds? Any objection? Agreed to. The Honourable Minister has the Floor.

03 June 2009

**INFORMATION COMMUNICATIONS BILL
HON KAAPANDA**

HON MINISTER OF INFORMATION AND COMMUNICATION

TECHNOLOGY: Honourable Deputy Speaker, Honourable Members, allow me to introduce the new Information Communication Bill that will revolutionise the ICT industry of Namibia and provide for the effective regulation of telecommunications, broadcasting and postal services through a new independent and autonomous regulatory authority for Namibia.

The Bill replaces the Namibian Communications Commission Act, 1992 (Act 4 of 1992) and amends certain relevant sections under the Posts and Telecommunications Act, 1992 (Act 19 of 1992), among others.

Although the development and utilisation of ICTs in Namibia is low, we believe that the policy and action frameworks adopted by Government will accelerate our development plans; stimulate growth and provide new opportunities in education, trade, healthcare and job creation, among others, which will help Namibia to leapfrog stages of development and raise our living standards.

Against this background, we must move swiftly to adopt and implement the Information Communication Bill to level the playing field for all telecommunication operators. This will enhance competition and will take ICT infrastructure and services to the remote corners of the country, giving our rural citizens the opportunity to fully participate and benefit from the information society.

Honourable Deputy Speaker, Honourable Members of this august House, to return to the Bill, it provides in summary mainly for the following:

- A new independent regulatory authority;
- The introduction of competition;
- The management of the Namibian Top Level Domain;
- A new Universal Service Mechanism;
- A new approach to categories of licensing.

The Bill is structured in the following manner:

Chapter 1 provides for the definition of words and phrases used in the Bill. Provision is made for the creation of a Communications and Information Policy Unit to advise on the implementation of the Act.

Chapter 2 establishes the Communications Regulatory Authority of Namibia as a juristic person, managed by a Board, with the objective to regulate the communications industry.

Chapter 3 provides for the public availability of information and places a duty on the Authority to ensure that the public has access to information through preparing annual reports and maintaining a public register of all licences issued.

Chapter 4 deals with the promotion of healthy competition. The prevention of anti-competitive practices behaviour in telecommunications or broadcasting services or products are hereunder regulated. The jurisdiction of the Authority to investigate and enforce any breach of the competition rules is subject to the Competition Act and until such time to be determined by the Minister.

Chapter 5 deals with the provision of telecommunication services and makes provision for service and technology neutral/individual licences and class licences. The Authority, after consulting the Minister, may prescribe the number of individual telecommunications licences that may be issued for a specific category of telecommunication service. The Bill maintains the principle of majority ownership by Namibian citizens in respect of licence holders.

The chapter further provides for the creation of a Universal Service Fund to fund rural telecommunications development. The Universal Service Fund derives its funds from the imposition of a levy on licence holders.

The facilitation of interceptions of telecommunications is provided for through the creation of interception centres and specific obligations placed on the operators to facilitate interception. The Authority further has the duty to regulate matters of consumer protection.

Chapter 6 provides for the issuance of broadcasting licences issued for a period of up to ten years. In respect of the NBC, the Act shall only apply from a date determined by the Minister.

Chapter 7 regulates and licenses the provision of postal services. The Minister shall determine the date on which Namibia Post will require a postal service licence.

Chapter 8 empowers the Authority to control, plan, administer, manage and deal with licensing of the radio spectrum. The Authority may prescribe a frequency band plan in respect of any part of the radio frequency spectrum.

Chapter 9 provides for the incorporation of an Association not for gain

03 June 2009

**INFORMATION COMMUNICATIONS BILL
HON KAAPANDA**

to administer the Namibian (.na) domain space and to license and regulate registries as well as registrars. The Association will be managed by a Board of five directors appointed by the Minister from the industry.

Chapter 10 creates regulatory offences and fines, such as that any person who, without a licence, constructs, owns or operates or provides a telecommunications network/services or broadcasting and transmission services is guilty of an offence and on conviction liable to a fine not exceeding N\$1 million or to imprisonment for a period not exceeding three years. The Authority may also refer the matter to the Prosecutor General to prosecute the offence concerned.

This Chapter further makes provision to facilitate emergency communications on a preferential basis for national defence and security purposes.

Comrade Speaker, I submit the Information Communication Bill for Debate and adoption by this august House and I thank you.

HON DEPUTY SPEAKER: I thank the Honourable Minister. Any further discussions? I recognise Honourable Venaani.

HON VENAANI: Honourable Deputy Speaker, due to the complexity of this Bill, I shall ask for the adjournment of the Debate until next week, Thursday.

HON DEPUTY SPEAKER: The Bill stands adjourned to next week, Thursday. The Secretary will read the First Order of the Day.

**RESUMPTION OF DEBATE:
MOTION ON DRUG ABUSE IN NAMIBIA**

SECRETARY: Resumption of Debate on the Extensive Problem of Drug Abuse in Namibia.

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON DR AMUTENYA**

HON DEPUTY SPEAKER: When this Debate was adjourned yesterday, 2nd June 2009, the Question before the Assembly was a Motion by Honourable Viljoen. Honourable Dr Amutenya may continue.

HON DR AMUTENYA: Comrade Deputy Speaker, yesterday when we adjourned, my last words were that the dependency on the state of euphoria is what is causing the vicious cycle. When a person's body is biologically dependent and demands the need for another shot to be in the mood, the person who is dependent on these drugs, may not even have enough cash to pay for it at that moment. That is where the danger comes in, because this person will do anything to meet the demand of his or her body. That is where the social problems will come in, because he will do anything. In the family the furniture may start to disappear, clothes and jewellery may start to disappear and housebreaking will increase for the sake of that shot which Venaani yesterday described as "*being cool.*" When they are in that state, it is cool, everything is fine, everything is easy.

However, I want to mention, not only for the benefit of the House, but also for the benefit of the public out there, that there are some signs that could make one suspect that there could be a misuse of drugs here. One of the signs is a sudden change in behaviour patterns. You do not recognise the person, "*is this really the Hans Booys that I know?*" His behaviour pattern has changed. It is only an example.

Another sign is that a person tends to become confused for no apparent reason. You may notice that a cool person becomes irritated for no apparent reason and sometimes even becomes violent. This is not the person you know. There may be abnormal fluctuations in the moods of the person. The kind and jolly person you know has fluctuating moods. He used to be very active and all of a sudden his energy level is down and he does not want to do anything. You may also notice impairment of performance by a usually excellent performer or all of a sudden there is impairment of punctuality by a very punctual person.

If you ask your human resource manager, you may notice that short absences from work have increased. If he was really sick, it could have been for some days for his body to recuperate. If it is short term, it means something could have been there, which is not quite right and if you examine closely, you may find that there is a pattern, this absence is only for Monday and Tuesday and then on Wednesday the person is at work. Some of you may

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON DR AMUTENYA**

have heard people talking about Blue Monday. That means something has happened and on Monday this person is not feeling well.

You may also notice that there is a deterioration in relationships with his colleagues. You may even smell something on this person when he comes on duty. If a person cannot abstain, knowing very well that he is going to work, and still takes a shot or two, then you know that something needs to be done to assist the person.

You may also notice that the hands of this person is trembling, but please, take serious note never to jump to conclusions. Whenever you see this happening, never jump to the conclusion that it is due to alcohol abuse. (Intervention)

HON MINISTER OF HEALTH AND SOCIAL SERVICES:

Honourable Deputy Speaker, my Colleague there is doing very well, but may I ask him a very small question? Honourable Amutenya, is it not true to say it is not most of those who show tremors who would be classified under that category of side-effects as a result of drugs?

HON DR AMUTENYA: I said, take very serious note never to jump to conclusions that what I have just said is as a result of drugs. It could also be a result of something else. Let me give you an example.

You will remember that during the liberation struggle in this country we were trying to articulate our wants and the regime ruling our country did not appreciate what we were advocating and when they caught you, they exposed you to so many things, including electricity. If you are shocked with electricity in order for these people to get information from you, the electrical currents will interfere with the normal flow of nerve impulses through your synapses and you may find that a person who has been exposed to all this will be trembling. You may think it is because of alcohol, but it is not and one has to find the real reason why it is so.

Comrade Deputy Speaker, coming to the campaign proposed by Honourable Kaura, I would add that perhaps it is high time that all our institutions develop workplace drug abuse policies, so that we can assist the people. It is true that drug abuse is not an elusion, it is real and it is here with us and we must fight it with sober minds and fight it effectively

03 June 2009

MOTION ON DRUG ABUSE IN NAMIBIA
HON KAIYAMO

Drug abuse policies in the workplace will assist the affected, because our managers will be watching their employees and assist them in time. Instead of instituting disciplinary action because somebody is not coming to work on time, managers will be able to assist these workers and transform them to again become the productive workers they used to be. I rest my case.

HON DEPUTY SPEAKER: Thank you very much. I recognise Honourable Kaiyamo.

HON KAIYAMO: Comrade Deputy Speaker, Honourable Members, as usual I want to be a teacher in this House and put everything in context so that all of us are on the same page. I do not want people to remain behind.

As Chairperson of the Committee on Human Resources, it is my view that Honourable Viljoen seems to be very opportunistic. My Committee already has a programme on drugs. Honourable Iipinge's maiden speech in the Committee was about drugs and we invited the Police and the Ministry of Health to brief us and what Honourable Viljoen mentioned in his speech was contained in the document given to us by the Ministry of Health.

As a Committee we even planned a visit to the rehabilitation centre outside Windhoek and it is on the programme of the Committee. Anyhow, *die koeël is klaar deur die kerk*, meaning that he already brought the issue here. I only wanted us to be on the same page. (Intervention)

HON DEPUTY MINISTER OF JUSTICE: May I ask my Colleague a question? Yesterday when a statement was made here, I talked about plagiarism at its worst and to my astonishment, the statement of Honourable Dienda was broadcast this morning, but unfortunately our comments were not added. That is the selective coverage we are talking about. However, the issue here is that we are becoming increasingly irritated that the genuine attempts by this Government to solve problems in education and drug problems are being abused. The documents are available and, for example, the Deputy Minister toured the thirteen Regions and there were very clear proposals and suggestions how to deal with the problems. Yesterday it was replicated here as if it is somebody's own

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KAIYAMO**

work and that is not fair, it has to come to an end. I agree with you, Honourable Kaiyamo, that the document Honourable Viljoen referred to was a document discussed in your Committee. This practice must come to an end.

HON KAIYAMO: The National Drugs Control Master Plan which he referred to is the plan of the Ministry of Health and Social Services which we were given in the Committee. As I said, *die koeël is klaar deur die kerk*, it was brought here and we have to deal with it. We have to deal with the issue now, it is water under the bridge. (Intervention)

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: On a Point of Information, Honourable Deputy Speaker. My information is that the SWAPO Government has already done these things and we have to reject what has been copied from the Committee.

HON KAIYAMO: I said *die koeël is klaar deur die kerk*, it was brought here and I would also like to comment on what Honourable Venaani has said. I like this young man because whatever he said is based on scientific reading and he should keep that up. (Interjection)

HON MEMBER: Sometimes, not always!

HON KAIYAMO: Yes, maybe, but this time he based his argument on scientific reading. Keep it up. He was talking about Langenhoven and Langenhoven was not only a good poet, also a good patriot in terms of Afrikanism. He also wrote a book, "*Sonde met die Bure*", *lees dit, dit is in die biblioteek*.

I fully agree that drugs are poisoning our society and it is real, in the sense that this poisoning of our society by drugs add to other poisoning by the newspapers. The SMS in the *Namibian* is also another poisoning of our society. This attack on the Founding President every day also adds to this and we must minimise it. After I read this portion in the *Namibian* yesterday, I went to the library at UNAM to read L T Nambala's M.A. Thesis on page 38 which talks about Kalunga ka Nangombe. Go and read

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KAIYAMO**

it because you keep on talking about things you do not know. When the Founding President was talking about Kalunga ka Nangombe, it was based on this research in the library of UNAM.

What I am saying is that these drugs are only adding to the poisoning by SMS section in the *Namibian*, the poisoning by the churches which Founding President talks about, we can no more sleep in Katutura. For those who are serious about helping children who have a problem with drugs, there is a book by Izabella Little, called "*Life talk for a Daughter or a Son.*" It is in the library and that book will help you to help your children in terms of drugs. When you are trying drugs, you are gambling with your life. Do not try it. Please tell our children not to try. They are gambling with their lives.

The issue of peer pressure is a reality. Our children are under constant pressure at school because of their friends. In this book I am talking about there are steps to help you how to help them. Especially in Katutura where I am coming from, we have a programme with the Councillors to involve the parents, the communities and the Police. Invite the Police to your area to equip you to help your children.

I want to thank the Police for the good work being done in terms of the combating of drugs. Sometimes we do not acknowledge the good work being done by the Police and in this regard I take my hat off for the Police. (Intervention)

HON VILJOEN: On a Point of Information. The document, the National Drug Master Plan, expired already in 2008 and nothing has happened. If the document is in place, does it mean that we cannot discuss it? What about education? There are enough documents to fill this room. We discussed gender-based violence in our Committee, but there is a Motion on the Order Paper and I have informed the Committee that I will introduce a Motion in this House.

HON DEPUTY SPEAKER: He did inform the Committee that after we have discussed the drug issue he will introduce a Motion in the House and that is what he did.

HON KAIYAMO: I agree with the Colleagues who spoke yesterday, Honourable Kaura, Honourable Secretary General of the SWAPO Party,

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON TJIHUIKO**

for us to campaign and to equip the society with information. The first step should be the parents, they should be knowledgeable about these things, otherwise they might not be able to help the children. Most of our schools around Windhoek have a policy on drugs and the parents must get that policy to help our society. I thank you.

HON DEPUTY SPEAKER: Honourable Tjihuiko.

HON TJIHUIKO: Thank you very much, Honourable Deputy Speaker. I will be brief. It is very important that we are serious about this issue we are talking about. I believe that as much as we have so many documents and so many discussions and still we are facing the same problem, means that there is a need for us as leaders to discuss it. Obviously, there is not only a need for us to discuss it, but to do something about it. I, therefore, thank Comrade Jurie Viljoen for introducing this Motion.

The problem we are facing as a Nation now is an issue of our kids having free access to drugs and as much as we have available products on the market and there is a demand for it, obviously our girls and boys in uniform are going to have a battle on their hands. (Intervention)

HON DEPUTY SPEAKER: They are not boys, some of them are men. Some are older than you.

HON TJIHUIKO: It is a phrase which is normally used. Men and women, just to satisfy you, but this is normal practice. You can call me a boy, you can call me a man. Your youth leaders are over-aged and you call them youth and what is wrong with that?

Anyway, to come back to the point, I was saying that the problem which society has is that there are so many drugs on the streets and as a Nation we need to put our heads together and do something about it. (Intervention)

03 June 2009

MOTION ON DRUG ABUSE IN NAMIBIA
HON TJIHUIKO

HON MINISTER OF DEFENCE: I rise to give Information to Honourable Tjihuiko about boys and girls. You had this term during the South African rule when they were referring to the conscripted boys, saying “*our boys on the border.*” But what we have now are men and women in uniform.

HON TJIHUIKO: General, thank you very much, I will take that advice. You see, the good thing about the colonial mentality is that I spent half of my life in exile and some people spent half of their lives here and they have now become the better Comrades.

The point I am trying to make here is that we as parents need to start with ourselves and what I have noticed is that...(Intervention)

RT HON PRIME MINISTER: On a Point of Information. I just want to give information, like the one you got from the General. The word “Comrade” means sharing the same progressive ideals. It is not geographical or whether you were in exile or not in exile, it is an ideal you are sharing and I know that some people spent their lives in exile in Britain and they are still Comrades because they shared the ideal of freedom. It has nothing to do with where you were.

HON TJIHUIKO: Thank you very much, Comrades in Parliament, Comrades in lawmaking, we are all Comrades here. I was saying that the most important thing we need to look at ...(Intervention)

HON P MUSHELENGA: On a Point of Information. Honourable Tjihuiko said he spent his years in exile and some Comrades spent their lives in this country. It is a question of what you were doing in exile and what others were doing in the country. For example, if I can make a comparison between Honourable Tjihuiko and myself, when we sing the National Anthem, we sing, “*glory to their bravery whose blood waters our freedom.*” When I sing that verse, I am not referring to other people, I am referring to my own blood that flowed for the freedom of this country. Those of us who remained here, those of us who were shot during the course of the liberation struggle, we and our families, let the Colleague not

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON TJIHUIKO**

think that just because he was studying in London, he did more than others who were here.

HON TJIHUIKO: Honourable Deputy Speaker, I really want to concentrate on the Motion on the Table. I am not going to defend myself, I am not going to try and explain. I spent my life in this country, people like Honourable Nora Schimming-Chase are living witnesses of what some of us have done. We know where the jails are and you tend to think that because you happen to be the Ruling Party, you liberated the country, you have done this, you have done that. This is a contribution by all of us and all of us have share in this. Let me come back to my point.

The problem that we as parents have in this country, especially some of us who do not have time to spend at home, is that we have developed this attitude of trying to please our kids. Whenever we are at home and the kids are asking for money, we tend to give money in order to try to compensate for our absence from home and that is one factor which has contributed immensely to this problem because the kids have money in their pockets. I think we need to start with ourselves as parents.

The second point I want to make is that we as parents have also developed this attitude of placing the responsibility on schools. If there is something which you need to discuss with your kids, even discussing an issue such as AIDS with your kids, we have developed an attitude of saying, "*why can the teacher not do this, go and ask your teachers.*" This is where we have all contributed to the lack of supervision and not having that closeness in order for us to be able to detect at an early stage that the child has changed. We only come to know about it when the situation is out of control and we need to improve on that as parents. (Intervention)

HON KAURA: May I ask Honourable Tjihuiiko a question? The fact that people are not talking to their children about AIDS, is that not a tradition that we have grown up with, that it is taboo for a parent to discuss such things with the children and it is a new thing that parents now have to learn? However, it is not because of neglect, it is because of tradition.

HON TJIHUIKO: I agree with Honourable Kaura. The point I am trying to make is that while we are bogged down in our traditions, time has

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON TJIHUIKO**

moved on and we as parents need to do something about it. If, according to our tradition, we cannot discuss it with our kids, how do we expect our kids to know about the danger of drugs and the danger of HIV/AIDS? Teachers are also parents, they also have their own cultures and traditions, but we are saying the school must teach them. Honourable Mutorwa, as a teacher, should now go and teach my kid about the things I should have taught my kid. We need to improve and move with time. (Intervention)

HON MINISTER OF FINANCE: I would like to ask the Honourable Member a question. I think Honourable Tjihuiiko is making a very good point and the general point he is making is that everyone in society has a responsibility towards society and we cannot just shift blame for all problems facing us to others, especially public institutions. However, is this not the general approach of the Opposition Parties in this country, that they blame SWAPO Party and the Government even when the rain does not come?

HON TJIHUIKO: I did not hear what she said, so I am not going to comment on that. The third point that I wanted to make is that I believe during our time, that is the time of the Honourable Kaura and the Right Honourable Prime Minister and me when we were at Augustineum, the churches played a very important role in moral teaching. As much as I appreciate the fact that we are not all Christians, we are not all from the same religion, there were good things that we have learned from the churches. During that time I remember that we as youngsters had what was called *Sondagskool*.

HOUSE ADJOURNS AT 15:40

HOUSE RESUMES AT 16:15 PURSUANT TO ADJOURNMENT

HON TJIHUIKO: Honourable Deputy Speaker, I was saying that we need to look at the role the churches have played during those years, the influence that the churches have on the moral responsibility of the society. I think the problem we are facing is that the morals of our society have decayed and we need to do something about it. One of the things that we need to look at seriously is what has happened in the past. There is an

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON TJIHUIKO**

Afrikaans proverb which says, “*soek wat goed en edel is en bou die toekomst daarop.*” Let us look at the good things that happened in the past, take them out and build upon them. (Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

May I ask Honourable Tjihuike a question? Honourable Tjihuike, you started very well and then you spoiled it, as usual. You informed the people out there that when it comes to the drug issue, we as parents must take the responsibility to educate our children. However, you forget that when you talked about education you blamed the Government instead of saying we as parents must take the responsibility. I take off my beret for that call to the parents to really take the responsibility. Are you aware that I am always telling you that discipline should start at home and not at school?

Why do you always condemn SWAPO when you are addressing people at Aminuis and you as a politician even threaten people? How many people are employed by the SWAPO Government in Aminuis? Many! I will take you there.

HON TJIHUIKO: Honourable Deputy Speaker, for the Deputy Minister to prove what he is saying now as the truth, the whole truth, nothing but the truth, he should take his beret off to prove that point. If he does not do it, there are no grounds for what he has said.

Honourable Deputy Speaker, we as parents, churches and the society we are living in need to put our heads together and do something about this. Unless we do that, the problem with drugs today is a question of a product that is on the market. There is a demand for the product and obviously, the supplier must meet the demand and as much as we would like to talk about it without doing something about it, there is no way we are going to control it.

Somebody was saying yesterday that it is impossible to check a loaded truck from Angola. Are you going to take everything off? It is true, it is a problem, but sometimes we do have information, I know that something is not right at my next-door neighbour. We are the ones protecting criminals and then we blame the Police for not doing something about it. Let us face it, it is us as parents.

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON TJIHUIKO**

Another important point I want to make before I conclude, Honourable Deputy Speaker, is that we in this House have a tendency to debate issues passionately, approve issues and create expectations out there that this Motion has now been approved by Parliament and something is going to be done about it, but the problem is that we do not have the mechanisms to follow up on the Motions we have approved in this House or a system to monitor that the Motions we have approved have been implemented. I am not blaming the Minister, I am blaming all of us because it is up to me as a lawmaker to stand up and to ask what has happened to a Motion which has been approved by us. (Intervention)

RT HON PRIME MINISTER: On a Point of Information. What happens in most cases is that politicians who do not have manifestos or political values jump on something. In this case I am not blaming Honourable Viljoen. It is a very important issue, he should keep it alive. He knows there is a Bill on the Floor of this House dealing with this particular issue and he was not patient enough to wait for the Bill to come back. Once we have a law, we can implement. People take up issues just to score political points, while they know the Executive is engaged with the issue. My dear sister, Honourable Dienda, did the same thing. She knows ETSIP is there to deal with the issues she was talking about and she wants to make sure that when textbooks are distributed she can say it is because of CoD. It is politicking.

HON TJIHUIKO: Honourable Deputy Speaker, let me conclude by saying that it is indeed a worthy Motion for us to discuss. As I have said in the beginning, whether there is a Motion, whether there are documents, whether there is a law, the issue is that with all these structures that we have we still have a problem and we need to talk about it. We need to review, we need to appraise what we have done, therefore it is very important for these issues to come to Parliament and it is very important for us as lawmakers to take issues as they are, not to say Honourable Viljoen is bringing this Motion because of a campaign. The Motion has been broadened and it is very important for us to do something about it. I rest my case.

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON P MUSHELENGA**

HON DEPUTY SPEAKER: Thank you. I recognise Honourable Mushelenga.

HON P MUSHELENGA: Thank you very much, Honourable Deputy Speaker. I also rise to make my contribution to the Motion on drug abuse by Honourable Jurie Viljoen.

Before I make my contribution, may I also echo the words of Honourable Kaiyamo that this trend of trying to pre-empt Committee programmes is not a good thing. We know it is a campaign year, but please, let us give the opportunity to Committees to roll out their programmes and let us not opportunistically come to Parliament to pre-empt these programmes.

Be that as it may, I recognise the fact that drug abuse in general is really a problem, especially looking at some of the performance enhancing drugs. I am not privy to a lot of medical information like Honourable Dr Amutenya, but with my limited knowledge of the drug abuse problem, let us first look at the problem of acquiring these drugs.

The manner in which these drugs are obtained is, first and foremost, illegal in itself. Sometimes people steal money to acquire these drugs. Honourable Tjihuike talked about these drugs and their markets, bringing them to the streets. The way these drugs are brought into this country is also illegal. People try to use all sorts of methods. A few months ago we saw some people coming from Latin America to this country who used an illegal mode of transportation. The whole thing is illegal.

As Dr Amutenya has said, the consequences of this drug abuse are very undesirable. Some people will go out of shape, others will become delinquent, become violent and even start committing crimes because of that abuse. That is why legally drug abuse is now excluded as a means of defence when one commits crime.

The other problem is the economic problems that drug abuse brings in our society. Drug abuse in itself is resource draining, whether you take it from a medical perspective. In order to rehabilitate the drug abusers we have to spend resources and these are resources that could have been used otherwise to alleviate poverty in the country and to build our infrastructure.

Taking it from the viewpoint of safety and security, it is resource draining. In the first instance, to prevent crime is resource draining. We have to put in more efforts,

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON P MUSHELENGA**

we need more money, more cars, more Police just for prevention measures, to go around and see who are planting these plants.

The criminals who were involved in drug dealing and are kept in jail have to be fed and we have to accommodate them. The whole thing is resource draining and it is high time that society appreciates this negative economic impact of drug abuse.

Drug abuse has become a societal problem. It has nothing to do with whether you have brought up your children very well. They pick up these things where they go and mingle and children become vulnerable in the process because they are used by these drug traffickers who are supplying these substances to them and it is something that is destroying our society. People know drug abuse is illegal, they know there is punishment for drug abuse, yet they will continue anyhow. It is the same as stock theft. People know that they will spend twenty years in prison for stock theft, yet they will still go and steal stock and not always because they are hungry. However, it has become a societal problem which needs to be addressed by a multi-sectoral approach.

Finally I would want to support the declaration made by the United Nations Economic and Social Council, of which Namibia is a member, which convened in March this year in Vienna and I would like to quote two of the important points from the Declaration: *“Member States are committed to promote, develop and review or strengthen effective, comprehensive, integrated drug demand reduction programmes based on scientific evidence and covering a range of measures, including primary prevention, early intervention, treatment, care, rehabilitation, social integration and related support services aimed at promoting health and social well-being among individuals, families and communities and reducing the adverse consequences of drug abuse for individuals and society as a whole. Call for increased political and financial assistance to Member States, in particular those most directly affected by the world drug problem in order to ensure that they have the capacity to prevent and respond to that threat in all its forms and manifestations.”*

With these few words, Honourable Deputy Speaker, I put my case to rest. Thank you.

HON DEPUTY SPEAKER: Thank you very much. Honourable Iiping.

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON IIPINGE**

HON IIPINGE: Thank you very much, Honourable Deputy Speaker. I also rise to contribute to this discussion on drugs.

It is true, it is a very important issue that touches my heart and I brought it to our Committee last year and also in this year March when I travelled to South Africa and picked up a newspaper that said Namibia is no longer a transit destination, but it is a market for drugs. What also touched my heart very much is when I travelled to Venezuela and we were taken to a special hospital for kids with heart problems. When I spoke to doctors, I wanted to know what is the major cause for heart problems in children and they told me that one of the major problems in their Region was that mothers use drugs, meaning that if you are a female at reproductive age and you are using drugs, you are likely to give birth to a child with heart problems or one or other deformity. I found that very alarming, that if Namibia has become a market and young people in Namibia are using drugs, then these drugs are robbing us of our future. That prompted me to talk to fellow Parliamentarians in our Committee to take this issue very seriously and I am glad that we are discussing it in this august House.

I would like to support the Honourable Members who have proposed that we have a campaign, because I believe that through information our young people will understand the danger of using these drugs. The doctor this afternoon described the symptoms, that one feels happy and cool, but afterwards there are negative impacts on yourself and also if you happen to give birth. I think it is very important that we take this information campaign very seriously to let our young people understand the danger of using drugs.

Prevention is another issue I want to touch on. Honourable Mushelenga just said that it is illegal and dealing in and the use of drugs are crimes in itself. I myself do not know drugs, I was talking to young people around my house yesterday and they asked, "*you do not know that stuff? Go to Augustineum School, it is there like sweets.*" I asked, "*what?*" (Intervention)

HON TJIHUIKO: On a Point of Information. I want to advise that the issue of sharing and providing information is something that some of the Colleagues would learn from what NUDO is doing. We are providing this information, encouraging people at political meetings not to use these drugs and I advise the Ruling Party to do the same thing. That would be free, rather than using the Parliamentary Committee to spend money.

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON NANDI-NDAITWAH**

HON IIPINGE: Thank you very much for your information and I think it is very important that all of us should do that and provide the correct information to our young people, particularly on the danger of using these drugs.

Rehabilitation is also a very important issue, but I understand in our country we have very few of those centres and they need to be increased to rehabilitate those who have gone beyond the line.

I also agree that we should try to educate ourselves by reading about this subject in order to enable us to give the correct information to our children and discuss the dangers with them. We can only talk to the children if we have the information and we need to educate ourselves on this issue. I thank you and I rest my case.

HON DEPUTY SPEAKER: Thank you very much. Honourable Ndaitwah.

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you, Honourable Deputy Speaker. Not having had the privilege of hearing what was discussed in the Committee, I welcomed the introduction of this Motion in this House in order for us to discuss the matter. The Honourable Members who have been here longer will recall that when we were discussing the issue of education and in particular the poor performance of our learners, I said that one of the causes is the drugs circulating in our country. At that time it was even brought to our attention that there were some people who were selling drugs in order to sabotage the whole education system. During examination time they go closer to schools and offer drugs to the learners, saying that they will perform better. As a result of this, those learners could not perform.

Comrade Deputy Speaker, we will all agree that, drugs are creating serious problems internationally and in Namibia. Comrade Ipinge mentioned the children with heart problems which were caused by the mothers using drugs. I have come across research which shows that a mother using drugs during pregnancy, also stands a chance of giving birth to an aggressive child and it is very difficult to rehabilitate such a child. In other words, it is a form of deformation because you may not be able to correct such a situation. Therefore, I fully agree that we need to have a strong national

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON NANDI-NDAITWAH**

campaign on drugs.

Yesterday it was remarked that the campaign on HIV/AIDS was successful because it kills. In fact, drugs also kill. It is only that it has not been brought to light that drugs kill. We have so many children in our hospitals suffering from heart disease and I wonder, should we go into the behaviour of their parents, how many would be associated with drugs. Similarly, should we go into the backgrounds of the children with serious behavioural problems, I wonder whether we will not discover that they are coming from families where the parents have abused drugs. Therefore, the information which comes out from here, especially the information given by the doctor Amutenya, should be put in campaign materials in order to educate our people.

You would recall that recently our Police have intensified their campaign on the issue of baby dumping by mothers and because of that campaign, yesterday I read in the newspapers of a young mother who called the Police to go and collect the baby because she claims that she has a serious problem, the father does not want to talk to her. (Intervention)

HON VENAANI: May I ask the Honourable Member a question? Honourable Minister, you are raising a very serious issue of baby dumping, but do you as a mother not think that the attitude of some of the parents towards teenage pregnancy exacerbates this dumping of babies? I have seen pregnant girls being tormented by the parents to the point where she feels she does not even have to live. What should we do as parents to address that problem? I know culturally it is very difficult for parents to accept that this happened to their own child, but how should we address that problem?

Secondly, I have listened to all the Members and it is one point that I forgot to raise. We are talking about the availability of drugs on the markets, but we should address the kingpins, the producers and the business people who are selling these drugs. Now we are concentrating on the lower level, but we must try to concentrate on the people at the head of these businesses and one will only be able to trace it by looking at people's banking accounts. When people start banking thousands of dollars every day, the money-laundering law should really help us. Do you not think we should have a special unit that could focus on these business people who are bringing the drugs to this country? I thank you.

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON NANDI-NDAITWAH**

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you, Honourable Venaani. I agree with you that as parents we find ourselves in a serious dilemma and we are all human beings. You have your child and you have your own expectations and sometimes when things turn out differently, you find yourself in a state of shock and as a human being you may behave differently and sometimes it is too late. Therefore, the campaign should not only target a certain group, but it should be a national campaign targeting everybody, including parents.

Dr Amutenya this afternoon said it is very, very important for an individual, either in the office or at home, to understand that we are in a country that has now become a market for drugs and once you become aware that your child or any member of your family is behaving in a strange manner, try your best to be cool and try to find out what the problem is. That can only come with the campaign so that you understand why it is happening. We as parents also need to be assisted in order to cope with the current global situation which is strange to us.

With regard to money-laundering, we have recently passed a law on money-laundering in this House and we now have to implement that law and because we want to address this problem, we have to do so.

At the point you came in Honourable Venaani, I was talking about the signs of the successful campaign which has been intensified by the Namibian Police when it comes to the dumping of babies. Yesterday I read in the newspaper an article whereby a young mother has called the Police to go and pick up the baby, because in the first place the father does not want to talk to her. The father does not want to support this baby and this young lady does not have parents, she is not even staying with relatives and now to have a baby and yourself being supported by people who are just trying to help you, is difficult. I therefore commend that attitude and urge every mother finding herself in that situation to call the Police to come and pick up the baby instead of dumping the baby. Such a mother may even get support and take her baby back.

I am sure if we have the right strategy to campaign against drugs, we will be able to achieve something. It might take time, but at the end of the day we will be able to win. Let each and everyone understand the danger of drugs. Drugs may not kill you immediately but it definitely kills. It is destroying the society. The children at school are not performing and these are the people we want to be the leaders who will build the country, but they are now being destroyed because of drugs. Whatever mechanisms or programmes we may put in place, be it equipment, the campaign must be

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON NAMBAHU**

part of that programme. I am happy to learn that there is a Committee looking into the matter and we are waiting for the results.

At the same time, I know that the Ministry of Health is also working on a programme of rehabilitation centres. I hope when centres become a reality, we will have some volunteers, who are rehabilitated drug abusers, who will become role models, informing the people how they were before they abused drugs, the situation they found themselves in while using drugs and how they found happiness once rehabilitated. I believe that will help us a lot. Let us support the idea of a national campaign. I thank you, Deputy Speaker.

HON DEPUTY SPEAKER: Thank you very much. I recognise Honourable Nambahu.

HON NAMBAHU: I thank you very much for the opportunity. I have already made my contribution during the Debate on the Narcotic Drugs Bill, but seeing that this Motion was introduced in the House, it will not be helpful if we say it was not supposed to be brought here. Somebody said it is not important to enquire how the baby came about, it has to be fed. Therefore, we have to make our contributions now that the Motion is before the House.

We have to address the issue of awareness. We as a country have to recognise that drugs are here. It is a problem which has to be dealt with. I was approached by a mother from the rural areas whose child is studying at one of our institutions of higher learning here in Windhoek. The boy has entered this drug-consuming society and it is terrible. She has never heard of that before and she is ill-equipped to deal with the situation. We as a society should have mechanisms to support and advise to these people finding themselves in this kind of situation, especially the parents, because when a student comes from one of the remote rural areas to Windhoek, just to be exposed to peer pressure, he is not in a position to deal with that situation himself, let alone the parents back home. Therefore, we should create mechanisms to assist.

When one approaches the institution it is denied as if drug abuse is not taking place there and it is only when the problem is recognised that we will be able to have what Honourable Dr Amutenya proposed, namely a workplace anti-drug programme or policy. While there is denial, nobody

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON NAMBAHU**

will come up with a policy, because we do not want to be identified as an institution affected by drugs. We have to work in that direction to get that recognition and to come up with a programme. That is the first step we have to undertake and we can start with ourselves. Why do we not start with the Political Parties, with our branches, the youth and the Constituencies? (Intervention)

HON DEPUTY MINISTER OF JUSTICE: May I ask a question? Honourable Nambahu, I am sure you have attended many meetings addressed by the SWAPO leadership, including President Pohamba, former President Nujoma and some of us where we have always mentioned the issue of drug abuse, alcohol abuse and all these vices. Therefore, SWAPO has already started. Go and read the speeches of Prime Minister Nahas Angula and even our Foreign Minister in foreign Missions. They talked about these things and the campaign has already started. The truth is that we in the SWAPO Party continuously talk about these vices and it is on record.

HON NAMBAHU: Comrade Nujoma, I think it would be good if I am allowed to develop my thinking further and come to the conclusion. I was trying to come to a point where I wanted to say that I was invited by one of the branches of the SWAPO Youth League and they had on their programme drug abuse and reduction of crime to be discussed. However, not each and every section of our population is doing this. I am not saying that it is not being done, it is only that it has to be emulated by each and everyone of us in order to tackle the problem, because at some of the institutions the youth and students are still in denial. When I mention Political Parties, I am not limiting myself to SWAPO, I am actually casting my net wider for those who do not have programmes in place, because this it not confined to culture or race, it is affecting each and everybody. That is the point I am trying to make and not that I do not recognise that we are doing something.

Another issue is rehabilitation. Are we as a society satisfied that this person went to prison after being convicted and when he leaves, he is on his own or do we have to design programmes so that we support this person in order not to revert to the abuse of drugs? We really have to ask ourselves this question. I have spoken to prison warders and they have that same concern, that the person has been rehabilitated, but when he leaves prison, there are no mechanisms to continue the support to this person not to revert to the habit of abusing drugs.

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KUUGONGELWA-AMADHILA**

When some of us were at school we heard about snow parties and as an African you thought it was people who went out to party on the snow. I am telling you, I was invited and I did not know what was happening. These are the parties where people think they are students with status and all kinds of crimes take place there, including sniffing of coca, meaning cocaine, which looks like snow. If you are not of that age group, you do not know all these words and it is something we need to know about, it is something that our kids are being exposed to and sometimes you are told that your child is going to attend a certain Party somewhere and when you say you do not really want your kid to go there because you need to do a background check, then the parent says it seems to be a bit tribal or a bit disciplinary, why is it that you do not want my kid to mingle? However, you are also aware of these kinds of things which are eating away at the integrity of our society.

I fully support the recommendations based on the observations. We were in Cape Town and we were told that even the abuse of nicotine is being transmitted into the genes and Cape Town was taken as one of the highest in the world where this is passed on from one generation to the other. Unless people are aware of this, they will just see us as making noise and we are not really talking about hard facts. Therefore, that campaign will only be successful if it is supported by a programme. I, for one, am not really in favour of a campaign, because a campaign is something that comes and goes. I am for something permanent and that something permanent can only be instituted if there are programmes by each and everyone. All I am saying is that it is a good start, all of us have to get to that stage of recognition. I thank you very much.

HON DEPUTY SPEAKER: Thank you very much. Minister of Finance.

HON MINISTER OF FINANCE: Thank you, Honourable Deputy Speaker. I also want to add my voice to those who have spoken in favour of a more vigorous fight against drug abuse amongst especially our youth. I want to agree with those who have called for an intensified and sustained education campaign and that this education campaign should not only be expected from the Public Sector, the Government and its institutions, but also civil society as our partners in development, especially the media institutions and the churches. One can see that the church is coming out quite strongly

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KUUGONGELWA-AMADHILA**

to support Government in the fight against HIV through strengthening the principle of good sexual conduct amongst our youth. One sees a lot of our young people coming out, saying that they will abstain from sex until they get married. That does not only reduce teenage pregnancies, it also helps to reduce HIV/AIDS infection. It will also help to reduce poverty because young people will wait until they can take responsibility for their children, take care of their health and education before they have them.

Therefore, I think the church can also be a partner in the fight against drugs, because I see that one way they were fighting this sexual misconduct was that they were saying that when you engage in premarital sex and become pregnant, you have to go and confess at the church. You will never be allowed to get married in a church ceremony until you have done that and your parents will have to take your child for baptism, because you cannot do that yourself before you get pardoned by the church.. It was a way of telling them this is bad and people should try to avoid it.

However, the most unfortunate thing, in my view, is that you will see a young man and lady standing in front of the congregation asking for forgiveness, because they had a child before marriage, but not if they had an abortion or they killed a person or they were convicted of armed robbery. It is as if we are saying these other things are non-issues, they only bad thing in the eyes of God is when you have premarital sex and that leads to pregnancy. I feel we need to go further and optimise on the success we have achieved in this specific area.

With regard to drug abuse, we need to deal much stronger with those who are involved in trafficking, because they are a greater problem. If we are to address the issue of trafficking, we would reduce the temptation and as Honourable Nambahu was saying, it is also peer pressure. Some kids believe it is cool that they do marijuana. If you are a Rastafarian you must do marijuana parenting, it is part of the religion, it is good and that kind of thing.

I agree with the Honourable Members who say we as parents and society should also be more involved with our children, because if the child goes to school early in the morning, you only hear them saying, *“Mommy, good morning, I am going”* and then in the evening, *“I have a test tomorrow”* and they go into the room and you do not even see the face of the child and, therefore, cannot even tell the state of his/her mind and you will never notice any difference in the behaviour of this child. If you are more involved, you would be able to detect that there is a problem and intervene timeously. I also agree that we should talk to the children when they have

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KUUGONGELWA-AMADHILA**

problems. When the child makes a mistake and becomes pregnant, do not say, “*I do not know your name from today on, you are dead to me as of now or take that child away.*” This child will be under pressure and if she does not kill herself, she will resort to all kinds of things. When she gives birth, you do not want to accept the child, you do not want to allow her to go back to school.

Sometimes we are also unmeasured as parents in punishing our children, but by nature a human being becomes aggressive when cornered. If you do something wrong and a person says that was wrong and tries to appeal to your conscience, you will blame yourself, but if that person is excessive in judging, then you will turn around and defend yourself, even when you were actually supposed to regret it. (Intervention)

RT HON PRIME MINISTER: May I ask a question? Honourable Minister of Finance, do you have a teenage daughter?

HON MINISTER OF FINANCE: Luckily enough not yet, so that I will be able to put these issues into perspective without feeling emotional. (Intervention)

HON KAURA: May I ask the Honourable Minister a question? Honourable Minister, are you aware of the fact that in our cultures in the past, if a girl fell pregnant illegitimately, she was beaten with a *knopkierie* on the stomach so that she could abort?

HON MINISTER OF FINANCE: Honourable Kaura, I am glad I was not born that time and fortunately that period is behind us, because you will never believe it, some of the most useful citizens that we have today, some of the best doctors may have been teenage mothers out of wedlock. Maybe a person made a mistake and became pregnant when she was sixteen. She only need to learn from that. I do not subscribe to that idea of killing people because they made a mistake. We go to church and ask for our sins to be forgiven as we forgive the sins of those who trespassed against us. (Intervention)

HON VENAANI: You are right, but have you noticed that the children are using these iPods with the earphones and every time that the child

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KUUGONGELWA-AMADHILA**

comes at home, she is just listening to that. How do we deal with this problem of headphones? I want us to do random testing of our children at school.

HON MINISTER OF FINANCE: Honourable Member, I agree that we should find innovative ways to encourage our children not to do drugs and we have to find ways to help us to achieve that objective.

I was saying that we need cooperation and coordination between different stakeholders and not only within the law enforcement agencies, but also between society and the public institutions as well as between the Organs of the State, because we in the Executive do come here with our proposals for Bills to be passed. (Intervention)

HON NAMBAHU: May I ask a question? Honourable Minister, you have introduced a good point on the church issue. When I was growing up there used to be two words for teenage premarital pregnancy. If you were one of those who were close to the church, there was a softer word for you and if you were not close to the church, there was another one. (*oku punduka*). Are you aware of that?

HON MINISTER OF FINANCE: Unfortunately not, but I support whatever practice society exercises in order to encourage people to comply with ethical conduct. (Interjection)

HON MEMBER: Even the *knopkierie*?

HON MINISTER OF FINANCE: No, not the *knopkierie* and not the burning because a dead person cannot be made to comply. When you burn somebody and she dies, you are not encouraging compliance, you are destroying human life.

With regard to cooperation I wanted to say, that cooperation should also be between the State Organs. Sometimes you find that we pass a law here with good intentions, we want to combat some undesirable practices, then our

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KUUGONGELWA-AMADHILA**

colleagues from the legal fraternity take it and twist it and our colleagues in the Judiciary say they cannot do anything about it, because the law says or does not say this or that. I feel that also when the Judiciary receives a law and they can clearly see what the intentions are and from a legal point of view they can see loopholes, they should communicate with us for prompt action. So we should interact with each other.

I am actually afraid that now that there are big events planned for some of our neighbouring countries, our country is going to be a victim, because we are a small country. We are still kind of innocent inasmuch as we are saying this problem has grown. There are many people, and even myself, if shown marijuana who would not know it. We need to come up with special initiatives to make sure that we do not become a target of this big crowd coming to the Region, because all of them will come here and take our children to become the sellers and be caught there and be locked up in foreign jails. In some parts of the world they are even killed. A child is lured from here and we may not know that that child may be on a Death Row somewhere.

The Ministry of Finance is now acquiring scanning machines. We have already signed a supply contract and the delivery of this equipment will start soon. This will not only be used to administer Customs laws, it can also be used to enforce the laws against contraband, including drugs. I feel that with a coordinated effort we can actually optimise the use of these facilities.

Some time back, we discussed a ratification here where States committed themselves to allow convicted violators in one country to serve their term in their country of origin. Sometimes you lock the person up and you think that you have done your job, but the person is still organising trafficking from behind bars. My preference would be that a convicted foreigner serves his sentence in his own country. They should not pass the bad habits to our people. Some of our convicted inmates only stole chocolates in the store and now they will be introduced to all these hardcore criminals such as drug traffickers. I am not being anti-foreigner, but after all, our jails are already overcrowded, so foreign convicted criminals should be allowed to go and serve their sentences in their own countries.

With regard to the implementation of the resolutions that we pass here, Honourable Tjihuiko, part of the problem is that Parliament moves a Motion, we discuss the Motion and then we pass it. The Ministries have their own sectoral programmes, they draw up their Budgets based on those sectoral programmes. Such programmes come to Parliament and are

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KUUGONGELWA-AMADHILA**

motivated under the Bill. In other words, there is no connection between the resources that we as the House make available to Ministries and the decision that we passed here through special resolutions, because the process of arriving at these decisions is not well streamlined within. Sometimes it happens that even when matters are referred to Parliamentary Committees and there are public hearings, sometimes an issue resorts under a ministry and Public Hearings will be conducted and that Ministry is never consulted. The next that you see is that the report is coming to Parliament and you are hearing all these recommendations for the first time. That is why sometimes we on this side of the House are objecting, because we were not consulted properly.

However, if we organise ourselves in such a way that we coordinate, I think when we take decisions we will be able to implement these decisions fully.

HON BASSON: On a Point of Order. Honourable Minister, sometimes when we have Public Hearings and we invite some of the Minister, then they do not attend. Sometimes it is only a director or deputy director attending. Therefore, it is good that you are mentioning it here so that everybody have heard and the next time when we invite the Ministers, please do not send your officials.

HON MINISTER OF FINANCE: If that is happening, I can only agree with you that that is not good and I can assure you that if I am invited, I will attend. If I am not able to attend, I will send my officials. I can actually say to this House that even though there has been a lot of reports that were submitted by Parliamentary Committees, some of them touching on financial issues, I personally have never received an invitation from any Committee to attend public hearings. I think it is the same with these Motions that we move. Sometimes it is good to just go to the Ministry and find out what is happening there. Maybe you will be able to get an understanding of what is happening and how your concerns can be addressed without all that is happening here and I think we should try that.

The same goes for questions. Some issues are so sensitive and we ask all kinds of questions here and generate all kinds of reactions from other people. Then we as Parliamentarians would end up interacting with each other in ways that we would otherwise not want people to see, just because we get carried away. The asking of questions is not there for the sake of it, it should be because the information cannot be obtained in any other way.

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KAZENAMBO**

Sometimes these issues are reported differently in the media and different impressions are created outside and it does not auger well for us as law makers. I am not objecting to the asking of questions, but I think we should also speak to one another at tea-break and in our offices and we can agree that it is in public interest that one can still ask the question in the House maybe for public education. Otherwise, let us interact with each other. I think that would really help us. Thank you.

HON DEPUTY SPEAKER: Thank you very much. Honourable Kazenambo.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Thank you, Honourable Deputy Speaker. First, let me say I appreciate most sincerely the efforts by the SWAPO Party and the SWAPO Party Government on the issue of drug abuse and drug trafficking. If one takes our 1999 Election Manifesto and the one of 2004, the SWAPO Party has pronounced itself against the subject of drug abuse and all other vices of that nature. Even in exile during the liberation struggle our military units, PLAN, under no circumstances were allowed to use drugs and they have always been advised against the usage of drugs and that is a historical fact. It is a reality and that is the policy of our Party. (Intervention)

HON TJIHUIKO: May I ask the Honourable Deputy Minister a question, please? Honourable Deputy Minister, you are talking about the units under PLAN. Are the units you are talking about the ones which were under the command of Honourable Moongo or are they other units? (Intervention)

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: The SWAPO Party and its Government, being a people's Government and a Party which has the interest of the people at heart, will always be concerned about anything that endangers the welfare of the Namibian people. That should be underscored.

Without belabouring much the scientific analysis which has been eloquently pronounced by Comrade Amutenya and also the observations made by others, I would like to follow up on two aspects, one raised by

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KAZENAMBO**

Honourable Venaani and one by Honourable Comrade Ipinge.

Honourable Venaani has raised the business part of the subject and Honourable Ipinge has touched on the issue of Namibia being regarded as a market and these are very critical issues, because other subjects have been touched upon by previous speakers. However, I want to look into these two issues.

The Motion reads: *“Resumption of the Debate on the extensive problem of drug abuse in Namibia.”* Yes, it may be correct, I am not here to dispute its merits and demerits, but really, whether it carries water or does not carry water. The issue of drugs is a problem. It is not only a problem in Namibia, it is a global problem and it is a concern and in the spirit of this concern I would support those who are calling for a major campaign, a serious campaign against drug usage, drug trafficking and all other aspects related to drugs. Perhaps we should define what drugs are and declare war. Perhaps we need to elevate our combat against drugs to the level of Anti-Corruption. Those who are caught, who have created the perception that Namibia is a market for drugs, should be punished severely, maybe life imprisonment for drug trafficking. However, I will try to concentrate on what I perceive as causes myself, rather than concentrating on the symptoms because the symptoms and the realities are that drug abuse in Namibia is a reality. As to the degree, one would leave that to the doctors, the Police and other colleagues who are working with that on a daily basis and who can scientifically tell you what the level of drug abuse is. (Intervention)

HON DEPUTY MINISTER OF JUSTICE: I want to ask my Colleague a small question because he mentioned something which I did not catch very well, about raising the level of awareness campaign, a vigorous sustained campaign to the level of Anti-Corruption.

I agree with Honourable Kazenambo that we should take the campaign to that level, because we have identified that this is a real and serious problem and it is eating at the fabric of society like cancer and I think the campaign should be raised to that level of corruption and other vices. However, I think this one is so serious that we have to raise it to that level and if need be, we need to make available resources for a vigorous awareness campaign at schools. My biggest concern is peer pressure. I know most of our schoolchildren are vulnerable, we are not there. I agree wholeheartedly with you that we must raise the level to the same as anti-corruption and other vices and put our money where our mouth is and make sure that we

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KAZENAMBO**

help our people.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT; Let us take a position and increase the level...(Intervention)

HON KAURA: May I ask a question? I just want to find out from the Honourable Deputy Minister, in view of the fact that on the 28th of May there was a march against corruption here in Windhoek and not a single Minister showed up to march against corruption, what kind of message is the Cabinet sending out to the public when people are marching against corruption and they just do not feature?

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Honourable Kaura, thank you for the question. As you correctly stated, there was an anti-corruption march on the 28th of May. It is heartening that this march was taking place in a free democratic Namibia under the SWAPO Party Government, a country administered by SWAPO Party Ministers. It shows that the presence of individuals could not undermine the policy and everything.

Again, since it comes from a person I hold in high regard as far as the command of the Queen's language is concerned, I think he got it wrong this time to say that there was not a single Minister, because the meeting was addressed by Honourable Konjore on behalf of the President and by virtue of that fact, there was a single Minister. (Intervention)

HON KAURA: On a Point of Information. I participated in that march, but the Cabinet Ministers were conspicuously absent from the march. I saw only one Deputy Minister and that is Honourable Nguvauva. The whole Cabinet was conspicuously absent.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: For the information of the public out there, the President was present by virtue of having a representative and for additional information, there was a

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KAZENAMBO**

Cabinet sitting at the same time when the march was on. It was a clash of programmes. (Intervention)

HON KAURA: May I ask the Member a question, please? The invitations we received stated that the Founding Father was participating, the serving President was participating. On the 13th of May the Founding Father excused himself. Then on the 15th of May the serving President also wrote a letter, withdrawing himself from participating. Are you aware of the fact that Cabinet sits on Tuesday, but it was moved to Thursday for the first time in the history of Namibia?

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: The public need to be told the truth and the truth only. If we are honest here, even if the President of the DTA, Honourable Katuutire Kaura, a learned citizen of this country could check the records of his Party, he would find that because of clash of programmes he has also sent a representative of his Party to speak on his behalf. It happens every day in companies, even in Government structures and it is puzzling and it is not the truth whatsoever for Honourable Kaura to try to distort this and make political mileage out of it. (Intervention)

RT HON PRIME MINISTER: On a Point of Information. It must be stated that the anti-corruption march took place in terms of the Anti-Corruption Act. That Anti-Corruption Act was initiated by the Cabinet of the SWAPO Party. (Interjection)

HON KAURA: And now you are only paying lip-service.

RT HON PRIME MINISTER: Listen. It was initiated by the Cabinet of the SWAPO Party. The same Cabinet went ahead and established the Anti-Corruption Commission and that Anti-Corruption Commission now has a Budget of N\$15 million. Our duty is to command the Police and the machinery of the Government to enforce the law. That is our duty, not to walk around in the streets.

03 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KAZENAMBO**

**HON DEPUTY MINISTER OF REGIONAL AND LOCAL
GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:**

Honourable Deputy Speaker, I was saying it is a serious concern when a country, small in population, big in geographical size such as ours, should be regarded as a market for drugs. It is a serious concern and that is why we need to declare war against drugs. We should elevate it to the level where we should send a strong message that Namibia is not a market for drugs because we do not produce drugs here. We do not produce marijuana, we do not produce cocaine and therefore, we should send a strong message.

I have been told by my friends who are in the business industry that there are many people who are using Namibia as a transit destination to pass drugs into other markets and it is a question of us employing certain mechanisms.

I have seen when entering other countries either through their airports or at the borders that they say drugs are not tolerated in this country and they employ tough laws against those people caught with drugs, even the death penalty. I think it is time that we start doing this so that we do not portray the image of being a drug market.

Another cause is poverty and I am not saying this to justify the presence of drugs, but for the campaign to be successful and effective, we also need to identify the realities. There is political poverty and other poverties. Poverty can be defined in many ways – psychological poverty, seasonal poverty, etcetera. There are people coming here from other countries, going to our institutions where our kids are and these people are known to be people with money. You know, I do not want to promote xenophobia, but there are even people going to restaurants and they are seen as people who have money.

When America opened up to Japanese tourists, they put mechanisms to control them because amongst the clean people there are dangerous people. Let us be cautious of these people who are posing as business people. What are they selling that we do not sell?

HON DEPUTY SPEAKER: The House stands adjourned under automatic adjournment until tomorrow, 14:30.

HOUSE ADJOURNS AT 17:45 UNTIL 2009.06.04 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
04 JUNE 2009
WINDHOEK**

The Assembly met pursuant to the adjournment.

HON DEPUTY SPEAKER took the Chair and read Prayers and the Affirmation.

HON DEPUTY SPEAKER: Any Petitions? Any Reports of Standing or Select Committees? Other Reports and Papers? Any Notice of Questions? Honourable De Waal.

NOTICE OF QUESTIONS

QUESTION 51:

HON DE WAAL: I give Notice that on Thursday, 11 June 2009, I shall ask the Honourable Minister of Finance the following:

It is universally accepted that the most basic pillar of a successful economy in any country is the integrity of its financial system. In order to ensure the integrity of the Namibian financial system, we created two institutions as advisory bodies to ensure that people's money invested in financial institutions in Namibia are safe at all times. The Bank of Namibia was created to, amongst others, safeguard investments in deposit-taking institutions and the Namibia Financial Institutions Supervisory Authority (NAMFISA), for the rest of the financial institutions.

NAMFISA, on their official website explains further: *“Government commercialised this non-core function of the Ministry of Finance as a firm commitment to further improve the financial soundness of the Namibian non-banking financial sector and to secure protection for all stakeholders in industry, including consumers.”*

In the case of the now liquidated financial institution, Prowealth, which was licensed and supervised by NAMFISA, can the Honourable Minister please answer the following questions?

04 June 2009

**NOTICE OF QUESTIONS
HON DE WAAL**

1. Can the Honourable Member assure the House that she is absolutely satisfied that NAMFISA fulfilled all their obligations in terms of all the provisions of, amongst others, the following Acts:
 - The Namibia Financial Institutions Supervisory Authority Act;
 - The Long-Term Insurance Act;
 - The Short-Term Insurance Act;
 - The Stock Exchange Control Act;
 - The Public Accountants and Auditors Act; and
 - The Investment of Funds Act

to at all times protect the investments and hard-earned savings of the Namibian people in line with their slogan, “*Safeguarding the Nation’s Wealth.*”

2. Can the Honourable Minister confirm to the House that NAMFISA ensured that Prowealth at all times had the necessary professional indemnity insurance in place, as is provided for in the Acts under which Prowealth was registered by NAMFISA and if yes, to what extent and at which insurance company?
3. Can the Honourable Minister confirm to the House that NAMFISA on a continuous basis ensured that the internal and external auditors of Prowealth complied with all the reporting requirements as stipulated by the above Acts?
4. Can the Honourable Minister confirm to the House that NAMFISA on a continuous basis ensured that the senior personnel at Prowealth complied with all the prudential requirements; and
5. Can the Honourable Minister assure the House that certain assets of Prowealth were not sold or otherwise alienated just before or just after the death of the owner of Prowealth, thereby depriving the investors of what is legally theirs?
6. Can the Honourable Minister give reasons to the House why NAMFISA did not appoint a curator immediately after the death of

04 June 2009

**NOTICE OF QUESTIONS
HON MOONGO**

the owner of Prowealth when it became crystal clear that the organisation was in serious financial problems?

7. As NAMFISA is funded by the investing public and by each and everybody who has some kind of insurance by paying a levy on each and every transaction and is therefore, entitled to the protection of their investments by NAMFISA, can the Honourable Minister think of any reason why NAMFISA should not be held liable for the loss of investments at Prowealth in the event that Prowealth did not have sufficient professional indemnity insurance in place.

HON DEPUTY SPEAKER: Table the Questions, Honourable Member. Honourable Moongo.

QUESTION 52

HON MOONGO: Honourable Deputy Speaker, I give Notice that on Thursday, the 11th of June 2009, I shall ask the Right Honourable Prime Minister the following:

1. Is it true that Honourable Minister of Justice has recently contacted her Angolan counterpart with the intention of extraditing Phil Ya Nangolo to face prosecution for certain criminal charges in that country?
2. Is it true that the Minister of Justice travelled to Angola for such purpose between 25 to 30 May 2009?
3. Is it true that torture and other cruel treatment are the order of the day in that country and that the Rule of Law and the right to a fair trial are hardly expected in that country?

HON DEPUTY SPEAKER: Table the Questions, Honourable Member. Notice of Motions? Ministerial Statements? Message from the Head of State? Today business is initiated by the Opposition Parties. I put Question 29 by Honourable Moongo to the Minister of Youth, National

04 June 2009

**RESPONSE-QUESTION BY HON MOONGO
HON SHIFETA**

Service, Sport and Culture. Does the Honourable Member put the Question?

RESPONSES TO QUESTIONS

QUESTION 29:

HON MOONGO: I put the Question.

HON DEPUTY MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE: Thank you very much, Honourable Deputy Speaker. I would like to thank Honourable Moongo for his interest in the institutional development of the National Youth Service and I would like to make a correction that they moved from Berg Aukas to Rietfontein last year in February.

The trainees in question from Rietfontein were sent home to go and stay with their families temporarily while the Police were doing the selection. When the selection was done, 148 of those trainees were recruited. The Police had requirements that had to be met and only about 32 did not meet the requirements and they were taken into the National Youth Service Training Programmes and that issue has been solved.

The second question has been overtaken by events and the next question is why the two Ministries are not taking up these trainees who are temporarily with those Ministries. This is done when resources permit. The Ministries and Government Agencies normally recruit but only when they have resources and some of these young people are in the process of placement. We request Ministries and Government Agencies to use them for practical work and some of them assist in other Government programmes and in that process most of them are being absorbed. That is what happened. As of now, most of them are employed and the 32 who remained were already integrated and I would like to thank Honourable Moongo for his interest. Thank you very much.

04 June 2009

**RESPONSE-QUESTIONS BY HON KAURA
HON DR NDJOZE-OJO**

HON MOONGO: I would like to thank the Honourable Deputy Minister for the answer to the question.

HON DEPUTY SPEAKER: Question 32 is by Honourable Kaura to the Minister of Education. Does the Honourable Member put the Question?

QUESTION 32:

HON KAURA: I put the Question.

HON DEPUTY MINISTER OF EDUCATION: Honourable Deputy Speaker, this question has been overtaken by events. I had earlier on prepared a reply, but what I would like to say is that we are always aware of things happening in the Ministry of Education and as soon as we take note of that, we deploy every effort within our reach to ensure that those lapses are addressed.

However, what has to be taken note of is that Augustineum resorts under the Khomas Region and the particular teacher who was offered the employment, at the last minute withdrew and because the process had to be transparent we re-advertised. This question as I stated earlier has been overtaken by events and is no more relevant because we have already employed a teacher. Thank you.

HON DEPUTY SPEAKER: Question 33 is by Honourable Venaani. Does the Honourable Member put the Question?

QUESTION 33:

HON VENAANI: I wish to withdraw the question because it has been overtaken by events.

04 June 2009

**RESPONSE-QUESTIONS BY HON KAURA
HON KUUGONGELWA-AMADHILA**

HON DEPUTY SPEAKER: The question is withdrawn. Question 34 is by Honourable Kaura to the Minister of Finance. Does the Honourable Member put the Question?

QUESTION 34:

HON KAURA: I put the Question.

HON MINISTER OF FINANCE: Honourable Deputy Speaker, I will answer the question, but I would like to plead with the Colleagues across the aisle that next time when they want us to answer questions, they should at least be here to receive the answers.

The Honourable Member wanted to know whether I have considered an increase of old-age pension in the Main Budget for this year. I take it that this question has been overtaken by events because this House has just approved the Budget and surely I cannot be asked questions about what is contained in the Budget.

HON DEPUTY SPEAKER: Question 39 is by Honourable Viljoen to the Minister of Home Affairs and Immigration. Does the Honourable Member put the Question?

QUESTION 39:

HON VILJOEN: I put the Question.

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION: Honourable Deputy Speaker, Honourable Viljoen asked the Minister of Home Affairs and Immigration if the Minister, as whistle-blower of our beloved country reported this irregularity to the Anti-Corruption Commission. Even if it was reported or not, we cannot unveil it here because it is a security matter. We cannot expose the whistle-blowers

04 June 2009

**RESPONSE-QUESTION BY HON VILJOEN
HON !NARUSEB**

otherwise they will be afraid to tell us. The answer is negative. That is the automatic answer to your question.

If the statement of the Ministry is true, can you give this House and the Nation the name of the Opposition Party which is under suspicion? No, it is confidential, we cannot tell the Nation such things. Thank you so much.

HON VILJOEN: Honourable Deputy Speaker, I do not think it can be confidential when you are attacking Opposition Parties. Therefore, it is a pity that the question was not answered.

HON DEPUTY SPEAKER: Question 37 is by Honourable Viljoen to the Minister of Lands and Resettlement. Does the Honourable Member put the Question?

QUESTION 37:

HON VILJOEN: I put the Question.

HON MINISTER OF LANDS AND RESETTLEMENT: Thank you, Honourable Deputy Speaker. I would like to thank Honourable Viljoen for his question. The issue with resettlement, given the very nature of the hunger for land of our people and the scarcity of readily available land, our Government is faced with so many challenges when it comes to the proper identification of those who apply for land and also the selection process. It is not a secret that for a 5,000 hectares farm that has been subdivided into three or four units you get applications in excess of two hundred and that in itself is a challenge. When you are confronted with that naked reality, it is proving to be very cumbersome to know who is actually the ones who need access to land.

We have regional Selection Committees chaired by, in most cases, the Regional Governors and they make recommendations to the national body called the Land Advisory Commission, which is by statute tasked to advise the Minister and make recommendations accordingly. We are in the

04 June 2009

**RESPONSE-QUESTIONS BY HON VILJOEN
HON !NARUSEB**

process of looking at solutions within the legal framework to deal with it, but that is the reality right now.

When it comes to post-settlement support, it has always been there. The EU has been so kind to avail funds and the Namibia Agricultural Union as well as the Namibia Farmers Union have assisted with programmes aimed at passing on skills to the resettlement farmers and I also know that some emerging Affirmative Action Loan Scheme farmers have so far also benefited from this scheme. That is the process where farmers are trained in basic farming methods, animal husbandry and issues related to farming.

The financial support is quite a recent addition in terms of what the Ministry is doing. The Ministry has entered into an agreement with the AgriBank with the objective to assist resettled farmers. All that is expected from them is to have a business plan in terms of the type of activity, whether it is agronomy, cattle raising and how they intend to improve the farm on which they have been settled. There is a technical Committee which goes through all the applications and hopefully, within the next month or two the hitherto identified beneficiaries would be recipients of the funds that would be so availed.

Honourable Viljoen, I am in the process of preparing myself to participate in the Debate that is still on the Floor of the House regarding the land prices, during which occasion I would humbly submit more elaborate information regarding the issues pertinent to land reform.

With regard to question 3, yet again this will become clear in my participation, but suffice to say the following now: If you own large tracts of land, then you own it and the assumption is that you are using it productively and if not, then we as the Government honestly want to rely on the goodwill of the citizens of this country, consistent with the principles of the 1991 Land Conference and also aided by the legal framework that we have created as a Nation, so that we in that spirit be forthcoming in giving Government the first option to the available land. However, you and I know that it has proven to be a very tall order, but we are positive that with time we shall be able to also overcome that hurdle. The reality of the situation right now is that land it is not readily available and when land becomes available, the prices are so exorbitantly high that it becomes a challenge.

With regard to the last question, the issue of land reform in the country is our issue. We should not be motivated by what happens elsewhere because that is unique to those people. All we are saying in our case is that we as

04 June 2009

**RESPONSE-QUESTIONS BY HON VILJOEN
HON !NARUSEB**

Namibians should honestly, frankly and boldly deal with our land reform issues in the spirit of nation-building, guided by the principles of the 1991 Land Conference.

So far it has proven to be rather lopsided and the Government, spearheaded by the Ministry of Lands and Resettlement, is continually seized with approaches that would enable us to deal with the situation.

I made proposals the other day that maybe it is as good a time as any for us to revisit the principles of the 1991 Land Conference. The desire here is for us as a Nation to be able to address land reform that we as a Nation must be able to embrace, all of us, so that the solutions that we would arrive at would be ones that all of us would be comfortable with. That is the intention.

I note the terminologies used here, but I also appreciate the fact that English is not our language and that we would inadvertently refer to “*so-called*” which has a negative connotation. I would give Honourable Viljoen the benefit of the doubt as English is neither my home language, nor his home language.

Honourable Deputy Speaker, I hope with these few remarks I have responded to the questions by the Honourable Member.

HON VILJOEN: Honourable Deputy Speaker, I wish to thank the Honourable Minister. He could have given me a political answer, but he gave me a good answer and I thank him for the spirit in which it was done.

HON DEPUTY SPEAKER: Thank you very much. The Secretary will read the First Order of the Day.

**MOTION ON DRUG ABUSE IN NAMIBIA
RESUMPTION OF DEBATE**

SECRETARY: Resumption of Debate on the Extensive Problem of Drug Abuse in Namibia.

04 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KAZENAMBO**

HON DEPUTY SPEAKER: When this Debate was adjourned yesterday, the 3rd of June 2009, the Question before the Assembly was a Motion by Honourable Viljoen. The Honourable Deputy Minister of Regional and Local Government, Housing and Rural Development had the Floor.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Thank you very much. As I said yesterday on the Motion on the extensive problem of drug abuse in Namibia, it is a serious concern that Namibia, despite the fact that we do not have fields or plantations where drugs are produced, we are today wrongly perceived that we are a market for drugs. This is a serious concern and I add my voice to those who are saying that we should elevate our campaign to not only the use of drugs but to the presence of drugs in our country. We should have a position that we declare drugs as enemy number one, the same as corruption, and must have drug awareness at our institutions to deal with the reality rather than burying our heads in the sand and live in denial. (Intervention)

HON RIRUAKO: Drugs is an enemy just as discrimination is a dangerous enemy. It is designed to kill you.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: We need to aggressively declare drugs as a war against the Namibian people and we should not tolerate it. Those doing these things must be give tough sentences, maybe life imprisonment.

When addressing the causes for the presence of drugs, a substantive number of Namibian business people are forced by circumstances to fall into the trap of being used because of poverty. Our people have no other alternative means and this is the reality. As much as we do not like prostitutes and drug-runners, circumstances are forcing people to engage in this as a means of survival. I am not condoning the presence of these, but Namibians are finding themselves at the end of the line in this country and in many cases there is no other alternative.

Let us face it, you find business people even in restaurants negotiating from

04 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KAVARI**

the position of beggars and there are no other alternative means of economic activities. That is why you find that the only available business is to sell tombo and therefore drugs come in.

In conclusion, let us realistically address the real economic needs of the Namibian people other than planting mahangu, other than doing livestock production. We find the doors are blocked to do other business and we are underdogs in this country as business people. The mainstream of the economy is closed to us. We are saying the Namibian girls are behaving in a certain manner, but there is no alternative for them. They are attending schools with others and these people are coming from neighbouring countries and they are known in this country and we cannot deny it. If you go to institutions around here, we know our kids, we have surrendered to certain people who are coming with money and where do they get money? Let us empower our people and our banks should stop giving money to the established, the millions which are supposed to come our way.

HON DEPUTY SPEAKER: Thank you very much. Honourable Kavari.

HON KAVARI: Honourable Deputy Speaker, thank you for the opportunity to add my voice to this very important topic which touches on the moral fibre of our society.

The other day my sister was looking at the results of our kids in school or the education standards and I believe strongly that drugs and alcohol are contributing to the drop in the passing rate of our kids. There are certain schools in Windhoek which used to produce good results, but today when you apply to a certain school, people are asking whether you are serious that you want to send your child to that school because of the prevalence of drugs in certain schools.

What is also contributing heavily to this problem is the peer pressure by kids who can afford to buy drugs. (Intervention)

HON RIRUAKO: Do you know who is the owner of the drugs and who are sent among us here?

04 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KAVARI**

HON KAVARI: Honourable Chief, I will have to go and do research on that. The other day I was talking to Colleagues about kids going to the movies at Maerua Mall and it is well-known that when they do that, you must keep an eye on your child because of the availability of drugs in that area.

I remember those days when somebody had a problem of alcohol abuse and we used to say that that person must be taken to the rural areas because they are safe, but nowadays our rural schools and hostels are no longer safe, they have also become dumping sites and good business for drugs. That is also because of ignorance, that our people out there do not get the information that we are getting on television. Yesterday Honourable Amutenya was telling us about the symptoms and I wonder how many people out there are aware of the symptoms.

The campaign we were talking about is very much needed for us as parents to be able to identify that the child is using drugs or the child is mixing with dangerous groups.

In my view rehabilitation is a major means to control drug abuse, because quite a number of the members of our society are already addicted and prevention is no longer a need. What we need is rehabilitation. We need a partnership with the churches and I believe the churches are doing a good job nowadays. There are quite a number of churches and yesterday I heard Colleagues saying that churches are mushrooming and we should actually welcome the mushrooming of churches because of the good work they are doing, especially when it comes to alcohol and drug abuse in our society. I, for one, know a lot of people who were rehabilitated. (intervention)

HON MINISTER OF PRESIDENTIAL AFFAIRS: May I ask the Honourable Member a question? Honourable Member, you are saying the mushrooming of churches is welcomed without exception. Are you aware that some of those churches are even now discouraging people to take part in elections, which will affect the democratic order of this country? Are you aware of that?

HON KAVARI: Yes, I do not condone that, but I am saying that as far as the rehabilitation of drug and alcohol abuse is concerned ...(Intervention)

04 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON KAVARI**

HON TJIHUIKO: May I ask the Honourable Member a question, please? Based on the information that there are certain churches that are discouraging people from voting, that is a criminal action. If the Honourable Attorney-General knows about these things, why can he not just report it immediately so that proper action can be taken?

HON KAVARI: There are churches which are definitely doing a good job, especially in prisons and also in our communities. Yesterday we have heard that the churches are making a noise, but is it not worse than the noise that is coming from the shebeens. The noise should be welcomed because they are doing something that many of us are not doing.

**HOUSE ADJOURNS AT 15:40
HOUSE RESUMES AT 16:35 PURSUANT TO ADJOURNMENT**

HON KAVARI: Honourable Deputy Speaker, I was saying that we need to embark upon a partnership in rehabilitation between the Government, the churches and the parents and I was emphasising the point that the churches are already doing a good job in terms of rehabilitating of those who are already addicted. (Intervention)

HON IIPINGE: May I ask the Honourable Member a question? Honourable Kavari, do you want to say we are not taking preventative measures on drugs? I just want you to make this clear to me. You said that we do not need prevention, but we need rehabilitation. This is what I heard you saying yesterday. If that is correct, then do you think that we are all drug addicts, we do not need preventative measures or are you saying we should allow drugs to come in and just concentrate on rehabilitation or what are you actually saying? Can you make that clear to me?

HON KAVARI: To make the point clear, we cannot only concentrate on prevention because we have quite a number of people who need rehabilitation and I want to put the emphasis on rehabilitation, because I

04 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON NASHANDI**

have already talked about education and information, which are also preventative measures.

The churches need to be supported and encouraged and not that they are making a noise and that they are preventing people from doing this and that. They should get the credit they deserve. They do a lot of good work in prisons, rehabilitating people who went to prison due to drug and alcohol abuse and other evils. Government also needs to embark upon a rehabilitation programme which is currently lacking in our society. A lot of people who are affected by this evil do not know where to turn to. There used to be a centre somewhere in Walvis Bay and a few private centres, but I do not know of any centre run by Government in the South, in the North or elsewhere. If there are such centres, then the Minister of Health and Social Services can inform us about it. In the absence of such centres, I would urge the Ministry concerned to embark upon not only an awareness campaign, but also to rehabilitate those who are already affected.

With these few remarks, I thank you.

HON DEPUTY SPEAKER: Thank you very much. I recognise Honourable Nashandi.

HON NASHANDI: Thank you very much, Honourable Deputy Speaker. I will be brief in making a contribution on drug abuse, especially by our youth.

Sometimes when our children look at us, they think, "*those guys from the old school do not know anything,*" but in the process of being intoxicated, a beer here, a brandy and so forth, I want to make an example if that would help our youth out there at least to learn something.

Some of us grew up in the Police zone in towns. I was very impressed, arriving at a *braai* or a dance, a guy holding a packet of cigarettes and I was tempted to smoke seven days a week. Every time I woke up the smell was so unbearable. Now I have dropped it. I would like to address the youth, because some of them did not even have a kind of transition. They would jump to join the Grade 10 and 12s in these smoking trends.

04 June 2009

MOTION ON DRUG ABUSE IN NAMIBIA
RT HON N ANGULA

I am told our beer we produce for local consumption and foreign exports is one of the best, but I do not know what it tastes like.

When I went to open our Embassy in Brazil in 2003, I was visited by a Bishop who was telling me that he was in Namibia recently to open the Universal Church. In order to exercise my economic diplomacy, I told the Bishop that our beer is one of the best and what about having trade? The Bishop said: *“But Mr Ambassador, I am a Bishop, I cannot discuss beer.”*

For example, I was told by an Afganistan Diplomat that they rely on opium as one of their economic earnings. Every person is trading in his backyard. Of course, it is the same as beer here. There are some countries who will never order our beer because they do not use it in their countries. For instance, in Libya they use beer without alcohol. What we can do as a Nation is to have strict regulations.

The Minister of Finance yesterday suggested that we bid farewell to our guests who are bringing these products into our country. We have islands and the like and I would go to the extreme of even establishing a rehabilitation centre. I rest my case.

HON DEPUTY SPEAKER: Thank you very much. Right Honourable Prime Minister.

RT HON PRIME MINISTER: Thank you, Honourable Speaker. I am rising to make a modest contribution to this very important topic on the extensive problem of drug abuse.

Firstly, I want to agree that there is extensive drug use in our country and it this is particularly so among the youth and drug abuse goes together with alcohol abuse. I want to make contribution by telling two anecdotes.

This morning I was watching a programme called *“Doctors”* and I do not know how many of you are watching this programme. It is screened very early in the morning, about 05:30 and in that programme doctors discuss all sorts of things. At our age we want to listen to some of those things because we get some ideas. Today the programme was about drug and alcohol abuse and they brought in two young people of 15 and 17 years old who were drug addict and they tested their organs. One thing this programme

04 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
RT HON N ANGULA**

demonstrated to me is that, contrary to what was said by my good Comrade, Kaapanda, drugs kill. It was well demonstrated today.

What happens is that drugs affect especially three critical organs in our bodies – the liver, the heart and the brain – and you know how critical those organs are, you cannot cure that person. Some drugs apparently are stimulants and they make the heart beat so fast while others slows the heart down and the heart becomes confused and eventually it will just stop. The same with the liver and the lungs, they can easily be destroyed by these drugs. Therefore, it is a total health hazard, just like AIDS. It is the same thing. That is what I learned there and I think that lesson must be clear to all of us, that drugs kill. Besides stimulating you to do unusual things without thinking, like stabbing or shooting somebody, they can actually destroy you as a person and that message must be clear to everybody.

The second anecdote: The other day I went to a shop in my neighbourhood in Klein Windhoek, namely Woermann Brock. One lady had the courage and she stopped me and said, *“Mr Prime Minister, I am worried, there are people here whom I know who are bent on destroying our youth through drugs and I want you to approach the Anti-Corruption Commission to investigate these people.”* I said: *“That is very important information, can I have your name and your number?”* Then she started to chicken out, she said, *“those people are very dangerous, I do not want them to know that I am the one who blew the whistle.”* In other words, one of the problems we have is the fact that even when people know about people selling drugs, they fear for their lives. The problem now is, how do you protect the whistle-blower, because drug barons are very violent.

You have read about the incident in Mexico where somebody was contracted to kill so many people because of drug wars and the same culture is here in Namibia, that there are drug barons and if you want to talk against drugs in Parliament, do not drive at night, they will bump you off. There is a fear out there in the public as to how to report people who are involved in the drug trade.

The question is, how do we reassure the public that once they report, they will be anonymous, they will not be exposed to the danger and threats of the drug barons? That is one issue we must deal with as the lawmaking body.

I, therefore, hope that when the Bill comes back to this House, and I was assured by the Minister that there are only one or two final touches to be made, the Bill should be back here within a week or so, we should really

04 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON DR KAWANA**

look at it and see how it protects the whistle-blowers against the drug barons. We must take that into consideration.

With those few words, I think this Motion is important. Let us wait for the Bill to pass into a law and give resources to our law enforcement people who are already doing a good job. We have seen that Namibia, being a soft target, people would come here to go to Brazil and from Brazil to some other places. Therefore, we have to put up a big fight to intercept and to have proper information and also to protect our sources. I thank you.

HON DEPUTY SPEAKER: Thank you very much, Honourable Prime Minister. I now call on Dr Kawana.

HON MINISTER OF PRESIDENTIAL AFFAIRS: Thank you very much, Honourable Deputy Speaker. I rise to join other Honourable Members who contributed to the Motion. I support the Motion by the lone representative of MAG in this august House and contrary to assertions by some political prophets, this indeed is a manifestation that we are a democratic State. Here is a Motion that is debated and there is consensus from both sides of the House and this Motion was tabled by the sole representative of a Political Party. In this regard we shame those who accuse us of being undemocratic, particularly those who accuse the SWAPO Party and the Government of being undemocratic. We shame them. (Intervention)

HON RIRUAKO: On a Point of Order. Madam Chair, the Prime Minister gave a very good example and for that matter, for one to deviate from the truth, what is that? The truth is what he said. He said openly that we are supposed to restrain and follow what is right. Where are we now?

HON MINISTER OF PRESIDENTIAL AFFAIRS: Honourable Deputy Speaker, may I conclude on this particular point by saying the SWAPO Party and its Government will not be found wanting on issues of national interest. We will always converge with the Opposition Parties and this is one of those examples.

04 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON DR KAWANA**

Honourable Deputy Speaker, this Motion is very important and, indeed, it directly affects all of us in this august House, because as you may be aware, most of those drug dealers target children with good economic background, like some of us here, those who have the means. Those are the targets and, therefore, all our family members are targets. That is why I am saying this Motion is very important.

In addition, and unfortunately so, most victims of drug abuse are drug couriers who come from a very poor background, but we as a Government have to refocus our energy in fighting drug abuse by directing our attention to the drug barons, because to me they are the most dangerous as compared to couriers who are just given peanuts to carry some of these drugs and some of them are used because of poverty. We must, first and foremost, target the drug barons. Drug trafficking is a threat to our democracy and democratic order. The drug barons are even able to finance a rebellion against a democratically elected Government. They are able to influence appointments and, indeed, key appointments in institutions such as the Judiciary, as we have elsewhere experienced, the Police Force, the Public Service or even within the Security Forces, including Intelligence. That is why I say this subject matter deserves the due attention that it deserves and we have to debate and reach consensus regarding this issue.

Honourable Members, we have the example of Italy where the Mafia is causing havoc in that country and the effects of the Mafia are felt the world over, including here in Africa in general and in Namibia in particular. I remember a few years ago when I was still at the Ministry of Justice, there was a request for a drug baron to be extradited, but because these people have the means, they are able to afford very experienced legal counsel and they got somebody from South Africa and at the end of the day we had to struggle to get this person extradited.

Therefore, we as a country, as a people, as a Government, as a Party which is committed to the democratic order, must take this subject matter very seriously. With these few remarks, I would like to emphasise once again that we have to address this issue as a priority among priorities and once again, I do commend the Honourable Member from MAG for introducing this Motion and I support the Motion. I thank you.

HON DEPUTY SPEAKER: Thank you very much. Honourable Minister Nghidinwa.

04 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON NGHIDINWA**

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION: I rise to support the Motion on Drug Abuse. First of all, I would like to define the word “*drug*”. In the broad sense the word “*drug*” means any habit-forming substance. Medically it means any medicine taken to combat an illness. Almost any mood changing drug can be misused and most people take such drugs in one way or another. They take Aspirins because they feel run-down, some of them drink coffee so that they can do their work without falling asleep or they drink alcohol to relax after a long day. All these substances are drugs. In extreme circumstances, alcoholism or heavy smoking thus amounts to serious abuse.

Honourable Deputy Speaker, the popular picture of drug abuse encompasses heroin addiction, glue sniffing, taking LSD or amphetamines and smoking cannabis. This area of abuse is by very young people. They start taking drugs as an experiment as a result of growing up pressure to conform or to escape from the problems of becoming adults. For many teenagers this is a preface to a drug habit and sometimes to addiction.

Some researchers said that some people take substances for unknown reasons or unknown of dangers and consequences due to environmental influences, like you have it in Namibia. However, it is not only the young who abuse drugs, older people may not experiment but they do use drugs as a response to the problems they face and for socialising. They tend to use the less publicised types of drug abuse, such as tranquillisers, sleeping pills and alcohol. Many drugs that are commonly abused can be divided into five groups:

Stimulants, sedatives: In the stimulants you have cocaine and appetite suppressors. We have cannabis and solvents. Solvents are very unpredictable. Most act as sedatives but they can also stimulate and induce hallucinations. Glue, dry cleaning fluid and paint thinners are three examples. Combinations of sedatives with alcohol can be particularly dangerous, leading to rapid intoxication, accidents, coma and even death. In most cases it causes internal bleeding due to ruptures of arteries and the big veins.

Honourable Dr Amutenya already mentioned the patterns of drug-taking. Naturally, curiosity is one of the most characteristics of the young people. They want to test. Group pressure make them want to defy authority. There are also many unknown reasons. The pattern may then develop towards stronger preparation and greater variety of drugs, bigger doses more often, intravenous injection and physical dependence. The taker is totally unaware until measures of doses indicate that he has crossed the

04 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON NGHIDINWA**

dividing line between abuse and addiction.

Physical dependence develops when the body and the brain becomes chemically adjusted to the presence of the drug usually heroin, barbiturates or alcohol, that they cannot function normally without it. Missing of one or two doses is then followed by the onset of withdrawal syndrome, “*onttrekkingsindroom*” in Afrikaans, Honourable Viljoen, caused by heroin additives. This is extremely unpleasant and occasionally causes death.

From agitation and symptoms like running hot-cold, it soon progresses to headaches, muscle cramps, abdominal pains and vomiting, even epileptic fits. This can last for as long as three days and nights. I had experience of that as a nurse.

In the case of *Kashipembe* or *Ombike*, some people die while they are asleep and never wake up again because of ruptured arteries and vein vessels which can cause internal brain or stomach haemorrhage.

All the drug additives produce psychological dependence which can give us signs and symptoms as follows: Most of the signs and symptoms were already mentioned by Honourable Dr Amutenya and I am just going to summarise some, such as abnormal behaviour.

Most drug abusers first behave like children, for example create false impressions. They can tell you things which are not true. Hiding of drugs: Many addicts are at the mercy of drug pushers, they sell clothes to get money due to high cost of the supplies, stealing of money, untrue excuses at home and at schools, prostitution, rape cases and theft of drugs. Some people just laugh or cry without any reason.

Aggravated behaviour: The sufferer is unusually irritable, overactive, restless or show great variation in moods, depression, hysteria, paranoia, phobia and suicide.

Aggressive behaviour: Aggressiveness and anger are normal reactions to any situation of insecurity, whichever causes fear or worry. However, abnormal aggression and sudden mood swings may be a symptom of disorder caused by drug or alcohol abuse.

Effect of drug abuse and alcohol abuse in the society: At national level Government is spending more money to employ more Security Force members to prevent crime. The police cells are always full and overcrowded due to the high rate of criminal activities in the country.

04 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON NGHIDINWA**

Government is spending more money to feed the prisoners. Government is always forced to employ more Magistrates in order to legally prosecute the offenders. The Government spends money to increase the rehabilitation centres to address the problem. Unemployment prevails in the country because people lost jobs, followed by high rate of poverty.

Alcohol and drug abuse does not respect any status in the society and by so doing, the country lost experienced politicians, senior Government officials and even paralysing the whole labour forces of the country's economic prosperity.

At family level: Social problems in families, and disunity in family members ensue, because of lack of respect to each other. Abuse of alcohol and drugs, results in the abuse of income in households. Insecurity of family members because of alcohol and drug abuse has dangerous symptoms, such as hallucinations. They see things which other people cannot see because the brain is affected. Domestic violence against men and children are noted, because some women also become alcoholics and abuse their husbands. Impotency, which sterilises the men without operations done to them, leads to increases in divorces because the addicted person becomes dependent on such substances.

A high rate of unemployment and a high rate of poverty arise because investing in drugs is as if the person is investing in the grave, you never get any dividend thereafter.

Young children are socially affected, causing earlier dropout from school, early pregnancies, dumping of babies, street kids, frustrated and emotional, as well as short temperedness.

Health problems: Include redness of eyes, lips and other skin problems. Enlargement of pupils of the eyes, metabolism disorders, for example high blood pressure, diabetes and mental disorder which can lead to hysteria, depression, hallucination, schizophrenia, dipsomania, anxiety and suicide.

Korsakoff's syndrome is when a person drinks alcohol for fourteen years continuously. A person can kill or rape a person without knowing what he has done and that is what is happening in our country. Increase of death in the society due to car accidents and many related causes of death.

My recommendations are that prevention is better than cure. Such drugs are coming from outside the country and mechanisms should be put in

04 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON NGHIDINWA**

place on how to control the border posts and entry ports. Education should start at our own homes. Health education must be effected in all primary schools. Community public health workers need to go back to the communities six hours per day to spend their time in the community to do health education, not in the hospitals. More social workers need to be recruited to attend to social pathologies in the society, not in the offices. We need to come up with awareness campaigns, establish more rehabilitation centres especially in the remote areas, because the biggest problem we have is now in the remote areas. That is where the trucks are dumping all these things.

Namibians Psychologist to attend more to counselling services; All stakeholders to take part in educating the youth to become youth counsellors to assist their peer groups. Churches and non-governmental organisation should be the key stakeholders in this regard.

Traditional Authority structures are the key partners to address the said problem at grassroots level because they are always close to their people. To reduce shebeens and bottle stores as all other Colleagues said...(Intervention)

HON DR AMWEELO: Comrade Deputy Speaker, may I ask the Honourable Minister a very small question? Comrade Minister, you are doing very well, your research is very good and I just want to ask, which age group, according to your research and observation, is affected the most?

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION: My research tells me that the teenagers are the victims.

We need to encourage people to report drug pushers. Drug barons are to be destroyed immediately after a person is arrested, because we do not know whether these drug barons go back again into the hands of the cartel.

Lastly, Honourable Deputy Speaker, we need to know that alcohol and drug abuse are fiends of HIV/AIDS and they are equally killers of the Nation. The Namibian youth are the future leaders of the country and need to work hard to overcome the dangers of alcohol and drug abuse in order for them to reach Vision 2030 and be the future role models in the society. Therefore, I commend the Mover and support the Motion to be referred to the relevant Standing Committee and I thank you.

04 June 2009

**MOTION ON DRUG ABUSE IN NAMIBIA
HON IILONGA**

HON DEPUTY SPEAKER: I thank you very much, Honourable Minister. I recognise Honourable Iilonga.

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:
Thank you, Comrade Deputy Speaker. I did not intend to participate in this Debate, but I do so in order to correct some of the interpretations as a result of my intervention when I posed a question to Honourable Tjihuiiko. I am referring to the fact that the number of HIV/AIDS cases went down, because people knows it can kill and I did not mean that drug abuse cannot kill, because on each and every occasion and even on Africa Day I always called on the people to refrain from alcohol and drug abuse. I have never used alcohol in my life and I am now 62 years old.

I only wanted to clear the interpretation, I never meant that alcohol and drug abuse cannot kill, I only emphasised the immediate reaction. In every speech when I address the community I always mention three things. I ask them to refrain from unprotected sex, misuse of alcohol and drug abuse. Therefore, I do not want people to understand that Iilonga said people may use alcohol and drugs because it does not kill. When you are informed that there is a lion and there is a kudu, the fear is not the same.

With that, I hope I have cleared the air.

HON DEPUTY SPEAKER: Any further discussion? I call on Honourable Viljoen to reply.

HON VILJOEN: Honourable Deputy Speaker, I Move that the Debate be adjourned for my reply until next Tuesday.

HON DEPUTY SPEAKER: The reply stands over until next Tuesday. The Secretary will read the Second Order of the Day.

**RESUMPTION OF DEBATE:
MOTION ON UNEMPLOYED NAMIBIANS**

04 June 2009

SECRETARY: Resumption of the Debate on Unemployed Namibians.

HON DEPUTY SPEAKER: When the House adjourned in terms of Rule 90 on Thursday, 16 April 2009, the Question before the Assembly was a Motion by Honourable Dr Ankama. The Deputy Minister of Finance had the Floor and he may continue.

HON DEPUTY MINISTER OF FINANCE: Honourable Deputy Speaker, I would want to postpone this Debate until next week Tuesday.

HON DEPUTY SPEAKER: The Motion stands over until next week, Tuesday. The Secretary will read the Third Order of the Day.

**RESUMPTION OF DEBATE: MOTION ON CURRENT
URBAN AND COMMERCIAL LAND PRICES**

SECRETARY: Resumption of Debate on the current urban and commercial land prices with a view of regulating them to be affordable to all Namibians.

HON DEPUTY SPEAKER: When the House adjourned in terms of Rule 90 on Tuesday, 10 March 2009, the Question before the Assembly was a Motion by Honourable Kavari. Any further discussions on this Motion?

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: I move that the Debate be adjourned until Thursday, next week.

HON DEPUTY SPEAKER: The Motion stands over until the 11th of June, next week. The Secretary will read the Fourth Order of the Day.

04 June 2009

**RESUMPTION OF DEBATE: MOTION ON
FLOOD SITUATION IN NAMIBIA**

SECRETARY: Resumption of the Debate on the flood situation in northern Namibia beyond the Etosha Pan, the Hardap Dam area and the Walvis Bay-Kuiseb area.

HON DEPUTY SPEAKER: When the House adjourned in terms of Rule 90 on Wednesday, the 11th of March 2009, the Question before the Assembly was a Motion by Honourable Viljoen. Honourable Nambahu adjourned the Debate and he now has the Floor.

HON IIPINGE: Honourable Deputy Speaker, I move on behalf of Honourable Nambahu that the Debate be adjourned until Tuesday, next week.

HON DEPUTY SPEAKER: The Debate stands adjourned until Tuesday, next week. The Secretary will read the Fifth Order of the Day.

**RESUMPTION OF DEBATE:
MOTION ON HOUSING IN INFORMAL SETTLEMENTS:**

SECRETARY: Resumption of Debate on the State of Housing in Informal Settlements in the Country.

HON DEPUTY SPEAKER: When the House adjourned in terms of Rule 90 on 24 March 2009, the Question before the Assembly was a Motion by Honourable Tjihuiiko. The Honourable Minister of Regional and Local Government, Housing and Rural Development adjourned the Debate and he now has the Floor.

04 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON BAYER**

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: I move on behalf of the Minister that the Debate be adjourned until next week, Wednesday.

HON DEPUTY SPEAKER: The Motion stands adjourned until Wednesday, 10 June 2009. The Secretary will read the Sixth Order of the Day.

**MOTION ON IMPACT OF GENDER-BASED VIOLENCE
RESUMPTION OF DEBATE**

SECRETARY: Resumption of the Debate on the Impact of Gender-Based Violence in our Society.

HON DEPUTY SPEAKER: When this Debate was adjourned on Wednesday, 18th March 2009, the Question before the Assembly was a Motion by Honourable Kavetuna. The House adjourned in terms of Rule 90. Any further discussion? Honourable Bayer.

HON BAYER: Thank you, Honourable Deputy Speaker, Honourable Members. You know that violence against women and children is a violation of Article 8(2)(b) of the Namibian Constitution which clearly states that: *“No person shall be subjected to torture or cruel, inhuman or degrading treatment or punishment.”* There has been a failure to protect our women and children against acts of violence, meaning murder, rape, sexual slavery, forced abortions and forced pregnancies.

Honourable Deputy Speaker, Honourable Members, there is no excuse for abuse although it sometimes originates from cultural traditions or religious practices. The human rights of women and children are inalienable, integral and indivisible part of universal human rights. Therefore, domestic violence is a criminal act and perpetrators should be held accountable and

04 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON BAYER**

victims and children must be ensured of legal protection and educated on their legal rights. Every abusive relationship contains the potential of a homicide.

Honourable Deputy Speaker, Honourable Members, an abuser can be from any social, economic, religious or ethnic background. In some cases abuse does not start until after marriage or during a pregnancy. Thus, early warning signs are very important and young women should take note of the behaviour of partners, although men can also be abused. Physical assaults are usually against young women. Some of the characteristics may be visible early in the courtship and may signal a potential problem of later abuse.

When we have workshops, the profile of an abuser can be showed to young women or men. They can be identified as follows: Rapidly changing moods, a child in an adult body, a violent temper. These people also have a history of abuse as a child or have witnessed abuse, high job dissatisfaction, preoccupation with weapons, a violent-prone background such as prison or the military. They also have a poor self-image. If young women could be made aware of these, maybe things will be better.

Honourable Speaker, Honourable Members, our criminal justice system should have a more aggressive policy. We must continue our focus on social change and policy development on the criminal and social justice system while advocating for change through ongoing education and training of personnel and professionals and the community to dispel the myth of women battering.

Honourable Deputy Speaker, Honourable Members, it is essential to promote respect for and adhere to the international and regional human rights norms, particularly those affecting women and girls. All Judicial Officers must be guided by international human rights instruments, including SIDA and CRC and the interpretation and application of national Constitutions, laws and practices, including customary law. To that end, our Government must support the Judiciary in its efforts through the provision of adequate resources. I thank you.

HON DEPUTY SPEAKER: Thank you very much. I recognise Honourable Chief Riruako.

04 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON RIRUAKO / HON KAZENAMBO**

HON RIRUAKO: Gender-based violence is brought by righteousness that is given to children of the so-called new millennium. Parents do not have any right to warn their kids when they are wrong. Parents must talk to their children without using the whip and this also killed our culture and customary law. All this has perished, brought about by our so-called freedom. There is no self-discipline because you cannot be disciplined. You know self-discipline if you are disciplined from early childhood, but these are bygone days.

We live in a chaotic situation where we happen to find ourselves. We cannot warn you, we cannot beat you, you are a free person, free women and free men and those people I call free women have the right to do what they want. They can make love in front of their parents and it is a European habit, but to us that is not a habit and we are supposed to be in cahoots with foreign customs. They are commanding us today, we do not have a choice, we are compelled. This is the kind of habit we come across. I thank you.

HON DEPUTY SPEAKER: Thank you very much. Kazenambo.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Thank you, Comrade Deputy Speaker. On the surface one would automatically support the Motion on the impact of gender-based violence on our society. I support it one hundred percent and it is also popular to support it as gender is an issue which we must automatically support and violence is condemned by all of us. However, my principle is always to look at causes of these things. While it is popular to support, I want to go beyond that.

The Chief, a traditional Chief, has spoken about the mindset and the ethos and values of society and when he was speaking, I could see a traditional leader talking and I think that language will be popular to my mother and father because that is the way they have been brought up and it served the purpose during that era, but the world is evolving and what we need is balance and to bring balance, we need to understand issues as they present themselves.

Sometimes we are the cause for gender violence and I am not condoning it. Sometimes people hide behind their rights and freedoms and legal

04 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON KAZENAMBO**

instruments put in place and abuse them and through abusing these instruments, they force other people to become abusers. You would find that sometimes a gentleman has given birth or has impregnated a lady ... (Interjections). I am sorry, I interpreted it directly from Otjiherero. “*Omurumendu ua kuata omuatje*”. Now I will say it in the official language. Sometimes a gentleman has impregnated a lady and the lady has given birth to a child. Now the lady uses this baby as punishment for the gentleman by abusing the gentleman monetary-wise and otherwise. (Intervention)

HON TJIHUIKO: Honourable Deputy Speaker, I want to be on the same wavelength as the Deputy Minister. May I ask him a question, please? If a man goes to a lady and proposes and through that relationship a child is born and the lady is asking the partner for support, is that an abuse? Secondly, if the father refuses to take part of the responsibility and the lady takes action by threatening to do a, b, c, is that a threat?

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: I agree a hundred percent that if you have brought life on this earth, it is your responsibility to support that life and when a lady asks you for your support, genuinely then there is no abuse in that, it is the normal process.

HON RIRUAKO: Today is not your day. I have been listening to you, today is not your day. Normally you are a good speaker, but I do not know what happened to you today.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: That word “genuine”, if it is a genuine request to support the child, then I cannot find fault, but if the lady is now using this poor, innocent child to settle scores and you are forced to support what is not yours to support... (Intervention)

HON RIRUAKO: The law says you have to pay for what is yours, and if the little lady demands that kind of support legally, it is lawful, how can I regard it as mine?

04 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON KAZENAMBO**

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: I think we need to look into our legal instruments and reinforce them. (Intervention)

RT HON PRIME MINISTER: May I ask a tiny question? Honourable Kazenambo, you are saying some ladies are using all kinds of pretences to settle scores. Where do these scores come from?

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Thank you, Honourable Prime Minister. I was saying that there is a need that we have a look at our legal instruments so that our social workers can go beyond what we know to address those hidden scores that I am talking about. A relationship may be broken, but unfortunately the child becomes a link and since the relationship has gone sour...(Intervention)

HON DR ANKAMA: May I ask the Honourable Deputy Minister a question? What would you say in a situation where a lady, a mother has a child and then the child happens to have two fathers? Hypothetically it happens where the mother registered the child with two fathers. She has two birth certificates with the names of two different fathers. What would you say is the reason behind this and as what would you term this?

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: These situations are real, they are happening. I am saying that you find that the poor innocent child is now being used by people to settle scores. (Intervention)

HON RIRUAKO: Honourable Chair, we are not dealing with irrelevancies here, we are dealing with what is relevant. A child with two fathers, where are the blood tests in this country to identify who is who and who did this?

04 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON KAZENAMBO**

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: I agree that there is a process of DNA, but let us face the reality, the majority of our people do not have access to this. Some of them are in the remote areas and they do not know anything about such a thing called DNA. However, let me not belabour this point, it needs further investigation and our doctors, health workers and our lawyers need to look into the subject of child abuse, because sometimes we are the cause. When it is only expected from a father to pay for the child and the father is denied access to the child...(Intervention)

HON KASINGO: Honourable Deputy Speaker, I want to ask the Honourable Deputy Minister a question. Are you aware that in the traditional set-up where you have a man with many wives and a young wife of that man has a child, he would accept that child even if he knows it is not his? Are you aware of that?

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: I am a hundred percent aware of that and these are realities. There are men who accept kids as their own because of love and that is why I am saying the professionals need to be involved in this matter in order to balance it with the traditional behaviour.

I am in favour of the support system but this is being abused by some, because sometimes you are told to support your child, but you are being denied access to the child. (Intervention)

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION: On a Point of Information. Comrade Deputy Speaker, I want to inform the Honourable Member that the Ministry of Home Affairs and Immigration really has problems regarding the issue raised now. Most of the children do not have access to social grants, because they were never registered for birth certificates because they were not given names by the fathers who denied or they paid the women not to mention their names. This is the problem we have. We do not know whether these children will be given their uncles' surnames, but the wives of the uncles are also against that. I really have a big problem that needs to be addressed.

4 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON KAZENAMBO

HON RIRUAKO: Honourable Chair, that problem is brought about by Christianity. Normally if the woman is not married that surname of “out-of-wedlock” is given by the church and that is the reality. In the past if you were not married, your children belonged to your mother or uncle but now in an independent country we are supposed to change the norm, the father’s name must appear, no matter how. We cannot belong to the past, let us create a new understanding.

HON HOFFMANN: Will the Honourable Member accept a question? We can talk about ourselves and the elders, but as a member of the community who is running a kindergarten, knowing the problems which mothers and fathers are facing, is it not possible that we call a conference where we invite the young ones, especially the street children, so that they also have a platform where they can talk about their problems about not knowing who their mothers and fathers are? A child can call the father in and then ask the father, “*am I your child or not?*” At that moment there is no other way for the father than to say yes. If we could have that kind of platform, I think that would be helpful.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:

Honourable Deputy Speaker, right from the beginning it appeared to me that this matter goes beyond what is written here, that is multi-faceted and it needs to involve different professionals because of its complex nature. It is said here that there are children who do not know their mothers and it is a fact. This is a multi-cultural society and when we deal with issues here, we should address them from our ethical background. Some kids are adopted by their grandparents and because I am a Herero and the mother is an Oshiwambo and my grandmother has adopted this child, she does not want to tell the child who the mother is. It becomes complex and the child will end up not knowing the mother. This is a multi-faceted factor.

Talking about abuse, there are also men who are abused by women. Some boys are abused by sugar mommies and girls are abused by their sugar daddies. This is a cultural thing. I am her boyfriend, but the family is not welcoming me, they are discriminating against me, but I am supposed to support this girl. (Intervention)

04 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON KAZENAMBO

RT HON PRIME MINISTER: On a Point of Order. Is it allowed in this House that when an Honourable Member tells a story that he may fling his cap to the Floor of the House? (Laughter).

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Sometimes you are going out with a lady or a lady is going out with a gentleman and the lady or the gentleman is subjected to outside pressure. (Intervention)

HON TJIHUIKO: May I ask the Honourable Deputy Minister a question? Honourable Deputy Minister, sometimes when you are making statements it hurts. You were saying that one is going out with a sugar mommy with one eye.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Gender violence should be condemned in whatever manifestation it presents itself. We need to seek the involvement of professionals when we deal with gender violence. (Intervention)

HON MANOMBE-NCUBE: On a Point of Order. Could the Honourable Member clarify what Honourable Tjihuiko has asked because you might be misquoted on discrimination when you talk about a sugar mommy with one eye. I think you should clarify what you have said because what he has understood is different from what you have said.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Yes, he was distorting. What I was saying is that there are young gentlemen who are subjected to abuses by sugar mommies or there are young ladies who are subjected to abuses by sugar daddies, but on the issue of the “*one eye*”, it is a tribal thinking, that sometimes a girl will go out with a boy from another ethnic group, but because that lady is subjected to pressure by her ethnic group because we are a multi-cultural society, she will start treating this person badly because her family and friends will say that this lady is *Omukwambi*. I know *Omukwambis* with one eye when you are going out with this *Ndonga*, and because I am an *Ndonga* with one eye but

04 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON KAZENAMBO**

the lady is my girlfriend and I am now being discriminated, treated otherwise, this will need me to take certain actions. (Intervention)

HON DEPUTY SPEAKER: Honourable Kazenambo, this is an example you are giving, it is not real, because it will send a wrong message.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Honourable Deputy Speaker, we may not like to say it here but there are gentlemen out there, maybe Damaras, maybe whatever tribe ... (Intervention)

HON TJIHUIKO: May I put a question? Honourable Deputy Speaker, let us not try to create confusion. Now you have said you are referring to Ndongo with one eye. What is this?

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: This matter needs to be investigated further by the relevant Committee and since we are living in a multi-cultural society, we must address the causes of gender violence in Namibia. I thank you.

HON DEPUTY SPEAKER: Thank you. Honourable Ipinge.

HON IIPINGE: Thank you very much, Honourable Deputy Speaker. I rise to contribute to this very important Motion on the negative impact of gender-based violence in our society. I am not intending to lecture anybody on this as gender-based violence has been discussed at many conferences, lectures, workshops and now in this House and a lot of speakers have contributed to the Debate. What I want to suggest is a way forward and I would like to comment on what other people have said about our culture, historical background, etcetera.

04 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON KAZENAMBO**

I wonder how our grandfathers and grandmothers resolved conflict in order to avoid violence. This has been my question for quite a long time and I think it is very important for us to look at how our societies resolved and managed conflicts before they became violent. (Intervention)

HON MOONGO: On a Point of Information. The resolved their problems before violence took place by discussing matters in the family. Whenever a lady had a baby with two fathers, they discussed and they gave that baby to a certain person and it was accepted. It is not like these modern wives and modern men who do not discuss things with their parents. You know the baby is not yours, but during that time you accepted it because you knew the person could not be mentioned and usually it solved the problem.

HON DEPUTY SPEAKER: Honourable Member, you will continue next week. The House stands adjourned in terms of Rule 90 until Tuesday next week, 14:30.

HOUSE ADJOURNS AT 27:47 UNTIL 2009.06.09 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
09 JUNE 2009
WINDHOEK**

The Assembly met pursuant to the adjournment.

HON SPEAKER took the Chair and read Prayers and the Affirmation.

**MOTION OF CONDOLENCE:
PRESIDENT BONGO OF GABON**

HON SPEAKER: Honourable Members, the President Omar Bongo of Gabon was a leader of mixed attributes, yet remained true throughout to his ways of saying and doing things openly. We had President Bongo of Gabon since 1967 and at his death he was the longest serving African President. During the struggle years he was unavoidable. I know this in respect of SWAPO of Namibia through our frequent engagements with him personally, his Ministers and Diplomatic Envoys at the UN and other Foreign Missions. Often we did not see eye to eye on strategies and policies for liberation and unity, but he remained a faithful African patriot on burning challenges of decolonisation, conflict resolution and mediation among belligerents of States and others at request or by his own initiative.

President Bongo also championed the noble cause of linking the African Diaspora to the motherland. In particular we remember President Bongo for his persistent help for Namibian children. Dr Libertine Amathila is a witness to that, at our exile centres in Zambia and Angola, in particular, and his genuine respect for SWAPO leadership during the struggle and after until his eternal departure now. May we rise and observe a minute of silence?

THE HOUSE OBSERVES A MINUTE OF SILENCE

HON SPEAKER: Any Petitions? Any Reports of Standing or Select Committees? Other Reports and Papers?

09 June 2009

**TABLING OF REPORTS
HON TWEYA**

TABLING: REPORTS OF AUDITOR GENERAL

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

1. National Assembly for the Financial Year ended 31 March 2008;
 2. National Planning Commission for the Financial Year ended 31 March 2008; and
 3. Ministry of Veterans Affairs for the Financial Year ended 31 March 2008.
-

HON SPEAKER: Will the Honourable Deputy Minister table the Reports? I am told we have the company of future MPs and leaders of the country, UNAM students. You are welcome.

Any Notice of Questions?

NOTICE OF QUESTIONS

QUESTION 53:

HON MOONGO: Honourable Speaker, I give Notice that on Thursday, the 18th of June 2009, I shall ask the Minister of Mines and Energy the following:

1. Can the Minister confirm the failure and delaying tactics used by Rural Electrification to supply the community and the residents of Oshakati-West near the old Oshakati Cemetery north of Otowara and near Olungalunga, near the main road from Ondangwa to Ongwediva with electricity?
2. What are the motives behind not to supply electricity in the communal villages, such as Aminuis, Onderaombapa, Kongola and

09 June 2009

**NOTICE OF QUESTIONS
HON GORESEB**

many others where the line is passing through it, while electricity posts are in the distance of one metre from the house? Can the Minister agree or deny that is due to the Ministers or Deputy Ministers who came or live in those abovementioned areas? When is the Ministry is going to supply the electricity?

HON SPEAKER: Will the Honourable Member table the Questions? Honourable Goreseb.

QUESTION 54:

HON GORESEB: Honourable Speaker, Honourable Members, I give Notice that on Thursday, the 18th of June 2009, I shall ask the Minister of Labour the following and the question relates to Rössing Separate Pension Fund.

To give a little background information, this Separate Pension Fund has been created with the over-deductions that occurred on pensions from employees, dating from 1975 to 1992 and as such rightly belongs to the employees. All employees from the said period, the former and the current, those who left the company due to ill-health, dismissals, retrenchment or resignation are entitled to claim their share from these accumulated funds, but there are continuous delays experienced in the execution process. The current global recession has eroded imports and investments and has a very negative impact on the Fund, in that Fund assets have decreased by N\$105 million during last year alone, moneys that could have been economically utilised by the employed and unemployed former workers.

1. Is the said Separate pension moneys still safe or has it already disappeared?
2. Will the Honourable Minister agree with me that the long delay in the distribution of the funds amongst each member will negatively affect the net payout in the long-run?
3. Who guarantees the safety and the growth of the funds? Is it Alexander Forbes, NAMFISA or the Government?

09 June 2009

**MOTION ON DRUG ABUSED IN NAMIBIA
HON VILJOEN**

4. What will happen to the surplus benefits of those former Rössing employees who have passed on?
5. How long will it take, months or years, before proposed legislation development regarding the promulgation of a regulatory framework on surplus dissolution in the country will be finalised?

HON SPEAKER: Will the Honourable Member table the Questions? Any Notices of Motions? Ministerial Statements? The Secretary will read the First Order of the Day.

**MOTION OF DRUG ABUSE IN NAMIBIA
RESUMPTION OF DEBATE**

SECRETARY: Resumption of Debate on the Extensive Problem of Drug Abuse in Namibia.

HON SPEAKER: When the Debate was adjourned on Wednesday, the 3rd of June 2009, the Question before the Assembly was a Motion by Honourable Viljoen. the Honourable Member adjourned the Debate for his reply today and he now has the Floor.

HON VILJOEN: Honourable Speaker, it is my privilege to thank all Honourable Members who participated in discussing the Nation on drugs, also all Honourable Members who are good listeners without expressing their thoughts in words. Sometimes the German proverb is applicable: “*Reden ist Silber, schweigen ist Goldt*” meaning, to speak is silver and not to speak is gold.

I wish to thank the *Honourable Members Venaani, Kaura, Dr Amutenya, Nambahu, Kavari, Nashandi, Tjihuike, Mushelenga, Kaiyamo*, my

09 June 2009

**MOTION ON DRUG ABUSED IN NAMIBIA
HON VILJOEN**

Chairperson of the Human Resources Committee and now we are on the same page. If am guilty of being opportunistic, I wish to differ with the necessary respect. I would rather use the word “*proactive*”. Most of the Motions discussed in Committees are tabled and taken note of, nothing happens afterwards, so we are making rifles, guns, but we do not supply ammunition.

I thank *Honourable Deputy Ministers Katali, Ilonga and Kazenambo. The Right Honourable Prime Minister* initially in his remarks was sceptical, “*how can the representative of MAG introduce a Motion like that, it is only to score political points.*” Later on the Right Honourable Prime Minister realised that my intention was good and he made a good contribution. I thank him.

The Honourable Minister of Justice, although she did not participate, gave me a short lecture on my way of introducing a Motion. I wish to assure the Honourable Minister that my intentions are always honest and in the interest of the country in which I was born. Please remember that there is a language barrier that we have to overcome in expressing ourselves. If I were to use my home language, you will have no illusion about my honest intentions.

Thank you, Honourable Minister of Safety and Security, *Honourable Iyambo*, for your assurance to support the drug prevention efforts and I have too much respect for the Honourable Minister to try and expose him for a Bill not tabled. It was not my intention because I know it was to be done before his term as Minister of Safety and Security.

Honourable Kawana, thank you for your assurance that you will always support MAG. *Honourable Minister Rosalia Nghidinwa*, Minister of Home Affairs and Immigration, Honourable Minister *Nandi-Ndaitwah*, Minister of Environment and Tourism, Honourable Minister *Saara Kuugongelwa-Amadhila*, Minister of Finance, for intentions to make special provision in future Budgets for this very important matter. I wish to thank you all for complementing my Motion by your informative contributions.

Honourable Speaker, I therefore Move that the Motion to discuss the extensive problem of drug abuse in Namibia be referred to the Parliamentary Standing Committee on Human Resources, Social and Community Development for further scrutiny and report back. I so Move, Honourable Speaker.

09 June 2009

**MOTION ON UNEMPLOYED NAMIBIANS
HON TWEYA**

HON SPEAKER: I thank the Honourable Member for his reply. I now put the Question that the Motion be adopted. Any objections? None. Agreed to. The Secretary will read the Second Order of the Day.

**MOTION ON UNEMPLOYED NAMIBIANS
RESUMPTION OF DEBATE**

SECRETARY: Resumption of the Debate on Unemployed Namibians.

HON SPEAKER: When this Debate was adjourned on Thursday, 4 June 2009, the Question before the Assembly was a Motion by the Honourable Dr Ankama. The Deputy Minister of Finance had the Floor and he may now continue.

HON DEPUTY MINISTER OF FINANCE: Honourable Speaker, Sir, I was talking about the job opportunities in the public sector and I want to start with one of the obstacles that hinders us from addressing the issue of providing employment to Namibians.

One of the main requirements is the requirement that we ask for the prospective candidates even for entry posts. I can remember a few advertisements that I have read for purely clerical jobs: Academic qualifications Grade 10 or Grade 12 and then we ask for computer experience three years, typing whatever years. I am talking of entry posts and we are supposed to address the unemployment of the youth who come fresh from school with no experience and yet we expect them to be born with experience. I sometimes have difficulty to appreciate this.

The other element is that if there is a vacancy in the Public Sector, it takes four to six months to activate that vacancy to be filled and by the time it is to be filled, almost a year has passed and the financial resources have come to an end. This is only the public sector I am talking about and as Government I believe we are supposed to be more sensitive towards Namibians and young unemployed Namibians who have no means to make a living, leave alone the senior or promotion positions.

In this august House we have been requesting for the Amendment of the Public Service Act. I remember that I also contributed towards that Debate. A year or two ago, the Chairperson of the Public Service Commission mentioned that they are in the process of reviewing the Public

09 June 2009

**MOTION ON UNEMPLOYED NAMIBIANS
HON TWEYA**

Service Act for possible Amendments. It remains a media statement and really, in terms of the need at the moment, many Ministries, Offices and Agencies have up to 40% vacancies in some directorates and these are jobs that could have been filled by the many unemployed Namibians. (Intervention)

HON TJIHUIKO: May I ask the Honourable Deputy Minister a question, please? Honourable Deputy Minister of Finance, you are talking about young unemployed Namibians, but are you aware that the SWAPO Party Government has developed a list of those who should be employed? What would happen to those who are not on the list of the privileged few that SWAPO has put on the list?

HON DEPUTY MINISTER OF FINANCE: Could I challenge the Member to please share that list with the august House? In the absence thereof, I do not want to waste my time to comment on that. I am talking about a genuine issue.

There are Namibians who are suffering, they do not have jobs and we should not turn this issue into a joke. People want jobs. There are vacancies and I am addressing the Government sector, and we should do something about it, no jokes. (Intervention)

HON MOONGO: On a Point of Information. Is the Honourable Member aware that his statement is contradicting the policy of SWAPO that only the SWAPO members and the cadres of SWAPO will enjoy the privilege of getting a job and not all other Namibians? He is contravening the policy of SWAPO.

HON DEPUTY MINISTER OF FINANCE: Can I, on that so-called Point of Information, assist the Honourable Headman? Does the Honourable Member want to say that he now knows SWAPO better than myself? Can he prove that so-called SWAPO policy? He ran away from SWAPO, so I know the policy better than yourself, Honourable Member. There is no such policy and I can challenge you now.

09 June 2009

**MOTION ON UNEMPLOYED NAMIBIANS
HON TWEYA**

I was talking about the plight of Namibians that must make a living.
(Intervention)

HON MINISTER OF PRESIDENTIAL AFFAIRS: May I ask my Colleague a question? Honourable Deputy Minister, are you aware that before the Founding President left office, this Parliament passed the National Youth Service Act whereby certain schemes and projects were proposed to employ young Namibians and some members – and I underline the word “*some*” – of the Opposition objected. They said it is Nujoma’s private Army. Are you aware of that?

HON DEPUTY MINISTER OF FINANCE: I am fully aware, but for the benefit of the public, Honourable Tjihuiiko left Government as a Deputy Director, as a NUDO, and he was never asked whether he is NUDO or SWAPO. Please, let us not confuse and mislead the public. The SWAPO-led Government provides employment to all Namibians. I do not want to refer to the Ambassadors, the Honourable Member there was also an Ambassador. Therefore, we have no such policy. (Intervention)

HON TJIHUIKO: Honourable Speaker, may I ask the Honourable Deputy Minister of Finance a question? Honourable Deputy Minister, do you still remember that the SWAPO Party-led Government has drawn up a list of youngsters who should get preference in Government jobs, the Army, Police and others? Are you aware of that? And if you are aware of that, what is it that you are saying that there is no list? You made it very clear here that a specific group of youngsters would enjoy privilege and those who are not on that list, I guarantee you that they will be unemployed come next year.

HON DEPUTY MINISTER OF FINANCE: Let us not play with the future of our children. The only list that I know of is the list of MPs here. That is the only list that SWAPO has. Honourable Viljoen is not SWAPO, he came here as an inspector of education from the SWAPO Party Government. The Honourable Member was a Deputy Director, he came

09 June 2009

**MOTION ON UNEMPLOYED NAMIBIANS
HON TWEYA**

here as NUDO. Therefore, the only list that exists is of Members of Parliament of SWAPO, no other list exists.

HON P MUSHELENGA: Honourable Deputy Minister, may I please ask you a question? Honourable Deputy Minister, I am getting confused. I understand Honourable Viljoen was a MAG inspector, but when it comes to Honourable Tjihuike I become confused. Sometimes he is SWANU, sometimes NUDO. Which one is which?

HON DEPUTY MINISTER OF FINANCE: It is the same difference, the fact is that he is not a Member of SWAPO and whether he belongs to SWANU, DTA or whatever, he was still Deputy Director in a SWAPO Party-led Government. The only list is of the Members of Parliament, that is the only list and that is known to everybody.

Honourable Speaker, the plight of Namibians – and not members of SWAPO, because SWAPO is responsible for all Namibians – should be taken seriously, that we should start by addressing that plight within the available vacancies in the public sector. The requirements that are an obstacle to allow Namibians to get jobs should be reviewed on the part of the Government.

When it deals with the private sector, I have noticed that other private sector companies do not even advertise, but yet when you look at the unemployment situation in the country, the majority of jobless are predominantly black Namibians and I will not have any other word, they are black Namibians. There may be young white Namibians who are unemployed, but I have not seen them. Can it be proven that the white section of the population were born with experience and the others must gain it from somewhere while we do not have a college where this experience is to be obtained from.

I believe that if the Government wants to address the plight of non-Namibians with qualifications obtained in the country or outside the country, it is my belief that the Employment Bill would fast find its way to the House for us to address this issue.

09 June 2009

MOTION ON UNEMPLOYED NAMIBIANS
HON TWEYA

HON MOONGO: On a Point of Information. The Honourable Deputy Minister says that the unemployed blacks are in the majority, but is he aware that the whites are threatened by the attitude and actions of your Colleagues and they are in hiding and they do not expose themselves that they are unemployed.

HON SPEAKER: Invite the people in hiding to come out.

HON DEPUTY MINISTER OF FINANCE: I can only add as a footnote, is that perhaps what the DTA did with this Republicans and that is why they do not have any Republicans? You threatened them and chased them out.

I can only say that we are urging the private sector to open up and give opportunities to all Namibians, for us to maintain the peace and stability we all enjoy, for if they do not, the majority may disturb that peace that we are all enjoying. (Interjection)

HON DIENDA: Are you threatening them?

HON DEPUTY MINISTER OF FINANCE: For if they do not, the SWAPO Party-led Government with its mandate will be obliged, not forced but obliged, to put a law to address that one, for us to maintain the peace and stability, so that it is not seen as undemocratic. Unemployment in the country is a national problem, it is not a SWAPO Party problem only. I want us to recognise the fact that it is our responsibility and we have to put heads together to create opportunities for all Namibians so that we continue to enjoy peace and stability.

In conclusion, Honourable Speaker, I want to recommend that the experience job requirements required in the public and private sector be reviewed so that people are given the opportunity and gain in-service training. (Intervention)

09 June 2009

**MOTION ON UNEMPLOYED NAMIBIANS
HON TWEYA**

HON TJIHUIKO: On a Point of Information. The Honourable Deputy Minister of Finance is saying it takes six months for one person to be employed in the Public Sector, of which you are a Deputy Minister, and you are coming to Parliament, standing in front of television, complaining about things that you as a Government were supposed to have done. Amendments to the Acts are being done by you and then you are complaining here, but what do you expect us to do? If that is the case, why not come over here so that we can show you how best that could be done. Do not complain, do your job!

HON DEPUTY MINISTER OF FINANCE: The Member thinks that he is going to score some points. I am not complaining, I am stating that this is a national problem. The Honourable Member was elevated from an ordinary Deputy Director to a Parliamentarian and today he can say he is an experienced one. That is what I am stating here. We have a policy which must be reviewed because we are committed to the Rule of Law. It is not a matter that I can do it the way I want it. We have agreed on policies and it is our responsibilities to review them so that it addresses the plight of the people that we are leading. Nobody is born with experience. We must create opportunities and allow our people to gain experience on the job.

Secondly, the time to fill vacancies should be fast-tracked so that we also promote productivity, so that we can deliver service to our people in the shortest possible time within a given Financial Year and the private sector should take the hands of the Government...(Intervention)

HON VILJOEN: May I ask the Honourable Deputy Minister, who are "*our people?*"

HON DEPUTY MINISTER OF FINANCE: Honourable Member, we are here, we are representing the people outside this House, all Namibians. I am talking about all Namibians who are unemployed, including those who are in hiding.

09 June 2009

**MOTION ON UNEMPLOYED NAMIBIANS
HON DR AMWEELO**

The private sector should take the hands of the Government to create job opportunities for our people, for us to have continued peace and build this country to greater heights. I thank you, Honourable Speaker.

HON SPEAKER: I thank you. Dr Amweelo.

HON DR AMWEELO: Thank you very much, Comrade Speaker. I want to address this issue with regard to unemployment based on three main elements. I want to look at the short, medium and long-term plan.

In the short and medium-term the Government and the private sector need to create employment opportunities for our youth, for example to create infrastructure. The other day the Honourable Prime Minister mentioned that we have a policy on labour-based construction whereby you make use of labourers instead of machines, thereby creating more jobs. This is the area we need to address.

Secondly, we are all aware that our youth have potential, but most of our youth have not identified their potential. (Intervention)

HON MOONGO: On a Point of Order. Is it allowed in this House for a Member to mislead the public? The SWAPO Party had the opportunity for 19 years to address unemployment and now he is coming with long-term proposals? How many more years will it take? You had better get out the chair for another Party to rule.

HON DR AMWEELO: Comrade Speaker, our youth have the potential, but the problem is that many of them have not identified that potential and, therefore, it is the duty and responsibility of the Government and parents to teach our youth how to identify their potential.

9 June 2009

**MOTION ON UNEMPLOYED NAMIBIANS
HON DR AMWEELO**

We as parents need to tell our kids to diversify, because you will find that many people only want to farm, however we have to teach our kids to diversifying.

Let me tell you a story about two guys who were working in a certain street in which there were several shoe shops. The one said he wants to open a shoe shop and the other one asked, "*why a shoe shop, the whole streets is full of shoe shops?*" Then he said, "*no, I want a shop for small kids, not for the adults.*" Then he realised that he is actually trying to diversify and that is what we need to teach our kids. (Intervention)

HON MOONGO: I want to give constructive information. The SWAPO Government failed to employ the Ramatex employees while the Ramatex buildings are there and the Minister failed dismally. He is no longer a Minister and now he is crying crocodile tears here.

HON DR AMWEELO: Honourable Speaker, we are discussing a very serious topic, namely the unemployment of our people. (Intervention)

HON NAMBAHU: May I ask the Honourable Member a question? Dr Amweelo, are you really concerned by someone crying crocodile tears? Someone is concerned about the SWAPO Government having long-term planning and that person is probably not a good Christian, because the Lord has long-term plans for the Christians and that comes from the Bible. What is the Member complaining about?

HON DR AMWEELO: Comrade Speaker, we really need to come up with a plan so that we can teach our youth how to diversify their potential. It is very important not only to concentrate on one thing. Most of us just want to buy farms, but we want to tell our kids that there is also potential in investments in property, for example.

We actually want to create more vocational training centres so that we can train our youth in different trades. (Intervention)

09 June 2009

**MOTION ON UNEMPLOYED NAMIBIANS
HON DR AMWEELO**

HON KAVARI: I heard the Honourable Member saying that we have to teach our children. Are you referring to us as Government, as parents, teachers or at which institution are you placing the responsibility of teaching the children? Are you saying it should be in the school curriculum? It is very important and I want somebody to take that responsibility. You can say a job needs to be done by somebody, but if we do not say who is that “somebody” who should do the job, we will not get the job done. Who should do that very important job? I would want to put that responsibility on either the Ministry or an institution, the parents or MPs or whoever should do it.

HON DR AMWEELO: The answer is very straightforward: All of us, including yourself.

Therefore, Comrade Speaker, I want to conclude by saying that we need to create more vocational training centres so that we can train our youth in different trades, so that they can create their own jobs. Presently they are just looking at the Government for jobs and the Government cannot accommodate all the people, but the Government has already created the opportunities and now we need to make use of these opportunities. We have the vocational training centres to teach them to maximise their potential, so that tomorrow they are going to implement their long-term planning and diversify their investments in different areas. Thank you, Comrade Speaker.

HON SPEAKER: I thank Honourable Amweelo. Any further contributions? If not, does Dr Ankama wish to reply?

HON DR ANKAMA: Honourable Speaker, I would like to postpone my response to Thursday, this week.

HON SPEAKER: The reply by the Honourable Member will be delivered on Thursday. The Secretary will read the Third Order of the Day.

09 June 2009

**MOTION ON FLOODS IN NAMIBIA
HON NAMBAHU**

**MOTION ON FLOOD SITUATION IN NAMIBIA
RESUMPTION OF DEBATE**

SECRETARY: Resumption of the Debate on the Flood Situation in Northern Namibia beyond the Etosha Pan, the Hardap Dam Area and the Walvis Bay-Kuiseb Area.

HON SPEAKER: When this Debate was adjourned on Thursday, 4 June 2009, the Question before the Assembly was a Motion by the Honourable Viljoen. Honourable Nambahu had the Floor and he may now continue.

HON NAMBAHU: Thank you very much, Comrade Speaker. This Debate took place quite a long time ago and some of the issues I wanted to raise have actually been overtaken by events. Nevertheless, I will mention a few of them and it is on the situation of the Cuvelai.

Maybe it is time that we put this question of the Cuvelai on the front burner. We have all the other Water Commissions, such as the one on the Orange River, the Zambezi River and the others, but the one with Angola needs to enjoy more prominence than the others. At the Orange River we have the cultivation of grapes and mining activities, but we did not lose any life because of that, but in the case of the Cuvelai we have lost many lives this year and it is really time that this Joint Commission between Namibia and Angola on the Cuvelai needs to enjoy prominence in order to study the situation thoroughly, to spread information on early warnings and all the other aspects incidental to this situation. I still see people doing construction unhindered in the Cuvelai.

HON SPEAKER: You will continue on that point.

**HOUSE ADJOURNS AT 15:40
HOUSE RESUMED AT 16:15 PURSUANT TO ADJOURNMENT**

09 June 2009

**MOTION ON FLOODS IN NAMIBIA
HON NANDI-NDAITWAH**

HON NAMBAHU: Honourable Speaker, I was on the point of the Cuvelai, where I was saying that information needs to be given because we cannot continue with business as usual. One sees construction activities in that area and the obstruction of the waterways are continuing as usual. The floods have subsided but other floods will come and maybe we need to treat it as a cyclical issue which needs an awareness campaign in this area.

I was talking to one prominent person, the Senior Headman of Ombalantu, in the area and he was telling me about some huge oshanas in the area. He made some suggestions which could maybe be taken into account. Maybe the Commission dealing with the Cuvelai could start talking to these prominent people who have quite useful suggestions. Obviously, what is done there could also be replicated in other areas. I know the Motion does not mention the Zambezi, for example, but the kind of information which needs to be disseminated equally applies to the people in the Zambezi water basin. Therefore, the Water Commission needs to regulate activities in this area and disseminate information so that they people do not carry out business as usual.

With these remarks, I rest my case and call upon the Minister responsible for this area to see to it that this Commission enjoys the same treatment as the other Commission responsible for the other areas. I thank you.

HON SPEAKER: I thank the Honourable Member. Any further discussion?

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you, Honourable Speaker. This Debate has been on the Order Paper for quite some time, but it is a very important Debate which deals with the flood situation in Namibia. In contributing to this Debate, Comrade Speaker, I would just like to inform ourselves that the floods we are experiencing are a wake-up call for us. Namibia is known as a dry country and we normally experience droughts, but for the past two years the situation has changed and now we have to deal with floods. This is an indication that when people talk about climate change internationally, for us in Namibia it is not theory but something which has a direct impact on us. We know what the results of the floods are and how it is affecting our food security as well as contributing to water-borne diseases.

09 June 2009

**MOTION ON FLOODS IN NAMIBIA
HON NANDI-NDAITWAH**

When I say it is a wake-up call, we as Members of Parliament are all aware that in 2007 we have passed the Environmental Management Act through this House and one of the issues addressed there is how to manage our environment and its link to the impact of climate change. In addition to what has already been raised, our town planning needs a lot of attention. Therefore, it is very necessary and as a Government we are working very hard to make sure that the Namibian public are fully acquainted with the content of the Environmental Management Act, because one of the important points in that Act is that an environmental assessment has to be done for any development taking place in Namibia.

It has been said by the general public that some of the areas were not necessarily affected by the floods, but rather the rainwater which was standing and that was a result of how we have planned our towns and other places. Therefore, in acquainting ourselves with that law, we will be able to deal with the issue of adaptation to climate change. Adaptation is very crucial because you only come to mitigation when you have no choice, but it very important to put in place measures which will ensure that we will be able to adapt to situations when they occur.

Therefore, it will be required from us as a Nation to cooperate with the Government when mechanisms are put in place to direct us on how to develop our country, be it in towns or in rural areas. At the same time we also need to find ways to make a contribution to the management of the environment and of course, also to make savings on the resources we have, especially those who may in whatever small way contribute to the issues of climate change. For example, how do we save our water and electricity? All these are things that we need to do. Similarly, we also have to look at managing our land. We need to plant more trees and we also need to look at different methods of agriculture activities. I know that many of us are used to only one type of crop and I think in the world of climate change it would maybe be better for us to think of rotation, so that our soil will continue to provide for us, because we are exhausting our soil by producing one type of crop. It is understandable that we need to change the type of food we eat and it may not be easy, but if we do not start now, the situation might force us to do so and it might be too late. If we start experimenting now, we might be able to be successful.

Comrade Speaker, I think we all agree that climate change is with us and all of us can make our contribution to see how we can adapt to it, knowing well that these are international issues and knowing very well that the industrial countries are the ones we are expecting to do the most, being the main contributors to the emissions causing climate change. I thank you,

09 June 2009

**MOTION ON FLOODS IN NAMIBIA
HON IILONGA**

Comrade Speaker.

HON SPEAKER: I thank the Honourable Minister. Honourable Iilonga.

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

Thank you, Comrade Speaker. I rise to make my contribution on the Motion on the situation of floods in northern Namibia beyond Etosha, etcetera.

Comrade Speaker, I want to start on Hardap. At Hardap we really need to have a look at how the dam was constructed. The dam was constructed with an inlet, but no outlet in case of a flood. The same key which is the inlet is the one used to redirect the water which enters the dam. We really need to look at the site west of the Hardap Dam which needs to be reconstructed to have an outlet key which would relieve the pressure of the dam.

We can even have a second catchment area to minimise the heavy flow into the dam. The canal which is the inlet and also the outlet when the wall is threatened is too narrow and it needs to be deepened. It is on the north-eastern side of the dam and then it flows north to the Fish River and the Fish River runs on the east of Mariental. Therefore, you find that when the water is too much, the path is too narrow and that is why it branches off towards the town. Those are some of the technicalities which can be looked at.

With regard to the Kuiseb and as Honourable Ndaitwah has said, we have never experienced so much water flowing at the same time. The boreholes were drilled right in the middle of the river and when there is a heavy flow of water, it will definitely be destroyed. We need to elevate those boreholes so that the water can pass without damaging anything and the boreholes will remain intact. I think that is one lesson to be learnt from this natural disaster.

Research is needed on the source of water which ends up in Etosha. It fills up in Etosha and then recedes and then you find the *efundja* again coming from the east and is the same water which flowed to Etosha. Research needs to be conducted and we also need a key to control this water so that we also control the eco system. (Interjection)

HON MEMBER: A key?

9 June 2009

**MOTION ON FLOODS IN NAMIBIA
HON IILONGA**

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

Just to go Hardap or Goreangab and I will show you what is the key.

I think what needs to be done in Oshakati is that the NamWater dam needs to be deepened. People only talk about money, money, but if we had our own bulldozers as in the past, we could do this ourselves. However, now we rely on the private contractors who want to make profit. Everything they do is for profit, nothing else. We could have a big canal and then the water flows from the Zambezi and Kavango Rivers without causing any problem.

Before the development started in Angola, water from the Kavango River went to Ndonga-Linena. When you go to Ndonga-Linena, you will see this inlet on the southern part and if you follow that river, it goes to what is called Omulamba-Owambo in Etosha. That is the one before you reach Oshivelo. If we really want to minimise the effects of the floods, we do not have to destroy the ecosystem, we only need to put another key at Ndonga-Linena and when the flood comes, we release some of the water and we deepen the natural water path. I can tell you, our floods are not so big to cause alarm, it is only that we are not prepared for it.

The same goes for Caprivi. The people in Caprivi say they have no water, but we only have to follow the old water paths and rehabilitate them. Honestly speaking, then the pressure will not be the same and we will be able to control and harvest the water in earth dams. This phenomenon occurred 58 years ago when I was only 3 years old. (Intervention)

HON MOONGO: May I ask a question? It is good that the Honourable Member is trying to have a master plan, but we have been talking about this for three years now and no action was taken by the SWAPO Government. Those Government bulldozers are around there but they are not put to use and you are crying all the time, but there is no action? When is the Government going to take action?

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

Comrade Speaker, Honourable Moongo ran away from SWAPO and he wants to come back to SWAPO, but because of those problems he caused in SWAPO, he is now daydreaming. Please, you are welcome if you want to come back. (Intervention)

09 June 2009

**MOTION ON FLOODS IN NAMIBIA
HON NAMOLOH**

HON MINISTER OF PRESIDENTIAL AFFAIRS: Comrade Speaker, may I ask my Honourable Colleague a question? Honourable Ilonga, what happened to the 50 kg mealie meal which was dropped at the bridge? Do you think the Honourable Member wants to come back to SWAPO?

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: That is why I always advise the Honourable Member that he is an old man now, he needs to change. The more you badmouth SWAPO, the more the people are running away from you. Even those who are currently members of your Party will run away because they see that this person has nothing to contribute.

Let me conclude by saying that our experience with the flood this year was really a combination and not only a flood such as the year 2008. This was a combination of heavy rains and flood. After the rains the aquifer was already full and then the water flowed, unlike last year. Last year the earth would first drain the water to recharge the aquifer, but this year it was already full. Let us look at all those factors so that some of the problems could be avoided. I rest my case, Comrade Speaker.

HON SPEAKER: I thank the Honourable Deputy Minister. Minister of Defence.

HON MINISTER OF DEFENCE: Thank you very much, Comrade Speaker. I also rise to contribute to this Debate on the flood situation in northern Namibia beyond the Etosha Pan, the Hardap Dam area and the Walvis Bay-Kuiseb area.

Comrade Speaker, I am very happy that this Honourable House has passed the Disaster Management Policy and I think the Committees to be established under this Bill should be working very hard so that we tackle most of the problems. I think we will be able to manage our disasters at the regional levels if we create structures at all levels, so that it is not only the people from the Office of the Prime Minister who have to run from here to the Regions. It will also be good if the early warning systems are in place to warn of any flood or disaster occurring throughout the country.

09 June 2009

MOTION ON FLOODS IN NAMIBIA
HON NAMOLOH

Comrade Speaker, some of the floods which occur in our towns and cities are manmade. We block the waterways...(Intervention)

HON TJIHUIKO: I want to ask a small question. Honourable Minister, you were saying that we have passed a Bill here. When was that Bill passed? Are you intentionally misleading the House?

HON MINISTER OF DEFENCE: Maybe you did not listen very carefully. Comrade Speaker, I think in most of our towns people fail to do proper planning and as a result we face these floods, especially in the new towns. Of course, Mariental is a town which will need a lot of work to divert the water before flowing into the town.

In the North the waterways are blocked and as a result the water cannot run its course. They are blocked by roads which were constructed with very narrow culverts and as a result the whole area is flooded.

I grew up in a flood area, but dams were constructed and people made a small canal for the water to run and created some water catchments besides the big earth dams and this water, so harvested, could be used by the people and their livestock throughout the year. However, nowadays the earth dams which were built over sixty years ago have filled up with sand and we have not reconstructed them to catch water.

If one looks at what happened last year and again this year, it is the same pattern. Last year these culverts were constructed when the rainy season has already started and now we are in June and the construction has not yet started and they will start either in November or December when it is already raining, but we need to be proactive. We are repeating what is said in the book, *The Capitalist Nigger*, we talk and sometimes we do not act promptly. I think if we act on what we say, we will divert some of these disasters. We do not need asking each other what we did, we are sharing ideas here to be able to work for this country and all of us have a responsibility to do that, not only one. (Intervention)

HON KAIYAMO: On a Point of Information. I would like to add to the list of the General where he talked about "*The Capitalist Nigger*". There is another book he must read which is by Steve Biko, "*I write what I like*."

09 June 2009

**MOTION ON FLOODS IN NAMIBIA
HON NAMOLOH**

HON MINISTER OF DEFENCE: Thank you very much for the information about these books. Comrade Speaker, I think it is high time that we introduce in our schools a subject on disaster management. If it has not yet been introduced, I think it is high time that we do so. We have been experiencing floods and droughts throughout the country for years now and we warrant that we introduce disaster management as a subject in our schools. It affects the whole country and as our children grow up, they should know what disasters to expect in this country. I rest my case.

HON SPEAKER: I thank the Honourable Minister. Any further discussion? Does Honourable Viljoen wish to reply?

HON VILJOEN: Honourable Speaker, I move that the Debate be adjourned until tomorrow for my reply.

HON SPEAKER: The Honourable Member will deliver his reply tomorrow afternoon. The Secretary will read the Fourth Order of the Day.

**MOTION ON IMPACT OF GENDER-BASED VIOLENCE
ON SOCIETY: RESUMPTION OF DEBATE**

SECRETARY: Resumption of the Debate on the Impact of Gender-Based Violence on our Society.

HON SPEAKER: When this Debate was adjourned on Thursday, the 4th of June 2009, the Question before the Assembly was a Motion by Honourable Kavetuna. Any further discussion? Honourable !Nawases

09 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON !NAWASES-TAEYELE

HON !NAWASES-TAEYELE: Thank you, Comrade Speaker. I rise to make my humble contribution to this very important Motion.

Comrade Speaker, Honourable Members, gender-based violence has a profiled and a devastating effect not only on the victims and their families, but the perpetrators of these horrendous acts suffer as a result. For the majority of us, gender-based violence has been divided into two categories: That of men who are perceived as the perpetrators and women who are perceived as victims. Statistically it is true that a greater number of men perpetrate violent acts against women, however what I would like to bring forth to the Debate is that we see more and more women who are perpetrating violent activities either against children or other women, sometimes even against men.

For a considerably long time in the Debate on gender-based violence society has advocated for stricter and prolonged prison sentences for those found guilty of gender-based violence, but the longer we keep an eye on the characteristics of who the perpetrators of these acts are, what they do, who the victims are, it comes to our knowledge that gender-based violence has become a very personalised act. What I mean by this is any woman who carries a pregnancy to term and thereafter kills the infant and any man who takes the life of the mother of his children, his own life and, for that matter, these violent acts take place in front of the children. Can we still call these the perpetrators? Can we still call for a stiffer sentences? Who are we going to imprison? A dead body or a mother mourning the death of her child or boyfriend, or the wife? Remember, a woman who takes the life of her own child and a man who takes the life of his wife, lover and his own life, to me reflects the point that we should probably look at this Debate a little differently.

I am not convinced that a stricter prison sentence serves as a deterrent, because if it served as a deterrent, I would want to assume that we would have had a decline in the various forms of gender-based violence. We have seen that our newspapers rarely cover these topics or if covered, it is sporadic.

Honourable Members, I am under no circumstances undermining the efforts and machineries put in place by our Government in addressing the aspects around gender-based violence. What I am advocating for is for an expansion of the existing intervention programmes. On both the aspects of passion-killing and baby dumping we have not seen a comprehensive national research conducted that would inform us what the extent of these forms of violence is and what are the aspects contributing to it.

09 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON !NAWASES-TAEYELE

We also need to be informed about the best strategies for addressing these social ills. Other countries have shown that passion-killing is best addressed by a man talking to another man on the effects such an act has on the overall society. We need like-minded men who can spearhead programmes of this type. Our Colleagues here in Parliament, traditional leaders and church leaders can all start mentorship programmes where men to talk to other men about non-violent conflict resolution strategies. We need to teach our men how to deal with disagreements without resorting to conflict. Such an approach should not be talking down to men, but it should rather be advisory. Men should benefit from such interventions and they should also realise that they are also gaining in the process.

The Ministry of Gender has a programme where they are training Parliamentarians, traditional leaders, church leaders and Police on prevention programmes on gender-based violence. A programme of this nature needs to be taken further by expanding the initiative. Each and every Parliamentarian, traditional leader and church leader who has been through this highly commendable programme must be assisted to establish membership programmes within their line of work. For example, a traditional leaders should be able to return to his village and share the knowledge that he gained with our traditional Councillors and other men in his community. Similarly, church leaders should establish male groups within their parishes and places of prayer and thus share what they have learned through these programmes. It is only through these concerted efforts that we can sensitise other men, that we can understand why some men opt for violent activities and that in the long run we as a State will be able to devise intervention strategies to address aspects around passion-killing. (Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

May I ask the Member a question? Would it not be proper that the mentorship you are proposing be inclusive rather than just being composed of men, as if they are the only ones guilty of violence? I think if we send a message like that, it would seem as if the violence is only committed by men while it is committed by both. We have women who stabbed their husbands and I want that to be inclusive so that the headmen could talk to their people and say, "*people, you must reconcile.*" I would suggest that it be inclusive.

09 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON !NAWASES-TAEYELE**

HON !NAWASES-TAEYELE: If you followed me properly when I started, I mentioned that both men and women should be included in the mentorship programmes. It is inclusive.

We as a society are also doing injustice against our men. When women and children are abused, they can seek refuge at the Woman and Child Protection Unit, however when men are abused, there is no mechanism in place to protect them. Society thinks men can take care of themselves, but reality shows the contrary. We need to also look into protective measures for abused men.

Another form of violence that takes place unabated is the dumping of babies. The majority of these little souls never make it as a result of the exposure they encountered.

One of the printed media reported last year: "*City of Windhoek, workers at Gammans sewerage alluded to the fact that on a daily basis baby body parts wash out at Gammans from the various residential areas.*" What we know for sure is that currently there is no strategy in place to address this phenomenon. We are not certain what drives a mother to carry her pregnancy to term and kill this innocent baby. Research conducted elsewhere blames this on poverty levels of women. It is stated that for the majority of women the concern of not being able to support an extra mouth pushes them to kill the infants. Other studies refer to the relationship between the father and the newborn baby and the mother.

Apparently if the father denies responsibility, the shame of bearing the responsibility of raising her child alone is too much for some women and they thus opt to kill the baby. Other studies alluded to the fact that post-natal depression also leads to women killing their newborns.

What needs to be added to this Debate is the fact that contraceptives are free. Any woman can go to a public clinic and get contraception, but still we have incidents where women fall pregnant and resort to killing the infant.

Honourable Speaker, Honourable Members, as you can see, the reasons for this are many, but we in Namibia do not know why this is happening to our women and babies. I can only propose that we conduct research to better understand this phenomenon. Currently the practice is that when a man kills his wife or when a woman kills her baby, they are criminalised. Given that the criminalisation of these people does not seem to deter them or reduce the cases of passion-killing and baby dumping, we as Honourable

09 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON MANOMBE-NCUBE

Members should consider promoting that people who find themselves in such criminal activities should also undergo counselling so that the aspects that contributed to their criminal behaviour can be addressed.

Another aspect that is very helpful in addressing this issue around gender-based violence is the promotion of legal literacy in a broader society. There is no need for us as Parliamentarians to pass laws that are meant to protect community members but the community members are not aware of these laws. The Ministry of Gender, with the support of UNFPA conduct legal literacy programmes in the communities. However, these programmes need to be intensified by simplifying and translating the laws into local languages. The translated and simplified laws need to be broadly distributed in the communities. (Intervention)

HON NAMBAHU: May I ask a question? You are one of the few women who are talking about the need for research. When one speaks to women about the need for research, they will tell you there is nothing to research, they already know it all, they know the culprits and they know the reasons. What do you say about that?

HON !NAWASES-TAEYELE: You must really convince me that there are women who think that way. Comrade Speaker, I was saying that the translated and simplified laws need to be broadly distributed among the communities. We probably also need to look at the training of paragraph-legal persons in the area of these gender laws.

With these few remarks, I fully support the Motion and I thank you.

HON SPEAKER: Wonderful contribution, Honourable Member. Honourable Ncube.

HON MANOMBE-NCUBE: Honourable Speaker, before I make my contribution, I was deeply moved by the gender-related incidents which recently took place, namely the cold-blooded murder of an ex-girlfriend and her mother by a man in the Ovitoto Constituency as well as arson committed against children who were set alight in died in the Outjo

09 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON MANOMBE-NCUBE**

Constituency. I would like to extend my deepest and heartfelt condolences to the family members of the victims of these horrible acts of violence. May the souls of those who died rest in eternal peace.

Honourable Speaker, Honourable Members, I support the Motion of Honourable Juliet Kavetuna on one of the issues that remains a big bone of contention in our society, which is gender-based violence. As per findings of the world-renowned human rights advocacy group, Amnesty International, there are three distinct types of gender-based violence and they are:

Firstly, the so-called family violence committed against women or girls within their own family set-up. This type of gender-based violence, amongst others, includes marital rape of a wife by her own husband or sexual abuse of a girl either by her father, brother or an uncle.

Secondly, there is a gender-based violence regarded as community violence. This type of violence is rape or any other violent act committed by a person unknown or unrelated to a woman. Women trafficking and forced prostitution also falls into this category of violence.

Thirdly, there is what is referred to as State violence or violence committed and/or condoned by individuals employed by the Police, prison guards, soldiers or border officials.

Honourable Speaker, Honourable Members, I believe that a woman's status in society and within her own family directly influences her health, be it psychologically or physically. Many young women are exposed to sexual violence and are coerced into sex both inside and outside marital relationships. Women often feel powerless to make decisions and maintain control over their own bodies. This leaves them helpless to make demands on their partners, such as the request to use condoms, when and how to indulge in sexual activity, when to have babies, etcetera. This is especially when their partners are older than them and moreover, when a woman comes from a disadvantaged social background she is being taken for granted.

Being married is also no longer a guarantee that a woman is protected from being infected with HIV as long as her husband engaged in unprotected sex with multi-concurrent partners, no matter the shape, the size, class, status and mental status, if I echo the sentiments of my Colleague, the Mover of the Motion.

09 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON MANOMBE-NCUBE

Traditional African practices, such as female genital mutilation, early marriage and wife inheritance, also play a role of robbing women of control over their bodies and sex lives, rendering them susceptible to HIV/AIDS and other harmful diseases.

When we come to the conflict zones, in a situation of armed conflict, rape or any other violent acts against women are war crimes and should be dealt with accordingly. Women are particularly vulnerable to sexual violence during conflict situations, because of the breakdown of community bounds and social values as well as the collapse of law and order. Women are sometimes forced to fight at the battle front, exposing them to even greater risk of sexual violence and abuse should they be captured as prisoners-of-war. Mass raping of women during conflict has been one of the driving factors in the prevalence and spread of the HIV/AIDS pandemic.

Honourable Speaker, to cite an example, during the bloody 1994 genocide in Rwanda, hundreds of thousands of women were raped, many of whom were HIV-positive. (Intervention)

HON TJIHUIKO: Honourable Speaker, may I ask through you that we want to listen to this very important presentation and the two Honourable Members, Honourable Esau and Honourable Kaapanda, are really disturbing. Could they be excused to go out and finish their business there, please?

HON SPEAKER: Thank you, Honourable Tjihuiko, for assisting the Chair. Minister and Deputy Minister, there is an allegation and because of the manner in which you are sitting together, Honourable Tjihuiko may have a point.

HON MANOMBE-NCUBE: Hundreds of thousands of women were raped, many by men whom were HIV/AIDS positive. So, how many of them are dying today of HIV/AIDS who were infected during the genocide?

The widely recognised and recommended ABC, “Abstain, Be Faithful, Use

09 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON MANOMBE-NCUBE**

Condom” approach to smarting the spirit of HIV will only be effective if combined with social and economic changes that empower women to claim their rights and to be masters of their own destiny.

The WHO, in a multi-country study on women’s health and domestic violence against women, suggests ways to make all women safe from sexual violence and gender-based violence. To mention but a few, Honourable Speaker, it is to promote gender equality and women rights; establish, implement and monitor multi-sectoral action plans to address gender-based violence; enhance capacity and establish systems for data collection to monitor gender-based violence and the attitudes and beliefs that perpetuate it; development, implement and evaluate programmes aimed at primary prevention of intimate partner and sexual violence; and prioritise the prevention of child sexual abuse.

With regard to economic abuse, Honourable Speaker, men are subjected to, I cannot agree more with my Colleague, the Mover of the Motion, that sometimes men are more vulnerable when it comes to gender-based violence in the sense that they are the ones paying dowry and soon after that, when some relatives of the wife get sick or die, all ceremonies must be hosted by the daughter and husband of at the matrimonial home. The issue of dowry must be looked at and research must be done properly to see whether it does not border on some form of gender-based violence. However, I respect this and do not necessarily see it as disputable since in some cases it is a cultural aspect and it is believed to be a token of appreciation to the family of the wife, but in some cases it is abused.

Honourable Speaker, Honourable Members, having said this, I am convinced that men, to quite an extent, are also subject to gender-based violence. If I can cite a few examples: A woman may have a relationship with a certain Markus who is not the biological father of her child, it is just for the mere fact that he is the one who is loved at that moment. Petrus, who is the biological father, was dumped, but should he pass away and Markus has dumped her in the meantime, she goes and claims death benefits, takes the child to the funeral and even requests inheritance of Petrus’ property while this poor guy was denied fatherhood to the child when he was alive. Is that not really a form of gender-based violence against men and not emotional in the sense that the child is being brought to a dead father, which in turn is a violation of the right of the child?

Men are also exposed to gender-based violence either by their spouses or girlfriends who are constantly nagging over every little thing and do not let them rest properly during the night. They behave like a two-legged

09 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON MANOMBE-NCUBE**

mosquito and this results in the man sleeping in the morning behind his desk since he could not get enough sleep due to the two-legged mosquito who happens to be his wife or a concubine. This poor man may be accused at work for having spent the night at a shebeen and now sleeping on duty, while in actual fact he was not at a shebeen but he was kept awake by his noisy, bickering partner. This is also a form of gender-based violence against the poor man.

Honourable Speaker, Honourable Members, I will do an injustice to myself if I do not touch on one of the issues that is close to my heart, which is gender and disability. Gender-based violence amongst persons with disability is a matter of great concern, because sometimes they have to suffer in silence due to prejudice and discrimination. Some of the problems with regard to gender-based violence that persons with disabilities are experiencing are not openly and adequately addressed, if addressed at all. Girls with disabilities are being abused their families as they are being perceived as useless and not being in a position of getting married and take care of their households.

Therefore, it is common practice that an uncle or any other family member should please them sexually and they must be grateful that at least somebody has an interest in them. They are not given individual autonomy to make a choice. That is downright abuse of not only the rights, but also the human and your inherent dignity.

In conclusion, Honourable Speaker, Honourable Members, strange as it may sound, women with disability, especially in rural areas, are being perceived as unable to make fire or fetch water and wood and are generally regarded as a social burden or useless members of the community. This is absolutely baseless because this is a lack of respect for difference and acceptance of people with disability as part of human diversity and humanity. There are so many women with disabilities who have set up their own households who are completely in charge and not only sustain themselves, but also their needy extended family members.

With these few comments, Honourable Speaker, I recommend all Members across the gender spectrum to give their earnest support to this Motion and send it to the relevant Committee. I thank you.

HON SPEAKER: Thank you very much. Honourable Moongo.

09 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON MOONGO**

HON MOONGO: I would like to make very brief comments and suggestions. First of all, I am happy that the Colleague introduced this Motion, because it is really a disturbing and serious matter that the incidents of gender-based violence in families and relationships are very high in Namibia and we cannot allow this situation to continue. The time has come that we have to find out what are the real causes for the violence. I ask myself whether people kill each other because of prostitution and the answer is no. Why? Because the people are not serious about the prostitutes, they only use them to relieve themselves and they know they cannot be trusted. Therefore, nobody will kill a prostitute because she is not committed to any man, she is there for service.

Now I am asking myself why people in marriages and relationships are killing each other. (Intervention)

HON /UI/O/OO: May I ask a question? Honourable Member, I heard you saying that some men are just going there to relieve themselves. From what?

HON MOONGO: You are an adult man and you are supposed to know. You do not want me to expose what you have done in a certain area.

The time has come that we Namibians have to find out the root causes of killing each other. It is jealousy and dishonesty. If your wife denies you sex at night and goes with another man, what will be the result? Only killing each other. The owner of the wife suffers and what else do you expect? Dishonesty is the cause.

HON SCHIMMING-CHASE: Honourable Moongo, did I hear you correctly that you said the “owner of the wife?” Maybe it is that question of ownership that gives people the right to think she belongs to me and if I cannot have her, I will kill her and her mother, like what happened this weekend. That is one of the root causes, thinking of a human being as a thing that you own.

09 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON MOONGO

HON MOONGO: That is a complicated one but it is supposed to be answered by all. However, you are the wife of somebody, you are not the wife of everybody. If you are the wife of everybody, then you are inviting trouble. (Intervention)

HON DIENDA: Honourable Speaker, may I ask the Honourable Member a question? Honourable Moongo, are you saying that if you are the wife of somebody and if you do not obey, you must be killed?

HON MOONGO: No, I am not saying that.

HON DIENDA: Are men not also the husband of somebody? Then he must also not do the same.

HON MOONGO: That is why I say we must identify the root causes. It is dishonesty between the man and wife and dishonesty between the girlfriend and boyfriend. If they are not honest with each other there will be problems.

What is the solution? Let us now find solutions. As the other Colleague said, we lost our traditional values completely, because if in the olden days your wife was impregnated by somebody else, then he had to pay according to the customs and the marriage continued and you did not kill each other. If the husband went to a certain house and the wife knew, she would even advise the husband to take that one, that one is good and they were not killing each other. We lost our traditional values and norms. (Intervention)

RT HON PRIME MINISTER: On a Point of Order. The Honourable Headman is talking about tradition. The reason why there was no killing is not because you paid, but it is because if you killed somebody, the relatives of that person would kill somebody from your own family. That is what prevented those kinds of things.

09 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON MOONGO

HON MOONGO: We are looking for a remedy to the whole situation and what is the best to be done. Normally in our customs when you realised that your daughter wants a man, you have to influence her to marry traditionally. While she is young, you have to force her to marry so that she does not continue with adultery and we have now lost that tradition.

In order to prevent gender-based violence and even suicides, we are proposing that the churches, traditional leaders and the communities have a conference to come up with a code of conduct to guide people when they are getting divorced and how a girlfriend and boyfriend can stay together in a good relationship. We must come up with something, but we talk and talk without taking any action. That is why I propose that a conference be held on gender-based violence.

HON MINISTER OF ENVIRONMENT AND TOURISM: On a Point of Information. I am sure that as Members of Parliament we are following what is happening in our country and it was not long ago when the Ministry of Gender Equality and Child Welfare held a national conference on gender-based violence. The participation included the Traditional

Authorities and we learned that the Ministry is now working towards implementing the recommendations obtained from that national conference. Can we really organise another one while we are implementing the recommendations which just came out?

HON MOONGO: If it takes nineteen years while the people are killing each other, do you again want another nineteen years to come up with a solution? We need action which can prevent suicide and the killing of each other in relationships. (Intervention)

HON BOHITILE: May I ask the Honourable Member a question, please? Honourable Moongo, why are you now proposing that a conference be held to give guidance while a few minutes ago you were so happy and very impressed with the traditions and cultures of earlier where a husband could have a child with somebody else and there was nothing wrong and another Headman can impregnate your wife and there was nothing wrong with that. Now you want a conference to guide who? What is the purpose of the conference now?

09 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON MOONGO

HON MOONGO: I do not want a conference where you talk like you have been talking for 19 years, we need a conference to come up with a code of conduct on divorce and how the girlfriend and boyfriend can be together and how the relationship should be terminated. (Intervention)

HON MINISTER OF ENVIRONMENT AND TOURISM: On a Point of Information. The Honourable Member is talking of 19 years, but I am talking about a conference that took place in 2008, last year. The recommendations are to be implemented as of now. It is not 19 years.

HON MOONGO: I think I have the right to give my proposal and my proposal is that we need an immediate code of conduct in order to dissolve marriage without killing each other, in order to dissolve the relationship between boyfriends and girlfriends without killing each other.

RT HON PRIME MINISTER: May I ask question? Honourable Moongo, you are saying in our traditions there was no gender violence, if I heard you correctly. Is “*Okukumba oshikumbu*” not violence?

HON MOONGO: The Prime Minister is talking about one of the oldest traditions, that when you impregnate a lady, both of you should be burned. In some communities that was a serious criminal offence and they believed that adultery could cause bad luck for the community.

I do not want an argument that the conference was held, but what I need are the results. What results do we have after nineteen years or since last year? No results. Therefore, we need a code of conduct on how to dissolve marriage without killing each other.

HON TJIHUIKO: Honourable Speaker, may I ask the Honourable Member a question? Honourable Moongo, this topic is very serious and I have been following what you are saying. My question is: During those years fifty years ago you had a specific tribal tradition for a community, but

09 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON MOONGO

how would you today implement a Herero tradition in modern Namibia between a relationship between a Herero girl and an Oshiwambo-speaking boyfriend or between an Otjiherero-speaking and a Damara-speaking? Which tradition would be applied to these two?

HON MOONGO: You are of course talking to the traditional lawyer. We are trying to unite traditional law and to see to it that it is not in conflict with the Namibian Constitution and the Bill of Rights. Therefore, we are trying our level best that the good norms and customs should continue, but those who are in conflict should not be operational.

I appeal to the educated people in this House and the graduates who are not serious with their customs and norms to take an interest in their customs. The Headman must apply the law of that community where the offence was committed. (Intervention)

HON BASSON: May I ask a question? Honourable Moongo, are you not a headman in your community? It seems to me that you are looking at the Government to give answers to what is happening in this country and you say that for nineteen years we have just talked and the Government should do something about the killing happening in this country. However, if you are a Headman in your community, do these things not happen in your community? If it is happening, you as Headman should be an example and talk to the people. It is our children, it is our brothers who are doing these things and everybody should be responsible to talk to these people rather than waiting for answers from the Government.

HON MOONGO: Some of our Colleagues here think traditions are outdated, but if you lose your values and traditions, you are not a leader. When I took over the village, I educated my community on domestic violence. (Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: May I ask a question to Honourable Moongo? Honourable Moongo, how on earth can you as an Honourable Member and traditional lawyer reduce a very serious Motion to a political joke? Do you want to tell the public out there that after nineteen years the killing is sanctioned by the SWAPO Government or what do you mean? How many of the culprits have been

09 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON DR AMATHILA

arrested and sentenced by the same Government, which you are saying are doing nothing? As you are sitting there, Honourable Member, do you know what is happening at your Uukumwe? Please, grow up!

HON MOONGO: I was a commander and he was a field marshal, so let us meet outside.

My point is that I appeal to the community that the violence in marriages and relationships should cease, but we want a code of conduct to be introduced which will be enforced by the churches, the community leaders and also by the Government. That code of conduct should give guidelines how to dissolve marriages without problems. I rest my case and I thank you very much.

HON SPEAKER: Dr Amathila.

HON DEPUTY PRIME MINISTER: Comrade Speaker, I think violence against women and in particular, children, has reach epidemic proportions. It is not only in Africa or only in Namibia, but this thing is continuing everywhere and I think it is power play, number one, because nobody can stand up here and go and box Hage, because you know if he pulls his fist you will be down, but you can come and beat me because I am so small. Therefore, it is power play.

What I also need to understand is that we have the problem with women who are being assaulted and we are telling them that if the man hits you once, do not blame yourself, walk out of that marriage, but then they will tell you, "*but I love him, it was my fault.*" I have been telling my children, my nieces and my cousins, "do not bring your boyfriends in my house, because if I do not like the guy, my niece will say, "*actually I love you, but that aunty of mine thinks you are this and that.*" This is why this poor woman and her daughter has been killed. The daughter has been abused by the man, the mother said she must come home with her children and then this man comes and she goes in the car to go and sleep with him. Why? There is something wrong with the mentality of the women who are being abused.

09 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON DR AMATHILA**

We can write academic things about this, that men are also abused, but seriously, many women have been killed whilst the family have said that this man is going to kill her one day and they stay in that place. Therefore, the psychology of these people who are abused must also be looked into.

The mentality of men is also to be examined. How on earth do you go and rape your own child? It is not only one person, it is happening even in our own societies and we are just hiding it. It is not only this Austrian man who did it.

Then there is the story of the women going to men because they want to get married and live off the man. When you stand in Independence Avenue after work, you see every woman passing with a plastic bag containing food and you see the guys walking empty-handed. Then he is the one who is going to assault his wife. You will remember the man who stopped working, who was not employed and he cut the hands of the woman who is feeding him. There is something deeply wrong in our society and this is an epidemic which is going on all over the place in America and Europe.

Therefore, I do not think we are going to solve the problem by discussing academically, but something is psychologically wrong with this whole abuse story.

HON SPEAKER: You will have an opportunity to continue, Deputy Prime Minister. The House shall now rise under automatic adjournment until tomorrow, 14:30.

HOUSE ADJOURNS AT 17:45 UNTIL 2009.06.10 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
10 JUNE 2009
WINDHOEK**

The Assembly met pursuant to the adjournment.

HON SPEAKER took the Chair and read Prayers and the Affirmation.

HON SPEAKER: Honourable Members, I do not think today is the best day for public administration on account of poor management, coordination and requisite consultation. The day started with an observance of National Disabilities Day and we are all expected as national leaders who are driving the agenda of catering for people with disabilities to be present. This speech is made on behalf of the principals invited there who are actually reassuring that the absence of this House, both the Executive and the backbenchers cried out loudly and that was what was recorded.

If we talk about marginalisation of people with disabilities, insensitivity to the plight, if I may call it that, an indifference today made that point. I shall be telling you soon that we shall have to adjourn this House early enough, as soon as I have finished this statement I am making now, because there is a very important conference on HIV/AIDS being held in Namibia and most of us are expected to be present there. The chances of securing a quorum are out of the question and, therefore, I shall with your concurrence now ask the Right Honourable Prime Minister to adjourn the House until tomorrow afternoon, 14:30.

RT HON PRIME MINISTER: Thank you, Comrade Speaker. Just to assure people with disabilities that the event was organised by the Office of the Prime Minister, the Executive was not able to attend, because we had a Cabinet meeting this morning and we regret that very much. On that note, I propose that we adjourn the House until tomorrow, 14:30. I so Move.

HON SPEAKER: Any objection? The House stands adjourned until tomorrow, 14:30.

HOUSE ADJOURNED AT 14:50 UNTIL 2009.06.11 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
11 JUNE 2009
WINDHOEK**

The Assembly met pursuant to the adjournment.

HON SPEAKER took the Chair and read Prayers and the Affirmation.

HON SPEAKER: Any Petitions? Any Reports of Standing or Select Committees? Other Reports and Papers? Any Notice of Questions? Any Notice of Motions? Any Ministerial Statements? The first Question is by Honourable Dienda to the Honourable Minister of Health and Social Services.

RESPONSE TO QUESTIONS

QUESTION 27:

HON DIENDA: I put the Question.

HON MINISTER OF HEALTH AND SOCIAL SERVICES:
Honourable Speaker, Honourable Members, before I can respond to Honourable Dienda's question, allow me to say the following:

Right Honourable Prime Minister, the Honourable Deputy Prime Minister, the Honourable Chief Whips of this august House, Honourable Members, I wish to use this opportunity as the national coordinator in the fight against HIV/AIDS in this country to sincerely thank you for the maximum support that you demonstrated yesterday during the official opening of the HIV/AIDS Implementers Meeting. Our development partners, the majority of the delegates were overwhelmed by the leadership you demonstrated in the fight against HIV/AIDS. Thank you most sincerely.

Honourable Dienda asked whether the nurses home is only meant to accommodate nursing staff or whether it includes administrative staff and

11 June 2009

**RESPONSE TO QUESTIONS BY HON DIENDA
HON DR KAMWI**

the answer is as follows:

The term, “*nurses home*”, was initially meant for the nurses’ accommodation. However, this has been overtaken by events, it is no longer the case with the Ministry of Health and Social Services. The nurses home accommodation caters for employees who provide critical and essential services to the Ministry, such as doctors, nurses, radiographers, pharmacists, contracted personnel such as volunteers and other foreign health experts, students under training, as decided by the Ministry of Health and Social Services, biomedical engineers/technologists, other paramedical personnel such as physiotherapists, social workers, occupational therapists and some medical technology staff.

In addition, Honourable Speaker, the nurses homes accommodate essential shift workers, such as the porters, cleaners, switchboard operators and ambulance drivers. Furthermore, the nurses homes in Windhoek accommodate regional health professional personnel who come for essential training courses in intensive care, theatre and recovery nursing and emergency management. As a rule, administrative staff, be it from the Ministry of Health and Social Services itself or from any other Line Ministry do not qualify to stay in the nurses homes. However, some administrative applicants of the Ministry of Health and Social Services may be considered based on the availability of accommodation or merits.

Question 2 is on student nurses coming from areas outside Windhoek for training and also those who are from the Windhoek area, but who do not have decent accommodation and how they are being accommodated. Officially all students belong to the training institution, for example the University of Namibia. Therefore, their accommodation is not the responsibility of the Ministry of Health and Social Services. However, there is an existing agreement between the two institutions to accommodate student nurses from the University of Namibia if and when accommodation is available in the nurses home. This type of arrangement does not only cover nursing students, but all other students who are doing health-related courses, for example social workers, radiography, pre-medical students, etcetera.

The Khomas Region, like all other health Regions, train sub-professionals such as social workers, radiography, pre-medical students at the National Health Training Centre in Windhoek and these trainees are also accommodated at Katutura State Hospital inclusive of Windhoek Central Hospital Nurses’ Homes. It should be understood that the current nurses’ homes were built nearly forty years ago, hence their accommodation

11 June 2009

**RESPONSE TO QUESTIONS BY HON DIENDA
HON DR KAMWI**

capacity is no longer responsive to the current needs of the Ministry's staff accommodation. The merits of allocating accommodation is based on the principle that those coming from outside Windhoek get the first priority. When allocating official accommodation, attention is also given to those who are in need, irrespective of where they come from. I wish to extend a kind invitation to you to come and see what we are doing there. We are currently renovating the first block, Block A. It was previously used as a nurses' home, but this time around it will accommodate medical interns.

The answer to question 3: At the moment nurses' home tenants pay N\$250 for a single room and N\$370 for a family flat per month.

The answer to question 4: Not really. Initially they were meant for trainee student nurses and other professional cadres. There is also a component for qualified nurses and professionals. At the moment, basic training of university students is not the responsibility of the Ministry of Health and Social Services. Currently these facilities are utilised to house health professional staff members and essential health professionals, as mentioned in response to question 1.

Question 5: In the case of students and sub-professional trainees, the nurses' homes' rules stipulate that they are only allowed to stay for one month after training. Then they have to vacate the accommodation. However, if any of those students or sub-professional trainees happen to be appointed at Windhoek Central Hospital or Katutura State Hospital, a new contract has to be entered into between the staff member and the respective hospital management. The length of stay, according to the new housing policy, is two years, after which the PSSRD7/4 homeowner scheme for staff members shall apply.

Question 6: The nurses' homes accommodation caters for employees who provide critical and essential and professional services to the Ministry, as said earlier, including those who are doing various essential shift work. Their length of stay is determined by the critical needs of Windhoek Central or Katutura State Hospitals. Please take note that most of these professionals who are accommodated at nurses' homes are taken from various Regions of the country. Therefore, their length of stay may be longer.

Question 7: "What measures does the Minister have in place to ensure that sub-letting of these facilities do not happen?" The answer is as follows: There is a housing committee which deals with the related accommodation and not the Minister. However, the information is given to the Office of

11 June 2009

**RESPONSE TO QUESTIONS BY HON MOONGO
HON NGHIMTINA**

the Minister. Secondly, there is a clerk responsible for the nurses' homes who keeps the list of tenants. Thirdly, there is a housemother at every block who oversees that the visitors do not overnight. Fourthly, the members of the security company control the entry and exit from the nurses' homes and finally, the ministerial policy on official accommodation is about to be finalised which, once it is official, may assist some of these challenges. I thank you.

HON SPEAKER: I thank the Minister. Question 36 is by Honourable Moongo to the Honourable Minister of Mines and Energy. Does the Honourable Member put the Question?

QUESTION 36:

HON MOONGO: I put the Question.

HON MINISTER OF MINES AND ENERGY: Thank you, Honourable Speaker. I take this opportunity to respond to questions and concerns put forward by Honourable Philemon Moongo as follows:

“Can the Minister agree or deny that nepotism is the order of the day to issue petrol licences and give permission for the construction of filling stations?”

To answer this question, Honourable Speaker, let me first point out the fact that recommendations for the issuance of petroleum retail licences is done by a fully-fledged licensing committee which is comprised of officials from various divisions in the Energy Directorate. The petroleum retail or wholesale licences are also granted as per conditions set out in the Petroleum Product Regulations of the Petroleum Product and Energy Act of 2000, as amended. Nobody can be issued a licence without complying with the stipulated conditions. I am surprised to hear such serious allegations and would welcome any substantive evidence to back up such allegations.

11 June 2009

**RESPONSE TO QUESTIONS BY HON MOONGO
HON NGHIMTINA**

Question 2: “What is the good intention that during December every year there is no petrol at Omusati Region, Okahao, Onesi, Outapi, Katima Mulilo and the Ohangwena Region during the festive season?”

Honourable Speaker, Honourable Members, regarding the shortage of fuel in Omusati Region, Katima Mulilo and Ohangwena Region, as singled out by Honourable Moongo, I wish to put it clearly that fuel shortage did not only happen in those Regions, but in all far outlying areas in the northern Regions. It is true that time and again we are running short of petroleum products at several inland depots during the festive season. This problem can be attributed to several factors, for example that during the festive season the demand for petroleum products in the northern Regions outstrips the supply due to the increased movement of vehicles from major towns to those Regions in question.

In addition, this problem can further be attributed to rail transport where TransNamib, as the only transporter of fuel in bulk from the port of entry, which is Walvis Bay, to all inland depots countrywide, sometimes experience bottlenecks. For a considerable period of time, TransNamib had insufficient rail tank cars and locomotives. The inadequacy of logistical infrastructure, locomotive and rail tankers on account of numerous extraneous factors contributed significantly to this state of affairs.

It happens regularly that during the festive season the far northern Regions, including the area singled out by Honourable Moongo, experience fuel shortages because sometimes it is not possible to road haul all the fuel requirements within a short period of time should the locomotives be decommissioned and the inland, especially the far outlying areas, will experience fuel shortages.

Recently, logistical constraints have been experienced and most of the time when it happens, the situation can be contained to limited damage due to the good cooperation among key players in the industry.

Question 3: “Can the Minister explain as to whether this is intentional or due to ignorance of the Ministry?”

Honourable Speaker, as I have explained before, this problem of fuel shortage is neither intentional, nor can it be attributed to negligence. My Ministry has adopted a zero tolerance stance of the state of affairs and all efforts are geared to ensure that the country remains wet throughout and stock are available at all cost.

11 June 2009

**RESPONSE TO QUESTIONS BY HON VILJOEN
HON NANDI-NDAITWAH**

Honourable Speaker, I hope that I have sufficiently answered the question posed to me by Honourable Moongo and I thank you.

HON MOONGO: Thank you, Honourable Speaker. Honourable Speaker, I thank the Minister for the well-detailed answer, but I have one additional question. He stated that the Ministry is not ignorant on that point of transporting the fuel to the Regions so that they do not experience lack of fuel, but why did the Ministry allow only one company to transport fuel rather than to allow many others to transport so that there is no shortage? Is this to allow the company to exploit others or what is the good reason?

HON MINISTER OF MINES AND ENERGY: I do not think that the transportation of fuel is done by only one company. We have five oil companies here, BP, Shell, Chevron, Engen and Total and we are also using TransNamib, which means there are six companies transporting fuel in the whole country. The reason is only that, once a lot of people travel to the northern Regions, the fuel supply will be depleted. They do not have big depots in the north as it would not be economical, because the demand for more fuel only happens occasionally. Should the fuel be kept in a depot longer than three months, it will be spoiled. Therefore it is logic, it is not ignorance. Thank you.

HON SPEAKER: I thank the Honourable Minister. Question 38 is by Honourable Viljoen. Does the Honourable Member put the Question?

QUESTION 38:

HON VILJOEN: I put the Question.

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you, Honourable Speaker. In answer to this question I want to state that Article 95(1) of the Namibian Constitution mandates the State “*to maintain the ecosystem, essential ecological processes and biological diversity of Namibia and utilization of living natural resources on a sustainable basis*”

11 June 2009

**RESPONSE TO QUESTIONS BY HON VILJOEN
HON NANDI-NDAITWAH**

for the benefit of all Namibians, both present and future” and accordingly, His Excellency the President of the Republic of Namibia, in terms of Article 32(g) and (i)(bb) of the Namibian Constitution, established the Ministry of Environment and Tourism to execute the mandate contemplated under Article 95(1) of the Namibian Constitution.

Therefore, all protected areas in Namibia, including the Von Bach Dam Resort, fall under the jurisdiction of the Ministry of Environment and Tourism and the Ministry has developed rules and procedures that govern those protected areas, amongst others that entrance to the protected area is only allowed after sunrise, visitors to the park have to leave the park before sunset and no visitor is allowed to overnight in the park except when booked in the lawful accommodation establishment.

Therefore, Honourable Speaker, the question by the Honourable Member is very much misleading because on the 10th of April 2009, no member of the public was prevented from entering Von Bach Dam during the prescribed hours. I think it would have been very helpful if the Honourable Member had asked a straightforward question, because I know this concerns the issue of the Namibian Water-Ski Club and because the issue of the Club is in Court, I will not go into the details.

Nevertheless, I want to inform you that accommodation in any national park has to be authorised by the Government and members of the public cannot decide to put up accommodation facilities to accommodate family and friends. That will not be allowed and I suppose we all understand that. Finally, I once again want to inform the Honourable House that on the 10th of April no member of the public was refused entry into Von Bach. therefore it is a different case. I thank you, Honourable Speaker.

HON VILJOEN: Honourable Speaker, I wish to thank the Honourable Minister, but I can give the Honourable Minister the assurance that it was not my intention to find out something about the water-ski club. I reacted on what was published in the newspapers. I thank you and I accept the answer.

HON SPEAKER: I thank you very much. Question 40 was by Honourable Venaani. Does the Honourable Member put the Question?

11 June 2009

**RESPONSE TO QUESTIONS BY HON VENAANI
HON NGHIMTINA**

QUESTION 41:

HON VENAANI: I put the Question.

HON MINISTER OF MINES AND ENERGY: Honourable Speaker, Honourable Members, I would like to take this opportunity to respond to questions that were put by Honourable Venaani.

Question 1: “How far is the progress of the construction of the Kudu Gas Field as of date and when can we expect its operation?”

The Kudu Gas Field has seen changes to its development options that have led to delays in the implementation of the project. The Kudu production licence was awarded on the 25th of August 2005. The original development plan depends on the export of gas through the pipeline for electricity in South Africa, because the Namibian market alone is too small to make the project viable.

Negotiations with the upstream and downstream players over the last fifteen years could not bring them to an agreement on any affordable gas price. The current development option, as put forward by the upstream parties, Tullow Oil, NAMCOR and Itochu Corporation, is the use of marine Compressed Natural Gas - CNG technology which had been investigated and proven viable by means of CNG vessels in transporting gas from Kudu Field to the identified markets, instead of the pipeline technology.

The two main targets are the industrial gas market in the Western Cape Region with its main focus being Cape Town in South Africa and Walvis Bay as a delivery location for the gas, earmarked as the potential location for a gas-powered power station and the potential future industry centre at the West Coast of Namibia. CNG reception facilities will have to be constructed in Walvis Bay.

The initial proposal to pipe gas to the Western Cape Region for the purpose of power generation failed due to excessive costs of laying the pipeline all the distance linking Oranjemund to Cape Town. The withdrawal from the project of one of the anchor buyer of the gas in South Africa, which is ESKOM and the failure by the partners to reach commercial agreements.

11 June 2009

**RESPONSE TO QUESTIONS BY HON VENAANI
HON NGHIMTINA**

To progress the project at this moment, allow me to sketch to you the current project timelines:

1. First, finalisation of the negotiations by Tullow Oil and its upstream partners with NamPower and Itochu, the company identified as the main gas off-taker or buyer in South Africa in respect of:
 - (a) Heads of Terms/Agreement between Tullow Oil and NamPower; and
 - (b) Memorandum of Agreement with Gigajoules.
2. Tabling the CNG development option and gas prices to both NamPower and Gigajoule by the end June 2009.
3. The main milestone in June/July will be the proposed signing of Heads of Terms/Agreement between the upstream partners and NamPower and the submission of the revised development plan.
4. Conclude a Memorandum of Understanding with Gigajoule of South Africa and Heads of Terms/Agreement with NamPower, after which the application of the 25 years production licence will be lodged with the Ministry of Mines and Energy.
5. Follow the sequence of events leading to a project definition or sanction next the operator, which is Tullow Oil, to undertake a Front-End Engineering and Design (FEED) study of the CNG option an exercise which under circumstances take up to 6 months to complete.

Simply put, the Front-End Engineering and Design study is a study constructed by whoever the operator is, in this case Tullow Oil, in order to analyse the various technical options available for a new oil and gas development project with the objective to define the facility required.

6. Having concluded the Front-End Engineering and Design study, then the negotiations a commercial agreement, such as gas sales agreement and so on starts.
7. At that point enough facts about the facilities required for the project development would have been understood and appropriately planned for sound economic basis upon which project sanctioning or final investment decision can be taken. As it is known, the development

11 June 2009

**RESPONSE TO QUESTIONS BY HON VENAANI
HON NGHIMTINA**

starts in all earnest and in accordance with the schedule that is envisaged to happen at about the first quarter of 2010.

8. Finally, development activities from the final investment decision to first gas would take a further plus minus six months to be completed, namely around March 2013. By March 2013 it is anticipated that Kudu Gas Field would be ready for production, which entails that the CNG tankers will be ready for shipment to buyer markets and the power station will be ready for receipt of the gas.

However, if Tullow Oil and NAMCOR continue to differ on the gas price, then perhaps we should explore an option which will allow us to extract the gas from the ground and export it for the benefit of the country. This will require a bold decision to be taken because currently the gas in the ground benefits no one, but if we export it, Namibia will earn considerable income through royalties and taxes and most importantly, Namibia will then become a gas-producing country, creating lots of new jobs and even associated industries.

Question 2: “Does the South African power utility, ESKOM, have any equity shares in the project and if the answer is in the affirmative, how much?”

ESKOM, which is the South African power utility being referred to in this question, has been associated with the Kudu Gas Field almost since its discovery. The company’s involvement and later withdrawal from the project have actually resulted in major delays in the Kudu Gas Project. However, for that length of time it has had absolutely no equity shares in the project.

Question 3: “Which international companies have any stake whatsoever in the project?”

Apart from our local company, NAMCOR, which has a 10% share in the project, the following companies are the only international companies participating in the Kudu Gas Project and their respective shareholding is as follows:

Tullow Oil of Ireland, 70%: Itochu Corporation of Japan, 20% and NAMCOR, 10%.

Question 4: “What is the estimated cost of the completion of the project and how would the world economic recession impact on its completion?”

11 June 2009

**RESPONSE TO QUESTIONS BY HON CHILINDA
HON MUTORWA**

In full consideration of the question, let me underline the fact that this is a project with two phases to it, which are, firstly, the upstream development phase and secondly, the downstream development part, which is the phase that is the recipient of the gas for power generation purposes and the export of the balance of the gas. Downstream development gas is concerned with processes of getting the gas out of the ground and piping or transporting it to the market via the CNG technology.

In respect of the upstream development, the project's estimated cost, which includes the sub-sea development, the floating production and storage, loading and off-loading, will be in the range of US\$1,3 billion, while the downstream development phase will be ranging between US\$400 to 500 million, totalling between US\$1,7 to 1,8 billion for the entire project.

Like all other projects worldwide and particular more so with the Kudu Gas Project, the current recession has a significant impact on the project with the main effort being the escalation of the capital expenditure, the volatility of the price of steel which may lead to a possible escalation in the cost of manufacturing project elements, such as the sub-sea elements, manifolds, pipeline resources and umbilicals, the CNG vessel and the floating production, etcetera.

Meeting project lifetime, another project would be meeting individual project timelines when constructing and delivering items, such as those mentioned above. Many manufacturing plants, pipe mills, shipyards, etcetera, worldwide have closed down or are operating on very low capacities due to the current recession. Furthermore, those that are operating are also fully booked, making the availability of slots in manufacturing plants, pipe mills and shipyards very difficult. Such delays could significantly impact on the delivery of the project both on time and costs, thereby further complicating the Kudu Gas Project delivery. I thank you.

QUESTION 50:

HON CHILINDA I put the Question.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:
Thank you, Comrade Speaker, for allowing me to answer this question in

11 June 2009

**RESPONSE TO QUESTIONS BY HON CHILINDA
HON MUTORWA**

view of the fact that the subject matter or content of this question was recently also conveyed to His Excellency, the President of the Republic of Namibia by the farmers in that Region in the form of a petition. Secondly, I would like to thank the Honourable Alfred Chilinda for raising this question on the Floor of this Honourable House.

It is correct that the Caprivi Region has been under veterinary restriction because of Foot-and-Mouth Disease since November 2007. I would like to inform the Honourable Members of this august House and the public generally that the Government did not just decide to impose a ban without sufficient reasons for such restriction on the movement of livestock in that area. Government is simply implementing and applying national and international regulations and standards practised in the event of outbreak of diseases. Restriction of movement of animals and animal products prevents the spread of diseases and shall afford the Veterinary Services officials the opportunity and space to combat such a disease outbreak effectively.

The Foot-and-Mouth Disease outbreak in the Caprivi Region was detected on the 14th of November 2007 at Nankuntwe crush pen area, which is approximately 80 kilometres east of Katima Mulilo and very close to the Zambian border. Since this first outbreak, further cases continued to flare-up at several other crush pens as the disease continued to spread westwards. Unfortunately the flooding forced people to move their cattle away from the Zambezi River in search of higher ground, thereby precipitating further outbreaks of the disease.

In general, the disease was successfully contained to the eastern side of Katima Mulilo through supervision of animal movements by the Ministry as well as news flashes on the radio and roadblocks at strategic places. Vaccinations of cattle were also done at four to five months intervals, while surveillance teams inspected animals every two to three weeks in order to monitor, evaluate and to take corrective actions where applicable.

One major problem was, however, observed, namely the fact that the available vaccine that was used then did not produce effective immunity in animals. International experts were obtained through the SADC Foot-and-Mouth Disease Project and an improved vaccine is now being used.

Due to this experience, the Cabinet of the Government of the Republic of Namibia has also directed the development of human capacity and infrastructure for the production of Foot-and-Mouth Disease vaccine in the long-term.

11 June 2009

**RESPONSE TO QUESTIONS BY HON CHILINDA
HON MUTORWA**

Clinical cases of foot-and-mouth disease in Caprivi were last detected at Kasika in Kalala villages on the 13th of November 2008 and on 7 January 2009 in Kavango Region.

Now the good news: Since then no further cases have been detected during the continued surveillance programmes and public awareness campaigns through community meetings and local radio programmes are still continuing

The current flooding in the Caprivi Region initially also raised some serious concerns with regard to the Foot-and-Mouth Disease control activities. It was feared that cattle movement, due to floods from the previously infected areas on higher ground might result in further Foot-and-Mouth Disease outbreaks, but this did not happen and this again is good news.

Foot-and-Mouth Disease is, therefore, under control. However – and Honourable Chilinda knows very well because he comes from that particular profession – movement restrictions still remain in force and we must put on record that the Government of the Republic of Namibia is still continuing its efforts to diversify market access for Namibian meat and meat products. Government also remains focused to inform MeatCo in order to enhance its operations and to bring mutually beneficial relations between the cooperation and the communal farmers. Soon the Report on the envisaged restructuring and ownership structure, as prepared by the consultants in line with the relevant Cabinet adopted terms of reference and decisions, will be submitted to Cabinet.

Responses to the specific questions:

Question 1: The immediate plan is to continue with surveillance activities until we are in a position to declare all the recent Foot-and-Mouth outbreaks in the country over. This can be done six months from the last clinical case and I said the last clinical case in Caprivi was November 2008 and in Kavango, in January 2009 and if there are no new clinical cases detected in both Regions, then we will declare the outbreaks over roughly on the 6th of July 2009 and then submit documentary proof to the World Organisation for Animal Health. The 6th of July is our D-day and we must keep our fingers crossed that between now and the 6th of July there will be no new cases.

Question 2: At both the national and the regional levels efforts and strategies have and are being made and devised to deal with the problems

11 June 2009

**RESPONSE TO QUESTIONS BY HON CHILINDA
HON MUTORWA**

associated with Foot-and-Mouth Disease. On the 25th of November 2008, for example, the Cabinet of the Republic of Namibia extensively deliberated on the matter and took eight decisions, detailing specific emergency measures to control and prevent the further spread of Foot-and-Mouth Disease in the Caprivi and Kavango Regions and along the Namibia-Botswana border.

One of the Cabinet decisions was to direct the Ministry of Agriculture, Water and Forestry to immediately embark upon research and development of vaccines to remove all underlines from specific Namibian strains of the Foot-and-Mouth Disease virus and further directed the Ministry of Agriculture, Water and Forestry and the Ministry of Trade and Industry to explore ways and means of utilising the domestic market for meat originating from the northern communal areas, including canning, in view of the current ban of meat exports to South Africa.

Honourable Speaker, the long-term solution to deal with the problem in the vulnerable Regions is to try and limit the areas affected by the outbreaks through, *inter alia*, a system of fences to separate livestock from game, where applicable and to construct holding facilities, such as quarantine camps where infected animals can be confined in the event of future outbreaks. The intention is to use it as a normal quarantine facility during normal times, but as an isolation camp during an outbreak. The whole plan is for marketing to continue as soon as it is established that the outbreak is confined to a certain area.

In the Caprivi Region, currently, plans are to build a quarantine facility at Bukalo near the flood planes. A livestock identification and traceability system will also be introduced through ear tags in the whole of the northern communal areas, stretching from Caprivi up to Kunene North, to help manage livestock movements and to assist in risk assessment and management.

Additionally, in the medium term it is planned to develop and produce beef products which can still be marketed in the face of Foot-and-Mouth Disease outbreaks, such as canned meat, cooked meat or other processed meat products.

A further development is the coordinated team effort between the Ministry of Agriculture, Water and Forestry and the Ministry of Environment and Tourism to investigate the Foot-and-Mouth Disease virus in buffalos, as buffalos are the carriers of this virus. The immobilisation of buffalos,

11 June 2009

**MOTION ON HUMAN – WILDLIFE CONFLICTS
HON KAURA**

application of radio collars and taking of appropriate samples for laboratory analysis is also envisaged.

Lastly, Honourable Speaker, once the Foot-and-Mouth Disease Outbreaks are declared over, and as I said, our D-day is early July 2009, then MeatCo will be informed of such developments and advised to immediately resume normal business in the Caprivi Region. It is envisaged that the fresh meat produced can also be used in Government institutions, the tourism industry and negotiations with potential trading partners will then be intensified. I trust, Honourable Speaker, that this will address the current plight of livestock farmers in Caprivi, but also in other northern Regions of our country. Thank you very much for allowing me to respond.

HOUSE ADJOURNS AT 14:49

HOUSE RESUMES AT 16:20 PURSUANT TO ADJOURNMENT

HON SPEAKER: The First Notice of Motion is by Honourable Kaura. Does the Honourable Member move the Motion? Any objection? Secondment? The Honourable Member has the Floor.

**MOTION ON ESTABLISHED CONSERVANCIES IN VIEW OF
THE INCREASING CONFLICT BETWEEN MAN BEAST, SUCH
AS ELEPHANTS, BUFFALOES, HIPPOS, LIONS, CROCODILES
AND SPOTTED HYENAS**

HON KAURA: Thank you very much, Honourable Speaker. Honourable Speaker, Honourable Members, in the 1920s Dr Louis B Leaky discovered the oldest remains of the Homo sapiens in the Olduvai George in Tanzania which dates at around 1.5 million years ago. He named this Homo sapiens Zinjanthropus.

Honourable Members, since the existence of this ancient ancestor of modern man, there was always conflict between man and nature. Nature was benevolent, but also cruel, violent and destructive. Storms, earthquakes, hurricanes, volcanoes presented a challenge to all living creatures and according to the great anthropologist, Darwin, only the fittest survived and the Homo sapiens was among the fittest creatures that survived the test of nature.

11 June 2009

**MOTION ON HUMAN – WILDLIFE CONFLICTS
HON KAURA**

What distinguished the Homo sapiens from other primates was its ability to tame nature by developing tools from bone and stone. Modern man has succeeded to tame and domesticate wild animals, such as horses, cattle, goats and sheep as we know them today.

With the settlement along the great rivers ten thousand years ago, such as Ganges, Tigris and Euphrates, Nile, Huangho (Yellow River) and so on, man started to domesticate plants, such as maize, wheat, rice, sugar cane and etcetera.

The human mind never stops at anything, even the wind is domesticated and it is used in our car tyres and windmills. The Wright Brothers at Kittyhawk, USA domesticated wind when they placed a fan in front of a bicycle and it lifted off the ground for 25 metres. That led to the discovery of the aeroplane.

Game parks are created the world over to minimise the conflict between man and beast and to prevent the total extermination of wild animals. This has worked well in Africa because in other parts of the world parks were created too late. The millions of American bison that were found in the western planes of the United States of America were almost totally exterminated. However, Africa remained virgin for a long time until the rifle arrived and to save our wildlife, they were hastily confined to game parks, providing a tourist attraction which is bringing in money from developed countries.

Honourable Speaker, there is a recent addition to game parks, namely conservancies and this is the issue I would like us to apply our minds to, because conservancies have brought about conflict between man and beast and something must be done to end this conflict. Elephants are roaming freely and complaints are received on a daily basis from Erongo, Kunene, Kavango and Caprivi. The people in the Caprivi are facing multiple problems.

Number one, floods: The floods have inundated huge areas of the Caprivi and hippos and crocodiles have moved inland. A child was caught by a crocodile inland while collecting water at a pan and was only saved by his friends that grabbed his arm and pulled the other way and they succeed only when he crocodile ripped a piece of flesh from his leg. A villager was killed by a hippo at 09:00 in the morning at a village called Samundono in the Caprivi.

Secondly, elephants: The elephants are devastating the crops and the

11 June 2009

**MOTION ON HUMAN – WILDLIFE CONFLICTS
HON KAURA**

people are left with nothing to feed their families or have something to sell in the open market to have money to pay for the school fees of their children. At Malengalenga four people were killed by elephants.

The third problem is buffaloes. The buffaloes are carriers of foot-and-mouth disease and with the establishment of conservancies they are roaming freely among cattle. Foot-and-mouth disease has thus broken out in the Caprivi and MeatCo can no longer buy cattle in Caprivi to be slaughtered at the abattoir at Oshakati; thus the income from the sale of cattle has totally dried up. One can vaccinate the cattle but not the buffaloes, so this problem can never be solved unless the buffaloes are confined to game parks.

The people of the Caprivi are faced with a double jeopardy. Their crops are gone, eaten by elephants, their cattle are infected with foot-and-mouth disease from buffaloes. The self-reliance of our people in the countryside has been dealt a severe blow and the onus is on us collectively to restore the situation to normalcy or the Caprivi people will be reduced to a state of paupers and that we cannot afford.

Honourable Members, I therefore leave this to your good conscience to interrogate this issue and find a permanent solution to this problem. I so Move, Honourable Speaker.

HON SPEAKER: Any further discussion? Honourable Moongo.

HON MOONGO: I move that the Debate on this Motion be adjourned until next week, Tuesday.

HON SPEAKER: The consideration of this Motion stands adjourned until Tuesday, next week. The Second Notice of Motion is the one by Honourable Kaura. Does the Honourable Member Move the Motion?

MOTION ON INCREASE OF OLD-AGE PENSION

11 June 2009

MOTION ON OLD-AGE PENSION INCREASE
HON KAURA

HON KAURA: Honourable Speaker, last week when I gave Notice that I am going to introduce a Motion on the increase of old-age pension, everyone smiled. I know why they were smiling. In their hearts they were saying, "*oh, Kaura does it again.*" Yes, I am going to do it again and again until I retire from Parliament, maybe in 2030. (Laughter).

Honourable Speaker, I have waited for the Honourable Minister of Finance, Saara Kuugongelwa-Amadhila, to announce an increase in old-age pension, but she gently avoided saying something about it, so I have to solicit the support of the Honourable House to coax the Honourable Minister to increase old-age pension to just a meagre N\$1,000 per month.

Honourable Members, the world economic meltdown has dealt a severe blow to the low income groups the world over and in particular in Namibia where the Namibian Dollar is weakening against the major world currencies, such as US Dollar, the Yen and the Euro. It is important that we reconsider increasing old-age pension.

Last week the Bank of Namibia reduced its repo rate to try and supplemate the shock brought about by the recession. The Minister of Finance has gone out of her way to zero-rate certain foodstuffs, but the recession is neutralising the intended assistance to the poor.

Honourable Members, with the scourge of HIV/AIDS which is affecting our productive young people, the number of orphans are increasing by the day and the grandparents are the ones that are shouldering the responsibility of looking after these orphans in accordance with our African tradition.

As we are all aware, those infected with HIV/AIDS suffer for a long time, for a period of several years and they become unproductive and are looked after by their parents whose only worldly income is old-age pension. As you are well aware, funerals in our African tradition are very expensive. Parents who are pensioners slaughter up to their last goat or cow to provide a decent funeral for their young departed children and then they are left with the burden of looking after the orphans.

Honourable Members, those of us who are earning decent salaries have problems to maintain our children and how difficult would it be for a person who is getting N\$450 per month? Floods have reduced the income of our people and they are depending on Government handouts and the N\$450 per month to pay the school fees of orphans left behind by their

11 June 2009

**MOTION ON FLOOD SITUATION IN NAMIBIA
HON VILJOEN**

children. The situation is serious and it warrants our immediate and serious attention.

I thus move that we increase old-age pension to N\$1,000 per month. I thank you.

HON SPEAKER: I thank Honourable Kaura for motivating his Motion. Any further discussion?

HON VENAANI: Honourable Speaker, I want to adjourn the Debate until next week, Thursday.

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

**RESUMPTION OF DEBATE:
MOTION ON FLOOD SITUATION IN NAMIBIA**

SECRETARY: Resumption of Debate on the Flood Situation in Northern Namibia beyond the Etosha Pan, the Hardap Dam Area and the Walvis Bay-Kuiseb Area.

HON SPEAKER: When this Debate was adjourned on Tuesday 9 June 2009, the Question before the Assembly was a Motion by the Honourable Viljoen. The Debate was concluded and Honourable Viljoen may reply.

HON VILJOEN: Honourable Speaker, I wish to thank the Honourable Members who participated in this very important Motion. It is a Motion of national interest. The contributions by some Members were made a long ago and unfortunately I lost some of the information on what was said, but it is highly appreciated that Members saw this Motion as very important.

11 June 2009

**MOTION ON FLOOD SITUATION IN NAMIBIA
HON VILJOEN**

A document was tabled to deal with similar crises in Namibia and I hope that those Namibians who will spearhead this initiative have already started to do proper planning. We cannot see into the future, next year may be a normal year but it can almost be the most extreme weather conditions in the history of our country. Therefore, we must be prepared.

Dr Amweelo, your research and contribution, according to me, is worth a second Doctor's Degree and I thank you very much. I thank the *Right Honourable Prime Minister* for his contribution and also the *Honourable Minister of Defence*. The *Honourable Minister Nandi-Ndaitwah*, the Minister of Environment and Tourism, has indeed referred to this Motion as a wake-up call and this is what it was meant to be. I thank *Honourable Nambahu*. *Honourable Ilonga*, you are a true warrior, not discouraged by problems but always coming with recommendations and problem-solving tactics. Thank you very much. Also *Honourable Kazenambo* and last, but not least, *Honourable Venaani* who opened the Floor after the Motion was motivated. I thank all Honourable Members for supporting this Motion. Thank you.

HON SPEAKER: I thank the Honourable Member. Honourable Viljoen suggested that the Motion be referred to the relevant Standing Committee. Does that concur with the wish of the House? Agreed to. The Secretary will read the Second Order of the Day.

MOTION ON UNEMPLOYED NAMIBIANS

SECRETARY: Resumption of the Debate on Unemployed Namibians.

HON SPEAKER: When the Debate was adjourned on Tuesday, 9 June 2009, the Question before the Assembly was a Motion by Honourable Dr Ankama. The Debate was concluded and Honourable Ankama has the Floor.

11 June 2009

**MOTION ON UNEMPLOYED NAMIBIANS
HON DR ANKAMA**

HON DR ANKAMA: Thank you very much, Honourable Speaker, Honourable Members. I am happy to respond to contributions on the Motion made in this stately House by many of you fellow Parliamentarians I tabled for the third time, seeking possible directives on the unacceptable situation of unemployed Namibians with or without professional qualifications.

This time almost 70% of the Members have contributed to the Motion and I leave out the litany of calling the names of contributors. After all, you have actively participated in discussions, showing the eagerness of the House to address critical national issues, the likes of unemployment.

The reason for re-tabling this Motion for the third consecutive time was to draw your attention to the unemployment situation in our country and then engage this noble House into proposing practical directives and solutions.

Honourable Members, you have seriously touched on many of the key factors that need to be critically addressed in order for us to downgrade the unemployment situation in Namibia. Some raised serious concerns with regard to the manner in which vacancies are advertised and/or filled in both public and private sectors. Other Members went further to give examples of people they know who are highly qualified and/or trained but who are still roaming the streets of our country without unemployment.

Comrade Speaker, Members of this House, Members who contributed also spoke about their disappointment in the private sector which does not fully open up to recruit Namibians with qualifications obtained from either foreign institutions, other than South Africa, or even locally. There are those Members who cited their growing concern over many able-bodied Namibians who are joining the streets every year without jobs and without practical skills. You also complained as Members about your disappointment in the haphazard manner in which skills training is provided by our local institutions. These are schools, colleges, universities and vocational training centres, training people that they end up in the street. Something must be wrong.

You have talked about so many horrible habits both in the public and private sectors which are detrimental to solving the unemployment situation and to nation-building.

Comrade Speaker, Honourable Members, it is for these reasons that I thank you all for your support to the Motion. The Motion is apolitical and, indeed, all Members in this House have realised this very important

11 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON VENAANI**

undertaking. The Motion has helped uncover a lot of injustices within the employment industry and in our arguments we highlighted possible partners who should be consulted when tackling the unemployment situation. Amongst others we mentioned the Public Service, the State-Owned Enterprises, trade unions, private sector, consisting of well-established companies, mines and private businesses and all other public individuals.

To consult all the above stakeholders, this Motion, as in my earlier call, should be referred to the relevant Committee for further public input. Therefore, I move that the Motion be referred to an appropriate Committee for further public input. I would like to thank you and I so move, Comrade Speaker.

HON SPEAKER: Any objection? Agreed to. The Secretary will read the Third Order of the Day.

**COMMUNICATIONS BILL:
RESUMPTION OF SECOND READING**

SECRETARY: Resumption of the Debate on Second Reading – *Communications Bill.*

HON SPEAKER: When this Debate was adjourned on Wednesday, 3 June 2007, the Question before the Assembly was a Motion by the Honourable Minister of Information and Communication Technology, that the Bill be read a Second Time. Honourable Venaani adjourned the Debate and he has the Floor.

HON VENAANI: Thank you very much, Honourable Speaker, Honourable Members. Honourable Speaker, our citizens have seen great days of peace and Independence, which all Namibians share, but I believe our bigger and better days should and must be ahead of us when we as a

11 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON VENAANI**

people finally succeed to eliminate poverty, unemployment and become economically independent. To those better days we have put targets of achieving full industrialisation by 2030. Obviously, the technology should be the driving tool to drive ourselves out of the drama of poverty.

Honourable Speaker, the subjective intention of the Bill, in my opinion, is very cardinal to assist in driving the process of creating a formula and platform of communication. However, it is blurred by the inclusion of a spying element in the Clauses 70 onwards. I shall primarily turn to them a little later and shall focus on the important part of the Bill dealing with opening up space for competition.

Honourable Speaker, the Bill carries many positive aspects, for instance, by centralising the regulation of telecommunication, broadcasting, postal and other forms of communications into one statute. Government, in my opinion, has taken another giant step towards convergence.

Further, the Bill provides for a three-tier system of broadcasting – public service, commercial and community – which is consistent with Article 1 of Part 1 of the African Charter of Broadcasting.

The intention of the Bill in seeking to promote competition, is a highly welcomed intention and the communication industry must welcome this opportunity. Clause 46 speaks of ownership restriction that guarantees Namibians and Namibian-owned companies to hold licences, is a fair inclusion to allow our people to have access to their resources in their own land. However, I must hasten to state that controlling a licence is not the only guarantor of ownership.

Not so long ago our national assets through PowerCom, Cellone shares were sold to foreigners, whereas Namibian business people were not even consulted, Cellone was fully sold to the highest bidder. Hence the Clause comes at a stage where critical resources, in my opinion, that ought to have empowered our people through black economic empowerment have been sold to foreigners under the watch of the Government with no proper explanation.

Honourable Members, I want to state it categorically clear that the Bill ought to become a watershed piece of legislation in addressing critical matters of communication in the management of airwaves and space. However, Honourable Speaker, as a legislator I will not allow this Bill to be supported in its current form. Even if the primary intention is laudable, its subjective intention hinders or undermines the sacred values of freedom.

11 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON VENAANI**

Honourable Speaker, I want to bring the attention of this august House to Clauses 70 to 77 which brings in an element of interception centres, to intercept citizens in their living rooms and in their bedrooms in the name of national security. (Interjections). You will have the opportunity to address this Bill, allow me to do so.

Today the world is confronted with many security challenges. We are talking about nuclear races of countries, terrorism and so forth. These are important elements of security, but to come down and to establish communication interception centres to intercept telephonic, e-mail and cell phone text messages, then I ask the question, where does our development priority lies? What better days do you want to achieve if we intend to interfere in private conversations of our citizens? Will these private conversations ensure that we as a country achieve our Millennium Development Goals? Would they ensure that we fight unemployment? I believe no, Honourable Speaker.

The Bill's provisions are similar to those of our neighbouring country, Zimbabwe, the Interception Communication law which that country use to criminalise journalists. (Intervention)

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: May I ask the Honourable Member a question? You know that the poor Muharukua does not understand English as well as you do. You are talking about interception of secret messages by telephone or SMS, but do you want to tell this House, which country does not have that control? All the time we are saying we have to bring Namibia to the level of other countries. Are those things not done in America?

HON VENAANI: I will explain to you, my dear sister, that repressive regimes across this continent have used this method against their political adversaries. A few days ago, two presidential candidates in an African country were assassinated in the name of national security, persons who were supposed to participate in a fully democratic election.

What makes this further repressive is the fact that you will be able to intercept someone's communication lines in the current text without any warrant by a competent Court to grant you permission. (Interjection)

11 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON VENAANI**

HON MEMBER: Which Section is that one?

HON VENAANI: I will come to it, read it.

**HON DEPUTY MINISTER OF YOUTH, NATIONAL SERVICE,
SPORT AND CULTURE:** Honourable Speaker, may I ask the Honourable Member a tiny question? The Honourable Member is citing an incident in another country, that two presidential candidates were assassinated. I just want to see the relationship between their assassination and the Bill we are discussing. Could he maybe enlighten this House as to what are the connections?

HON VENAANI: The connection is national security. The reason why you want to intercept people's messages is in the interest of national security and political opponents have taken the principles of national security to the extent where you are killing somebody in the name of national security. The connection is that the reason why you want to intercept is national security and now listen to what I have to say. (Intervention)

HON MINISTER OF EDUCATION: May I ask a question to the Honourable Member? You are emphasising the connection to national security and just as a follow-up question to the one by Honourable Shifeta, are you sure that this has any connection to the interception, that these two were murdered because somehow somebody who is in charge of national security got information through these interception centres and, therefore, decided to go and assassinate them? Could it not be possible that if somebody wants to kill another person, they would do it with or without the interception centres? If the Government had this information, is there not a possibility that it could have avoided these two people being assassinated?

HON VENAANI: Honourable Member, for National Intelligence to know that somebody is perhaps trying to do something, they intercept conversations and on the basis of that, they act without a competent Court of Law trying this person. They just go to the Judiciary and say this person

11 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON VENAANI**

wants a coup in the country. That relationship really exists and even if you want to blur it, it does exist, my cousin. Let me just go a bit further.

If you hate a Colleague or suspect him to be a member of another Party or a hibernator, you could intercept him for the wrong reasons. The more you use (interjection)/, the more you run the risk of greater stigmatisation in my opinion, more discrimination, more social exclusion and the society of greater suspicion where trust is reduced, will abuse the privacy of citizens and erode their democratic values. (Intervention)

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: On a Point of Information. On a daily basis the *Namibian* talks about Honourable Venaani as a professional. Now he wants to show his professionalism to the *Namibian SMS*. Please talk like a professional out there, not here.

HON VENAANI: Honourable Speaker, I do not want to be derailed, because I am dealing with a very important piece of legislation and I want future generations to quote me correctly, the thoughts of a legislator during that period of time, because I said this is watershed legislation. It ought to have been a highly important legislation, but I have a problem with the inclusion of this interception. (Intervention)

HON DR ANKAMA: Honourable Speaker, I would like to ask the Colleague a question. Honourable Venaani, you have a phone and you probably have a computer and you write e-mails. When you write e-mails and send SMSs or use your phone and communicate with somebody overseas while you are right here in Namibia or whether you are overseas, communicating with somebody in Namibia, do you know that are being bashed?

HON VENAANI: In some countries, yes. However, let me tell you that even though America is a highly developed country, we do not need to copy all the things they have done. We do not need to copy all the things the industrialised countries have done. Namibia does not need to have

11 June 2009

COMMUNICATIONS BILL: SECOND READING
HON VENAANI

nuclear weapons for human protection, I do not believe in countries having nuclear weapons. (Interjection)

HON MEMBER: Because the Government protects you.

HON VENAANI: Not only because the Government protects me, it is a policy choice that a country makes. However, let me make a very important assertion. There is nothing inherently unconstitutional in the use of surveillance by the State. (Intervention)

HON NASHANDI: On a Point of Information. In 1990 when we were being prepared to go and serve our country abroad, we visited several places, including Oranjemund. While leaving the mine, we had to go through the X-ray. I was not scared because I did not do anything wrong. Why should you as a law-abiding citizen be scared of the Government machinery are at work?

HON VENAANI: Ambassador, you are a seasoned diplomat and I think you ought to understand the fact that these privileges given are open to abuse. (Interjection). You know how you are abusing Government machinery to defeat your political opponents. Yes, you are doing it in the name of benefit of incumbency, but you abuse State resources. (Intervention)

HON DEPUTY MINISTER OF JUSTICE: On a Point of Order. I know I will have opportunity to talk, but I just want to ask you a small question. Do you think your line of argument is akin to those who propagate this idea of a Banana Republic, a State without sovereignty, a State without national security? You see, Venaani, we are living in a very dangerous world today of terrorism. 9/11 was a classic example. The Americans came up with that Act because they realised prevention is better than cure. If they had that information, they could have prevented the 9/11 incident and many lives could have been saved.

Our children are being exposed to such an extent that they can see anything on the Internet, pornography, sex and all these serious things. Do you think our country, as sovereign as it is, should not have mechanisms to detect?

11 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON VENAANI**

The question comes down to what Honourable Muharukua has asked. It is national security, pure and simple, which is very important. The Bill is proposing the setting up of those centres, that is all, but it is what is available here. We have the Intelligence Act which is in operation and it has never been abused. The question is, do you want to compromise your security because people want you to be a Banana Republic? That is what the newspapers are saying because if they are really clean and clear, why should they be afraid that in the event of danger, the State security machinery has the right to act through clear-cut procedures?

HON VENAANI: Honourable Speaker, as a legislator today I want to use an example and I do not want to mention a name. A few weeks ago a Comrade from the other side of the aisle was saying security reports must be given to certain leaders because they are hibernators. We have a Constitution that governs the procedures of who ought to get security reports, from the Ministers to generals to the President, but yet people feel so uncomfortable that security reports should be given to certain people. (Intervention)

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: May I ask Honourable Venaani a question? Honourable Venaani, you gave an example. When you look at the Communication Bill, which provision of any Act was violated by the example you are giving to the House?

HON VENAANI: Why are you denying it? If somebody says the reports must go, you are propagating something illegal, unconstitutional. I am answering you in the way that I want, I will not answer you in the way that you want me to answer. You asked me the question. (Intervention)

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: May I ask a question? Honourable Venaani, you are aware that in our Otjiherero tradition a child does not eat certain types of food. The children are not allowed to eat the porridge, they are only allowed to drink milk. Now you want security to look at each and every house, including Venaani's house?

HON VENAANI: Before I was derailed, Honourable Speaker, and I want to be quoted correctly by the media, I am saying there is nothing... (Interjections). Yes, I am the people's representative. When speaking here, I am speaking to you and speaking to the country. There is nothing inherently unconstitutional in the use of surveillance by the State, but there is nonetheless a danger that it will disturb some of the presumptions and relationships that underpin the relationship between the individual and the State.

The Bill also threatens the citizen's right to freedom of thought, conscience and belief as envisaged in Article 21(1). (Interjection). We will come to the details of the Bill. Thoughts, conscience and beliefs are notions that may be communicated by citizens through electronic, telephonic, print and other forms of communication. The interception of such communication would, therefore, infringe upon the citizens' rights as given in Article 21 of the Constitution.

According to the Universal Declaration of Human Rights, no one should be subjected to arbitrary interference with his privacy, family, home or correspondence. The article goes on to state that everyone has the right to the protection of the law against such interferences.

Honourable Speaker, it is in recognition of the infringement of such legislation that many countries with interception laws, countries such as Austria, New Zealand, Canada and Hong Kong, have adopted a privacy protection system that introduces the use of privacy impact assessments. Honourable Speaker, mass surveillance promotes the view that everybody is untrustworthy. If you are gathering data on people all the time on the basis that they may do something wrong, this is promoting a view, in my opinion, that as citizens we cannot be trusted. What kind of leaders are we that cannot trust the people whom entrusted us with the power to lead them? (Intervention)

HON DEPUTY MINISTER OF JUSTICE: On a Point of Information. This Bill does not say that it will collect data on people. There is no provision which says that. It is not going to infringe on the rights of the people. Yet we are here in this country and the newspapers insult us and they also abuse this principle of freedom of expression. Once a member of the SWAPO Party says something, he is being insulted in the media. Does he not have the freedom of expression? However, nowhere in this Bill it is said that you must collect data on people, the only thing the Bill is saying is that it must allow for the creation of those interception centres in

11 June 2009

COMMUNICATIONS BILL: SECOND READING
HON VENAANI

case of danger to the Republic of Namibia so that we can trace those elements who want to create confusion and destruction in the country. That is all!

HON VENAANI: Honourable Nujoma, I do not support politics of vilification and insult and if political leaders from that side or this side are insulted by younger or older people, Venaani does not support that. However, this Bill talks about creating interception centres and they will exist, they must be there. Secondly, the telecommunication provider must be able to trace all those communications. What are you talking about? You want to have data on people. If a Political Party decides that they are going to lose this particular by-election and they want to frame that candidate, you are going to use the same interception centres and say that this one had an improper relationship and frame him. These things are happening in the world. What are you talking about?

Security has been abused time and again on this continent. (Interjection)

HON MEMBER: Where?

HON VENAANI: Zimbabwe is one country where Opposition leaders were beaten by security officials. These things are happening, what are you talking about? Today they are talking about a Coalition Government, it is the same person that you were beating yesterday. You are hypocrites, man. (Intervention)

HON TJIHUIKO: Honourable Speaker, may I ask Honourable Venaani a question, please? Honourable Venaani, I understand that the Opposition leaders in Zimbabwe were beaten on the streets because of the information that has been collected, because of the database that was built to monitor their conversations and communications with whoever. Does it mean that the Ruling Party is planning to do the very same thing that Zimbabwe was doing or what is the argument here?

HON VENAANI: I can only answer you that it is the political climate that is surrounding this country. (Intervention)

11 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON VENAANI**

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: On a Point of Information. The Zimbabwe people were not beaten, it happened here in Namibia. The people who called themselves the Interim Government are today Members of Parliament, but they were beating the Namibian people and today they are complaining about the people of Zimbabwe being beaten. What happened to your own people in Namibia? The people in Namibia know they have to vote for SWAPO and SWAPO is going to win for ever.

HON VENAANI: You are just exposing the political climate I am talking about. It is the notion of believing that you will run this country for ever. My dear, I have seen greater world hegemonies that have fallen. SWAPO is not even one of the greatest world hegemonies, it is going to fall like any other Political Party. That is why you need interception centres, to rule for ever. Yes, that is why you need them. (Interjections).

HON SPEAKER: I just want to appeal to the Honourable Members. The people outside would like to listen and be educated, the good, the bad, the ugly. Can you take the Floor and make a contribution to the Debate? It would be better.

HON DEPUTY MINISTER OF JUSTICE: Honourable Speaker, I agree with you, people want to be educated, but when you start linking this Bill to the situation in Zimbabwe...(Intervention)

HON VENAANI: We are not linking it.

HON DEPUTY MINISTER OF JUSTICE: You are linking it, that is what you are explaining and that is what we do not want. We want to discuss the principle of the Bill and educate our people and the fact remains that you say that for the sake of national security, we want to institute mechanisms so that in case of danger we can resort to that. That is all. In Zimbabwe the situation was different, there was interference by foreigners and ZANU-PF members were also beaten. That is a clear fact. I agree

11 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON VENAANI**

with Honourable Muharukua, I was here during the process which led to Independence and your DTA-supporters were driving around Katutura with cars and they were beating us. Let us keep to the principles of the Bill, but if you link it to other situations, then we cannot sit here quietly, we have to make it clear that it has no link to Zimbabwe, it has no link to other countries. The overriding factor is the security of our country and that is it!

HON VENAANI: Honourable Speaker, the Colleagues would continue to refer to matters that transpired before Namibian Independence. If the DTA member were beating SWAPO members they were wrong. They were wrong then, they are wrong today. Just as you are beating RDP supporters it remains wrong. You are intimidating them. We are all politicians and we know the games. Do you think that you are the only one who has the upper-hand. At least I have a mouth, you might have the numbers, but I will have my say.

If you see that information is what you need to solve the problem, Honourable Speaker, but you do not quite know what the problem is and you do not know what future events you are going to be responding to, the temptation is to collect information about all people.

Honourable Speaker, in conclusion, I believe we exist in a society of a kind of a tacit social contract, where we expect to be free and to have those freedoms protected and the main reason for security is to protect our rights to go about our daily business unhindered. Where that protection starts to remove these freedoms themselves, I think that tacit contract is seriously challenged. Experience has taught us dear lessons of which we shall not willingly allow ourselves to fall in those traps of repressing regimes. This Bill should, in my opinion, be rejected in its current form as it seeks to bring the days of repression. I further challenge that this law should be given to the public for a referendum and I reject the Bill. Thank you.

HON SPEAKER: Thank you. Honourable Mudge.

11 June 2009

COMMUNICATIONS BILL: SECOND READING
HON MUDGE

HON MUDGE: Honourable Speaker, Honourable Members, a lot has been said and written about the Communication Bill and more specifically about Part 6 or the “*spy Clause*” as it is referred to.

We are not against the Bill *per se*, but I have a serious problem with Part 6 which deals with the interception and communication section. I also have a number of problems with Subsections in Part 6, but I do not want to waste time in dealing with these Subsections at the moment. Our big question is: What is wrong with the National Intelligence Service Act, Act 10 of 1997, because if the Act was not sufficient, then why were no Amendments proposed for the past twelve years?

However, I want to come back to the Communication Bill. Honourable Speaker, Namibia is independent forever and introducing this “*spy Bill*” will remind the Nation of AG 8, AG 9, AG 26 and the draconic laws ... (Interjections).

HON SPEAKER: Colleagues, it does not mean because bad things were done in the past that we must also do bad things. It is not a good argument.

HON DEPUTY MINISTER OF FINANCE: Honourable Speaker, I need to be guided for the sake of the record of this House. What I have in front of me is the Communications Bill. The Honourable Member has twice referred to the “*Spy Bill*.” Are we discussing two different Bills or are we discussing the Communications Bill? I would want to ask the Member to withdraw the words “*Spy Bill*” because we are not discussing a “*Spy Bill*.”

HON MUDGE: Honourable Speaker, as I said, this Bill will remind the Nation of AG 8, AG 9, AG 26 and the draconic laws of colonial South Africa during its occupation of Namibia. I want to be very clear on this, the Bill in its current form is, without any doubt, in direct conflict with Article 13(1) and (2) of the Namibian Constitution which deals with the right to privacy and it is for this reason that we will strongly propose that the Bill be withdrawn forthwith, because there is no way that we can and will support it in its current form.

11 June 2009

COMMUNICATIONS BILL: SECOND READING
RT HON N ANGULA

In conclusion, I would like to caution this House that should this Bill be passed...(Intervention)

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: I want to ask Honourable Mudge a question because he talked about AG 9. AG 9 was a killer of Namibians and I want to be clear about your statement.

HON MUDGE: I am not sure that I understand the question. I want to caution this House that should this Bill be passed with Part 6 included, rest assured that you will be challenged in a Court of Law and you will lose the case.

With this small contribution, I just want to say that we will not support the Bill in its current form.

HON SPEAKER: Right Honourable Prime Minister.

RT HON PRIME MINISTER: Thank you, Comrade Speaker. I rise to support the Communications Bill. This Bill is overdue. The current situation in the communication sector is chaotic and it is giving a headache to some of us and that situation should be regulated. I think all of us agree on that score.

I want to address myself specifically to the contentious section, Part 6, the interception of communications. First of all, I would like to say that if somebody was to abuse power, that somebody does not need a law, not at all. Power would better be abused in absence of a law. Where there is a law, the exercise of power is regulated and this law is trying to regulate that exercise of power.

This Part 6, interception of communication, should not be read in isolation, it should be read in relation to the other Acts this House has passed, in particular the Intelligence Service Act of 1997. In that Act this House authorised interception of communication. We did that, all of us, under certain conditions. That Act remains a law of this land. What that Act did provide is how the interception is going to take place, which means that...(Intervention)

11 June 2009

**COMMUNICATIONS BILL: SECOND READING
RT HON N ANGULA**

HON MUDGE: May I ask a question? The question is and what is not clear is, why is there no reference in the Communications Bill to that Act that you are talking about now?

RT HON PRIME MINISTER: That is a relevant question, indeed. If at all reference has to be made, we can improve on that one. (Intervention)

HON DR AMUTENYA: On page 52, point 7: “*Any staff member employed in an interception centre may do anything necessary in order to perform the interception or monitoring concern as well as any decoding or description necessary to make the information in question intelligible.*”

RT HON PRIME MINISTER: Yes, I am saying that if we have to improve to refine the Bill, that we must do. Unfortunately we are trying to be selective and provide information to the public which is not quite correct and as lawmakers we should be careful, because we have a larger responsibility of defending this Nation.

There is a Defence Committee of Parliament and that Committee was specifically created to support the defence of the Republic and if we become so irresponsible that we just make general statements, then we are not doing our duty as Parliamentarians.

This Bill should not be read in isolation, it should be read together with the other laws we have passed here. (Intervention)

HON MOONGO: On a Point of Information. If this the same Bill which gave authorisation to an officer of that centre to interfere and to allow the data to be tarnished, this is going too far.

RT HON PRIME MINISTER: If there is an interception by the interception centre which does not exist by law, you have the right to take that officer to Court, because these interception centres have not been

11 June 2009

COMMUNICATIONS BILL: SECOND READING
RT HON N ANGULA

established. The Bill is only talking about interception centres because the interception has been authorised already and you should know this. (Intervention)

HON VENAANI: Honourable Speaker, it was not my intention to disturb the Prime Minister, but may I ask a question? Is the Government currently intercepting any lines of citizens at this point of time or has the Government in the last nineteen years intercepted any information?

RT HON PRIME MINISTER: Unfortunately the National Intelligence Department is not in the Office of the Prime Minister and I would not know. I can only infer from Court cases that when people denied certain things, the telecommunication authorities were requested to provide information whether calls were made between X and Y and I suspect that perhaps the Police are doing that in criminal cases which are before the Courts. However, whether interception is being done on my telephone, that I could not say.

The point I am making is that this Bill is not saying, “*go and intercept*”, that we have already authorised under the Intelligence Act. This Bill is also saying that if you are going to intercept, you should go to the centre which is properly controlled by the Director-General of National Intelligence, a centre which is established by law and which the telecommunication provider also knows that this centre was established by law, so that you do not ask the provider to do certain things which are not in the law.

The interception we have already authorised here, it is not a question about whether to intercept or not to intercept. This Bill is only saying that if you decide to intercept under the Intelligence Act, you must establish a centre and this centre should be run in a certain way and controlled in a certain way.

I want to draw attention to Clause 75 which clearly defines how the information is going to be used. If information is being abused, for example for political purposes, which is not mentioned in this Bill, this Bill only mentions two cases, crime and state security. If the information so intercepted is being misused, Clause 75 will protect you because it is not supposed to be misused. However, I agree with you that we are human beings, we can abuse power and I am not disputing that, but I can only say

11 June 2009

COMMUNICATIONS BILL: SECOND READING
RT HON N ANGULA

that power can also be abused in the absence of law. At least it is better to have a law so that there are some safeguards. (Intervention)

HON MUDGE: On a Point of Information. The difference between this Bill and the Namibia Central Intelligence Service Act of 1997 is that, that Act is very clear that if anybody needs to be investigated, then you have to get a Court Order from a Judge and that will only be for a limited period of time. There is no mention of any Judge or anybody where you must get this. Will it be in the hands of people? What you said about Clause 75 is also very important. At least we have a lot of cases now, we have the Anti-Corruption Commission, we have the Avid Scandal, we have the ODC and nothing is happening and people know about this. We have Clause 75, who will know when should who say what? It is fine to say that somebody must be fined with N\$100,000, but somebody must know that he can and will be allowed to say something or to give away some person that is doing that. I am sorry to say this, but the history up to now is that people are worried because they feel in sensitive cases like this they cannot trust the Government. I am sorry to say it, but that is a fact.

RT HON PRIME MINISTER: Let me explain. This Bill is not about interception, this Bill is about establishing the centre to intercept. If we are going to intercept, we still have to go to a Judge and get permission to do so. The procedures are there in the Intelligence Act, this Bill is not about interception, this Bill is about establishing a centre to intercept. (Intervention)

HON MINISTER OF PRESIDENTIAL AFFAIRS: The Honourable Members did not read this chapter properly. May I refer the Honourable Members to Clause 70(6) just to amplify what the Right Honourable Prime Minister has said? It says: “*Where any law authorises any person or institution to intercept or to monitor electronic communications or to perform similar activities, that person or institution may forward a request, together with any warrant required in terms of the Intelligence Act, issued by the Judge President in Chambers.*” This is the warrant that the Right Honourable Prime Minister is talking about. It says there a warrant that may be required under the law in question. It is in the law.

11 June 2009

COMMUNICATIONS BILL: SECOND READING
RT HON N ANGULA

RT HON PRIME MINISTER: The point I am making is that I want us to understand two things to understand this Bill. The ability to intercept and the right to intercept are two different things. This Bill is not dealing with the right to intercept, that has been dealt with in the Intelligence Act which has been passed by this House. This Bill is only dealing with the ability to intercept. (Intervention)

HON SCHIMMING-CHASE: May I ask a question? Right Honourable Prime Minister, in everything you are saying, you are saying repeatedly the Bill must be read in conjunction with other Acts. That being the case and so much that has been referred to here, in terms of for example a Judge having to be informed and give permission, in terms of the fact that in the Intelligence Act it is three months and here it is open-ended, why the need to take Section 70 and onward and put it in a Communications Bill? If one wanted to include it and it must be read with others and it is relating to others, why do we not bring an Amendment to the National Intelligence Bill?

RT HON PRIME MINISTER: Honourable Schimming-Chase, I understand your problem, but I want you to understand the concept behind this. I agree with Mr Mudge that perhaps we should make a clear cross-reference in this Bill to other Acts. That I have no problem with, it is up to the Minister to take it up. This Bill is dealing with communication equipment to intercept. The Intelligence Bill is not dealing with the communication equipment, it is dealing with the necessity to intercept, the principle of interception. This one is dealing with the actual equipment of interception and I want us to make that difference.

Really, it will be unfortunate if we are overtaken by our emotions and prejudices and reject the principle of the Bill. This Bill is not dealing with the right to intercept, that has been accepted a long time ago. This Bill is only dealing with the equipment which should be able to intercept, because the right of interception has already been agreed to and that can be done in the centre which is legally established and that centre is regulated by the Clauses I referred to.

Let us deal with this Clause by Clause to really understand what the intention of this Bill is, so that we do not mislead the people out there. That is my appeal to you, my dear Colleagues. Thank you.

11 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON SCHIMMING-CHASE**

HON SPEAKER: Politics aside, that is what the people outside would like to hear, education of what this Bill is all about. Thank you very much, you have clarified the matter, before we rise. Honourable Schimming-Chase.

HON SCHIMMING-CHASE: I rise, Honourable Speaker, to take part in the Debate on an issue which 19 years ago at Independence I believed I would never experience again in my life and that is the Bill under discussion and specifically Clause 70 and onwards.

Mr Speaker, Sir, our struggle for Independence was a protracted and at times a most brutal one. The apartheid regime made use of so-called legislation to pretend that their undemocratic actions were legal. We are moving in the same direction with this Bill. Many of us spent our most formative years during the struggle in exile, others again fought from within the country and then there were the ones who experienced both. Those who stayed behind suffered under the most draconian laws, like AG 8 and AG 26. At the height of the struggle we lived under constant surveillance, our phones were tapped, we were followed by security agents everywhere we went. We could not hold public meetings or even clandestine meetings of our Parties without being spied upon and often information gathered in this manner was used to jail, torture and sometimes even kill our friends. However, Mr Speaker, we carried on because we fought for a noble cause. We knew we were the enemies of the regime and did not expect to be treated differently, but nobody will deny the psychological and physical effects of such treatment.

It is no wonder, therefore, that the founding fathers and mothers, when they wrote our Constitution, made sure that our privacy is protected and guaranteed under Article 19. In fact, they went even further under Article 95(k) where it states, *inter alia*: “*encouragement of the mass of the population through education and other activities and through their organisations to influence Government policy by debating its decisions.*”

HON SPEAKER: You will continue next week. I appeal to the Honourable Members, as an old teacher I have a suspicion that not everybody has read the Bill and studied it with cross-references. I hope that you will do so before the next Debate. The House stands adjourned until Tuesday, 16th June 2009.

HOUSE ADJOURNS AT 17:45 UNTIL 2009.06.16 AT 14:30.

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
16 JUNE 2009
WINDHOEK**

The Assembly met pursuant to the adjournment.

HON DEPUTY SPEAKER took the Chair and read Prayers and the Affirmation.

HON DEPUTY SPEAKER: Any Petitions? Any Reports of Standing or Select Committees? Other Reports and Papers? Honourable Minister Iyambo.

**TABLING: ANNUAL REPORT:
FISHERIES OBSERVER AGENCY**

HON MINISTER OF FISHERIES AND MARINE RESOURCES: Honourable Deputy Speaker, I lay upon the Table, the Annual Report of the Fisheries Observer Agency for the period 2007/2008.

HON DEPUTY SPEAKER: Table the Report, Honourable Minister. Further Reports and Papers? Notice of Questions? Honourable Gurirab.

NOTICE OF QUESTIONS

QUESTION 55:

HON T GURIRAB: Honourable Deputy Speaker, I give Notice that on the 25th of June 2009, I shall ask the Honourable Minister of Regional and Local Government, Housing and Rural Development the following:

16 June 2009

**NOTICE OF QUESTIONS
HON T GURIRAB / HON DE WAAL**

Following investigations by the Anti-Corruption Commission in the affairs of the Rehoboth Town Council:

1. On which date has it received written communication to act on irregular and inept activities of the said Town Council?
2. What action has it taken so far by way of corrective action?
3. Has the time not come to dissolve this shambolic Town Council in order to afford the ratepayers and residents an opportunity to elect a Town Council which caters for the needs of the ratepayers at Rehoboth?

QUESTION 56:

HON T GURIRAB: I give Notice that on the 25th of June 2009, I shall ask the Honourable Minister of Regional and Local Government, Housing and Rural Development:

1. On what date did the Regional Councillor for the Okahandja Constituency tender his resignation?
2. When does the Minister expect a by-election to take place, as stipulated in terms of Regional Councils Act of 1992, as amended, in the said constituency?

HON DEPUTY SPEAKER: Table the Questions, Honourable Member.
Honourable De Waal.

QUESTION 57:

HON DE WAAL: Honourable Deputy Speaker, I give Notice that on Thursday, the 25th of June 2009, I shall ask the Honourable Minister of Agriculture, Water and Forestry the following:

From time to time Namibia experience huge outbreaks of rabies under our kudu population with very serious economic and financial implications for

16 June 2009

**NOTICE OF QUESTIONS
HON VILJOEN**

the country. Can the Honourable Minister inform the House what his Ministry is doing to prevent further outbreaks of this disease amongst our kudu population?

QUESTION 58:

HON DE WAAL: Honourable Deputy Speaker, I give Notice that on Thursday, the 25th of June 2009, I shall ask the Honourable Minister of Finance the following:

When will the Honourable Minister lay upon the Table of the National Assembly all the outstanding audited annual financial statements of Air Namibia as is required by law?

HON DEPUTY SPEAKER: Table the Questions, Honourable Member. Honourable Viljoen.

QUESTION 59:

HON VILJOEN: Honourable Speaker, I give Notice that on Thursday, the 25th of June 2009, I shall as the Honourable Minister of Foreign Affairs the following question:

Since 1985 the United Nations General Assembly has already adopted resolutions twenty-one times, expressing deep concern at various human rights violations in Iran. A resolution approved on 18 December 2008 by a vote of 69 to 54 specifically criticised Iran's use of torture, high incidents of executions, the "violent repressions" of women and "increasing discrimination" against Bahai's, Christians, Jews, Sufis, Sunni Muslims and other minorities.

Did Namibia vote in favour of the Motion or against it?

16 June 2009

**MINISTERIAL STATEMENT
HON MUNGUNDA**

HON DEPUTY SPEAKER: Table the Question, Honourable Member. Notice of Motions? Message from the Head of State? Ministerial Statements? Minister Mungunda.

**MINISTERIAL STATEMENT:
DAY OF THE AFRICAN CHILD**

HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE: Honourable Deputy Speaker, Members of this august House, today is the Day of the African Child and this year's Day of the African Child is celebrated under the theme, "*Africa fit for Children, calls for accelerated action toward their survival.*"

As you are aware, since 1991 the Day of the African Child is celebrated on the 16th of June annually and because this day was specifically selected by the African Union in 1991 to mark the tragic Police killings in Soweto, South Africa, of thousands of black school children who took to the streets on the 16th of June 1976 in a march to protest the inferior quality of their education and to demand their right to be taught in their own languages.

In choosing the theme for this year, the African Committee on the Rights and Welfare of the Child wants to draw attention to the lives of African children today and for the need to ensure that every child in Africa has a good start in life, can grow and develop in a child-friendly environment of love, acceptance, peace, security and dignity. It is with this concern in mind that the African Heads of State in 1990 adopted the African Charter on the Rights and Welfare of the Child. In so doing, the Heads of State and Government committed themselves individually and collectively to take all necessary steps and measures, legislative and others, to ensure the protection, survival and the development of the child in conformity with the provisions of the Charter.

The 72nd Session of the African Union Council of Ministers mandated the organisation of the African Union to develop an African common position on the children to be tabled to the UN General Assembly's Special Session for Children. Consequently, the Fifth Pan African Forum on the Future of the Children of Africa was held in 2001 to consider the draft African Common Position – Africa Fit for Children, which was finally endorsed at

16 June 2009

**MINISTERIAL STATEMENT
HON MUNGUNDA**

the 37th Session of the AU Assembly of Heads of State and Government in July 2001.

The Africa Fit for Children, Plan of Action which constitutes a declaration was received by the United Nations General Assembly on the Special Session which was held at the UN in 2002. The Plan of Action provides the necessary guidelines for achieving the commitments made in the African common position. In particular, it focuses on the following components:

- enhancing life change;
- overcoming AIDS;
- realising the right to education;
- realising the right to protection; and
- participation of youth and children.

It also provides the framework for actions to be conducted at all levels as well as for international partnership and follow-up actions and monitoring.

In response to the 2001 Africa Fit for Children Plan of Action, Namibia has undertaken a broad programme of social and economic development to provide for its children. In 2004, the Ministry of Gender Equality and Child Welfare was established to replace the Ministry of Women Affairs and Child Welfare. The Ministry of Gender Equality and Child Welfare has been the institution responsible for children.

In 2004 the Government of Namibia developed a plan of action for orphans and vulnerable children which responds to our 2001 obligations. The plan of action is organised around five strategic areas:

- Rights and protection for children;
- Education;
- Care and Support;
- Health and Nutrition; and
- Management and Networking.

Honourable Deputy Speaker, allow me to share with you the achievements made by the SWAPO Party Government in meeting the components provided for the 2001 Africa Fit for Children Plan of Action.

16 June 2009

**MINISTERIAL STATEMENT
HON MUNGUNDA**

Rights and Protection:

The Ministry strives for the mobilisation and education of individual groups and communities on the rights of children to ensure that they are upheld and protected. It also provides social services, such as protecting children from all forms of abuse, violence, exploitation, discrimination, trafficking and loss of inheritance. In addition, Namibia has promulgated legislation to promote and protect our children's rights, namely the Children's Status Act. They constitute a comprehensive legal framework for children. Currently consultative meetings on the Child-care and Protection Bill are being held and the Bill will be tabled before the end of the Parliamentary Session.

In addition, Government ratified the African Charter on the Rights and Welfare of the Child in 2003, which provides for the survival, protection and development of children and youth. The Ministry, jointly with the Ministry of Agriculture, Water and Forestry, undertook a baseline study on human trafficking. The report is ready for submission to Cabinet and an awareness campaign will kick off thereafter.

Education:

Education of children in Namibia is a priority for the Namibian Government. It is the key component of all development plans. Between 2000 and 2006, 120 new schools were constructed in our country to benefit our children. The Government, however, realises that simply providing access to schools is not enough. In the light of this, the Educational Vote in annual Budgets is usually the largest. This is used to ensure that the quality of teachers and other staff and the content of the curricula need to be of a high standard to prepare our children for participation in the modern work economy.

Primary education is compulsory in Namibia, therefore primary school enrolment is high and well-balanced between boys and girls. Most recent statistics indicate that Namibia is making strides in ensuring that OVCs attend schools. Teachers in schools have been receiving psycho social and OVC support through HIV/AIDS management units and the Regional AIDS Committee on Education and this has equipped them to address issues faced by OVCs.

Early childhood education is considered to be of high importance and essentiality for our Government. Through the Directorate of Community and Early Childhood Development, Early Childhood Development Centres

16 June 2009

**MINISTERIAL STATEMENT
HON MUNGUNDA**

have been registered in which a large number of children are enrolled for ECD activities, training workshops and ECD care-givers have also been helped.

Care and support:

The Ministry of Gender Equality and Child Welfare provides child welfare grants to OVCs and families caring for OVCs. Coverage of these grants has increased enormously in recent years, with 103,000 children benefiting. The Ministry is also appointing community child-care workers at constituency level to provide psycho-social support at communities, refer cases to social workers and register children for social grants and we have more than a hundred vacancies for which people have applied and we will be filling the vacancies soon. Our responsibility is to attend to children in need of care, protection and for removing them from the home environment and placing them in alternative care, where necessary.

Health and Nutrition:

Namibia inherited a fragmented and chaotic health system at Independence. Providing unified basic health care services for the population was a priority for the Namibian Government and children immunisation programmes are a great success in Namibia and the children have more access to health centres.

There has been an improved provision of HIV/AIDS care. We know that many children are orphaned and there is a programme for the mother-to-child transmission anti-retroviral drugs for the safety of the unborn child which has risen to 49% benefiting from this. The USAID Fund for Food and Nutrition Services for 11,637 OVCs between October 2007 and March 2008. In addition, our Ministry, through the World Food Programme, provided food packages to more than 90,000 OVCs between 2006 and 2008.

By way of a Cabinet directive, a Multi-Sectoral Permanent Task Force on Orphans and Vulnerable Children was established. Membership includes Ministries, civil society and NGOs and development partners. The task force meets regularly to discuss and coordinate both policies and activities, including the monitoring and implementation of the National Plan of Action on OVCs. The Namibian Government takes regular steps to improve the social safety net provided for its children.

In 2008, the African Child Policy Forum named Namibia as the second

16 June 2009

**MINISTERIAL STATEMENT
HON NANDI-NDAITWAH**

most child-friendly country in Africa. We are aware that although a number of significant achievements have been made in Namibia, there is still need for all Namibians to ensure the survival of our children. The Ministry is concerned that the situation of children in Namibia remains critical due to the socio-economic and cultural activities, such as domestic violence, abuse, neglect, exploitation, possible trafficking and HIV/AIDS. The Ministry also notes with concern the special vulnerability of a girl-child and children with disabilities, which need special attention and that is why are giving special attention to children with disabilities and the girl-child so that they have access to services and that they have to realise their rights with dignity.

In conclusion, Comrade Deputy Speaker, despite our successes and achievements in the promotion of child survival, protection, development and participation, progress needs to be accelerated so that targets set in the “**Africa Fit for Children**” Plan of Action and the World Fit for Children are attained.

God bless the children of Africa and Comrade Deputy Speaker, I brought along fliers of baby dumping and on human trafficking. I thank you.

HON DEPUTY SPEAKER: Thank you very much. Honourable Minister Ndaitwah.

**MINISTERIAL STATEMENT:
WORLD DESERTIFICATION DAY**

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you, Honourable Deputy Speaker, Honourable Members. It is true, that as parents, adults and national leaders, we do care for our children and on this day we want to make our commitment. As parents we have a parental responsibility and our children should also have the responsibility to learn and to become responsible citizens.

Having said that, Comrade Deputy Speaker, tomorrow, the 17th of June, the world will be marking the World Desertification Day. It was in 1994 when the United Nations General Assembly declared 17 June to be marked worldwide as World Desertification Day. The day was set aside to enable the world population to reflect on the impacts of desertification, raise public awareness on the matter for solutions to be found.

16 June 2009

**MINISTERIAL STATEMENT
HON NANDI-NDAITWAH**

Desertification, also known as land degradation, has a serious impact on food security. It does contribute to poverty and has a negative effect on the environment and the whole biodiversity. Desertification leads to the depletion of soil nutrition, salinisation pollution, *agro*-chemical pollution and soil erosion, among others. Land degradation thus constitutes a huge drain on the economic resource and has a great social cost. For example, grazing land will disappear, communities especially in rural areas will have no material for shelter, thus forcing people who cannot afford modern building materials to live almost in open space. I am sure those of us who travel in rural areas must have seen some homesteads with huts half-thatched. I believe not all of these people are lazy, but grass is just not available and they cannot afford iron sheets.

Namibia is part of the UN Convention to Combat Desertification and its sister conventions, namely, Convention on Biological Diversity and Convention on Climate Change. All these conventions are related to environmental issues and cannot be viewed in isolation.

Honourable Deputy Speaker, the Namibian Government has identified land degradation as a serious problem that demands national action. Subsequently, back in 2004 a national programme to combat desertification was concluded and to address the root cause of desertification, last year we launched a Counterpart Partnership for Integrated Land Management. In the programme, though headed by the Ministry of Environment and Tourism, the following Ministries are major players: The Ministry of Agriculture, Water and Forestry, the Ministry of Mines and Energy, the Ministry of Trade and Industry, Ministry of Regional and Local Government, Housing and Rural Development and the National Planning Commission. Among other things, this programme is aimed to address the root cause of unsustainable land management practice, to ensure the eco-system integrating is sustainable and provide economic activity for today and tomorrow.

This year Global Day is remembered under the theme, “*Conserving Land and Water, Securing our Common Future.*” Under this theme we are being reminded of our responsibility towards land management and water conservation. In a country like Namibia, where water is a scarce commodity, we have to do a lot on water conservation.

I hope the Honourable Member will remember a statement in this Honourable House by the Minister of Agriculture, Water and Forestry, Honourable Mutorwa, when he informed us that the Government has plans to build some dams that will be used as a way of harvesting water. At the

16 June 2009

**MINISTERIAL STATEMENT
HON NANDI-NDAITWAH**

same time, as individuals within our households, we are constantly reminded to be cautious when using water. We must save water all the time.

Honourable Speaker, the challenges faced in addressing land degradation are many. The Millennium Eco-system Assessment confirmed that dry lands are most affected and each year about 124,600 of square kilometres are lost through desertification. Both desertification and deforestation have lugged ecosystem and disruption of economic activities. It causes large population movements as well as displacement. It also disrupts viable economic prospects and it also creates conflict and instability. It is recorded that in some African countries communities are fighting for grazing land because of that and Namibia is not an exception. I hope we do understand that this is a challenge that is faced by countries because of human behaviours.

Against that background, we as a Nation need to incorporate integrated land management strategies to combat desertification, otherwise its effects will become more and more unmanageable, especially when risks posed by climate change and other natural events are added.

As we mark the World Desertification Day, we also increase the level of awareness among our people to make their individual contributions to fight desertification. Among others, it is our responsibility to save our forests, our trees and our plants and harvest them on a sustainable manner for economic activities.

At this stage I want to congratulate the officials of the Ministry of Agriculture for being vigilant against forest destroyers and bring them to the law enforcement agencies to deal with them. To fight desertification as a Nation and as individuals, we need to adapt energy-saving methods for food preparation in order to reduce the use of firewood.

Honourable Speaker, Honourable Members, at this point I am afraid I might touch the nerves of some people, possibly that of myself but I have no choice because we have to tell ourselves the truth. Keeping large numbers of livestock is putting heavy pressure on our land, because we need to know what the carrying capacity of the land we are using for livestock is. Currently we know that in some areas there is over-population of livestock, to the extent that the carrying capacity has become zero and they become unproductive. Therefore, we really need to seriously consider the number of livestock we can keep in specific areas. You might think it is a joke, Colleagues, but this is a reality and if we live in denial and joke

16 June 2009

**MINISTERIAL STATEMENT
HON NANDI-NDAITWAH**

about it, then the time will come when you will not be able to keep one animal. It is better that we deal with the situation now while there is still time.

Honourable Deputy Speaker, because of desertification our land has become unproductive. I am also aware of some people who have large cultivation areas and they have been cultivating there for years, but every day their production is decreasing. This is because the land is tired. Why can you not adopt methods of either crop rotation or let one part of the field rest while using another part, because in that way you will produce more than using a lot of energy, working on a large area which is very tired and this is also a reality.

Similarly, Comrade Deputy Speaker, I know that fertilisers are very expensive and maybe not always available. However, people may consider compost, because there is a lot of rubbish that we are throwing away and if we start making use of that, we may be able to add value to the land for food production, especially in communities where they do not have fertilisers.

Finally Comrade Deputy Speaker, as I have mentioned earlier, desertification is both an economic and a social problem and it is really a challenge that we must all face in order to find a solution and that cannot be left to the Government alone, but there must be coordination between all stakeholders. Both the NGOs, the business community and individuals have a role to play in the fight against desertification. As Parliamentarians we must also play our part by working with our communities in order to save our land from destruction.

May I invite you all at this stage to join me and others tomorrow, as we mark the World Desertification Day, at Zoo Park at 10:00. I thank you for your attention.

HON DEPUTY SPEAKER: I thank you. The Secretary will read the First Order of the Day.

**RESUMPTION OF SECOND READING
COMMUNICATIONS BILL**

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON VILJOEN**

SECRETARY: Resumption of Debate on Second Reading –
Communications Bill.

HON DEPUTY SPEAKER: When the House adjourned on Friday, the 4th of June 2009 in terms of Rule 90, the Question before the Assembly was a Motion by the Honourable Minister of Information and Communication Technology, that the Bill be read a Second Time. Honourable Viljoen.

HON VILJOEN: Honourable Deputy Speaker, a couple of months ago the Chief Whips were invited to an information session by the Right Honourable Prime Minister to explain certain Amendments to the Constitution. By doing this, he ensured unnecessary questions and suspicions by Members of the House. He also made sure that all Members supported the Amendments because Members understand why it is, for instance, necessary to extend the period which foreigners have to wait for citizenship after marriage with a Namibian citizen. I have just received a notice that the explanation will be given tomorrow.

My question is: Why was the Communications Bill not explained far in advance? The Communications Bill came as a surprise to this House. We have heard that it will come but there was no explanation. When it landed on the table of this House, it was named the “*Spy Bill*”. People reacted vehemently to this Bill in their SMSs to the newspapers.

HON MINISTER OF ENVIRONMENT AND TOURISM: Comrade Deputy Speaker, on a Point of Information. I strongly feel that the statement is really misleading, to say when it was finally tabled here it was named, “*Spy Bill*.” When you are going to read the Hansard, it would seem that when it was introduced here, it was introduced as a “*Spy Bill*.” Can the Honourable Member withdraw that, because it was not introduced as a “*Spy Bill*.” That name came from outside, not from here.

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON VILJOEN**

HON DEPUTY SPEAKER: I will also request everybody who will rise and contribute not to refer to this Bill as a “*Spy Bill*.” It is the Communications Bill, not the “*Spy Bill*.”

HON VILJOEN: Honourable Deputy Speaker, I accept what the Honourable Minister said, it was referred to as the “*Spy Bill*” in the newspapers. The people in the street think if a person phones his girlfriend the Government will hear every word. If I send an e-mail to somebody the Government can intercept. It is seen as an effort to create a culture of fear in the minds of the citizens of this country.

This Bill has become a stray cow. It took the wrong direction and now we have difficulty to turn her head around to take the right direction. For those who do not understand, “*Ongombe Inayihala ikwawo*”. Honourable Deputy Speaker, it is like a cow which does not want to stay with the rest of the herd, it is on its own.

I have learnt that a wise man listens to what others have to say.

HON P MUSHELENGA: On a Point of Order. Can the Honourable Member just repeat that phrase and tell us which language he is using, because what he said does not mean the same with what he tried to translate.

HON VILJOEN: Honourable Deputy Speaker, languages are not my strong point and I just tried to explain something in the vernacular of one of the groups in Namibia.

According to the Right Honourable Prime Minister the right to intercept was already approved in 1997 with the Intelligence Bill. This Bill is about the ability to intercept.

HON MINISTER OF JUSTICE: I am very sorry to interrupt the Honourable Member, but the expression he used in whatever language that is, should at least be identified with a Namibian language, so that those who would be reading his contribution in the Hansard would also be able to

16 June 2009

COMMUNICATIONS BILL: SECOND READING
HON VILJOEN

relate it to a Namibian language. He cannot just say languages are his weak point, we can probably help him with the expression provided we know which language he used. All of us here have different vernaculars and we offer our assistance. Let him repeat.

HON VILJOEN: Honourable Deputy Speaker, I think it Oshiwambo. *Ongombe* is a cow, *Inayihala Ikwawo*...(Intervention)

HON P MUSHELENGA: Honourable Deputy Speaker, on a Point of Correction. The corrected version should have been “*Ongombe Inayigala Oonkwawo*”.

HON MINISTER OF INFORMATION AND COMMUNICATION TECHNOLOGY: On a Point of Order, Honourable Deputy Speaker. For the sake of clarity I would like to request the Honourable Member to repeat what he said about the Prime Minister, because he quoted him wrongly somewhere there. Just repeat what you said, please.

HON VILJOEN: Honourable Deputy Speaker, I understand it this way that the Prime Minister explained that there are two issues. The one is the ability to intercept and the right to intercept. That is what the Right Honourable Prime Minister said. (Intervention)

HON MINISTER OF INFORMATION AND COMMUNICATION TECHNOLOGY: Which Act authorises interception?

HON VILJOEN: Honourable Deputy Speaker, it was before my time, but I think it is the Intelligence Bill. (Intervention)

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON KATALI**

HON MINISTER OF VETERANS AFFAIRS: On a Point of Order. The Honourable Member said these things are said in the street and I want to know which street is this so that I can also go and listen.

HON VILJOEN: Honourable Deputy Speaker, it is not necessary to listen, you can just read the newspapers. But anyway, in principle I can live with this Bill if I get answers to the following questions:

In the first place, why now? Why during the election year? You will agree that this may trigger the necessary suspicion. Secondly, do we have resources in the face of the global financial crisis to create centres which are not priorities? In the third place, history has shown that Parliament makes laws and takes resolutions and later on the intention of the lawmaker is not taken into consideration when the law is implemented. (Intervention)

HON NAMBAHU: May I ask the Honourable Member a question? You are saying that these centres are not a priority in this economic downturn. Are you implying by that, that combating of crime is not a priority?

HON VILJOEN: Honourable Deputy Speaker, no, I have not said that because in my previous Motion I appealed to the Government to do just that.

This Bill can open the door for all kinds of malpractices and abuse of power and I, therefore, recommend that the *Communications Bill* be referred to the applicable Parliamentary Committee for further scrutiny. Thank you.

HON SPEAKER: Thank you very much. I recognise Honourable Katali.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: Honourable Deputy Speaker, Honourable Members of the

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON KATALI**

National Assembly, today is the day of the African Child and I would like to salute the African child in general and the Namibian child in particular. Enjoy your day.

Comrade Deputy Speaker, I stand to contribute and support the Bill under discussion. I have taken note of the contributions made earlier by some members of the public and by some Honourable Members of this august House, through the media respectively. Some of their contributions, however, were negative and others were positive.

I would like to thank the Honourable Minister of Information and Communication Technology not only for finalising and bringing this Bill to the House, but also for the trouble that he took to offer explanations for the benefit of the public. The latter is the reason why I decided to also contribute to this Bill and to give explanations for the benefit of the public. Comrade Deputy Speaker, I decided to contribute because it is only the emphasis of the truth and the principle of the Bill that may make our people understand what the real intention of the Bill is.

Honourable Members, we should take into account that the majority of the people who have been vocal on the radio and who have sent SMSs to the newspapers have not seen a copy of the Bill under discussion or have read it, let alone the Chapter that is being debated and its Clauses. They are being vocal based on what was said in the newspapers, on the radio and what was said by some Honourable Members in this House. It is, therefore, our collective responsibility to assist the Honourable Minister and those who have tried to explain the Bill with the purpose of informing the public who have not read the Bill yet.

I take it that all of us support the Communications Bill with the exception of the Chapter that deals with the centres where interception will take place. The damage that was done and that my Colleagues and I want to correct is the renaming of the Bill as the "*Spy Bill*" and I am happy the Deputy Speaker made that correction so that we call the Bill by its correct name. That in itself already painted a negative picture of the whole Bill and not only the chapter that deals with interception centres.

Comrade Deputy Speaker, I am purposely putting emphasis on "centres" because I want to make sure that the public understands, as it was pointed out before, that this Bill does not deal with the right to intercept, but with the method how to intercept. Let me repeat what was said before, which is supposed to be common knowledge to all of us, that the right to intercept is

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON KATALI**

already contained in the National Central Intelligence Service Act, a law which has already been passed by this august House.

The Bill we are discussing deals with telecommunications and the chapter that is misunderstood and deliberately being distorted, primarily deals with two issues which are, to combat crime and ensure security of the Nation. Nowhere in the Bill is there mention of the discussions in the bedrooms, nowhere is there mention of religion, nowhere is there mention of elections or Political Parties and the like.

HOUSE ADJOURNS AT 15:40

HOUSE RESUMES AT 16:17 PURSUANT TO ADJOURNMENT

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: Honourable Deputy Speaker, we know that crime is rife in our country and everybody wants a crime-free country. We at times take it upon ourselves to blame the Police for their inability to not only prevent crime, which is a daunting task, but also to apprehend and arrest the perpetrators of crime when cases are reported to them. At times the Police fail because there is no information available to lead to an arrest. When the information is available at the communication centres, it is not acceptable simply because there is no law that compels the centres to provide this information. (Intervention)

HON RIRUAKO: On a Point of Order. Honourable Deputy Speaker, we are creating a Police State. It is purely a Police State system and that is where we are now. You tap and you do things as a Police State, like the Boers used to do. The Boers used to do that and now we are here as a Police State.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: The Honourable Chief is very gifted, he just came in, he did not hear what I said previously, but when he heard the word "*Police*", he stood up and made a contribution. Congratulations, Chief.

I was saying the institutions running the centres are not compelled to provide information to the Police. (Intervention)

16 June 2009

COMMUNICATIONS BILL: SECOND READING
HON KATALI

HON MOONGO: On a Point of Information. I want to inform the Colleague that some of us who lived in exile suffered in prisons for many years because of this spying saga within SWAPO, which they now want to introduce in the Government and many people lost their lives. We do not want that system in Namibia.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: Comrade Deputy Speaker, the Chapter will enable the centres to give information when required to do so for the sake of combating crime and nothing else, in the same way the Nation needs to be protected from those elements that want to disturb peace through greed and other anti-social acts. In order to protect the Nation, a source of information is necessary and the establishment of these centres by this Bill is imperative. That is simply all the Bill is asking, to ask the telecommunication institutions to help with the recording of information and make it available only to those who have permission to get that information. (Intervention)

HON DE WAAL: May I ask the Honourable Member a question? Honourable Katali, I am listening to you and you are basing your argument on the fact that there are good laws that would prohibit misuse and so far I agree with you. You are also saying that people will abide by these laws and that is where I do not agree with you. Just look at the question that I asked today. The law says Air Namibia must hand in audited financial statements every year and for the last three or four years they have not done so. What is the difference between this case and the "*Spy Bill?*" You do not worry about laws!

HON DEPUTY SPEAKER: Honourable Member, I requested everybody not to refer to a "*Spy Bill.*" Call it by its name. Let those who are not part of this law call it by that name, but not you as a Member of Parliament.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: Let him first withdraw before I continue.

16 June 2009

COMMUNICATIONS BILL: SECOND READING
HON KATALI

HON DEPUTY SPEAKER: He was not in when I made that Ruling. Proceed.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: Yes, I have an answer to your question and was wondering whether I should provide it or not. However, let me provide it. It is true that any law is subject to abuse. That is why in every law there is a Clause to take care of abuse, but we should not take it that every law we make will be abused. I think that will be a mistake. All the laws we have passed have clauses to prevent abuse and if abuse has taken place, then there is recourse to that and I will come to that later. (Intervention)

HON MINISTER OF SAFETY AND SECURITY: On a Point of Information. I think our Colleagues on the other side have already made up their minds in relation to this *Communications Bill*, which is unfortunate. I am hundred percent sure that as Honourable Members of this House you definitely know of things happening in this country which are not supposed to happen and we have no means to combat it. It will not go into the details of that, but I think as Members of Parliament you have the right to ask for certain information and it will be given. If you do not accept what we are trying to argue here, you should maybe read the notes provided to us by the legal drafters on the draft *Communications Bill*. I really hope at the end of the day you will see the danger facing our country and it is not only Namibia, it is also neighbouring countries and some have already taken measures. If you do not want your country to remain behind, I hope common sense will prevail. Thank you.

HON DE WAAL: Honourable Deputy Speaker, may I ask the Honourable Member a question? You just said that if there is a law, we must expect that it might be abused and, therefore, there is another law which prevents that. I agree with you, but in the case of Air Namibia the first law is abused every year and then you made the State-Owned Enterprises Authority Act and we are still abusing it. So, what must we believe from this Government? You made a law that says the financial statements should be submitted every year and it did not happen. Then you came with another Act which was supposed to counter that abuse, but they are still abusing it. Must we make a third law? What assurance do we have that if you go through with this funny part of the *Communications Bill*, which I

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON KATALI**

may not mention by its name, does it mean that we must pass another Bill and another Bill to make sure that it is not abused?

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: The Honourable Member is trying to bring his grievances with Air Namibia into this House and I will not accept that. Secondly, he misunderstood that there will be another law. I meant another Clause in the same law.

Comrade Deputy Speaker, if we do not establish these centres...(Intervention)

HON MINISTER OF DEFENCE: On a Point of Information. Are you aware that in 1990 when the new Government of the Republic of Namibia was trying to create an army in this country, the same people were saying that there should be no army in this country as it might be used against them? Are you aware of that?

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: Hundred percent, Honourable Minister. Honourable Deputy Speaker, if we do not establish these centres....(Intervention)

HON VENAANI: On a Point of Information. You are making a very strong legal argument, but I want to ask you one question through the information. There was an incident that I would not like to refer to under this Bill, being the politician that I am, but there were notes, the infamous “*Nyamu notes*.” Did you get a Court Order to intercept someone’s private notes, infringing on his privacy? They were retrieved from his office in his absence. (Interjections).

HON DEPUTY SPEAKER: I think the Honourable Member will answer to that question, not everybody.

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON KATALI**

HON VENAANI: Yes, you are the Government in public office, you went ahead, prosecuted somebody without proving the source of the information and we are objecting against these things. The next morning the infamous Youth League of the Ruling Party would say, “*get information on that person*” and it will be open to abuse. That is why I said in my proposal, that in countries where they have these laws, they have a law to analyse this information and that is why we are saying we cannot support this Bill with its current text, we need to do some Amendments to prevent abuse. You can have your way, we will have our say.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: Your question does not relate to this Bill, it relates to an Act which is not under discussion today. (Intervention)

HON DE WAAL: Your track record is not very good, my brother!

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: On a Point of Information. For the sake of the Record, the Youth Wing of the SWAPO Party is not infamous. It is based on the popularity of the mother body, it is not Epango, it is not a vigilante body like their youth collaborators of the regime who have been rejected by the Namibian people.

Secondly, the Government of the Republic of Namibia is guided by the policies in place and it has never been linked to the so-called notorious “*Nyamu notes*.” That was a Party matter of inside betrayal, because he has miserably failed within the Party-political structure and it was dealt within the democratic procedures of a democratic Party. There is no link between the infamous “*Nyamu notes*” and the conduct of the SWAPO Government. The gentleman on the other side of the aisle is displaying high political disorder and panic and desperation.

16 June 2009

COMMUNICATIONS BILL: SECOND READING
HON KATALI

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: If we do not establish these centres, the people who are to benefit are not ourselves...(Intervention)

HON RIRUAKO: I have to say that we do not care a damn about people here. We are here to maintain what is right for us, not people who were supposed to be here and who are not here. We do not even worry about them, we are going to let them know we are, as simple as that and not to cry about them.

HON MINISTER OF JUSTICE: I am really very sorry that we are not giving Honourable Katali the opportunity express his point of view as he prepared himself, but the statement of Honourable Venaani on what Nyamu and others have done cannot go unanswered, it has to be put into its proper perspective. As Ministers of State we took an oath to defend and protect the Constitution and the laws of the Republic of Namibia. (Interjection). Can I have my say?

HON DEPUTY SPEAKER: Honourable De Waal, what is the problem today? You are like the Chief, just throwing words to others without giving a chance to others to speak. Give a chance to the others.

HON MINISTER OF JUSTICE: The offices we occupy are public places, they are not our bedrooms, they are not our homes and if we can express our Anti-Government, Anti-Party sentiments and place them in the public... (Interjection). I am answering his allegation, he said in his office and I presume the office he is talking about is the Ministry of Trade and Industry, a public institution where, even if I am chucked out of that office today, I can only take my private properties. I cannot, therefore, use that office for my Anti-Government activities, because that is a public office. If the Honourable Member had gone on to say somebody broke into Mr Nyamu's house and stole those notes, then the people would probably have sympathy. However, Honourable Venaani, the office is a public office and Honourable Venaani probably has never occupied one and that is why he does not know what behaviour is required of a person occupying a public office. Your attitude portrays ignorance and I thought you were above that.

16 June 2009

COMMUNICATIONS BILL: SECOND READING
HON KATALI

HON DE WAAL: On a Point of Information. If I listen to the Honourable Minister who just spoke, because my office is an official office of Government here in Parliament, that means you do not need a Court Order to listen to my telephone conversations. That is what you have just said.

HON MINISTER OF JUSTICE: No!

HON DE WAAL: That is what you said. That is why we do not like this Bill, exactly because of that. You said just now that because Nyamu was sitting in a Government office, you could go and steal his notes, which means if I am sitting in my office here, you can listen to my telephone conversations without a court order. That is what you said and that is why we do not want this Bill. That is why we oppose it because it will be misused by you.

HON VENAANI: On a Point of Information. I would like to inform the Honourable Minister of Justice that I occupy a public office as a Member of Parliament. I am a public representative, I occupy a public office. Secondly, the law of privacy dictates that when a person occupies a public office, you are also entitled, in the domain of your office, to generate ideas, either in an SMS... (Interjection). If the ideas are bad, the ideas are immaterial, but if the ideas are so wrong, how many of you know what you did is wrong? What I am saying is that it did not justify the source of the information and that source should be known under the law of privacy and that is the correct information.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: Comrade Deputy Speaker, the criminals who hide behind the claim that our privacy cannot be violated...(Intervention)

HON NAMBAHU: On a Point of Information. Honourable Members, I think we have all read the Bill and I am not too sure that the infamous notes were generated by either cell phone or computer. Therefore, they do not have anything to do with the interception mentioned in this Bill. If they

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON KATALI**

were not generated by computer or cell phone, what relation does it have to the Bill at hand? It is far-fetched as far as I am concerned.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: Our privacy claim might be genuine. For example, you do not want somebody to know that you are borrowing money from a friend, however, the privacy of the criminal is that he or she....(Intervention)

HON RIRUAKO: We are not talking about criminals, we are talking about politicians, you have embarked everything on the politicians. No Court has decided on that and we do not know where you got that kind of information you have in mind.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: However, the privacy of the criminals that he or she does not want to be known, is when they plot through telecommunications to come and break into your house and take the money that you borrowed from a friend.

Let me correct and address the misunderstanding by many people on how interception works. Many people think that somebody will be listening to every call made by you, when you are, for example, saying things that you normally do not want to be associated with. If all the calls will be listened to...(Intervention)

HON MOONGO: On a Point of Information. I would like to inform the Colleague and the Nation that when the minority South African regime was here, they were experts in spying on your information and, therefore, we lost many of our people. They disappeared. Many people were detained and this Bill will cause the same to happen.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: All these things the Honourable Members are alluding to are not mentioned anywhere in the *Communications Bill* or in the Intelligence Act. (Intervention)

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON KATALI**

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: On a Point of Information. Honourable Deputy Speaker, we are today having a problem with willing seller, willing buyer because of those people who were doing bad things then. That is why today you are afraid of the *Communications Bill*. Those people have something to hide and it is going to come out.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: Honourable Deputy Speaker, even the famous or infamous Informanté that reports on bedroom issues did not succeed in reporting on every bedroom issue. That is why many people have not yet been exposed on the things that they did in their bedrooms.

In accordance with the National Central Intelligence Service Act....(Intervention)

HON RIRUAKO: If the purpose is to listen to what is happening in our bedrooms and if some people are too weak to perform the job they are supposed to do in the bedroom, we are not here to help them. If they are not performing properly in the bedroom, that is their problem, not our problem.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: In accordance with the National Central Intelligence Service Act, permission has to be granted by the Judge President in the same manner as a warrant is issued. In layman's language, if a warrant has been issued because you are dealing in dagga and it is found that you were only talking about love affairs, nobody should use that information against you. Protection of the public against abuse is provided in section 75 of the Bill. (Intervention)

HON DE WAAL: How will you know?

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: It also does not mean that information will be revealed even if there is no warrant against you relating to those actions.

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON IILONGA**

On the one hand, Honourable Deputy Speaker, if we do not intend doing anything wrong against the State or the Nation, why are we afraid? I, for one, know that I shall not misuse the telecommunication system for discussions that are threatening the peace of the country and the security of this Nation and, therefore, if my other discussions are intercepted, I do not fear anything, because I know for sure that nobody will have access to that information without a warrant. Moreover, even if somebody has a warrant, the warrant will only look for those specific cases. Oother secrets which I may have, will still remain secrets.

In conclusion, Honourable Deputy Speaker, those who have not read the Bill and only heard about it from those who have other agendas, should now take it from me or else they should go and read the Bill so that they can see that the Bill only strengthens the National Central Intelligence Service Act and make the work of the law enforcement agencies easier when tracing individual criminals for the sake of all the Namibian people who are not criminals and whose lives might be endangered by criminals.

I have to warn those who have been misinforming the public, whether through the radio, newspapers or this House, that tomorrow the people who have believed what you wrote and what you said are going to read the Bill and they will know the truth and they will condemn you, of course not to death but to the political dustbin. Thank you, Comrade Deputy Speaker.

HON DEPUTY SPEAKER: Thank you very much. Honourable Iilonga.

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:
Thank you, Comrade Deputy Speaker. Today, 16 June 2009, is a day on which we will remember the bloodshed of our children in Soweto, South Africa, 33 years ago. We also remember when two years later, 31 years ago, our children, old people, toddlers and unborn children were massacred in Cassinga, Angola. (Intervention)

HON RIRUAKO: Honourable Deputy Speaker, we are not worried about this, one day it is going to be you against one another and you will suffer the same consequences. I am sorry to say this. I have never uttered a word which never went where it belonged. One day it will be you against one

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON IILONGA**

another. It happened in the past and it is going to happen again and the Bill is not going to protect you. I repeat what I said, it is going to be you against one another under this Bill and do not regret it. We will not talk about the past, the past happened and we have evidence and that is why we are worried. Those in power were not challenged and now you are putting yourselves in the same category, but do not cry if it is applied to you.

HON DEPUTY SPEAKER: All the laws we are making here are for everybody and not for individuals. If you steal a cow you will be punished whether you are a Member of Parliament or not.

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE
Comrade Deputy Speaker, 2 years later, 31 years ago, we remember the blood, shed by innocent children, toddlers and old people who lost their precious lives in a cold-blooded massacre by the then racist apartheid minority regime of South Africa. (Intervention)

HON MOONGO: I have to inform the Colleague that the kids in Soweto were killed in cold blood, because of wrong information, that they will become terrorists in the future. That is why they were killed. It was wrong information and now you want us to have more wrong information.

HON MINISTER OF JUSTICE: I am sorry to interrupt you. I am very happy that you are not responding to the interjections, because the people who are interjecting know precisely how they used to operate, what they did and how they caused the loss of lives by innocent people. Please go ahead.

HON RIRUAKO: I have been carrying innocent people killed and hurt by those people and I have evidence. I want to know from you when you have rescued the people killed by the Boers? When and where? I did it here in this town.

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON IILONGA**

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

Comrade Deputy Speaker, all the collaborators are the ones who are against this law, they are the ones against the history, so therefore...(Intervention)

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE:

On a Point of Order, Comrade Deputy Speaker. As a mother and as a member of this continent, when we are talking about things in Namibia we have to use different words. When we talk about other countries, we have to respect it. Please, please, do not even mention the deaths of this day, it is not easy. Even if our Colleagues there do not recognise us, please do not say it was the wrong information. Those people died, they are not here anymore, why are you saying that?

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

Comrade Deputy Speaker, let their blood water our African freedom for ever. Every citizen of Africa will continue to defend the hard-won Independence of Mother Africa.

Comrade Deputy Speaker, we as Members of this august House should not be deviated from discussing this important Bill in the history of our country. Therefore, in my intervention to support this Bill I will start with Section 4 of the Bill and I want to ask the Comrade Minister to find out whether this Bill provides for a parastatal to be formed or a statutory body.

Section 6 of the Bill deals with ownership and I want to find out whether it will be ownership of public property by a statutory body or a parastatal. I want to quote Section 6(a), "*that this Authority has the right to own movable, immovable property and to deal with such property in the manner that it deems fit.*" We have to ensure that any Government property, even if given to another caretaker on behalf of the Government, should remain the property of the State so that people do not decide on those properties as they deem fit. We have many examples where this happened and we need to have another look at Section 6(a). (Intervention)

HON RIRUAKO: On a Point of Order. How do you know everything in this country and abroad in Geneva, Isle of Man and somewhere else? What will happen? Who are going to defend what and who are going to be what

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON IILONGA**

after that? I am able to reveal what I have here and will whoever has money somewhere else reveal the same way I did? That is the point. This is the way it should be. Do you mean that I must reveal this and you are not going to reveal what you have abroad in the Isle of Man and Geneva? Are you going to reveal this?

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

Comrade Deputy Speaker, the Honourable Member is misusing this House and I hope that you will apply your mandate given to you by this House. We cannot have somebody interjecting on something different from what I have said.

Comrade Deputy Speaker, Section 15(1) deals with meetings of the Board. The Bill proposes that the Board meets once every two months, but Section 20(4)(g) stipulates that the CEO must report to the Board on the activities of the Authority once every six months. When reading the two sections together, what will the CEO report to the Board every two months? The financial statements are dealt with in another section, but here it says that they meet every second month and the CEO only reports every six months. Maybe the Minister and the technical people could harmonise these two sections.

Section 21(2) deals with a staff member who leaves the employ of the Authority and Section 20(2) reads, "*and any other laws*" and I want this to be looked at.

I want to touch on Section 70 in Part 6 of the Bill. We received explanatory notes from our experts. This Bill does not deal with interception as the people think, because if you look at Section 70(9), it stipulates clearly that the Director General may issue directives in which he or she determines how information obtained by the interception must be handled. Section 70(6) and (9) stipulates that interception can only be done with a warrant. (Intervention)

HON DE WAAL: May I ask the Honourable Member a question, please? Maybe somebody who has studied the Bill in detail can answer the following question: In Sub-section (6) which you have just referred to it says: "*Where any law authorises any person or institution to intercept or monitor electronic communications or to perform similar activities...*" What does that mean? Can you answer that? You have studied the Bill.

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON IILONGA**

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

I think the Minister will be able to give you an answer. That is the Section which was also quoted by the Prime Minister when you were not here.

HON DE WAAL: How can you say the Bill is a good Bill if you do not understand it?

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

Comrade Deputy Speaker, I cannot understand(Intervention)

HON DE WAAL: That is clear.

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

The hypocrisy of some of the Members, especially from the Opposition, they talk about western countries, democracy and whatever, but when you are in America, you are monitored everywhere you are, whether on the street, whether in a room, but if you are a law-abiding visitor or citizen of that country, you will never be arrested. If the Opposition of Namibia are doing something criminal against this Government, they must just say it clearly that they do not want their work to be seen. (Intervention)

HON RIRUAKO: What is going to happen is this: Once this Bill is announced in our papers here, they are going to reveal all the secret assets abroad and we are not worried about that, you are going to be in jeopardy yourselves, not us.

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

Comrade Deputy Speaker, when they go to America they take off their shoes, with no no warrant issued.

On the 2nd of February I left Namibia for New York via Frankfurt. When I passed through security, many people were wearing leather jackets it was

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON IILONGA**

Ilonga only who was searched and I have never been shown a warrant to search me and for my clothes to be taken to be chemically tested, until I confronted them and said, “*am I safe or will you people do something to my clothes?*” Then from there I arrived in New York on the 3rd of February and came back on the 14th. I can tell you, I arrived in Namibia on the 16th February and the 17th was the opening of this Session. When opening my suitcase at home, I found a notice saying that I was one of those who were randomly chosen to be searched and we went through your luggage and if anything is missing, we are not liable. I am not talking about last year, it happened this year February and I have never been told why they suspected me as one of those people who are terrorists. This thing of saying that a Judge should give you the mandate to search – my dear! Children over there, do you see those leaders are not the leaders to lead you? How on earth can a person not be concerned with the security of his country?

HON DE WAAL: Honourable Deputy Speaker, may I ask the Honourable Deputy Minister a question? All I want to know is, what we listened to for the last ten minutes about America and Germany, can you inform us what that has to do with this Bill? I am not an American, neither am I a German, I am a Namibian and I am concerned about what happens in my country. If I go outside, I either accept what they do to me or I stay at home. Exactly the same, if you want to come from Germany to Namibia, you have to accept what we do to you, otherwise you stay at home. I do not know what your argument is, we are not fighting about America, we are fighting about Namibia.

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: Why I am bringing that up under this Bill is because Section 70 of this Bill only wants to create a centre. Section 70 wants to establish an interception centre, nothing else. The body parts of a Namibian citizen were found at various sites and if this person had a cell phone, we can find out who that person communicated with.

As Honourable Katali said, even if your cell phone is stolen and you go to MTC, they say they cannot give you that information. If you have sinister intentions and you do not want us to pass a law, tell the Nation that you do not care that nobody is arrested for serious crimes in the country.

Comrade Deputy Speaker, I told Honourable Moongo repeatedly that he is allergic to SWAPO and he needs to consult a psychologist.

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON T GURIRAB**

HON MOONGO: On a Point of Order. He wants me to consult a psychologist because SWAPO tortured me to the extent that I became ill. He wants to give wrong information to Namibia and we oppose that.

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: Comrade Deputy Speaker, the Bill is here and I urge the peace-loving Namibians, especially the youth of this country, to defend the country through the laws. Namibia is a country which honours the Rule of Law and therefore, this Bill will not interfere with your bedrooms. Thank you.

HON DEPUTY SPEAKER: Thank you very much. Honourable Gurirab.

HON T GURIRAB: Honourable Deputy Speaker, let me join the Colleagues who have recognised today as an important day for the young people. We must honour their past contributions and as Parliament ensure that the young people of Namibia have space to grow and to make a contribution to our country.

Honourable Deputy Speaker, I shall be brief, but before I do so, let me assure the Minister of Justice that there are many notes written in Government offices, including notes that are passed around here, and I suppose that the Minister is not proposing that that constitutes a basis for raiding this place. (Intervention)

HON MINISTER OF JUSTICE: On the strength of the power given to me under the principle of the right of response, let me assure my young brother over there that I know the difference between various notes – love notes, rumour notes, but if the contents of the notes you are referring to that you have received are meant to undermine, to overthrow the Government or to incite, I want to assure Honourable Gurirab that if he keeps those notes, he would become an accessory to a crime. Therefore, do something about them.

HON RIRUAKO: On a Point of Order.

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON T GURIRAB**

HON MINISTER OF JUSTICE: On a Point of Order under the Rules. Just read Rule 100. The House cannot be abused. Rule 100 reads: “*No Member shall interrupt another Member while speaking, except...*” There was nobody on the Floor speaking when the Honourable Chief rose to interrupt. Who is he interrupting? There is nobody. I was raising a Point of Order while Honourable Gurirab was speaking and it is in terms of this Rule. Under which Rule is he rising?

HON DEPUTY SPEAKER: When you sat down, Gurirab rose and he merely started speaking, so he is in line.

HON RIRUAKO: I may say that we expected the note to be revealed here in the House. We wanted to hear what is in the note and he can go out with it without it being mentioned here. What was the purpose of your Point of Order?

HON T GURIRAB: Honourable Deputy Speaker, I had lengthy notes on the bedroom alone, but it is getting late and after the contribution of my good friend, Katali, I will skip that part and I, therefore, wish to make only brief statements by way of contribution and my contribution is on the form and not on the substance of the Bill. I have read the Bill, I have Clauses and Sections on which I have issues. That is on the good part of the Bill.

The first point I wish to make is that our country surely needs a *Communications Bill*. It is long overdue, it is nineteen years into Independence and every day we are talking about an information society and now we have something which attempts to do that. The first statement I wish to make is that we surely need a *Communications Bill* and we are surprised that it has taken the Government to bring one here. So, we support the enactment of a *Communications Bill* to regulate our industry.

Section 70(1) of the Bill makes provision for gathering information on criminal matters and matters pertaining to national security. Honourable Deputy Speaker, it is our contention that a *Communications Bill* should not deal with that. Contrary to Government’s pretensions we believe there is nobody, but nobody in our country who argues against a Bill or an Act to provide for national security. In fact, we already have one, so nobody in

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON T GURIRAB**

Namibia argues against a Security bill to be in place, but as I said earlier, a *Communications Bill* is not the place for it.

Our approach is that where the existing Central Intelligence Act is inadequate, the responsible Minister should bring the Act here and strengthen it. We can debate it on the Floor of this House to strengthen that Act. That is our approach, that is how it should go. Our country needs a *Communications Bill* and once that is brought, we will debate it on the Floor of the House. Hopefully it gets adopted. Nobody is against national intelligence. (Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

May I ask a question? Honourable Tsudao, you try to be an honourable gentleman through diplomatic means to soften your approach while in the real sense your approach never differs from what your Colleagues stand for. How on earth do you want to see that the Bill must not include the section which establishes the centre? Just come out clearly that you are against it like your fellow Members.

HON T GURIRAB: Honourable Deputy Speaker, from the Prime Minister's intervention here and from our own knowledge, at least those who follow Court proceedings or who are able to read the newspapers, we know that intercepted information is presented as evidence in Court. So interception does already take place, because it is provided for by law. (Intervention)

HON MINISTER OF INFORMATION AND COMMUNICATION

TECHNOLOGY: On a Point of Information. Honourable Tsudao, the drafters of the Bill had a reason why they included the interception Clause in the Bill which deals with communication. It provides for the creation of the centres and likewise provides for the equipment that facilitates interception. If you do not have it in the Bill, the Central Intelligence Act cannot interfere in the communication industry. How would they then come up with the mechanisms that facilitate interception, which is the main function of the Central Intelligence Act? Then the function of interception which is meant for crime prevention cannot be realised.

16 June 2009

COMMUNICATIONS BILL: SECOND READING
HON T GURIRAB

HON T GURIRAB: Honourable Deputy Speaker, I am saying two things. One, interception does take place already. (Intervention)

HON MINISTER OF INFORMATION AND COMMUNICATION TECHNOLOGY: On a Point of Order. Comrade Deputy Speaker, we can see the campaign of distortion. Interception needs resources. The Central Intelligence cannot intercept because the communication industry is obliged to procure the equipment required as prescribed for in the Bill or alternatively, as required for the effective carrying out of the function of interception by the Central Intelligence Service. Therefore, the interception has to be in the Bill and the Bill obliges the communication industry, the operators, to deploy the compatible equipment that is required.

HON T GURIRAB: Honourable Deputy Speaker, I appreciate what the Minister is saying. I am saying ...(Intervention)

HON MINISTER OF PRESIDENTIAL AFFAIRS: On a Point of Order, Honourable Deputy Speaker. I rose last week to explain and I would like to refer the Honourable Member to Clause 70(6) where it says: "*Where any law authorises any person or institution to intercept or monitor electronic communications...*" What this Clause means is that you establish the infrastructure in the form of an interception centre in terms of this *Communications Bill*. You give access and I think there is a misunderstanding. Interception is not given only to National Intelligence. The Police might be given power in terms of the law to intercept, but the infrastructure is in this Bill. We have military intelligence within Defence and they will be given the power to intercept. The infrastructure is centrally located under this Bill, the Anti-Corruption Commission and the Organised Crime Bill that we passed. That is why you have to understand why this centre is central and you have to understand this situation. We cannot create centres in all those laws and that is the efficiency of the SWAPO Party Government, not the CoD.

HON T GURIRAB: Honourable Deputy Speaker, I have all the appreciation for efficiency, because the Minister is saying the present system of interception is inefficient. I have appreciation for that. I believe we

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON T GURIRAB**

should have an efficient system of interception which is regulated by our laws. (Intervention)

HON RIRUAKO: On a Point of Order. We have Intelligence interception now, we know all about it. Hitler did it the same way as the Honourable Kawana did, but the Fuhrer was wrong and he found himself on the wrong side. I am revealing what I said, go and check it and read it. The fact is that this Bill has some attachment to something nasty and afterwards you are going to regret everything you said now.

HON T GURIRAB: Our contention is that it has no place here. (Intervention)

HON MINISTER OF JUSTICE: May I ask the Honourable Member a question? Am I correct in my understanding that the fear of the Opposition Parties is that almost all of them knew exactly what the Department of Information used to do before Independence? Am I correct in thinking that the Honourable Colleagues are suffering from a hangover from the past, that they see this Bill in the same way some of them used to operate as intelligence officers and undercover operators? Am I correct?

HON T GURIRAB: I hope nothing I have said would have helped the Minister to draw that conclusion. I said, one, we need a *Communications Bill* and, two, interception takes place already and there is a law for it and if we want to strengthen that, we should bring the existing one to strengthen that. That is all I have said so far. There is a law, let us take a look at it and strengthen it as I hear the Minister saying that it is inefficient.

As a Party we have already issued a statement, calling for the withdrawal of the Bill in its present format, which I need not repeat here again. Others, both inside and outside of this Chamber, have done the same. It is unfortunate, Honourable Deputy Speaker, that while we should be debating the *Communications Bill*, we are at this unfortunate place where we should not have been. The ball is clearly in the Honourable Acting Attorney-General's court, squarely that side. An ICT Bill should not be something on which we should differ here.

16 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON T GURIRAB**

In conclusion, Honourable Deputy Speaker, from where I stand this is our last contribution on this Bill...(Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

On a Point of Order. The Honourable Member cannot threaten us, this House will never be threatened. This is not the first time you refused Bills here and it carried. We will carry it, my dear, whether you want it or not.

HON T GURIRAB: We do not support the Bill in its present format. I thank you.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:

Honourable Deputy Speaker, I move that the Debate be adjourned until tomorrow.

HON DEPUTY SPEAKER: The Bill stands over until tomorrow and the House stands adjourned until tomorrow, 14:30.

HOUSE ADJOURNS AT 17:45 UNTIL 2009.06.17 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
17 JUNE 2009
WINDHOEK**

The Assembly met pursuant to the adjournment.

HON DEPUTY SPEAKER took the Chair and read Prayers and the Affirmation.

HON DEPUTY SPEAKER: Any Petitions? Any Reports of Standing or Select Committees? Other Reports and Papers? Any Notice of Questions?

NOTICE OF QUESTIONS

QUESTION 60:

HON DE WAAL: Thank you, Honourable Deputy Speaker. I give Notice that on Thursday, the 25th of June 2009, I shall ask the Honourable Minister of Justice the following:

How many approvals or warrants by a Judge have been granted to the Namibia Central Intelligence Service or any other person or institution to intercept or monitor electronic communications or to perform similar activities for the period 01 January 2007 to 31 of May 2009?

QUESTION 61:

HON DE WAAL: I give Notice that on Thursday, the 25th of June 2009, I shall ask the Honourable Minister of Finance the following:

According to Who's Who of Namibia 2008, the Prowealth Group of Companies or Services consist of the following: Accounting and tax services, short-term insurance, estate planning and wills, life assurance, asset management, treasury, Seef Properties Windhoek, Seef Properties Swakopmund, Prop Inspectors, Namibia Business Brokers. In addition to the above, the late Mr Riaan Potgieter announced on the 8th of March 2005 that Prowealth Asset Managers, in association with Plexus Asset

17 June 2009

**NOTICE OF QUESTIONS
HON DE WAAL**

Management (South Africa) are launching three CPIX Focus Funds, namely the Prowealth Namibia CPIX +3% Focus Fund, the Prowealth Namibia CPIX +5% Focus Fund and the Prowealth Namibia CPIX +7% Focus Fund.

In addition to all the above, there are still other investments for which I could not yet get written confirmation. Can the Honourable Minister explain to the House why NAMFISA is concentrating only Prowealth Asset Management while there are other companies in the group that might well be sound business which, if managed properly by a qualified curator, can contribute in future to partly solve the financial problems of Prowealth.

Can the Honourable Minister also inform the House what has happened to the other companies in the group while NAMFISA is concentrating all their energy on the Asset Management Company?

Will the Honourable Minister agree with me that the systematic liquidation of the company, first Prowealth Asset Management, then Prowealth Consult, which is not even on the above list, will only lead to job losses at a time when we can hardly afford it?

Why is the Honourable Minister refusing to appoint a properly qualified curator to get control over all the companies in the group as well as over all the investments of the group?

QUESTION 62:

HON DE WAAL: Honourable Deputy Speaker, I give Notice that on Thursday, the 25th of June 2009, I shall ask the Honourable Minister of Justice the following:

In the Director's Overview in the 2006/2007 Annual Report of the Anti-Corruption Commission the following is stated: *"The Commission also wishes to indicate that there has been positive progress in the investigations. With regard to the ODC case, the bulk of the evidence was gathered in South Africa. Progress in this regard is to a large extent owed to NAMFISA who, through their generous financial support, made it possible to secure the services of forensic auditors to analyse the flow of moneys from the ODC to various entities. As this investigation extends beyond the border of Namibia, the Honourable Minister of Justice and Attorney-General had lodged a mutual legal assistance request with their counterpart*

17 June 2009

**NOTICE OF QUESTIONS
HON DE WAAL**

in Namibia. Suffice to say that good progress has been made in bringing this matter to a closure.”

At the time of writing the above report, it was common knowledge that the Namibian investigators knew where the missing N\$100 million were. Can the Honourable Minister, therefore, now inform the House how much of the N\$100 million has been recovered?

QUESTION 63:

HON DE WAAL: Honourable Deputy Speaker, I give Notice that on Thursday, the 25th of June 2009, I shall ask the Honourable Minister of Finance the following:

In the IMF Country Report of February 2007, the following is stated: *“One of the fundamental shortcomings of NAMFISA is the failure to compile, verify, analyse and disseminate accurate and reliable data on the financial soundness and performance of non-banking financial institutions that come under its authority. This reflects the lack of systems and skills to compile and analyse data. The implementation of the bank supervision application is a step in the right direction, but more would need to be done to collect relevant regulatory data and improve NAMFISA’s capacity to verify and analyse that data.”*

The Report goes on to say: *“A few immediate and straightforward legislative Amendments are required to close the gaps in the law. Asset management services, money market unit trusts and unit-linked life policies should be regularised under the law as soon as possible. Strengthening of NAMFISA’s powers should be implemented in conjunction with modernising Namibia’s financial services laws to bring them in line with international best practices and to provide a conducive framework for the financial sector to further develop. This will ensure that NAMFISA has the ability to enforce the new legislation and sanction those who contravene the laws.”*

1. Will the Honourable Minister agree with me that very little has been done since this report was published and that the failure to compile, verify, analyse and disseminate accurate and reliable data on the financial soundness and performance of non-banking

17 June 2009

**NOTICE OF MOTION
HON BAYER**

financial institutions that came under NAMFISA's authority is one of the main reasons for the collapse of the Prowealth Company.

2. Will the Honourable Minister further agree with me that the few immediate and straightforward legislative Amendments quoted in the paragraph were drafted and analysed already at the beginning of 2006, but were never brought to Parliament.
3. Will the Honourable Minister, therefore, agree with me that NAMFISA and the Ministry of Finance must take full responsibility for the loss of investments at Prowealth?

HON DEPUTY SPEAKER: Table the Questions, Honourable Member. Further Notices of Questions? Any Notices of Motions? Honourable Bayer.

LEAVE OF ABSENCE

HON BAYER: Honourable Deputy Speaker, I move without Notice, that Leave of Absence due to official business be granted to the Deputy Minister of Works and Transport, Honourable Paul Smit, until the 30th of June 2009. I so Move, Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Table the Motion, Honourable Member. Message from the Head of State? Any Ministerial Statements? The Secretary will read the First Order of the Day.

**RESUMPTION OF DEBATE: MOTION ON CURRENT URBAN
AND COMMERCIAL LAND PRICES**

17 June 2009

**MOTION ON LAND PRICES
HON !NARUSEB**

SECRETARY: Resumption of the Debate on the Current Urban and Commercial Land Prices with a View of Regulating them to be Affordable to all Namibians.

HON DEPUTY SPEAKER: When this Debate was adjourned on Wednesday, the 3rd of March 2009, the Question before the Assembly was a Motion by the Honourable Kavari. The Honourable Deputy Minister of Labour and Social Welfare adjourned the Debate and he now has the Floor.

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: I adjourned the Debate on behalf of the Minister of Lands and Resettlement.

HON MINISTER OF LANDS AND RESETTLEMENT: Thank you, Comrade Deputy Speaker, Honourable Members. I have followed the Debate generated by the Motion on Land Prices moved by Honourable Kavari on the 10th of March 2009 in this august House with keen interest. While I do not want to repeat what was already said by the Honourable Members, I would however like to agree with the sentiments expressed by the Honourable Members, namely that when the Government called all stakeholders to a Land Conference in 1991, we sincerely believed that as a Nation we would be able to redress the past historical imbalances in land ownership by constitutional means without disadvantaging the previously advantaged group. This intention has been followed by Government in the letter and spirit of the resolutions of the landmark conference of 1991 through the process of willing seller, willing buyer principles.

Yes, as Honourable Nujoma rightly pointed out, Article 16 of our Constitution guarantees all persons the right to property, with paragraph (1) thereof providing everyone the right to acquire, own and dispose of property alone or in association with others and to bequeath such properties to their heirs or legatees.

The Government has religiously observed and respected this fundamental aspect in spite of the fact that Article 16(2) of the very same Constitution provides for the expropriation of property by the State or any competent body authorised by law in the public interest, subject naturally to payment

17 June 2009

**MOTION ON LAND PRICES
HON !NARUSEB**

of just compensation and which compensation should be in accordance with the requirements and procedures determined by an Act of Parliament, this House of ours.

Following the Land Conference in 1991, this Honourable House enacted the Agricultural (Commercial) Land Reform Act 6 of 1995. This Act became the legal tool in the implementation of land reform in our country. As very eloquently explained by Honourable Iivula-Ithana, some of us genuinely believed that the Act would help us find a solution to redress the land issue.

Allow me, Honourable Deputy Speaker, to refer the Honourable Members to the objectives of the Act, which I will not elaborate on, because of time constraints, which are indicated as a preamble on Page 2 of the said Act.

“The provisions of this Act are not unique or peculiar to this country alone, but are universal safeguards enshrined in the Constitutions of most countries to protect the natural inheritance and sovereignty in land.”

Again, as previously mentioned by Honourable Ithana, the promulgation of this Act saw a number of close corporations being established to counteract the requirements of the Act insofar as land ownership is concerned. Most of these close corporations are dormant entities which are economically inactive, but have land as their only asset. The formation of these entities to some extent contributed to diminish the supply of land being made available for sale in the open market and has resulted in the creation of an artificially strong demand for agricultural land in the country and the inevitable increase in prices, particularly from those with the means to finance such purchases. I will elaborate on this factor a little bit later in my statement.

Besides granting the State the preferrent right to acquire land being offered for sale, the Act enabled the Minister the impose a tax on agricultural land as a way of encouraging the release of surplus land into the market, in addition to encouraging productivity on the farms. However, should the Minister decide not to buy the land offered for various reasons, for example, if the land is not suitable for resettlement purposes due to inadequate water availability, size or productivity factors, the Act allows the Minister to grant to the seller a Certificate of Waiver.

From this virtuous intention on the part of the Government we have seen some of our people take advantage to advance their probably selfish motives, thereby pushing land prices up. Again, I shall dwell on this aspect

17 June 2009

**MOTION ON LAND PRICES
HON !NARUSEB**

later in my statement.

From the Debate generated by the Motion of Honourable Kavari on the 10th of March 2009, I have picked up a general feeling that there may probably be a need and a very big need at that, to revisit the recommendations adopted at the Land Conference of 1991 as our land reform initiatives seem not to be in sync with the objectives and aspirations of the general populace of Namibia, the Land of the Brave.

I equally seem to have picked up the sentiments that the Ministry should probably come up with some regulatory framework or legislation to enable the State to intervene in the property market, as well as tightening the shortcoming inherent in our current legal framework. Whether these sentiments are feasible or not, due regard should be made, cognisant of the fact that our Constitution guarantees the right to property in Article 16(1), including the right to acquire, own and dispose of property alone or in association with others and to bequeath such property. Any attempts to enact legislation to control the price of land should be carefully interrogated, bearing in mind that this may infringe on the constitutional rights of the citizens.

The Ministry is, however, in the process of amending and consolidating the relevant Acts into a single Land Bill. The shortcomings inherent in the present legislations and the various loopholes have been identified. I hope that some time in the not too distant future I shall be presenting this Bill to this House for your very kind and, as usual, diligent consideration.

Earlier on I stated that I shall elaborate on the shortcomings or factors which the Honourable Members have expressed themselves upon, which are causing land prices to increase drastically. There was mention of agricultural land price increases and residential land price increases.

While the two appear to be intertwined, I shall however restrict myself to agricultural land, while leaving residential land price increases to the very able and competent Honourable Minister of Regional and Local Government, Housing and Rural Development.

In my humble opinion, the increase in the price of agricultural land in the country may be attributed to factors broadly categorised as:

- (a) supply and demand;
- (b) lack of existence of State intervention on the land market;
- (c) inflation associated with mortgage values or interest rates; and

17 June 2009

**MOTION ON LAND PRICES
HON !NARUSEB**

(d) clandestine and/or speculative activities.

On the subject matter of supply and demand: One of the economic fundamentals of a modern-day economy involves supply and demand. It can be the supply and demand of goods and services or products and assets. In simple terms, what it entails is that if there is an abundant supply of products and service providers on the market, there is likely to be more competition and consumers have a wider choice to choose from. Ultimately consumers are likely to benefit from relatively low prices arising from the competition. The inverse is equally true if there are only one or two service providers on the market.

However, as a product, land is unique because it is naturally limited in supply and the few people with the land are not willing to sell, especially in the productive areas of the country while the demand for land is far greater than the land available for purchase, whereas in the manufacturing industry, if there is a considerable demand for manufactured products, the demand may be met by increasing the supply of these products, but this is not the case with land, as it may be impractical or very costly to create additional land supply through schemes, such as reclamation from the sea, swamps or the desert. If the supply of land cannot meet the demand for it, it will be reflected by the increases in price because buyers are willing to pay more for the following reasons:

1. Several buyers have access to good sources of finances at favourable terms, for example AgriBank loans, which gives them the ability to pay the high prices of farms.
2. Some buyers are willing to pay more for the land because of special interest, for example farm owners interested in buying a farm adjacent to the ones they already own.
3. Buyers may have expectations of high returns from farm production.
4. Buyers interested in conducting tourism activities may be willing to pay more for farms than those intending to farm with cattle, goats or sheep only.
5. Sometimes it is for prestige purposes by rich buyers.
6. The Ministry also believes that there is a possibility that some estate agents could be contributing, probably inadvertently, to the

17 June 2009

**MOTION ON LAND PRICES
HON !NARUSEB**

escalation in land values when marketing the land with the intention of maximising their fee or commission, which is normally calculated as a percentage of the selling price. I, however, would like to quickly state that in the absence of empirical data it would be difficult to substantiate the aforesaid statement and I want us to take it in that context.

7. Purchase of farms by foreign nationals coming from countries with stronger currencies than our own, could have led to increases in values in some parts of the country some years ago. Foreign nationals tend to bid higher amounts at farm auctions, thus resulting in higher values being paid for farmland.

The supply of land available for particular uses, in this case agricultural land, is limited not only by natural factors, such as location, topography and the carrying capacity of the ground, but also by statutory factors. The need to acquire land is driven by a number of reasons. It can be for personal occupation, investment or speculation.

A purchaser for personal occupation will buy land, having regard to the location, social and commercial facilities available in the land. In such instances the property will attract the local market.

A purchaser for investment purposes will consider the return he can obtain from the land in the form of rent, security and capital growth. Often such high-class investments will attract prospective purchasers on a national scale.

In some instances the purchase of agricultural land may be for both occupation and investment. In such situations a prospective purchaser would probably compare the property on offer with other types of investments, such as stocks and shares.

If we look closely at location factors, Honourable Kavari has alluded to land in the Hardap Region of nearly 2,000 hectares being sold for N\$2,3 million while a farm in Omaheke Region measuring 5,000 hectares was sold for N\$7 million and another farm in Hardap and Oshikoto Region was offered for N\$1,150 and N\$2,000 per hectare, respectively.

Honourable Deputy Speaker, what this information goes to show is that most of these offers to Government are based merely on speculation and as Honourable Kavari has indicated, sometimes these sales do not have any regard to the productivity of the land. In most of these instances the sellers

17 June 2009

**MOTION ON LAND PRICES
HON !NARUSEB**

have a presumption that Government will just pay the asking price because of the area in which the farm is located.

It is common knowledge, Honourable Speaker, Honourable Members, that the most productive land in the country is located in areas where there is good soil, availability of underground water, good carrying capacity among other agro-ecological factors. Farms in these areas are predominantly owned by a few individuals, mostly from the previously advantaged group, while the majority of our people have been sold marginally productive land and in most cases, land that has been severely exhausted. That is a fact. It is in these areas where the present land prices are high. However, the general majority of our people with the means to acquire land are willingly paying these prices despite the lack of productive capacity of the land. The Ministry, and by implication, the Government, has no legal basis to intervene in these private transactions. The consequence, however, is that these sales are sometimes viewed by the previously advantaged land sellers as representing the true price of land.

Coming to the size factors: Honourable Kavari alluded to a farm sold in the Hardap Region. While I might not have the necessary professional competency to explain the dynamics of supply-and-demand economics, I am reliably informed and advised that this is a fundamental function of micro-economics dynamics, namely that the larger the size of the farmland on offer, the more likely it is to attract less buyers because of the inherent cost associated with its purchase price. On the other hand, the smaller in size the land becomes, the more likely it is to attract many buyers as they are likely to afford the farm. I am further advised that the latter situation is aggravated by the scarce availability of land for sale, hence the seller of a small piece of land is likely to get more buyers willing to pay a higher unit price per hectare for that land than a bigger property which may have a lower unit price per hectare, but overall high acquisition cost. I am yet to find out whether productivity is a major determinant factor in the attainment of higher prices for small pieces or if there are other underlying considerations.

Honourable Deputy Speaker, Honourable Members, again the Right Honourable Prime Minister raised a very fundamental question, whether it is morally right for one individual or family to own land in excess of 30,000 hectares or even 70,000 hectares which is used as a game farm when the majority of our people do not have any land at all. Honourable Deputy Speaker, the definition of “*agricultural land use*” in terms of the Agricultural (Commercial) Land Reform Act, Act 6 of 1995 is generally broad in scope. The Act defines “*agricultural purposes*” to also include

17 June 2009

**MOTION ON LAND PRICES
HON !NARUSEB**

game farming. Whether such activities undertaken privately in turning vast tracks of productive agricultural land into conservancies are economically important to the development of this country is probably debatable.

There is a need for us to take stock of our land-uses and come up with measures to mitigate the loss of productive land to other not so critical agricultural activities and we have to engage one another as different stakeholders and ultimately as the Nation.

In other countries, town and country planning regulations involve restrictions on land-use by defining the activities that are permitted to be carried out on the land. In this country the restriction that immediately comes to my mind refers to urban areas through zoning of land for different purposes, that is zoning for residential, industrial or commercial uses. My humble suggestion is that we may have to consult widely on this topic if the general feeling is that Government must intervene to stop most of our productive land being turned into conservancies and conservatories unabated.

Coming to the bank mortgage value and interest rates, the bank mortgage values and lending rates have had a potential influence on the price at which the sellers are willing to sell their farms. Normally a prudent seller would want to achieve the sale price that exceeds the loan amount and interest and it probably goes without saying, because there is a natural tendency to gain. Therefore, the higher the mortgage value and interest rates, the higher the price at which the property is likely to be offered for sale and possibly sold at.

To mitigate price increases, the Ministry and AgriBank agreed last year to synchronise their approach to the valuation of agricultural land. This has resulted in marginal differences between our land valuation approaches. The challenge, however, is how to convince commercial lending institutions to follow a similar approach in their lending because their nature of business is profit-oriented. Even where AgriBank has indicated their lending ceiling to an Affirmative Action Loan Scheme applicant, there is nothing to stop a determined buyer accessing other financial means in order to acquire land which is being offered at a premium. The majority of Affirmative Action Loan Scheme applicants, including some very esteemed Honourable Members from this House, have turned to commercial banks for additional funds to supplement their AgriBank loan in order to purchase land. This has added an inflationary element to the price of agricultural land.

17 June 2009

**MOTION ON LAND PRICES
HON !NARUSEB**

It is my sincere hope that once the *Valuer's Professional Bill*, which the Ministry is currently working on, is presented in this august House and approved, we shall see consistency in the way land values are being assessed and determined in this country.

The Agricultural (Commercial) Land Reform Act provides that an owner of commercial agricultural land who intends to sell his land should first offer it to the State. If the Government is not interested in buying the land, only then will the owner be allowed to sell to anybody else upon receiving a Waiver Certificate from the Minister. Again it is debatable whether the State's preferrent right to acquire land has contributed to price increases or not. Some have argued that there is less land being offered for sale today because potential sellers are not willing to offer their land to the State for various reasons and this creates an artificial shortage of land as few people are willing to transact. Thus there is a lot of pressure or demand on the few farms for sale on which the State issues waivers. When a Waiver Certificate is issued, the landowner may dispose of the land as he deems fit, usually through an auction sale. Because of the few offers coming into the market, generally prospective purchasers tend to pay a premium for the land. As a result, some people view auction sales as representing the actual price of land.

The general thinking is that an auction purchaser is a capable and prudent farmer, yet due to the scarcity of land due to the reluctance of our previously advantaged colleagues to sell excess land in their possession is the major criterion that is pushing the price up and that is a reality. No need for politicking around that issue.

I have been approached as the Minister responsible for land and resettlement to come up with legislation that will allow the State to intervene in the property market in situations where a Waiver Certificate is granted. I have not yet applied my full mind how this may be achieved without probably infringing on the constitutional rights of the citizens of our country to dispose of such property. While the issue of high prices in the country is no different from other economies, I am informed by some learned economy experts that in the United Kingdom, for example, during the peak of the economic boom in 1972, 1973, the price of their land in south-east England saw an unprecedented rise of between 150 to 200 percentage points in just six months and bare land was fetching anything upwards of British Pound 2,500 per hectare. The Government had to intervene and imposed capital gain tax to curtail speculative behaviour, while at the same time stringent measures restricting the use of land or property were enforced. The capital gain tax was additional to the

17 June 2009

**MOTION ON LAND PRICES
HON !NARUSEB**

development land tax which was already levied on the land, but following the slump in agricultural land values thereafter, the Government had to abolish the development land tax in order to stimulate the agricultural sector. This led to an increase in land prices until the beginning of 1980 when prices again fell back by around 20% of their values. Maybe we have to study the British experience in detail and then come up with our own solution to resolve the aforementioned problem.

Earlier on I indicated that I would elaborate further on the issue regarding close corporations. The Right Honourable Prime Minister and the Honourable Minister of Justice have already mentioned the devious ways in which some of the close corporations have been aided, and probably supported by some of our notable conveyancers in this country, to circumvent the State's preferrent right to acquire land registered in the name of these close corporations.

Honourable Deputy Speaker, Honourable Members, the concerns raised by the Honourable Members are not without basis. The Ministry has been suspicious that most land registered in the name of Close Corporations have been changing hands in this fashion without either being offered to the State or being made available to the general market in an open and transparent manner. Often times my officials have been presented with information of these supposedly "*recent sales comparable evidence*" evidence whenever they have reached a deadlock with estate agents during a price negotiation who will be pursuing the instructions of their principals. When the officials of the Ministry tried to verify these transactions with the Deeds Office from which often valuers derive information useful during the process of ascertaining what the market will pay for the land on sale, there is no indication of changes in the information registered in the Deeds Registry. A check with the Registrar of Companies at the Ministry of Trade and Industry does not give much information either, apart from sometimes a change in the names of the directors or proprietors, yet the underlying motives behind these changes in the directors' names is the sale of land.

I said earlier on that the majority of these close corporations are dormant entities which were established to circumvent the enactment of the Agricultural (Commercial) Land Reform Act of 1995. Yet they have remained economically inactive, but have land as their only asset. The sale of these dormant close corporations means that land is actually being transferred without being offered to the State in terms of the Act.

We further suspect that most of these sales are concluded clandestinely,

17 June 2009

**MOTION ON LAND PRICES
HON !NARUSEB**

with the buyers generally paying a premium for the land, including purchases, by foreign nationals coming from countries with stronger currencies.

Information on the pending sale of these close corporations is usually not in the public domain, except at the local level or within the surrounding neighbourhood clubs and we know which clubs. Furthermore, foreign nationals tend to offer higher amounts of money, thus resulting in higher land prices being paid for the farms. We are in the process of identifying such clandestine transactions with a view of gathering concrete evidence and then take remedial measures as prescribed by the enabling Act.

The extent to which these clandestine activities have influenced land price increases is also being investigated and will be addressed through the proposed consolidated *Land Bill*.

Honourable Deputy Speaker, the Agricultural (Commercial) Land Act, No. 6 of 1995 does not provide the State a preferrent right to acquire agricultural land subject to a foreclosure or deceased estate. Disposal of such land is provided for under other statutory controls, such as the High Court Act, and I presume other laws dealing with inheritance matters that may be superior to the Agricultural (Commercial) Land Reform Act of 1995, but the modality of selling land falling under these categories in the market has increasingly assumed a speculative nature, as some of these properties are often disposed of through public auctions, as the Honourable Colleagues previously alluded to.

According to the definition of “*open market value*”, as provided by the Assets Valuation Standards Committee of the Royal Institution of Chartered Surveyors, an international and respectable self-regulatory body of professional property valuers and surveyors, a public auction sale does not fulfil the fundamental principles of open market value which can be briefly summarised as follows:

“The estimated amount for which a property should exchange on the date of valuation between a willing buyer and willing seller in an arm’s length transaction after proper marketing wherein the parties had acted knowledgeably, prudently and without compulsion.”

Because of this principle, prudent and professional valuers are reluctant to consider such transactions as comparable sales, but some of our estate agents have misled most farmers to believe that these auction sales are a reflection of the going price of their land.

17 June 2009

**MOTION ON LAND PRICES
HON !NARUSEB**

Honourable Deputy Speaker, Honourable Members, I must hasten to mention that the extent to which these foreclosures and deceased estates have contributed to high land prices is difficult to quantify at the moment, as these sales are meant to fulfil certain legal obligations. However, as so many Honourable Colleagues have stated, the Ministry is aware of instances where some landowners have deliberately defaulted on their financial obligations or entered into dubious loan arrangements, which results in their land being foreclosed after having receive the premium payments. Again the Ministry is looking at various options available to curtail this furtive nature of such transactions. I will probably have to consult my Colleagues in the Ministries of Justice and Finance, respectively, and probably also approach the Anti-Corruption Commission on ways to curtail these nefarious activities by some of our privileged landowners.

Honourable Deputy Speaker, Honourable Members, I am mindful of the fact that our economy has not been spared from the current global financial crisis. Even before the current global financial crisis we have seen inflation rise over the last few years, though marginally thanks to the astute competence of our Minister of Finance, Honourable Amadhila, and her team at the Ministry of Finance and other stakeholders, notably the National Planning Commission.

HOUSE ADJOURNS AT 15:40

HOUSE RESUMES AT 16:15 PURSUANT TO ADJOURNMENT

HON MINISTER OF LANDS AND RESETTLEMENT: Honourable Deputy Speaker, Honourable Members, we should not ignore this factor as a likely cause for the steady rise in land values. My immediate predecessor and Colleague, Comrade Ekandjo, should be able to vouch for me with regard to urban land prices. However, the speculative activities of some of our people in the sale of land to Affirmative Action Loan Scheme applicants have aggravated the situation to this level. Now what should we do? With your permission I want to suggest some measures to mitigate the price increases.

We already mentioned the Capital Gains Tax (CGT). Maybe we can think of introducing capital gains tax on the profits realised from the sale of land.

17 June 2009

**MOTION ON LAND PRICES
HON !NARUSEB**

The introduction of capital gains tax may help mitigate the increases in land prices, but this in itself may not be a lasting solution.

Honourable Deputy Speaker, Honourable Members, I am very mindful of the fact that this proposal was once suggested in this august House and the majority of Honourable Members present then expressed themselves fully on the topic. I thought that there may be no harm to present the topic again for discussion, since the circumstances that led the majority of the Honourable Members to express themselves then have not reached this critical level. I am aware that I may have to convince my dear sister, the Honourable Minister of Finance, Honourable Saara Kuugongelwa-Amadhila, and her team before I have to convince this Honourable House. Be that as it may, I have noticed that my Honourable Colleague and her team at the Ministry of Finance have already applied their minds to the matter during the 2009/2010 Budget by introducing progressive tax rates for properties with different market values. What capital gains tax entails is that a percentage tax will become payable on the profit arising from the sale of the land itself.

An example of how it works is briefly as follows: If farmer A bought a farm in 2007 for N\$1 million and later sells the farm in 2009 for N\$3 million, the profit he made on this initial capital investment is N\$2 million. However, if during the period farmer A had made some capital improvements of say, N\$500,000 on the property, the amount he expended in developing the farm has to be deducted from the N\$2 million. Therefore, his tax on capital gained would be determined on N\$1,5 million residual profit left.

The advantage of this approach is that it will bring additional revenue into the State's coffers, while at the same time trying to discourage speculation in the sale and purchase of farmland. The impact of this can best be demonstrated by the following simple analysis: Between January 2008 and the 31st of October 2008, there were approximately 418 sales transfer registered in the Deeds Office, involving a total amount of N\$1,763,000,000.

Suppose the State had deducted 5 percentage points as capital gains tax payable on the profit arising from the sale of the land itself, it would have collected approximately N\$88 million in revenue from capital gains tax on agricultural properties alone.

The capital gains tax could be extended to cover all forms of property sale transfers to include residential and commercial land. Again, I will have to

17 June 2009

**MOTION ON LAND PRICES
HON !NARUSEB**

consult with the Honourable Minister responsible for Regional and Local Government and Housing and all the different stakeholders, but this should be implemented together with the Stamp Duty Amendments in consultation with other relevant Ministries. Before these options could be considered, there may be a need to have wider stakeholder consultations or possibly a study to be commissioned to ascertain the impact of this proposal on what the Ministry of Lands and Resettlement has done or is doing.

The Ministry has established a Market Research Division within the Directorate of Valuation and Estate Management, whose main objective is to collect and compile comprehensive data and other useful information in order to provide and disseminate relevant information on the property market. Once all the necessary resources are in place, it is anticipated that the Ministry would be able to produce a regular periodical for the benefit of all the stakeholders. Again, once the database is automated and becomes real-time, all commercial agricultural land, with details of land values in the different Regions of the country as well as land ownership details, etcetera, will easily be accessed by all and sundry.

The Ministry has prioritised the finalisation of the agro-ecological zone map in conjunction with the very kind assistance of the Ministry of Agriculture, Water and Forestry to enable the information to be used in the creation of value-zone maps that will reflect the general trend in land price decreases throughout the country. This will enhance credibility on the sales analysis data process. I believe that with such information available in the public domain, the valuation profession in this country shall be able to utilise this data in their analysis of the various factors that influence land prices in assessment of market values.

In 2004, the Ministry has introduced land tax which is applied progressively on excessive land. Besides the moneys accruing to the Land Acquisition and Development Fund, being used for the acquisition of agricultural land for resettlement purposes and for the development of infrastructure, the intention of a progressive tax was meant to release more land in the market, thereby increasing the supply thereof.

The Ministry, in collaboration with our development partners, have commissioned consultants to study the effects of the tax on the land. We anticipated that once the study is finalised and presented, the Ministry shall be able to report to the Nation on the impact, benefits or otherwise, which the tax has had on the land.

Further, the Ministry is also in the process of amending and consolidating

17 June 2009

**MOTION ON LAND PRICES
HON !NARUSEB**

the Agricultural (Commercial) Land Reform Act 6 of 1995 and the Communal Land Reform Act to harness loopholes inherent in the current legislation. As a Ministry we have taken note of the concerns expressed by the Honourable Members surrounding the clandestine sale and transfer of land registered in the name of close corporations, foreclosures, the purchase of land by Affirmative Action Loan Scheme applicants, the sale of land waived by the State and others and this will be looked at holistically with a view to improve on the shortcomings inherent currently in the legal framework.

We shall also engage our colleagues in other Line Ministries to ensure that concerns raised by the Honourable Members are diligently and coherently attended to. I have attempted in a very humble and lengthy presentation to provide a meaningful and elaborated contribution to the Motion moved by Honourable Kavari and I hope that the Honourable Members are at least satisfied with the explanations.

I wish to express my sincere appreciation to all Honourable Members for your invaluable contributions to the Debate, which will assist us in the Ministry and as a country in general in framing policies that will help to achieve our objectives. The implementation of our land reform programme will not be a smooth one without your invaluable support. May the Almighty bless our endeavours and I support the proposal that the Motion be referred to the relevant Parliamentary Standing Committee because it can only improve on the way we want to deal with the reform process in our country. I thank you.

HON DEPUTY SPEAKER: Thank you, Honourable Minister. Any further discussions?

HON MINISTER OF FOREIGN AFFAIRS: I have a very brief contribution to make on Tuesday and then she can respond.

HON DEPUTY SPEAKER: The Motion stands over until next week, Tuesday. The Secretary will read the Second Order of the Day.

17 June 2009

MOTION ON GENDER-BASED VIOLENCE

**RESUMPTION OF SECOND READING:
COMMUNICATIONS BILL**

SECRETARY: Resumption of the Debate on Second Reading –
Communications Bill.

HON DEPUTY SPEAKER: When this Debate was adjourned yesterday, the 16th of June 2009, the Question before the Assembly was a Motion by the Honourable Minister of Information and Communication Technology, that the Bill be read a Second Time. The Deputy Minister of Regional and Local Government and Housing adjourned the Debate and he now has the Floor.

HON DEPUTY MINISTER OF FINANCE: Honourable Deputy Speaker, I am informed that he has been summoned to State House and I move that the Debate be adjourned until tomorrow.

HON DEPUTY SPEAKER: The Debate will stand over until tomorrow. The Secretary will read the Third Order of the Day.

**MOTION ON IMPACT OF GENDER-BASED VIOLENCE
RESUMPTION OF DEBATE**

SECRETARY: Resumption of the Debate on the Impact of Gender-Based Violence in our Society.

HON DEPUTY SPEAKER: When the House adjourned on Tuesday, the 9th of June 2009 in terms of Rule 90, the Question before the Assembly was a Motion by the Honourable Ms Kavetuna. Honourable Inge can continue.

17 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON IIPINGE

HON IIPINGE: Honourable Deputy Speaker, when I spoke on the 4th, I started by saying that I do not intend to lecture anybody on gender-based violence, because the overview was well-articulated by the Mover and the Honourable Members who have contributed to the Debate have brought up issues that are very important to gender-based violence. They reflected on gender-based violence and have suggested ways of minimising gender-based violence in our society.

However, looking at the causes discussed here, one comes to the conclusion that it seems the most common ... (Intervention)

HON TJIHUIKO: On a Point of Information. I have noticed that the Honourable Minister of Defence is wearing a nice cap, but the combination of the colours is not correct.

HON DEPUTY SPEAKER: Out of order. Continue, Honourable Member.

HON IIPINGE: I was saying that looking at the causes discussed here, it seems that the common cause for gender-based violence in Namibia is failed love relationships and also failed marriages, alcohol and drug abuse, HIV/AIDS, low self-esteem, children raised with violence, unemployment, poverty, lack of communication and so on, just to mention a few that have come out of the discussions. (Intervention)

HON P MUSHELENGA: May I ask the Honourable Member a question? Honourable Ipinge, is it allowed that in the midst of such an important Debate, a Member of the Opposition will interject to introduce irrelevant things just, because he wants to show his new suit to the House?

HON DEPUTY SPEAKER: The Honourable Member is also Out of Order, because I ruled that interjection Out of Order. Proceed.

17 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON IIPINGE

HON IIPINGE: I am trying to say, it looks like the origin of gender-based violence is our families, communities and societies as well as our cultural organisations. If that is the case, Honourable Deputy Speaker, I would like to suggest that there is a need for research on conflict resolution. (Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: May I ask a question? Gender-based violence is a very serious issue in Namibia. What can we do as Members of Parliament to remedy the situation, especially such as the one that happened in Oshakati where Jordan was beating Kauna repeatedly in public and when Kauna went to the Police Station, the Police Officers sympathised and they came and they arrested Jordan. Then Kauna, the same one who went to the Police, said, “*please, do not arrest him, just warn him?*” What can we do in that case where the person does not want to lay a charge? What can be done to charge that person?

HON IIPINGE: I think this is what I am driving at. I am not going to come up with a solution to that one, but we have talked about the causes and the causes involve...(Intervention)

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: On a Point of Information. I agree with Honourable Iilonga, but the problem is that Kauna thought that the poor Jordan is going to be given bail of N\$100 and when he comes out, he is going to repeat what he did and that is why she did that.

HON IIPINGE: Thank you for rescuing me and I just wanted to say that we do not know what made Kauna to change her mind. There might have been threats to her life if she does not withdraw the charge and she might have done that out of fear. I am not saying that is the case, but what I am trying to propose is that we need to do research on conflict resolution among our societies, because I believe that all the causes alluded to here are real causes. We have children who have witnessed violent situations. Namibia is just emerging out of war and these children have witnessed that violent situation. We need to do something about it.

17 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON IIPINGE

Poverty has been mentioned as one of the contributing factors to gender-based violence. When you are poor and someone is giving you bread, you tend to depend on that person and some women decide to stay in violent relationships just because of survival. What I am trying to propose here is that we need to do research on conflict resolution among our societies. (intervention)

HON P MUSHELENGA: I want to ask a relevant question. The Honourable Member mentioned an important point of doing research. Perhaps we should also do research on how these things were resolved in the past, because when a wife had brothers, her husband would not continuously batter such a woman because at one stage the brothers will also step in. This is what was happening culturally. They would say, “*this is my mother’s daughter, you cannot batter her like you are battering a dog.*” Do you think the research should also include these cultural and traditional aspects?

HON IIPINGE: I think the research I am proposing is towards the traditional and cultural way of dealing with conflicts. I believe that conflicts are part of human nature, disagreements are there, but it is bad when they resort to violence. I would like us to do a national study on how to resolve conflicts before they become violent.

Conflicts are not really bad, but they become bad when they get to the stage of violence. How did our forefathers and foremothers resolve these conflicts, before they became violent? This is what I would like to propose so that we study ourselves and leave this documentation for the generations to come.

I believe that the answers to these problems are within ourselves and I, therefore, would like to propose that we undertake that study. However, I am not saying that we are going to do this study and use even those examples that were bad. To go and beat someone because that person has beaten your sister is also violence and I am not suggesting that one. I am looking for a solution that would prevent violence. I am proposing a study that will give us strategies and methods of preventing conflict to turn into violence.

I also noted that when we were discussing gender-based violence here it was linked to other issues, such as unemployment, and I believe that if we

17 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON IIVULA-ITHANA**

can strengthen our efforts to create employment, we will at the same time minimise gender-based violence. The issue of HIV/AIDS was also raised as a cause, because people blame others for becoming victims. If we also strengthen our efforts on combating HIV/AIDS, we will also minimise gender-based violence.

We also need to bring a sense of national pride into our campaigns, so that our people would not damage the image of our Nation and they can only do that if they understand issues such as nation-building and national pride. We need to inculcate in the minds of our people a sense of national pride and that they do not contribute to making Namibia a violent society, because that is damaging the image of our country. Those were the points that I wanted to bring to the Debate. I rest my case and I support the Motion introduced by my neighbour and I congratulate her in her absence that she obtained her Master's Degree in Gender Studies. I congratulate her for that. Thank you very much, Comrade Deputy Speaker.

HON DEPUTY SPEAKER: Thank you very much, Honourable Iipinge. I now recognise Honourable Minister Ithana.

HON MINISTER OF JUSTICE: Thank you, Comrade Deputy Speaker. I rise to make a contribution to this important Debate on the impact of gender-based violence on our society.

Gender-based violence is probably not a new phenomenon, it has been there before but our people had a way of diagnosing the systems that would lead to a very violent relationship.

Before I left the country when I was a young person, I knew that for one to go into a relationship, a young girl or young man needed permission or authorisation from the elders in the family. The elders had a way of looking into the background of these two young persons. I am not exaggerating and if you have not heard about it, hear it from me. Families would even go to the extent of examining the disease patterns in the family of the new partner being introduced into the family. "*No, that family has a history of epilepsy*" or "*that family has a record of violence.*" I am talking about what I have learned, what I have seen and heard. People are looking at genetic problems that may be passed on to the offspring. Poverty is not a genetic issue. Those genetic problems were mostly the

17 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON IIVULA-ITHANA**

considerations. Laziness was also an issue. (Intervention)

HON MOONGO: May I ask a question? Is the Honourable Member aware that “*Ontsenti ihayi itumbire orwaara?*” translated it means that it does not matter that a man was ugly or bad mannered as long as he was a real bull? (Laughter).

HON MINISTER OF JUSTICE: Comrade Deputy Speaker, this Debate can go on and on if we so decide. Each one of us can bring his or her perspective of what he or she knows. I am presenting what I know, not what others know. They can take the Floor and argue their facts.

Genetic problems and laziness would make the elders say: “*you want to marry the son of so and so, look at their house, look at their mahangu fields, you are going to starve.*” They are not talking about poverty, they are talking about the laziness of people not wanting to work and they do not want their relatives to inherit those genes that are infected with laziness.

We have apparently developed to such an extent that our relatives are no longer part of whom we associate with. Before you know, your daughter or your son has an offspring. You hear about your grandchild when the girl is already pregnant. You are faced with a *fait accompli*. What can you do? Nothing! I do not blame the parents when we feel ashamed when our children get involved in premarital sex. You will hurriedly arrange the marriage before the pregnancy can be seen by others.

One thing I have a problem with is that we do not want to face the truth. How come that we do not want to face the truth? We want to talk a nice language that sounds so educated and civilised, but things are happening. Tell me, how many young people in today’s world get married before they have a child? Very few! They get married without even knowing each other properly. The first day they meet in a nightclub, they go out, there is a pregnancy and, therefore, marriage. They go into these marriages with strangers, total strangers and then they show who they really are, “*I am a man and therefore, she must do as I say.*” “*He is my husband and therefore he cannot tell me.*” These are the backgrounds that put our young people in trouble.

Most of the violence experienced involves these relationships. If people were so in love, why all of a sudden this violence? (Interjection).

17 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON IIVULA-ITHANA**

HON MOONGO: Explain that norm of “*Ontsenthi ihayi itumbire orwaara?*”

HON DEPUTY SPEAKER: Honourable Member, you are insulting. We did not get the meaning. Can you rise and give the meaning of that? We have to be on the same level of understanding. Do not sneak in words which some of us do not understand.

HON MINISTER OF JUSTICE: This violence has a background. A person cannot all of a sudden become a drunk and therefore, drunkenness becomes a factor in this relationship. He or she has been a drunkard before the relationship and it is also because love is blind that the other person did not realise it. If they have given each other the opportunity to get to know each other. They would have realised that this one sometimes behaves like an animal. There is no time for our young people to get to know one another, they do not allow their elders to be involved in this relationship and therefore, we are reaping the fruits of neglect. (Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: May I ask a question? These people can live together as partners and even have up to four or five children, but the moment they tie that knot, they start showing their real colours. Are you aware of that? You will only discover the person’s true colours when you get married. We as men have observed that before marriage they have a good relationship for many years, but the moment they get married they change.

HON MINISTER OF JUSTICE: Yes, Comrade Ilonga, that is very true. What I was saying does not negate that fact, but the depth of knowing each other’s background is separate from somebody coming into the house after marriage and then start demanding certain things. That is normal. I am not saying a marriage is a bed of roses. That is not the issue. There is no marriage which is a bed of roses. Good marriages are made, but bad ones can also be made. It depends on how these people relate to one another.

If the partners know each other’s kind of behaviour, if a person likes to go out a lot, it does not require you to get married to this person to know that my husband likes to go out every night. If you do not allow him to do so, the problems will start.

17 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON IIVULA-ITHANA**

HON NASHANDI: May I ask a question? Customary law being equal to common law, why can we not go back to tradition, get these girls married and then the question of pregnancy is out?

HON MINISTER OF JUSTICE: I did not quite get the point, I am sorry. I did not get the sense of the question.

HON NASHANDI: I am saying that customary law, being equal to common law, we might as well get back to the tradition where we have these young girls getting married and then the issue of pregnancy is no longer there.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: On a Point of Information. I think what Honourable Nashandi means is not marriage, but initiation through "*Ohango*", that the girls must first be initiated, so that once they get pregnant, it is legal.

HON MINISTER OF JUSTICE: Honourable Deputy Speaker, I may not be the expert to argue this matter from that point of view. That is why I am saying somebody should just take the Floor, argue his or her point other than to impose it on me to argue it for him or her.

I wanted to get to the point of serious relationships between husband and wife. I do not know, I have never been a man in my life and I will never be, I am proud to be who I am but I am leading to this point, just give me the opportunity. As a woman I do not know whether I can afford a relationship in which I must be the supplier every day. I cannot afford to be the supplier of resources, food in the house, money, clothes, the car, the credit card, the cell phone. I do not think I can afford it morally and probably materially. However, I have learned that there are women in this country in particular who have made it a profession to live parasitically on others. (Interjections). Please allow me my opportunity to argue what I want to argue, do not impose anything on me.

I have said I have never been a man, I will never be a man, so I cannot assume how men who are in this situation feel. Let us take the situation of

17 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON IIVULA-ITHANA**

a boyfriend-girlfriend relationship. The girlfriend is in school, she comes from the same background as Pendukeni, the parents cannot afford a cell phone, cannot afford a credit card, cannot afford this and that. (Intervention)

HON MINISTER OF WORKS AND TRANSPORT: On a Point of Information. I cannot help but agree sincerely with Comrade Pendukeni that she is so lucky that she has never been a man and she will never be a man, because men are suffering. (Laughter). If you do not supply your immediate house, you are not a man; if you do not supply your mother's house, you are not a man; if you are not supply your uncles, you are not a man; if you are not supplying the neighbours, you are not a man. You must supply all this and all of them must be happy and the mother is leading that accusation from all the sides.

HON MINISTER OF JUSTICE: I want one of the courageous men in this House to stand up and argue from the point of view of a man, how they feel under these circumstances. I am not even going to the biological line, I was talking about relationships. (Intervention)

HON TJIHUIKO: Honourable Deputy Speaker, I would have liked to speak off camera because we want to say exactly what the Honourable Minister has said, but we want to say it in camera because we do not want them to hear what we are saying.

HON MINISTER OF JUSTICE: Unfortunately Honourable Tjihuiko joined Parliament after we have taken a decision for NBC to cover our Debates here, so he has no choice.

The exploitative relationship is a cause for danger. (Intervention)

HON BOHITILE: Comrade Deputy Speaker, may I ask the Honourable Minister a question? These relationships where the young girls demand all these accessories, the cell phone, etcetera, is it done at gunpoint or what

17 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON IIVULA-ITHANA

is the reason why this gentleman has no choice but to provide? What is it that force them?

HON MINISTER OF JUSTICE: The simple answer, love. (Intervention)

HON MOONGO: If the husband fails to supply, then he loses a service in the house. That is the main issue.

HON MINISTER OF JUSTICE: Comrade Deputy Speaker, this issue is so serious, we have lost so many lives and I do not want us to turn this Debate into a laughing matter. Please let us be serious. (Intervention)

HON KAVARI: Without us being men or never being men, one would want to imagine a relationship that has started while the girl is at high school and man a taxi driver. He supported the girl while in secondary school and through UNAM and then she starts working. Now there is an imbalance in their status, she is now a manager at a bank and he is still a taxi driver. Obviously this guy has been supporting this young woman, her clothes were bought by him, the deposit for a car was given by him, the furniture in the house is on his account and now this corporate woman would not want to be seen with this taxi driver and that would kill any love which existed, if at all there was love. This man is being told to leave this house and leave all these things in the house, knowing that somebody else is going to come in and benefit from this and sleep on the bed that I have paid for. Would you agree with me that that could be a cause of anger and rather than leaving, he would rather kill her and then go?

HON MINISTER OF JUSTICE: I was just leading to that conclusion, but people want to argue my issue, that is the problem. Take the Floor in your own right, this is my speech. (Intervention)

17 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON IIVULA-ITHANA**

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: May I ask my SWAPO Secretary General a question? Honourable Secretary-General, in Namibia things happen to innocent children of nine months, nine years old, but now it is mentioned that people want cell phones or they want cars. What is happening now is very serious, the men must change and not do what they are doing now. The young children are raped by their fathers.

HON MINISTER OF JUSTICE: My comment remains the same, take the Floor, argue your point of view, allow me to argue my points.

Exploitative relationships have violence as a consequence. Being a woman I cannot allow myself to be used for one's growth and gratification and tomorrow be dumped. If our women who are conducting themselves in this fashion do not realise that they are creating a fertile ground for violence, then they do not know what they are doing. We are a violent society, after all, and here you are being clever, you want to live off others. It is not good. Whether it is a woman or a man doing it, I know more women are doing it than men.

Now the men. I repeat my statement which was relevant that time and still is relevant. I do not know what men think about themselves who are ever pushing it in your face, "*I am a man.*" Even those who are unable to provide bread in the house...(Intervention)

HON RIRUAKO: If I say I am the provider of the house, then if I do not, then I am just like that and you know this, you are a human being. I cannot deceive you, a woman who can love. Even if a man comes across a certain woman, he can stay at home and enjoy the love, but if he cannot enjoy that kind of love, he goes and you go too. Most of the men are used by women and most of the women are used by men, if you allow yourself to be used.

HON MINISTER OF JUSTICE: Courageous men should take the Floor in their own right and argue their points. (Intervention)

17 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON IIVULA-ITHANA

HON MOONGO: According to natural law, a man is a real man if he gives proper service, whether he gives soap or food or nothing. As long as he gives service, he is a true man of that house.

HON MINISTER OF JUSTICE: Comrade Deputy Speaker, the concept of “*breadwinner*”...(Intervention)

HON RIRUAKO: A man with a lot of money without good service in the house, that kind of man is rubbish. Let us face the reality.

HON MINISTER OF JUSTICE: Let one of the men take the Floor and say what they want to say. This Debate has been on the Order Paper for weeks, for months and they have been so quiet and all of a sudden everyone wants to take the Floor while I was given the Floor. It is not fair.

Comrade Deputy Speaker, I was on this point of arguing the mentality of breadwinner in the minds of our men. Everybody who is born a man thinks he is a breadwinner. Naturally they account that to themselves. This huge responsibility, many of them cannot provide bread, unfortunately. They cannot provide bread, but it is only here in their minds, therefore they do not judge their abilities and capabilities. Imagine a taxi driver – and I am not belittling anybody’s profession, but I want us to be streetwise in order to avoid the traps on the way – why can our men not also recognise women who are seriously in love with them and those who want to live on them?

There are types of men: The married type, the Casanova type, the crooks. That is exactly why many of our men are called sugar daddies. A sugar daddy is a connotation for an older man with resources being exploited by a young woman in exchange for love, nothing else. Why are our men not in a position to decide circumstances? They are led by the nose until reality dawns, then they jump out of their skin and take a life. What did they think? They knew it was coming!

A young girl in secondary school: You are a married man with five children and your oldest is older than this girl you are running around with. The girl is asking for you everything and you are just supplying. “*I want a credit card*”, you are just supplying; “*I want a flat for myself*”, you are just supplying. I have never been a man, I will never be a man, I do not know what goes on in your minds, my brothers. The reality only dawns when

17 June 2009

MOTION ON GENDER-BASED VIOLENCE
HON IIVULA-ITHANA

you see this girl telling you in your face to get out of the house you bought with your own money. “*Get out of my flat you old thing!*” Now you want the whole world to come to an end, you kill the girl, knowing very well that the next thing is the Police arresting you and sometimes when the reality dawns on you, you take your own life. What is that? You are leaving your wife and children without a breadwinner. (Intervention)

HON MINISTER OF WORKS AND TRANSPORT: Comrade Deputy Speaker, the men who are killing young ladies are not married men. (Interjection) The Kenyan killed his wife, not a girlfriend. That was a different matter. Also, there are no cases in the newspapers of married men fighting for girls, there are only cases of married women fighting for young boys from UNAM.

HON MINISTER OF JUSTICE: Let him take the Floor and argue his case. I am saying, whether this is a married or single man, let our men be wiser. If they are interested in getting married, let them look for the type of woman whom you think you can establish a serious relationship with, not these ones you find in a nightclub and immediately start milking you for properties. (Intervention)

HON NAMBAHU: May I ask a question? I did not want to interrupt but I cannot resist. Comrade Ithana, are some of these things not attributable to culture? If you are with your sister and you go and visit at the village where you have not seen your mother for a year, you will go straight to the place where you sleep, but the girl will spend the whole night with the mother, being lectured about life. You as a boy only learn about these things the hard way. Therefore, what goes on in the man’s mind is because of the absence of upbringing. What do you say about that?

HON MINISTER OF JUSTICE: Comrade Tommy, through the Deputy Speaker, it takes two to tango. When the mother and daughter are in the room, where is your father? Why is it that your father is not talking to you? (Interjections). That says a lot and that is a Debate by itself. Are the men involved in the upbringing of our children? No, they are not there, but

17 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON NAMBAHU**

let me not be tempted to go into that issue because it is an item for debate by itself. I hope one of the backbenchers can take up that issue, the role of our fathers in the upbringing of the children.

Having said that, I want to bring in the aspect of adult men who are abusing children. All these men who are abusing children have been there that time where we are coming from. They have been there in the sense that society has identified them as problematic people, somebody with either a psychological problem or whatever and, therefore, cannot get involved in a relationship with a woman. Some of them fear women and when in the presence of a woman they shake like leaves. When you see a man behaving like that it is a dangerous one. Tomorrow he will revert to the innocent children.

The problem is that we have run away from our culture and as Comrade Ipinge was saying, we need to undertake serious research and get to know how such people can be helped. That is precisely why in those days when a man has reached the age of marriage, things are arranged quietly. Nowadays nobody realises that this man has a problem and he ends up abusing children. That seriously require that we look back and extract from our culture some of the techniques on how to deal with these issues. The problem is that in today's world children are growing up on the streets without parents. Nobody is there to see how they are developing and, therefore, it is also difficult for one to diagnose that such a person has these deficiencies. Truly, this issue has depth and unless we go into the depth of it, we are likely to face a violent future.

Comrade Deputy Speaker, I have taken up so much time, but I wanted to contribute to the Motion by my young sister and whatever the recommendation is, let us do everything possible to realise something out of this Motion. I support it wholeheartedly. Thank you.

HON NAMBAHU: Thank you very much, Comrade Deputy Speaker. I also wanted to add a few points, so that the Committee that is going to conduct hearings and research on this will take into account some of these points. One of them is the cultural aspects that we have made reference to and also the constraints in modern law which contributes to the surge in violence.

One sees the poor men paying maintenance at the Maintenance Court, but some people from the rural areas are not aware of DNA tests and

17 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON NAMBAHU**

sometimes you will see that a person who looks like myself is paying maintenance for a kid who looks like somebody else's child. (Intervention)

HON VENAANI: May I ask the Honourable Member a question? Are you aware that when a child does not have either the mother's or your own features, you will be told the child looks like your grandparent, even though they have never seen your grandparent?

HON NAMBAHU: I am very aware of these things. During the Debate in this House I was asked by the Honourable Nahas Angula and my sister here what I would do when I see a cow coming into your kraal while there was no bull. I did not know how to deal with that question then and then it was said that traditionally it is not acceptable for society that you refuse. (Intervention)

HON RIRUAKO: You know that you have a father, but sometimes your father is married to a young girl twenty years old while he has four or five wives. Some of the kids are your father's kids, some of them are other men's kids, but culturally they are your brothers and sisters.

HON NAMBAHU: We have to look at how we can reconcile the cultural values and the modern setting. Sometimes a person pays maintenance for a child and the poor man is told that the kid cannot go to the rural area to see his parents and yet he is paying maintenance for this kid. The point is, how does this man feel inside? These are some of the things we need to look at.

The other issue that could be looked at is the youth and gender-based violence. (Intervention)

HON DEPUTY SPEAKER: In terms of Rule 90, automatic adjournment, the House stands adjourned until 14:30.

HOUSE ADJOURNS AT 17:45 UNTIL 2009.06.18 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
18 JUNE 2009
WINDHOEK**

The Assembly met pursuant to the adjournment.

HON DEPUTY SPEAKER took the Chair and read Prayers and the Affirmation.

HON DEPUTY SPEAKER: Any Petitions? Any Reports of Standing or Select Committees? Other Reports and Papers?

TABLING: REPORTS OF THE AUDITOR GENERAL

HON DEPUTY MINISTER OF FINANCE: I lay upon the Table, Reports of the Auditor General on the accounts of the following:

1. Ministry of Agriculture, Water and Forestry for the Financial Year ended 31 March 2008;
 2. Electoral Commission for the Financial Year ended 31 March 2008; and
 3. Namibia Press Agency for the Financial Year ended 31 March 2008.
-

HON DEPUTY SPEAKER: Table the Reports, Honourable Member. Further Reports and Papers? Honourable Kawana.

**TABLING: 2006/2007 AND 2007/2008 ANNUAL REPORTS:
ELECTORAL COMMISSION OF NAMIBIA**

18 June 2009

**TABLING OF REPORT
HON DR KAWANA**

HON MINISTER OF PRESIDENTIAL AFFAIRS: I lay upon the Table. 2006/2007 and 2007/2008 Annual Reports of the Electoral Commission of Namibia.

HON DEPUTY SPEAKER: Table the Reports, Honourable Member. Any Notice of Questions? Notice of Motions? Honourable Moongo.

NOTICE OF MOTION

HON MOONGO: Honourable Deputy Speaker, I give Notice that on the 25th of June 2009, I shall Move –

That this Assembly –

Discusses and considers legislation to regulate the unfair skyrocketing charges by certain Regional Councils for municipal services and the eviction of poor people from their houses who cannot afford the municipal charges in especially newly proclaimed towns.

I further move that this Motion be referred to the relevant Standing Committee on Economics, Public Administration and Natural Resources.

HON DEPUTY SPEAKER: Table the Motion. Honourable Bayer.

LEAVE OF ABSENCE

HON BAYER: I Move without Notice, that leave of absence, due to official business be granted to the Minister of Regional and Local Government, Housing and Rural Development until the 9th of July 2009.

18 June 2009

**MINISTERIAL STATEMENT
HON NGHIDINWA**

HON DEPUTY SPEAKER: Table the Motion, Honourable Member. Further Notice of Motions? Message from the Head of State? Ministerial Statements? Honourable Minister Nghidinwa.

**MINISTERIAL STATEMENT:
WORLD REFUGEE DAY**

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION:

Thank you, Deputy Speaker, Honourable Members of Parliament. I rise to make a Ministerial Statement towards the commemoration of one of the important days on the calendar of the Ministry of Home Affairs and Immigration, the World Refugee Day, which is commemorated on the 20th of June every year.

This day was devoted to those who find themselves in foreign countries because of political instability in their own motherlands, to share and discuss issues concerning their lives.

The commemoration of this day will take place at Osire Refugee Settlement in Otjozondjupa Region on the 19th of June 2009, a day earlier than the actual date.

The Ministry of Home Affairs and Immigration, being the hosting Ministry of many refugees and asylum seekers from other countries and as an international partner in the protection of refugees and asylum seekers have made the necessary arrangements towards the realisation of this day. Due to the fact that big number of refugees and asylum seekers are women and children, we have invited the First Lady of the Republic of Namibia, Madam Pohamba, to address them as the main speaker at Osire Refugee Settlement.

The remembrance of this day has a significant meaning to many Namibians who were refugees in other sister countries for many years. I believe that the commemoration of this event here in Namibia will add more value to this day and it will be a source of inspiration and increase hope to those that fled their homes, because of hardships and turmoil.

As we commemorate World Refugee Day, we must instill hope in our refugees and asylum seekers that one day they will return home and

18 June 2009

**MINISTERIAL STATEMENT
HON NGHIDINWA**

contribute to the economic reconstruction of their countries.

Honourable Deputy Speaker, Honourable Members, the Ministry of Home Affairs and Immigration will live upon its expectation to always remain at the forefront in cooperation with UNSCR and other developmental partners towards the plight of refugees and asylum seekers to carry out its noble responsibilities, that of care, love and international protection to refugees and asylum seekers. Equally, our Government will also adhere to international and continental conventions and protocols governing asylum seekers, policies as well as guiding principles of the protection of internally displaced persons.

As a product of the international community, Namibia has an open policy towards refugees and asylum seekers, hence the presence of refugee asylum seekers of various nationalities, the majority of whom are from our neighbouring Angola and from the Great Lake Regions, such as from the Democratic Republic of Congo, Rwanda and Burundi.

Namibia, being a sovereign State, has its own policy towards the movement of refugees and asylum seekers, that they should stay in the refugee settlements. This has been decided in terms of Section 19 of the Namibian Refugees Recognition and Control Act (Act 2 of 1999) as provided for in Article 26 of the 1951 Geneva Convention, the Convention related to the status of refugees. I want to make myself clear that their being in a settlement or camp does not necessarily mean that they live in a concentration camp as the world is made to believe. Arrangements have been made that refugees and asylum seekers are allowed to go to the neighbouring towns, such as Otjiwarongo, twice per week upon obtaining permits from the camp administrator.

Honourable Deputy Speaker, Honourable Members, I would like to use this opportunity to inform the entire refugee and asylum seekers community in Namibia that the Namibian Government is behind them in search for a durable solution to their plight. As politicians we must always advise refugees that the best and viable durable solution is a voluntary repatriation. We have entered into a tripartite agreement with the Government of the Republic of Angola, the Government of the Republic of Rwanda and the UNHCR in 2002 and 2003, respectively. These agreements paved the way for voluntary repatriation of Angolan refugees and Rwandan refugees and asylum seekers and we should continue to live within the framework of that agreement.

Because of the voluntary repatriation that we have been undertaking, the

18 June 2009

**RESPONSE TO QUESTIONS BY HON VENAANI
HON TWEYA**

number of refugees in the country has been reduced to about 8,000 and we are still expecting this number to reduce further.

Finally, I would like to inform our refugee communities that we share the burden with you, we know exactly what it means to be a refugee because we have been refugees for many years too. With these few words, I thank you so much, Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Thank you very much. Any questions on the Ministerial Statement? As Thursday is the day initiated by the Opposition benches, I put Question 40 by Honourable Venaani to the Minister of Finance. Does the Honourable Member put the Question?

RESPONSE TO QUESTIONS

QUESTION 40:

HON VENAANI: I put the Question.

HON DEPUTY MINISTER OF FINANCE: Honourable Deputy Speaker, let me first thank the Honourable Venaani for putting this question. Honourable Venaani asked to be appraised on the following: First he asked about the overall state of the economy and the global economic outlook.

Honourable Deputy Speaker, Honourable Members, as it is now widely reported, the global financial crisis has had a much worse impact on the world economy than initially expected. Fortunately, albeit international institutions such as the IMF, still expect negative growth for the global economy in 2009 due to counter cyclical economic measures deployed by various Governments, the early part of 2009 has begun to show some signs of recovery.

Within southern Africa, South Africa, the Region's biggest economy with whom we are highly connected, has just recently reported that it has

18 June 2009

**RESPONSE TO QUESTIONS BY HON VENAANI
HON TWEYA**

slipped into a recession. The Namibian economy, however, continues to show resilience in spite of a slowdown in the second and third quarters of 2008. Our Government shall continue to take the necessary measures, both domestically and within the regional level to keep Namibia afloat.

The Expansionary Budget and the significant tax concessions which the Honourable Minister of Finance laid before this august House in March, which complemented the expansionary measures taken in last year's Budget, are aimed at not only the counteracting the crisis but also at strengthening the foundations of future economic growth, while at the same time increasing the welfare conditions of Namibian citizens. The question is, have we entered the recession?

Honourable Members, the Honourable Member sought confirmation following reports by Economic Analysts alleging that Namibia was in a recession. These reports, however, are based on quarterly GDP data for 2008. If one looks at the preliminary data, one would notice that after two quarters of slightly negative growth in the last quarter of 2008, the Namibian economy returned positive domain, rendering the arguments of a full-blown recession unwarranted. This was the case by last week. Today you have seen the report where the Governor of the Bank of Namibia indeed confirmed in line with the South African situation that we are in recession.

Methods to monitor the economy: Perhaps to shed some light on the matter, while GDP data is a very useful statistical tool, due to the unavoidable time lag of its publication, GDP is not used for the purpose of monitoring the economy. Instead to measure the state of the economy and its effect on fiscal revenue, Government uses two different sets of indicators and these are:

(a) Cash Flow Management:

Firstly, the Ministry of Finance monitors the State Account balance on monthly and where necessary, daily basis to immediately evaluate the impact of changes on economic activity on the fiscal side. Using data, the Ministry then contrast the Budget forecast for revenue and expenditure with actual data and produces updated fiscal estimates throughout the Financial Year. Any significant deviation from the original forecast is followed up with the appropriate corrective action.

Based on the cash-flow management data, fiscal revenue from January to April 2009 has been slightly higher than forecasted. If fiscal revenue is

above forecast, it means that companies and individuals are paying more in taxes on profits, income or consumption, which in turn suggests that the economy is not performing much below our initial forecast.

(b) The Sectoral Analysis:

The complement data from the cash-flow management, the Ministry of Finance also gauges the general level of economic activity from various sources of economic data of key sectors and activities of the economy obtained from the quarterly bulletin of the Bank of Namibia. Overall, this report suggests that although the Namibian economy might be growing slower than initially estimated, thanks to the Government's intervention and the performance of the other economic sectors, it will avoid a full-blown recession although we are in recession.

Firstly, the mining, which has been the hardest hit sector of the economy seems to be recovering slightly. Diamond production restarted in February 2009 but picked up in March 2009. Since then production has been well above 70,000 carats. Uranium production keeps growing at a strong pace and at beginning of 2009 already positioned Namibia as the fourth uranium producer in the world.

Other indicators include the electricity consumption for the first quarter of 2009, which was 20,8% higher than for the same period in 2008. To date, cement imports in May 2009, which was 7.8% higher than the same period in 2008. Company registrations for the first five months of 2009 which showed a 17.5% increase over the figure for the same period in 2008 and credit to business in April 2009, which rose year on year to 12.7%.

On the other hand, the number of vehicles sold show a 5.8% decline for the first four months of 2009 as compared to the same period for 2008. To date, rail cargo in May 2009 was also 3.3% below the figures in the same period of 2008 and the combined port operations at Walvis Bay and Lüderitz for the first four months of 2009 were 2.8 below the operations for the same period in 2008.

The private sector initiatives to promote economic growth besides, as a result of Government efforts to encourage private investment, a number of initiatives that have taken off will not only bring some short-term economic relief in terms of employment and economic growth, but that will also ensure a more sustainable long-term growth for Namibia. Among these projects are the construction of the Ohorongo Cement Factory at Otjiwarongo or Otavi, the construction of Trekkopje Mine and desalination

18 June 2009

**RESPONSE TO QUESTIONS BY HON VENAANI
HON TWEYA**

plant and the upgrade of the Namibian Custom Smelter.

Secondly, Honourable Venaani asked about the impact of SACU deficit on our future Budget. Honourable Deputy Speaker, Honourable Members, the global economic crisis will obviously affect our trade with other States and will also affect the size of the SACU Common Revenue Pool. Nonetheless, although we have received information on the size of the overall deficit on the Pool, the way it will be financed is still to be agreed among Member States. Therefore, until these negotiations are concluded, we cannot pronounce ourselves on how this will impact on our annual budget.

It is worth mentioning, however, that being aware of the uncertainty posed by the economic crisis on the public revenue side, the Medium Term Expenditure Framework includes a buffer amount aimed at preventing any disruption in this Medium Term Expenditure Framework's Budget. Moreover, in order to reduce Namibia's dependency on SACU revenue, the Government is directing significant efforts towards broadening the domestic revenue base through strengthening tax collection and exploring new sources of taxes.

Honourable Venaani asked whether there were any expectations of job losses because of the recession.

Honourable Deputy Speaker, Honourable Members, obviously the economic crisis will have an impact on the labour market, but this has been mostly confined to the mining sector where the impact of the reduction of prices of commodities on international commodity markets has resulted in reduced income. Nonetheless, economic indicators suggest that mining is slowly recovering in expectation of an improvement in prices in international markets. Further, the Budget contains a significant number of infrastructure projects that are expected to compensate for job losses in other sectors of the economy. All these suggest that if the global economic crisis does not worsen in terms of job losses, we might have seen the worse.

However, the Ministry of Finance is not the Line Ministry that deals with the labour market information. If the Honourable Member needs more precise information, he should address his specific question to the correct office that deals with this matter.

Lastly, the Honourable Venaani asked whether the Ministry of Finance contemplates bail-outs for worst hit industries.

18 June 2009

**RESPONSE TO QUESTIONS BY HON VENAANI
HON TWEYA**

Honourable Deputy Speaker, on this issue I need to remind the House that the decision to provide additional support to the economy over and above what is already provided under the Budget is for Government to collectively take and not for the Minister of Finance to determine single-handedly. It is important to note that in the US and Europe where Governments opted for bail-outs, the financial institutions have been rendered unable to provide private sector finance as a result of the crisis. This is different from what is experienced here.

In Namibia there are more than enough funds in the capital markets to finance our developments. Our problem is that the demand for our export products, which are mainly minerals, has declined as a result of lower global economic activity. Providing bail-outs to companies would only substitute private credit with public money. This would not only take up the state of funds, but it would also drive Government towards unsustainable debt levels. Whereas large economies can afford having prolonged debt levels above 50% of the GDP without major sustainability concerns, in Namibia however, any prolonged debt level above 30% of GDP could represent a serious repayment challenge for the economy.

In view of the above, Honourable Members, Government has opted for creating a more favourable environment for all businesses. Accordingly, Government provides a better fiscal treatment for companies and individuals through the reduction of taxes announced in this year's Budget and moreover, Government also continues with financial market reforms, such as the domestic asset requirement aimed at maintaining capital in the domestic market. Government also provides direct funds into the private sector through public institutions, such as the Development Bank of Namibia, AgriBank and the National Housing Enterprise, whose total provision of loans to the private sector for 2009 is expected to amount to N\$1,1 billion.

In addition to that, it is important to remember that State-Owned Enterprises play an important role in the Namibian economy and if one considers their expenditure, the total expenditure made by Government is much greater than that included in the Budget. Further, investments made by Government outside the Budget amount to N\$4,2 billion, of which N\$1,2 billion is through Government borrowing outside the State Revenue Fund, while N\$3 billion is through guarantees extended on loans. If we consider these Government liabilities, public debt will amount to N\$18,2 billion or 26% of the GDP. This Honourable House will agree with me that this is a full plate and that we will do well to be cautious about contracting any additional debts.

18 June 2009

**RESPONSE TO QUESTIONS BY HON VENAANI
HON TWEYA**

Even further, the monetary policy implemented by the Bank of Namibia that reduces the repo rate by 350% basis points in the last few months has reduced borrowing costs, thus complementing the Government's effort towards facilitating private sector credit. In fact, in today's paper this has even been further reduced, although at a slower pace. Credit extension to the private sector in April 2009 stood at 33,9 billion, which is a 9,9% year on year increase.

Last but not least, Government also contributes to private sector development, facilitating trade by Namibian private sector with other countries. This is achieved by entering trade agreements with other markets, facilitating our future participation with trade expositions and participating in international financial institutions to open up funding opportunities for our companies. Infrastructure expenditure in the Development Budget not only creates jobs in the private sector, but also expands the country's infrastructure and links the country with its neighbours, further facilitating business environment. I thank you.

HON DEPUTY SPEAKER: Thank you very much. Any supplementary question?

HON VENAANI: I want to thank the Deputy Minister for his eloquent answer. We are going to study his answer, but I have some very serious follow-up questions.

Honourable Deputy Minister, I am just coming from a lunch with engineering companies in this country and I am told that the Bank of Namibia has announced this morning that they are dropping the repo rate, but yet these companies tell me that when the Bank of Namibia drops the repo rate, the commercial banks are increasing their interest on lending. For example, if it is 12,75% and the repo rates goes down, the banks would say it is now prime plus 2. They were saying that at the beginning of the year it was 12,5% and now they are repaying at 14%. Why is this happening, if it is really happening, and these companies are saying the commercial banks are doing that, because they are saying during the recession they are going to face a lot of problems because the commercial banks are upping the lending rate whereas the Bank of Namibia is trying to do the right thing and they cannot keep up with repaying the money they owe to the Banks.

18 June 2009

**RESPONSE TO QUESTIONS BY HON KAURA
HON DR KAMWI**

HON DEPUTY MINISTER OF FINANCE: Thank you very much for that additional question. It is true that there is inconsistency between the Bank of Namibia and the commercial banks, in the sense that the Bank of Namibia reduces the rate but does not oblige all commercial banks to do exactly the same effective from the same date. What then happens is that Standard Bank and FNB may follow what the Bank of Namibia does, but the other two banks may take their time, delaying it with a week or even a month for that matter. During the last announcement of the reduction of the repo rate it was identified as an administrative problem. The Bank of Namibia is fully aware of that and it is being addressed.

HON DEPUTY SPEAKER: Thank you very much. Question 44 is by Honourable Kaura to the Minister of Health and Social Services. Does the Honourable Member put the Question?

QUESTION 44:

HON KAURA: I put the Question.

HON MINISTER OF HEALTH AND SOCIAL SERVICES: Honourable Deputy Speaker, I appreciate the interest shown by Honourable Kaura regarding some challenges which he experienced at Katutura Hospital.

Question 1 deals with the elevators. Katutura Hospital was built some 40 years ago and as a result, wear and tear for some of the infrastructure, including elevators, underground water pipes, electrical wires, air-conditioners has taken its toll. As a result, it has become difficult for the engineers to find spare parts on the market to maintain some of this infrastructure.

He may recall that some two years ago there had been questions related to air-conditioners which are no longer being asked. There is major ongoing renovation and upgrading of the two major hospitals of Katutura and Windhoek Central Hospital. These include the elevators for Katutura Hospital. The funds are in place, it has been approved by this august House in the current Financial Year. The tender has been awarded by the Tender Board of Namibia to the Schindler Company. I am, in fact, reliably informed that the contract to commence with the work will be or may

18 June 2009

**RESPONSE TO QUESTIONS BY HON KAURA
HON DR KAMWI**

already have been signed by the Line Ministry, that of Works and transport and the company concerned as I speak.

The Honourable Member, Mr Kaura, must have noticed that major changes related to upgrading of both intermediate and district hospitals countrywide are on course. If for other reasons he did not find time to witness progress, I extend an invitation for the Honourable Member to visit our health facilities for an *in loco* inspection at a time that he would find appropriate.

His second question was on the supply of oxygen at Katutura State Hospital. The hospital gets its oxygen supply in two forms: bulk from the Intaka Tech machines stationed at the hospital premises and cylindered by Afrox. There was a technical problem with oxygen supply due to malfunctioning of the Intaka Tech machines, which supplies bulk oxygen at the State Hospital.

There are measures in place once a technical problem arises from any of the two institutions in the city, like what happened with the breakdown of oxygen supply at Katutura Hospital. For example, during the course of the short supply of oxygen, all emergency operations were referred to Windhoek Central Hospital. There was no obstruction that was caused as a result of the short supply. During the course of the short supply of oxygen emergency operations took place at Windhoek Central Hospital.

Honourable Deputy Speaker, Honourable Members, question 3 deals with staircases and the attitude of the members of the Special Field Force. I regret to learn about the reported negative attitude of the Police Officials on the ground. However, the officers were addressed through the normal channels. A meeting took place between Commissioner Shilonga and his team. In attendance were the Katutura Intermediate Hospital Management and this meeting took place on the 14th of May 2009. As a result, a Committee was established to attend to the job description of the Police Officers stationed at the hospital. Indeed, the management will ensure that senior citizens are accorded the respect they deserve. Thank you.

HON DEPUTY SPEAKER: Question 45 is by Honourable De Waal to the Minister of Finance. Does the Honourable Member put the Question?

18 June 2009

**RESPONSE TO QUESTIONS BY HON DE WAAL
HON TWEYA**

QUESTION 45:

HON DE WAAL: I put the Question.

HON DEPUTY MINISTER OF FINANCE: I thank Honourable De Waal for his interest in Air Namibia and it is my pleasure to respond as follows:

Honourable Deputy Speaker, Honourable Members, in view of an airfreight contract signed between Air Namibia and a private company, Honourable De Waal wants to know what the revenue for Air Namibia has been out of this specific contract. I am afraid, however, that disclosing such specific financial information without the data having undergone an audit by a qualified auditor, could lead to an unnecessarily hasty conclusion about Air Namibia's financial situation and besides, providing information on the results from a specific contract might even provide a distorted view on the overall accounts of the company. Therefore, I would rather not present any financial information on specific contracts, because I deem it to be appropriate to present to this august House an overall picture of the company's finances once the figures have been adequately audited. As a footnote, I have been informed that the audited financial statements of Namibia may be ready by the 10th of July 2009. Once this is available, this House is obliged to have those figures. I hope the Honourable Member understands and I thank you, Honourable Deputy Speaker.

HON DE WAAL: Honourable Deputy Speaker, I wonder whether the Honourable Deputy Minister actually discussed this with Air Namibia, because if you did, they would have told you that it is only one contract. There is only one contract for freight services, it belongs to one company. That is why I made the calculation for you. Honourable Deputy Minister, it however seems that I will have no option, because the Honourable Deputy Minister did not answer the question which he should have answered. It has nothing to do with security or secrecy or whatever nonsense, I will take the case to the Anti-Corruption Commission and then take it from there. Thank you, Honourable Deputy Speaker.

18 June 2009

**RESPONSE TO QUESTIONS BY HON CHILINDA
HON NGHIMTINA**

HON DEPUTY MINISTER OF FINANCE: Honourable Deputy Speaker, as I said, I am dealing here with a company and I am afraid I cannot and will not discuss a single contract. I would appreciate if the Honourable Member has specific information on a specific contract to then take other avenues, but in terms of the revenue for a company, it is not fair to the company to take one specific contract and judge them accordingly. For any other information outside that, the Honourable Member is at liberty to follow whatever is available within the parameters of the law. Thank you very much.

HOUSE ADJOURNS AT 15:20

HOUSE RESUMES AT 16:20 PURSUANT TO ADJOURNMENT

HON DEPUTY SPEAKER: The House resumes. Question 49 is by Honourable Chilinda to the Minister of Mines and Energy. Does the Honourable Member put the Question?

QUESTION 49:

HON CHILINDA: I put the Question.

HON MINISTER OF MINES AND ENERGY: I thank Honourable Chilinda for posing a very important question on rural electrification connectivity.

Question: "What are the criteria being used in deciding which school or village to electrify or not?"

The Ministry of Mines and Energy, acting on behalf of the Government of the Republic of Namibia, has entirely committed itself to bring electricity to rural communities all over the country. To this end, the Rural Electrification Distribution Master Plan was drafted in 2000 and was approved by Cabinet. It was subsequently reviewed in 2005. The Rural Electrification Distribution Master Plan is to guide the provision of electricity to the various rural communities countrywide. Enshrined in the plan is a national programme, which so far has received the great support from all stakeholders, such as Regional Councils, Local Authorities and

18 June 2009

**RESPONSE TO QUESTIONS BY HON CHILINDA
HON NGHIMTINA**

many others.

The Ministry allocated funds on an annual basis for rural electrification in all Regions. The Ministry received priority lists from the Regional Councils. The Regional Councils are fully responsible for the prioritisation of localities to be electrified in their respective Regions per Financial Year. Thereafter the survey on selected villages will be conducted by the Ministry of Mines and Energy and the localities to be electrified will then be determined based on the points scored. The points-scored system from the 2000-2005 Rural Electrification Distribution Master Plan for Namibia is used to prioritise localities. Under this system exempt provision will be given to the highest priority, social value applications, including schools and health centres.

In this regard, Government institutions and growth centres have the highest priority for electrification. Other applications in the surrounding of the Government institutions and the growth centres, namely boreholes, formal and informal businesses and other community services, including households in the immediate vicinity of a 500 metres radius from the transformer point also significantly contribute to the higher point score. Proximity to the distribution power grid and the population density of the locality are also considered in the system.

Furthermore, off-grid electrification makes provision for basic electricity services to communities and the potential electricity consumers who are located in the remote parts of Namibia and which are unlikely to be provided with conventional grid electricity distribution in the foreseeable future.

The other relating issue that I would like to touch upon is a question that is often asked and that is why small-scale customers, like villages, schools and clinics, cannot be connected to the high voltage transmission line that transverse their areas. There are two basic answers to this question. One is of a technical nature and the other touches on economics.

Technically high voltage lines are used for transmission to reduce the energy loss in the resistance of wires. This means that for a given quantity of power transmitted, high voltage reduces the transmission power loss. High voltage transmission lines are also used to transmit power over longer distances, while low voltage transmission lines are used for short distances. Just as heat is created when a person runs, the same applies to electricity when electrons are converted into heat and are lost in the atmosphere. Power is proportional to voltage, so for a given power level, higher voltage

18 June 2009

**RESPONSE TO QUESTIONS BY HON DE WAAL
HON TWEYA**

can be traded off for lower for lower current. This means that the smaller the transmission line, the higher the losses. On the other hand, the higher the voltage, the lower the power loss. The other technical aspect connected to this is that when tapping power in-between distances, less electricity reached the end destination, thus translated into losses.

Economically the cost of a distribution line is approximately N\$100,000 per kilometre and that of the transmission line, including the High Voltage Direct Current, HVDC-Caprivi Link Inter-connector Line, is approximately N\$1 million per kilometre and this excludes the cost of converter substations.

To tap power for villages on the high voltage direct current line, one needs to build converter stations at a cost of more than N\$800 million. This means that if we have tap and connect villages along the Caprivi Link transmission line, we have to build more converter stations. It, therefore, makes economical sense to build a transmission line to its end destination and supply villages from that point at the cost of the distribution line and not at the cost of transmission line.

Honourable Members, I hope this explains the criteria used in deciding which school or village to electrify and not the other, as well as the reason why we cannot directly supply power from the 350 kV Caprivi Link Transmission Line or from the 400 kV line in the south of the country to villages through which these national assets pass. I thank you.

HON DEPUTY SPEAKER: Thank you very much. Question 51 is by Honourable De Waal to the Honourable Minister of Finance. Does the Honourable Member put the Question?

QUESTION 51:

HON DE WAAL: I put the Question.

HON DEPUTY MINISTER OF FINANCE: Honourable Deputy Speaker, I once again thank Honourable De Waal for this very lengthy question. As you can see, it covers more than one Act and I will answer as

18 June 2009

**RESPONSE TO QUESTIONS BY HON DE WAAL
HON TWEYA**

asked. Honourable De Waal, I will therefore not repeat the questions, I will only refer to Question 1, etcetera.

The answer to the first question: NAMFISA was established in terms of the Namibia Financial Institutions Supervisory Act 3 of 2001 to:

- (a) Exercise supervision over the business of non-banking institutions and services; and
- (b) To advise the Minister on matters related to financial institutions and financial services.

Prowealth Asset Managers (Pty) Ltd., was registered in terms of Section 4(1) of the Stock Exchanges Control Act 1 of 1985. There are specific requirements an asset manager must meet before they are licensed and these are:

1. They must be a registered company in terms of the Companies Act;
2. They must submit a Memorandum and Articles of Association of the Company to NAMFISA.
3. They must submit the Certificate of Incorporation obtained from the Registrar of Companies.
4. They must appoint an auditor to ensure compliance to accounting and reporting standards.
5. They must hold a bank account at a registered banking institution.
6. They must appoint a custodian to hold the assets in trust on behalf of the asset management Company.
7. They must have a mandate from the investor to manage investor funds.
8. They must have an in-house compliance officer who would ensure adequate internal controls and risk management controls are in place as well as an adequate client compliance system.
9. They must have capital requirements, as determined by the Registrar.

18 June 2009

**RESPONSE TO QUESTIONS BY HON DE WAAL
HON TWEYA**

10. They must appoint a portfolio manager who is responsible for managing the clients' investment portfolio in terms of the mandate obtained from their client.

NAMFISA supervises asset managers by:

1. Ensuring that they are properly registered.
2. Requiring that they submit quarterly returns and financial statements;
3. Carrying out regular inspections to check adherence to the law and regulations.
4. Conducting investigations upon receipt of a complaint.
5. Educating the public about their rights and obligations as investors and encouraging them to report violations by asset managers.

In the case of Prowealth Asset Managers (Pty) Ltd., all requirements mentioned above were met. That is in terms of the legal requirements.

On Question 2 the answer is as follows: Professional indemnity insurance is taken out to protect the owner of the policy against the risk of financial loss as a result of a professional judgment error or fraud or other irregularities due to the conduct of officers of the institute. However, it does not cover investors against fraud committed by the owner or directors of that company.

To prevent misappropriation of funds, asset managers are prohibited by NAMFISA to receive funds directly from the investor. Instead, investors' funds are to be held in their own name in a trust account. The investment under management, as per the quarterly returns of Prowealth, reconciled with the deposits made in the trust account. NAMFISA has conducted a forensic investigation which is still in progress and the preliminary forensic investigation Report revealed that investors handed over funds directly to the late Mr Potgieter and these funds were deposited into Mr Potgieter's own account or deposited into the account of his other companies not under NAMFISA's supervision.

Question 3: Auditors' powers and duties are provided for under the Public Accountants and Auditors Act. In terms of this Act, the Public Accounts and Auditors Board is established to oversee compliance by the public

18 June 2009

**RESPONSE TO QUESTIONS BY HON DE WAAL
HON TWEYA**

accounts and auditors with approved standards and systems. The forensic investigation currently going on will look into whether there were any omissions on the part of Prowealth auditors or not.

Question 4: Prudential requirements are imposed on financial institutions to safeguard the solvency of those institutions that directly handle public funds. For asset managers the safeguard for investors is not insured through prudential standards, but rather through market conduct standards which prohibit asset managers from directly handling investors' funds.

Question 5: As was said earlier, NAMFISA has launched a forensic investigation into the affairs of Prowealth, which is still ongoing, but preliminary findings indicated that only one property was sold shortly before Mr Potgieter's death. The proceeds of the sale of this property are held in trust with a lawyer. Further measures taken by NAMFISA include legal action against Prowealth and any of its affiliated companies to recover all misappropriated funds.

Question 6: First let me explain the role of a curator. A curator is to take control of and manage the business of a financial institution to avoid insolvency. In this case, the curator's obligation is solely towards the company, which is Prowealth Asset Managers (Pty) Ltd., only and not towards creditors of the company or investors. The aim of following the liquidation route is to ensure the recovery of investors' funds which may have ended up in any of Prowealth affiliated incorporations. NAMFISA is working closely with the liquidators of Prowealth to ensure that the interest of the investors is not prejudiced through the liquidation process.

Question 7: As mentioned above, professional indemnity insurance does not give protection to investors. Professional indemnity insurance, by definition, would have only covered the owner of Prowealth Asset Managers (Pty) Ltd., and not the investors of Prowealth. Instead, asset managers are prohibited by market conduct rules to directly handle investors' funds as a way to put distance between them and investors' funds and thus minimise risks of fraud by using these funds. As mentioned before, to ensure that any misappropriated funds are recovered, NAMFISA took legal action and is working closely with the liquidators.

Finally, in the light of the above answers to the above questions, I do not see how and why NAMFISA should be held liable if Prowealth did not have a professional indemnity cover. I do not think that trying to apportion blame to public institutions for all ills in our society will be a solution to our problems. Instead, the solution lies in cooperation and coordination

18 June 2009

**RESPONSE TO QUESTIONS BY HON MOONGO
HON NGHIMTINA**

between the public and the regulatory institutions to report, but also to help discover this in a timely manner to enable those institutions to take a prompt response. I thank you, Honourable Deputy Speaker.

HON DE WAAL: Thank you, Honourable Deputy Minister, you have given me a lot of information, which I really appreciate. I hope you did the same with the Air Namibia question, but I want to thank you for that. We will study your answer, but the problem is and this is actually my question and it is important for the media to understand this: NAMFISA has been there to protect investors' money. Now, because of NAMFISA, investors feel safe in the country. They feel that the banks are properly being looked after by Bank of Namibia, other financial institutions are looked after by NAMFISA and they invest. This guy has been registered, he shows you the paper, you know that NAMFISA is supervising, so somewhere there is a problem and we need to solve that problem. We will study your answers, I thank you for them and we will come back to you.

HON DEPUTY SPEAKER: Question 53 is by Honourable Moongo to the Minister of Mines and Energy. Does the Honourable Member put the Question?

QUESTION 53:

HON MOONGO: I put the Question.

HON MINISTER OF MINES AND ENERGY: Honourable Deputy Speaker, I think the question by Honourable Moongo is similar to the one by Honourable Chilinda. It is on the rural electrification programme. I do not think there is a need for me to repeat what I have said already, because the targets are being given by the Regional Councils, and not by the Ministry of Mines and Energy and once they give it to us, we act.

18 June 2009

**RESPONSE TO QUESTIONS BY HON GORESEB
HON IILONGA**

HON DEPUTY SPEAKER: Question 54 is by Honourable Goreseb to the Minister of Labour and Social Welfare. Does the Honourable Member put the Question?

QUESTION 54:

HON GORESEB: I put the Question.

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:
Thank you, Comrade Deputy Speaker. This Question 54 has been misdirected due to the fact that the Ministry of Labour and Social Welfare does not deal with private pensions. Therefore, I advise Honourable Goreseb to reformulate his question and direct it to the Ministry of Finance. I thank you.

HON DEPUTY SPEAKER: The Secretary will read the First Order of the Day.

**RESUMPTION OF SECOND READING:
COMMUNICATIONS BILL:**

SECRETARY: Resumption of the Debate on Second Reading –
Communications Bill.

HON DEPUTY SPEAKER: When this Debate was adjourned on Tuesday, the 15th of June 2009, the Question before the Assembly was a Motion by the Honourable Minister of Information and Communication Technology that the Bill be read a Second Time. The Deputy Minister of Regional and Local Government and Housing adjourned the Debate and he now has the Floor.

18 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON KAZENAMBO**

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Thank you, Honourable Deputy Speaker. A lot has been said and written inside and outside this august House on this very important Bill, the Communications Bill. Certainly this very critical Bill has been subjected to a lot of distortions, innuendos, etcetera.

Honourable Deputy Speaker, Honourable Members, the telecommunication industry worldwide has been undergoing serious changes, there has been a lot of technological innovations and even America has in the nineties reformed their Telecommunication Bill during President Clinton's term of office, the UK has done the same and many countries have done the same and it is because the telecommunication industry is one of the important economic industries and must be seen as such. Telecommunication is one of the critical economic industries.

When I used to be a Special Assistant to the former Prime Minister, Honourable Hage Geingob, he used to talk about the "*information age*" and the information super highway is there for multiple traffickers. Some of them are innocent users who are using communications for good purposes and some of the traffickers are using the information super highway for evil deeds. Therefore, when we are dealing with the telecommunication industry with its multiple fast paces used by multiple players in a very globalised economy, in a global village, Namibia cannot afford to be a primitive country, be it in terms of technological innovation, be it in terms of having public policy instruments which the country can utilise in order to be an effective player in the global telecommunication industry.

This Communications Bill is addressing a very critical industry, a global industry. Technology is changing our seas, technology is changing our mountains, technology is changing our space. It is because of technological innovation today that scientific research...(Intervention)

HON RIRUAKO: Madam Chair, technology is for technocrats to take decisions in the economy. What does it have to do with the detectives? These two must be separated from one another, the detectives must be separate from technology. Let us face the reality. (Interjection). You do not understand what I am saying.

18 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON KAZENAMBO**

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: As I was talking about this very important industry in the modern age, I must say that I will address this Communications Bill from a trade and economic perspective, from an economic development perspective and from a security perspective where the Clause which links this...(Intervention)

HON RIRUAKO: On a Point of Information. With Potgieter the technology was there, but Potgieter died because of a big offence against the State without being seen and discovered.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: From the economic and trade perspective, I would like to appeal to the drafters to look into Clause 33, the anti-competitive practices. I can say that this factor is very critical and Namibian companies operating in the telecommunication industry should operate in a manner where the Namibian consumers are not going to be subjected to commercial law and restrictions of certain companies at the expense of customer service, at the expense of big companies using their muscles to embark upon trade wars while the customers are at the receiving end. (Intervention)

HON RIRUAKO: On a Point of Information. Those communication owners are stealing without being seen. They use the time which is not for them and they cut the money from the person who is talking on the phone and you repeat it time and again. That is the problem facing the whole Nation. They steal. It is not a profit, they "*over profit*" is because they do not do it correctly.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Honourable Members, the Anti-Competition law should level the playing field so that some companies should not use their powers to subject the end-users of telecommunication services to unfair practices.

While we are dealing with the anti-competitive practices, the said Clause 33(5) says: “*Any agreement determined by the authority to be anti-competitive will be automatically null and void.*” My concern is on where the Ministry will come in here, because what we have witnessed in some cases in this country is that sometimes the board members take certain actions which, in the final analysis, would cause the ordinary person in the street to have no recourse. The person is just crying, he cannot use a Government mechanism as a recourse. In some cases, not all, they become islands on their own, they use Government when it suits them. (Intervention)

HON RIRUAKO: On a Point of Information. They are islands on their own, nobody tampered with them and told them where they are wrong. They operated on their own and you could not say anything.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: I

would like to see a sub-Clause which deals with the authority of the Minister or the Ministry, because it is stipulated somewhere that this Authority will be a person on its own. In cases like this one where any agreement will be determined by the Authority to be anti-competitive, it will automatically be null and void and it goes on to say in Clause 33(6) that any restrictive practice or activity whose pro-competitive effects outweighs its anti-competitive effects, is deemed not to infringe the provision of this Section. I am at a loss, I do not know what it means in plain language.

This is a very critical and important point for me, because this is a bread-and-butter issue and according to the Bill, it is going to be an independent body. In Clause 35 it says: “*Transfer of control of licences and assignment of licences.*” For me that is a life and death issue from two perspectives: Perspective one, the telecommunication sector, like all other sectors, are going through liberalisation at the global level. Under the World Trade Organisation provisions and instruments we may see Namibia being flooded by telecommunication companies and, therefore, this Clause needs further elaboration, because Clause 35(1) says, “*no telecommunication service licence or broadcast licence may be assigned by any person and control of any person holding such a licence may not be transferred with prior consent of the Authority, which consent may be given if the Authority finds that the transfer or assignment would not be*

prejudicial to the object of this Act.” Fine, I have no problem with that. Again, I do not know where the Minister or the Ministry is getting scrutiny to this Clause. (Intervention)

HON RIRUAKO: The way it is, is wrong, the Government is not to interfere or change anything. This is unfair, you could go further than where you have ended.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:

Clause 35(2): *“The parties to any transaction transferring an interest in on conferring or transferring a right to appoint or to dismiss a director or any holder of a licence referred to in Subsection must notify the Authority of that transaction within 15 days from the conclusion of that transaction, whether it transfer control in the licensee or not.”* If Sub-clause (3) says; *“If the transfer ultimately resulted in change of control, the Authority may impose the necessary measures to annul the transfer or alienate the change of control.”* Again here they sound innocent as they appear here, but our parents are the Minister and the Ministry and always when things get hot either for the Authority or for the ordinary person, the Government and the Minister and the Ministry must account. Here I would advise the drafters to be clear as to what will be the role of the Minister and the Ministry *vis-à-vis* the licences, because if it can be left to the Authority, our experience with other institutions show that the policy instruments are there, but the real situation on the ground is different.

An ordinary business person or an institution would like the ground to be levelled as per the intention and objective of this policy, but sometimes the routes are not clear and I appeal to the Minister and the drafters to elaborate more on the expiry of licences and measures. When I did not renew my licence or when I see one player being protected unduly and unfairly by the Authority, how I can access the Government and what powers does the Ministry have in order to attend to that complaint without the Minister or Ministry being accused of interfering in the activities of the Authority. These are my concerns because these are bread-and-butter issues both from the customer perspective and the regulatory framework perspective. These are my concerns, especially the power of the Minister and the Government *vis-à-vis* the Authority in terms of managing the licence, in terms of managing the market, because the telecommunication industry is a very important industry in the development of any Nation. These are my concerns.

18 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON KAZENAMBO**

Now on the politics of it. Honourable Deputy Speaker, the politics of it is that unfortunately and sadly this Bill has been duped as a “*Spy Bill*” and as I am listening to the different voices in a country like Namibia in the 21st century, I think about the Madrid bombing in Spain and that the equipment that were used were telephones. It is not a question of listening alone, but if the intelligence of Spain and the European Union were not involved, how would they have traced those people? In the London bombings the equipment used were not bazookas or AK-47s, it was telephones and thousands and thousands of innocent British people and visitors were put at risk. (Intervention)

HON DE WAAL: May I ask the Honourable Member a question? Honourable Kazenambo, I agree with what you are saying, but my only problem is, who do you think is going to bomb the station here in Windhoek? Can you mention one group or one organisation that you fear that might attack us? Just mention one.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Thank you for asking that question. The bombers of the underground in London used telephones and we are living in a global village. Who under this sun imagined that Tanzania will become a victim of Al Qaeda? Who could imagine that the Embassy in Kenya would be bombed and that innocent Kenyans and other citizens would die?

Global international terrorism has no borders. For example, in India you do not buy a cell phone or a Tango as you are doing here, you have to apply for it. In Israel you cannot just enter a shop and buy a cell phone and start using it. You will provide identification and it will take a few hours before you can access the telephone. The people who bombed a hotel in Mombay recently used telephones. We are living in a global village...(Intervention)

HON MINISTER OF PRESIDENTIAL AFFAIRS: May I ask the dynamic Kazenambo a question? Honourable Kazenambo, talking about Mombay, are you aware that the commanders of that siege were in Pakistan and were commanding those people what to do by mobile telephone. They

18 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON KAZENAMBO**

had access to CNN and BBC World through mobiles. Are you aware of that?

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: This is exactly what I am saying, that when we are dealing with this Communications Bill in today's globalised world, we should not ridicule our serious efforts. Namibia is not being inhabited by us alone, Namibia is frequented by investors from different countries, terrorists from different countries and our security is linked to this global security. Our safety is linked to the global safety and the tools being used are global tools.

HON RIRUAKO: On a Point of Information. What happened is this, you said everything properly, but you left out something. Communication is out of the Minister's hands, it is an independent body by itself with nobody to control it. There must be control.

HON MEMBER: He said it.

HON RIRUAKO: He did not say it openly that the Minister must know that there must be control. We are at the mercy of the company and we have to know what they are doing.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: In conclusion, I wholeheartedly support this very important Bill that demonstrates Namibia's political will to cooperate with other global players in developing the economy, a modern economy and sustaining the political stability of this country, in making Namibia a safe and modern developed country for investment and rural development and for making Namibia a place of choice, a place of destination. This Bill should not be reduced to political paranoia. I rest my case.

18 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON IIVULA-ITHANA**

HON DEPUTY SPEAKER: Thank you very much. I recognise Minister Ithana.

HON MINISTER OF JUSTICE: Thank you, Honourable Deputy Speaker. Honourable Deputy Speaker, initially I thought this Bill was straightforward and it only needed to go through the scrutiny of the Legislator in order to give its blessing, because I thought all of us were thinking along the same lines and sharing the same concerns. However, it appears the divergence is so huge and more so in a certain group of people that it tempts one to think that this Bill is probably interrupting a certain sinister programme. For people to have gone out of their way even to call the Bill differently is so mischievous, truly. I thought if there are provisions on which we have ...(Intervention)

HON TJIHUIKO: On a Point of Information. Some of us have not yet spoken on this Bill and the reason why we have not spoken, is because we see the importance of this Bill. If a senior Minister starts referring to those who have questions on the Bill as “*having sinister ideas*”, that is a point that makes the others being sensitive on this. We are discussing this Bill openly without any hidden agenda. We have a different independent thinking on this and when we discuss this Bill, we should not try to bring in things that do not fit in with the Bill. The moment we start being suspicious of others, it is something that is coming from the bottom of your heart. That is the information.

HON DEPUTY SPEAKER: Honourable Members, I think you have mentioned already that you have not taken the Floor yet and I think you should take the Floor and address it.

HON TJIHUIKO: If she goes that way, all of us will go that way.

HON MINISTER OF JUSTICE: Thank you very much. It is good that Honourable Tjihuiko has disclosed that he has not spoken, which means he

18 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON IIVULA-ITHANA**

is not affected by what I am saying. I have spoken about a group that has called this Bill differently. If he has not spoken, why should he feel that I am referring to him? I do not have the means of reading other people's minds, I am talking about what I have heard on the Floor of this House and nothing else. He should just prepare himself properly to make his intervention.

I support the Bill although I have listened carefully to the various interventions. This is not the first Bill to come before Parliament which has shown some teeth, that when it is enacted it may address a mischief that this society has identified. That mischief is there and this Bill is trying to address that.

However, I would also not want us to overburden individuals. Security matters are security matters. They are sensitive and therefore, they must be handled in a sensitive manner for the sake of myself and yourself, tomorrow or later in life.

I am not an expert on communication issues, I use gadgets, but I cannot really express knowledge on them, but what has happened elsewhere in the world has taught us lessons to be wary and to think ahead. The world was so gripped by what had happened in New York, in London, in Spain, in Tanzania, in Kenya, in India, name it. For one Honourable Member to question whether we know of somebody who intends to bomb some place in Namibia is not only wrong, it is too low a level for an Honourable Member of this House to issue such a statement. It shows our carelessness, our indifference and we must be serious. What would happen would probably not affect you and me, but it may affect innocent people outside this House. We were elected to take care of the interest of our people, whether they belong to my Party or the Opposition Party. (Interjection). I used to take my Chief very seriously, but the way I am observing him, I am tempted to change my mind. The Chief sometimes stands up and says very good fundamental issues.

Comrade Deputy Speaker, we are human beings, we are fallible and as such we should create institutions that should take care of our concerns. I have difficulty with entrusting one person with the responsibility to make appointments of people who are going to run these interception centres. The Constitution of the Republic of Namibia, under Article 114, creates a Security Commission which is a constitutional body, comprising of individuals drawn from various institutions. In my Oshiwambo language we say two heads are better than one. Therefore, I feel we should not put the trust in one person in dealing with this matter. Let us give the

18 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON IIVULA-ITHANA**

responsibility to a body and those members of this body will look at the various individuals who are supposed to be assigned this heavy responsibility. It is not a simple task, it is a task of invading privacy and if we are to go to that extent, let us also take into account the level of appointment and who should do such appointments. (Intervention)

HON DE WAAL: Will the Honourable Minister accept a question? When you started off speaking this afternoon, Honourable Minister, you said that there is a small group of people who must have a sinister project, that is why they are differing with the Bill. My question to you is, what sinister project do you have, because you are now also differing with the Bill? Do you also have a sinister project?

HON MINISTER OF JUSTICE: You can call it whatever you want to call it, but I want to improve the Bill for the purpose of serving this Nation.

HON DE WAAL: That is what we also want to do.

HON MINISTER OF JUSTICE: I am not criticising, because if I am to criticise, I am criticising myself. (Interjection). I cannot speak when there is somebody else on the Floor.

Comrade Deputy Speaker, my issues are not many, they are really very few and it is to have a re-look at this section and align it to the provision of the Constitution in the interest of our society as a whole, not only a partisan approach. With those few words, I support the Bill.

HON DEPUTY SPEAKER: Thank you very much. Honourable Chief Riruako, the Floor is yours.

18 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON RIRUAKO**

HON RIRUAKO: I have to support Honourable Kazenambo. He did not beat about the bush. He came to the point and he pointed out that this Bill was discussed by the Cabinet, not by the Legislature and this is our turn. Those who are members of Cabinet discussed the Bill in Cabinet and this is our turn to discuss the matter for them hear our opinion on it and not to shut us down. That is not fair.

Honourable Deputy Speaker, the Bill itself is acceptable, but there are some loopholes which we cannot allow to go through that way. (Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: May I ask a question? Honourable Chief, when you intervened when Honourable Pendukeni had the Floor, you said your security is not our security. Can you explain what you meant by “*your security is not our security?*”

HON RIRUAKO: You cannot design any security for me without my participation, you have to hear that.

HON DEPUTY SPEAKER: Where is your speech, Chief? You promised me ...(Intervention)

HON RIRUAKO: I wanted to have a speech, but we are nearly at the end and what I have in my mind will go and therefore, I decided to speak because you were talking about communication as a lovely thing. However, you now know from Honourable Kazenambo that it is not such a lovely thing. There are certain things which can also destroy us. If we do not take care, it can become self-destructive. (Intervention)

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: May I ask the Chief a question? Honourable Chief, how many people joined NUDO last weekend?

18 June 2009

COMMUNICATIONS BILL: SECOND READING
HON DR KAWANA

HON RIRUAKO: I know that worries you. I went there alone and I came back alone, I did not find anyone there and your representative was there, what did he tell you? I wiped them out and some of the Opposition were hiding themselves. Let me talk about the Communications Bill.

Honourable Deputy Speaker, it is very important to discuss this Bill this way until we exhaust it. We said the Minister was not aware of the tricks of this Bill. The company can take these things for granted. They have to know where they are supposed to end. They are supposed to know how much power they have, how much power they must get from somebody else who will instruct them. That is the way the Bill should be.

To tell us that we have sinister intentions behind the scene, I cannot have any sinister intentions for my own destruction. (Interjection)

HON MEMBER: Like the others!

HON RIRUAKO: Oh yes, but the others will be in cahoots. What I mean by cahoots, you will be in cahoots by the cahoots. Let us come and single out this Bill, it was not that easy and simple. Now you have heard what we have said, go and discuss again and come back to us and tell us where you are. I support the Bill, but this must be done.

HON DEPUTY SPEAKER: Thank you. Honourable Kawana.

HON MINISTER OF PRESIDENTIAL AFFAIRS; Honourable Deputy Speaker, I beg the indulgence of the House to adjourn the Debate on this Bill until Tuesday next week.

HON DEPUTY SPEAKER: The Bill stands over until next week, Tuesday. The Secretary will read the Second Order of the Day.

18 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON NAMBAHU**

**RESUMPTION OF DEBATE:
MOTION ON GENDER-BASED VIOLENCE**

SECRETARY: Resumption of the Debate on the Impact of Gender-Based Violence in our Society.

HON DEPUTY SPEAKER: When the House adjourned on Wednesday, the 17th of June 2009, in terms of Rule 90, the Question before the Assembly was a Motion by Honourable Kavetuna. Honourable Nambahu adjourned the Debate and he now has the Floor.

HON NAMBAHU: Thank you, Honourable Deputy Speaker. Yesterday when I was trying to make my point on this Motion, there was some misunderstanding. I was actually speaking on the issue of rights.

The Honourable Members who have spoken have complained about these kinds of relations that we have in our society where a boyfriend is supporting a girlfriend who is still at school, but his rights are not recognised by society. When they disagree, the first thing you would say is that *he has no right, he is not married to that person*, but all along you have consented to that person sustaining that relationship and now that person has no rights, he only has obligations. I want those who are going to investigate the issue of gender-based violence to also look at this issue, because if we look at it with the conservative minds we have all along been looking at it, we will not be able to go to the core of this problem.

I was also talking about the maintenance issue. When it comes to divorce, you have properly spelled out rights. You have visitation rights, you have maintenance right and custody of children. I gave an example of a person who pays maintenance for his child, but the lady denies the man the right to take the child to go and see the grandparents. With what heart does this man see this? This man is told he has no right, because he is not married to that person, but he has to maintain and support her. These are the issues that we should interrogate if we really want to go to the core of the problem.

Those who will look at the issue of gender-based violence should

18 June 2009

MOTION ON GENDER-BASED VIOLENCE

HON NAMBAHU

compartmentalise it and look at the age groups, the places where gender-based violence takes place, whether it takes place within the formal relationships recognised by society and the demographics. These are issues which will help us to better understand why this violence is taking place. They should also look at the issue of materialism the society is depending upon. Some of us grew up in societies where a high-ranking person would be in love with a person of lower social standing, but it depends on that mutual affinity and affection. These kinds of issues have to be looked at. The persons says, "*if you do not have this or that, I will not be able to know you.*" (Intervention)

HON RIRUAKO: We grew up in a classless society and this must be known as such. That example is uncalled for.

HON NAMBAHU: In this kind of society they have a vision of what kind of family they would like to have, a template with the values that they would like to have. That should probably be placed in Vision 2030, what kind of society would we like to have by that time, what kind of family values would we want to uphold, come 2030. When it comes to the codes of conduct that we were talking about, what kind of values would we want to have? We should be in a position to inculcate these kinds of values, because you cannot just complain about the result without looking at the processes. It is something that we really need to interrogate and I am saying this because I was trying to raise that question yesterday on what are the roles that we as parents play in inculcating these values.

I was talking to one young parent about sexuality and then she was saying, "*no, I am not talking to the kids about these things, the are taught those things at school.*" This means the school is replacing her in the upbringing of her own child and there are no schools for parenting. I think Honourable Kawana can bear me out that no one can give what they do not possess. If you yourself were not inculcated with these values, how are you going to be in a position to pass it on to others?

In conclusion, Honourable Deputy Speaker, it would be a good thing for us to develop this thesis and antithesis a bit further and interrogate with very progressive lengths as to what the causes of gender-based violence are rather than looking at it from that old perspective. I am so encouraged by the female Comrades who have intervened, because they have not said they know the culprits are usually men, but all of them have emphasised the

18 June 2009

**MOTION ON GENDER-BASED VIOLENCE
HON NAMBAHU**

need for research in order to have a comprehensive understanding of the causes for gender-based violence.

HON DEPUTY SPEAKER: Thank you very much. In terms of Rule 90, automatic adjournment, the House stands adjourned until next week Tuesday, 14:30.

HOUSE ADJOURNS AT 17:45 UNTIL 2009.06. 23 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
23 JUNE 2009
WINDHOEK**

The Assembly met pursuant to the adjournment.

HON DEPUTY SPEAKER took the Chair and read Prayers and the Affirmation.

HON DEPUTY SPEAKER: Any Petitions? Any Reports of Standing or Select Committees? Other Reports and Papers? Notice of Questions? Honourable Kaura.

NOTICE OF QUESTIONS

QUESTION 64:

HON KAURA: I give Notice that on Thursday, the 2nd of July 2009, I shall ask the Right Honourable Prime Minister the following:

In the Preamble to the Namibian Constitution the following is stated:

“Whereas we, the people of Namibia, desire to promote amongst all of us the dignity of the individual and the unity and integrity of the Namibian Nation among and in association with the nations of the world, will strive to achieve national reconciliation and to foster peace, unity and a common loyalty to a single State; committed to these principles have resolved to constitute the Republic of Namibia as a sovereign, secular, democratic and unitary State, securing to all our citizens justice, liberty, equality and fraternity.”

In Article 21, Fundamental Freedoms, the following is stated:

“All persons shall have the right to freedom, to practise any religion and to manifest such practice.”

1. Can the Right Honourable Prime Minister confirm or deny that the Government of Namibia and SWAPO Party is still committed to the

23 June 2009

**NOTICE OF QUESTIONS
HON GORESEB**

above constitutional principles?

2. If the answer to Question 1 above is in the affirmative, can the Right Honourable Prime Minister explain to the Namibian Nation whose policies the Father of the Namibian Nation is propagating when he refers to, “false churches and those who do not, can trek and go or they will face bullets in their heads?”
3. Will the Right Honourable Prime Minister agree with me that it is now time for the SWAPO Party to fight their own political battles and to leave the Founding President and Father of the Namibian Nation in peaceful retirement to honour his moral and social responsibilities as Father of the Namibian Nation, namely national reconciliation, peace, unity, justice, liberty, equality and fraternity to all our citizens and to promote a common loyalty to a single State?

RT HON PRIME MINISTER: The question is unconstitutional. You cannot question our loyalty to the Constitution. It is one thing to put the questions he put, but to paraphrase it with the Constitution is implying that we are violating the Constitution. That question is illegal, he must go and reformulate it. (Interjections).

HON DEPUTY SPEAKER: Order! Let me give my response to that. Right Honourable Prime Minister, it is true that it infringes on the Constitution. Just check on Rule 108. The question is ruled Out of Order and the Honourable Member is reminded to go and read Rule 108. You can rephrase it. Honourable Goreseb.

QUESTION 65:

HON GORESEB: Thank you, Honourable Deputy Speaker. I give Notice that on Thursday, the 2nd of July 2009, I shall ask the Minister of Finance the following regarding the Rössing Surplus Pension Fund:

To give a little background information, this Surplus Pension Fund has been created with the over-deductions that occurred on pensions from employees, starting from 1975 to 1992 and as such rightfully belongs to employees. All employees from 1975 to 1992, former and current, those

23 June 2009

**NOTICE OF QUESTIONS
HON DE WAAL**

who left the company due to ill health, dismissal or retrenchment or resigned, are thus entitled to claim their share from this accumulated fund, but there are continuous delays experienced in the execution of the process. The current global recession has eroded imports and investment and has a very negative impact on the Fund. In that Fund, assets have declined by N\$105 million during the last year alone, moneys that could have been economically utilised by retrenched and unemployed former workers.

1. Is the surplus pension moneys still safe or has it disappeared?
2. Will the Minister agree with me that the prolonged delays in the distribution of the funds among its members will negatively affect the net payout in the long run?
3. Who guarantees the safety and the sound growth of the funds? Is it Alexander Forbes, NAMFISA or any other Government institution?
4. What will happen to the surplus benefits of those former Rössing employees who have passed on?
5. How long will it take, months, years, before legislation would be passed regarding the promulgation of the regulatory framework on surplus distribution?

QUESTION 66:

HON DE WAAL: Honourable Deputy Speaker, I give Notice that on Thursday, 2nd of July 2009, I shall ask the Minister of Regional and Local Government, Housing and Rural Development the following:

1. What are the reasons for the delay in proclaiming Oranjemund as a town?
2. When will Oranjemund now be proclaimed as a town?

QUESTION 67:

HON DE WAAL: I also give Notice that on Thursday, the 2nd of July 2009, I shall ask the Honourable Minister of Mines and Energy the following:

23 June 2009

**NOTICE OF QUESTIONS
HON DE WAAL**

1. Is the Honourable Minister, as Shareholding Minister of Namdeb, aware that the town of Oranjemund is slowly but surely becoming a ghost town and that more and more businesses are finding it hard to survive?
2. Between the Namibian Government and Namdeb, what plans are being made to prevent Oranjemund from becoming a second Kolmanskop?
3. Are there any plans to exploit tourism, aquaculture and agriculture in and around Oranjemund and if so, when can we expect progress?

QUESTION 68:

HON DE WAAL: Honourable Deputy Speaker, I also give Notice that on Thursday, the 2nd of July 2009, I shall ask the Honourable Minister of Finance the following:

According to Section 28 of the Namibia Financial Institutions Authority Act, 2001, (Act 3 of 2001), the Chief Executive Officer must yearly submit to the Minister audited financial statements as well as a report on the activities of the Authority during that financial year.

1. When was the last time that the Honourable Minister received such a report and for which financial year?
2. When will all the outstanding reports be laid upon the Table of the National Assembly?

HON DEPUTY SPEAKER: Table the Questions, Honourable Member. Notice of Motions? Message from the Head of State? Ministerial Statements? Minister of Trade and Industry.

**MINISTERIAL STATEMENT:
ECONOMIC PARTNERSHIP AGREEMENT**

23 June 2009

**MINISTERIAL STATEMENT
HON DR GEINGOB**

HON MINISTER OF TRADE AND INDUSTRY: Thank you, Honourable Deputy Speaker, this is my maiden Ministerial Statement.

Honourable Deputy Speaker, Honourable Members, I wish to inform this august House of the current state of affairs concerning the negotiations towards an Economic Partnership Agreement of the European Commission.

It is my intention to explain recent developments, the rationale for Namibia's position and our view on the way forward.

It is a common consensus that the SADC-EPA Negotiations held in Swakopmund in March this year resulted in a positive outcome and most of the outstanding issues were addressed. Subsequent to that meeting, all SADC Member States were invited by Botswana, as chief negotiator, to a meeting in Gabarone, Botswana in May of this year. At that meeting we, the Ministers, considered a draft declaration from the EU which was to accompany the signing of the interim EPA.

We as Ministers then revised that declaration to reflect the decisions reached at Swakopmund and that they should be included in the interim EPA or added as an annex. We then mandated the chief negotiator to submit a revised declaration to the EU as the SADC-EPA position.

While we were awaiting a possible follow-up meeting, we received a letter from the EU, indicating that they will not accept the revised declaration and that the Swakopmund Agreement will only be taken into consideration during the negotiations of the final EPA. In this letter, in typical EU fashion which does not consider other partners' schedules or views, we were informed that SADC-EPA Member States were to sign the EPA on the 4th of June 2009 in Brussels. We were shocked and dismayed at this response which clearly was not based on the understanding we had reached in Gabarone in May this year. Our concern, of course, is that if the issues agreed at Swakopmund are not reflected in a binding document, it does not bind the parties to take these issues into consideration during the negotiations of the final EPA and I must even pause, is there going to be a final EPA?

When the SADC-EPA group, the five members of SACU plus Angola and Mozambique, reached the end of negotiations towards the interim EPA in May 2009, due to an unwillingness of the EC to continue or make any Amendments to the interim EPA text or as an annex to the interim EPA that best preserves and safeguards the progress so far achieved, I proposed

23 June 2009

**MINISTERIAL STATEMENT
HON DR GEINGOB**

in the interest of regional integration that we respect the sovereignty of Member States, that those States who would want to continue to sign should be allowed to do so with our blessings and that those who would not want to sign should also be given the necessary support and understanding and by so doing, retain unity within SACU. Thereafter the four countries, in a group, that is Botswana, Lesotho, Mozambique and Swaziland, went on to sign. Angola, Namibia and South Africa did not sign.

Also, we have not found a solution for the most-favoured Nations treatment issue yet or for the definition of “*parties*”. These two important issues will directly affect our future South to South trade and cooperation in our regional integration effort. The MFN provision in the interim EPA means that we would have to automatically give the EU anymore Favourable State agreements that we may have wished to give to other partners such as India and China.

Honourable Members must take note that there are members of the EU who were supporting our terms, as is reflected in a communication of the representative of the Joint Parliamentary Assembly addressed to Commissioner Ashton and signed by Honourable Glenys Kinnock. Here I wish to quote: *“As far as the SADC EPA is concerned, you clearly reconfirmed your willingness to include an annex or a declaration to be attached to the initial interim EPA. That addition will include strong, clear references to the contentious issues which had been subsequently negotiated in Swakopmund and agreed by all parties. In addition, on the basis of your assertion that what one gets, all will get, we trust that the same arrangements will be put in place for all the countries and Regions seeking adjustments for signing the IEBA. Finally, if the Commission continues to maintain that changes cannot be made before signature, then ACP countries would appreciate strong and unequivocal written assurances from President Barosso that what had been agreed, including the contents of the annex, would be respected by the Commission.”*

I want to confirm that Namibia remains fully committed to the conclusion of the IEBA with the EC and wishes to continue negotiations as a matter of urgency and priority to achieve that goal.

I am just coming from the Cabinet meeting where I briefed the Cabinet on this matter. Cabinet decided that I should submit a comprehensive report first to the Cabinet Committee on Overall Policy and Priorities, which is chaired by His Excellency, the President and thereafter to full Cabinet, so that the Cabinet can take a final decision on this issue.

23 June 2009

**MINISTERIAL STATEMENT
HON DR KAMWI**

As my parting shot, let me say that we shall sign when the conditions are met, that is to say, when our interests are adequately considered. We believe in equal partnership and in partnership we negotiate on the basis of mutual trust and equality. This is what we expect and want to see in our engagements with the EC and IEBA.

**MINISTERIAL STATEMENT:
UPDATE ON INFLUENZA H1N1 PANDEMIC**

HON MINISTER OF HEALTH AND SOCIAL SERVICES: Thank you, Honourable Deputy Speaker, Honourable Members. I rise to provide the Honourable Members with an update on the situation of the influenza H1N1 pandemic.

As you may be aware, on the 11th of June 2009, the WHO Director General, Dr Chan, raised the alert level to phase 6, meaning that a global pandemic is now underway. The disease has effectively spread in countries from more than two WHO Regions with sustained community-level outbreaks. In fact, as of the 22nd of June 2009, a total of 52,160 cases and 231 deaths have been reported to the WHO from 99 countries, territories and areas. The country with the highest number of cases is the United States of America with 21,449, followed by Mexico with 7,624, Canada with 5,710, Chile with 4,315, the UK with 2,506, Australia with 2,436 and Argentina with 1,010.

As you also may be aware by now, the virus has already reached the African continent and it is on our doorsteps. On the 18th of June, South Africa announced the first case of H1N1 on a 12 year old patient from the United States of America. Egypt, Morocco and Algeria have also reported cases of H1N1. According to the WHO, the H1N1 pandemic of 2009 is of moderate severity. Although the severity of the pandemic can change over time and differ by location or population, the normal virus preferentially infects younger people. The majority of cases have occurred in people under the age of 25 years. Most people recover from infection without the need for hospitalisation or medical care.

23 June 2009

**MOTION ON LAND PRICES
HON HAUSIKU**

In some countries, 2% of cases have developed severe illness, often with very rapid progression to life-threatening pneumonia. Most cases of severe and fatal infections have been in adults between the ages of 30 and 50 years, a different pattern from seasonal influenza epidemics when most deaths occur in frail elderly people.

The WHO is actively working with the industry towards the production of a vaccine against the pandemic and negotiating availability and affordability of the vaccine to developing countries.

Comrade Deputy Speaker, Namibia continues to strengthen its preparedness level. We will keep you informed of further developments. I thank you for your kind attention.

HON DEPUTY SPEAKER: Thank you very much. Honourable Gurirab.

HON T GURIRAB: Honourable Deputy Speaker, mine is not a question, I want to commend our country's able negotiators on the IEBA. From our side we fully support the stance which has been taken by Government and we wish to reassure them that they have the full support from our side. Thank you.

**MOTION ON URBAN AND COMMERCIAL
LAND PRICES: RESUMPTION OF DEBATE**

SECRETARY: Resumption of the Debate on the Current Urban and Commercial Land Prices with a View of Regulating them to be Affordable to all Namibians.

HON DEPUTY SPEAKER: When this Debate was adjourned on Wednesday, the 17th of June 2000, the Question before the Assembly was a Motion by the Honourable Kavari. The Honourable Minister of Foreign Affairs adjourned the Debate and he now has the Floor.

HON MINISTER OF FOREIGN AFFAIRS: Thank you, Comrade Deputy Speaker, Honourable Members. When I adjourned the Debate to

23 June 2009

**MOTION ON LAND PRICES
HON HAUSIKU**

today, I mentioned that I have a very brief contribution to make on the Motion tabled by Honourable Kavari.

Comrade Deputy Speaker, the Motion is very concise, in my opinion. It is talking about addressing the issue of land prices, both commercial and urban, and it is calling for regulation of the prices to make them affordable to all Namibians, because there is reason for this overstatement of all Namibians, I will say to the majority of the Namibians.

There is no doubt that this Motion is very important in view of the stagnant land acquisition we are facing in this country. Both our documents on land issues emphasise the importance of access to land. In communal areas, of course, access through our Traditional Authorities in many areas through allocation to individuals who reside in those areas and those who seek to reside in those areas, but in the commercial areas, specifically farmland and in Local Authorities the requirement is that the access to land should be through paying a certain price and that is very important.

There is no doubt, Comrade Deputy Speaker, Honourable Members, that high prices will infringe on this very important aspect of access to land. It is definitely going to inhibit access to land when prices are abnormally high. The situation we are facing at the present moment is that both those who were advantaged to own farmland in the past and the new farmers who have entered into farming activities in commercial areas through Affirmative Action loans are speaking the same language. Yes, they are all speaking the same language, they will all tell you *you are too late, there is no land to buy* and I have been told that by many. The consequence, Comrade Deputy Speaker, is that the majority of the Namibians are being told there is no way they can get into commercial farming areas. (Intervention)

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:

May I ask the Honourable Minister a question? Honourable Minister, while you are on the point of access to land, which is very important, and cognisant of the fact that when the Right Honourable Prime Minister contributed to this Motion he made a very strong case on access to land and many of the Honourable Members who have contributed, together with the statement made by the Honourable Minister of Lands and Resettlement and the public out there, is it not now really the time for the Government to do something in the light of all these statements being made? Is the time not right now for us to take action, Comrade Minister, rather than complaining and complaining?

23 June 2009

MOTION ON LAND PRICES
HON HAUSIKU

HON MINISTER OF FOREIGN AFFAIRS: Comrade Deputy Speaker, this is exactly the reason why I have taken the Floor, I would not have taken the Floor and in writing I said the issue requires an immediate Government intervention. It definitely requires an immediate Government intervention. When I am talking about Government, I am not only talking about the Executive, I am also talking about this House that talks and talks and it never ends and I will show you that this is not the first time we are discussing this Motion, I will come to the missing link in what we are specifically doing on this issue.

The Minister indicated that they are doing some work in terms of closing loopholes, but I tell you what we need now is an immediate intervention that this issue is redressed. This is very important.

Now the missing link: I have here the Land Reform Conference Consensus which in actual fact is very clear on what we are supposed to do, not doubt about it. It tells you what we are supposed to do and when you go back to 1991, there are quite a number of pieces of legislation which have been enacted in order to address the issue. If you go back, you will see that we have put a number of policies in place in order to redress the land reform programmes. However, when we talk, we talk as if these documents are not in existence and in some cases we are calling for a land conference. I do not know what we are going to do at another land conference. (Intervention)

HON TJIHUIKO: May I ask the Honourable Minister a question, please? Honourable Minister, I really do appreciate and enjoy your contribution. It is very good, but my question is, I believe that the Honourable Member has been a Minister for the last eighteen years and the document you are referring to was agreed upon in 1992. Up to now you have been raising that point in this august House instead of telling us and the public out there what the Government has done so far.

The second question is: Do you not think that perhaps it is high time for the SWAPO-led Government to quit because you have failed?

HON MINISTER OF FOREIGN AFFAIRS: Comrade Deputy Speaker, it is sometimes important to listen. Listening is the key to understanding what others are saying. (Intervention)

23 June 2009

MOTION ON LAND PRICES
HON HAUSIKU

RT HON PRIME MINISTER: I need the guidance of the Chair. Is it allowed for a Member of Parliament to suggest that there should be an unconstitutional change?

HON MINISTER OF FOREIGN AFFAIRS: No, it is not allowed. That is why I am saying it is sometimes good and beneficial for individuals to listen to others, rather than to want your voice to be heard every time.

Comrade Deputy Speaker, what I am saying is exactly what you want me to say. This document is clear and in my opinion, many achievements have been made in accordance with these documents. (Intervention)

HON RIRUAKO: May I ask a question? Did this document prevent close corporations to be formed by farm owners and to incorporate these farms into their companies? What are you going to do about that?

HON MINISTER OF FOREIGN AFFAIRS: I am saying again: This document is very clear and I think it is not necessary, specifically for Parliamentarians, to call for another land conference. I would be happy if we say we have to look at what we have implemented and what we have not implemented, but going back to a land conference just to ask yourself what should the municipality do in order that people could afford residential erven, I mean we are running the municipalities ourselves, both the Ruling Party and the Opposition. Do we need to go back to a land conference? We do not need to. All we need to do is to try and implement what we have decided on.

Most importantly, yesterday I went through a document I got from the Deputy Minister of Agriculture and I think it happened in 2005/2006. My Colleague, the Minister of Youth and Sport, introduced a Motion in this House which deals with more or less the same issue, namely the unaffordable AgriBank loans to the Affirmative Action farmers and, indeed, this House discussed. It went to Cabinet and there is a very clear recommendation by the Cabinet Technical Committee. What we need to do Honourable Minister is to implement this very important recommendation that partly addresses access to land and land affordability. (Intervention)

23 June 2009

MOTION ON LAND PRICES
HON HAUSIKU

HON MOONGO: On a Point of Order. Is it allowed for a Minister to mislead the House on the many failures by SWAPO while they do not want vacate their chairs?

HON MINISTER OF FOREIGN AFFAIRS: Comrade Deputy Speaker, I am speaking my mind and this issue does not have a Political Party interest, this is a national issue. (Intervention)

HON MINISTER OF TRADE AND INDUSTRY: May I ask the Honourable Minister a question? Comrade Minister, two Members of the Opposition have now interrupted you. One said you must get off the chair, the other one said you must quit. We have only a few months to go before elections, are they now already surrendering, they cannot win the elections in November, so they want to get a chair now? The elections are coming, why do you not wait?

HON MINISTER OF FOREIGN AFFAIRS: Exactly, Comrade Minister. They want to do it the easier way, but not in Namibia, they will just have to sweat like we did. (Intervention)

HON RIRUAKO: We have to be courageous and not be afraid of RDP. All these laws you impose on us are for RDP. You have a demagogue and we are not afraid, you are afraid of RDP. That is why we have to make this law and that law to stop this and that loophole. (Interjections). Do not tell me to stop talking about RDP, you talk about RDP all the time!

HON DEPUTY SPEAKER: The Chief is Out of Order.

HON MINISTER OF FOREIGN AFFAIRS: Comrade Deputy Speaker, I talked about the missing link and my call really is to(Intervention)

HON MINISTER OF VETERANS AFFAIRS: I am extremely sorry but I want to ask a question that will throw light on something. I am surprised that the two Honourable Members have raised this issue with the Minister.

23 June 2009

MOTION ON LAND PRICES
HON HAUSIKU

Are you aware, Comrade Minister, that when we were negotiating for 435, we were against the land to be made a property in the way that it is here and then the Gang of Five together with the gentleman who has just spoken, were the ones who brought these principles that made the land to be what it is today. Are you aware of that? (Interjections).

HON DEPUTY SPEAKER: Chief, we do not want to misbehave. I will set an example and ask the Sergeant-at-Arms to take you out. Give a chance to others to speak, this is not your House, I am controlling this House.

HON MINISTER OF VETERANS AFFAIRS: Are you aware, Comrade Minister, that it is because of those principles that we have these difficulties and the principle was supported by the same people.

HON MINISTER OF FOREIGN AFFAIRS: Comrade Minister of Veterans Affairs, I am a hundred percent aware and I followed what had happened. (Intervention)

HON KAURA: May I ask the Minister a question? Is the Honourable Minister aware of the fact that the Ministry of Lands is the one which is pushing the land prices up, because they buy whatever is offered without looking at the productive capacity of that farm? They are the ones who are pushing the prices up.

Secondly, it is this Government which introduced land tax even on the Affirmative Action Loan Farmers and that was not agreed in the 1982 Principles.

HON MINISTER OF FOREIGN AFFAIRS: Comrade Deputy Speaker, this is the problem we have, that publicly we twist the reality on the ground, because in my view, the Affirmative Action farmers are supposed to apply for exemption on tax and if they do not apply, it is not the Government's fault.

23 June 2009

MOTION ON LAND PRICES
HON HAUSIKU

However, Comrade Deputy Speaker, what I am really trying to say is that we are all calling for this Motion to be referred to the Parliamentary Committee, referred to as the Committee on Economics and I support that, but what I am saying is that we should not continue to have a missing link in what we have done. That Committee should study the very relevant recommendations which have emanated from the discussion of the Motion by Comrade Konjore. (Intervention)

HON DE WAAL: May I ask the Honourable Minister a question? I am sorry for interrupting him. Sorry, Honourable Minister, I am enjoying what you are talking about, but I am just afraid there is a bit of a misunderstanding. You said that all Affirmative Action people are supposed to apply for exemption from tax and if they fail to do that, it is not the Government's fault. My question to you is, somebody like the Managing Director of one of the big insurance companies who got an Affirmative Action loan, will he also be exempted from paying tax if he applies?

HON MINISTER OF FOREIGN AFFAIRS: Honourable De Waal, I am not the one who decides who is an Affirmative Action loan farmer, but of course, there are very clear criteria that you can look at. If you have to get a loan through those procedures, why should you not be considered to be an Affirmative Action loan farmer? Of course, there are very clear criteria. What you are asking is an important question in terms of exempting people who can afford, but I recall that the Minister of Trade and Industry went to a commercial bank to buy his farm, so there are those who can afford who are not using this system. (Intervention)

HON T GURIRAB: Honourable Deputy Speaker, may I ask the Minister a question? I agree with the Minister's proposal that the Motion be referred to the relevant Committee and that they should also study the resolutions which are available, but we are talking about measures to be taken immediately and our Government is a big landlord in our country, it owns lots of land and it is a question of demand and supply, a question of how much land is available on the market. Would it help to decrease prices if Government immediately puts some of its land on the market? Would it help to push prices down?

HOUSE ADJOURNS AT 15:40

HOUSE RESUMES AT 16:16 PURSUANT TO ADJOURNMENT

23 June 2009

**MOTION ON LAND PRICES
HON KAVARI**

HON MINISTER OF FOREIGN AFFAIRS: Comrade Deputy Speaker, I want to conclude by repeating what I have said earlier before the break. One is that the relevant Committee should create a link between the recommendations in this Motion and the other work that has been done already which relates to land reform programmes. Secondly, that we should really look at a functioning system, a system which is not stagnant, a system that will create opportunities for land to transfer from one individual to another. We should attempt to achieve that. Thirdly, I want to call on Members to please get a copy of the Consensus of the Land Conference and get a copy of the discussions and conclusions on the Motion by Honourable Konjore. It will help us to understand how far we are and where we should head to. I thank you very much.

HON DEPUTY SPEAKER: Thank you very much. Any further discussion? I revert the Floor to Honourable Kavari to reply.

HON KAVARI: I wish to postpone my response to Tuesday, next week.

HON DEPUTY SPEAKER: The reply stands over until next week, Tuesday. The Secretary will read the Second Order of the Day.

**RESUMPTION OF SECOND READING:
COMMUNICATIONS BILL**

SECRETARY: Resumption of the Debate on Second Reading – *Communications Bill*.

HON DEPUTY SPEAKER: When this Debate was adjourned on Thursday, the 18th of June 2009, the Question before the Assembly was a Motion by the Honourable Minister of Information and Communication Technology, that the Bill be read a Second Time. The Minister of Presidential Affairs adjourned the Debate and he now has the Floor.

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON DR KAWANA**

HON MINISTER OF PRESIDENTIAL AFFAIRS: Thank you very much, Honourable Deputy Speaker. I rise to add my voice to the Debate on the *Communications Bill*.

I listened with keen interest to the interventions by Honourable Members of the Opposition Parties. All the Members, at least some of them, limited their intervention to Part 6 of the Bill and I will also do the same but from a completely different perspective.

After listening to the interventions by some of the Honourable Members of the Opposition, I could not help but to come to the conclusion that some of the policies of our Opposition Parties represented in this august House are the same as the ideals of the Stone Age insofar as the subject matter is concerned. During the Stone Age wars were fought with spears. Gathering of information about enemy movements and intentions were done by spies who had to physically infiltrate the enemy camp and pass on information to the other side. In some cases, enemy movements were communicated by way of smoke or drums. Today these methods belong to the military museums.

Today we live in the 21st century where the method of ensuring the preservation of national security has totally changed. Today the State which has access to information about the intentions of the enemy are in a better position to protect its citizens. Today's enemy is not only against the State, but it is also against innocent citizens. In today's world we experience armed robberies against individuals and businesses, in today's world our farmers and tourists are being brutalised by criminal gangs. In today's world we experience drug dealers who are prepared to drug the entire Nation in order to finance their lifestyles. In today's world we experience drugs not only on our streets, but also at institutions of learning, such as school grounds. In today's world we see bombs being exploded at market places and other places which are patronised solely by the civilian population. In today's world we experience organised criminal gangs, commercialising child pornography and trafficking in women and children. In today's world drug couriers transport drugs in their stomachs. In today's world terrorist gangs are attempting to overthrow democratically elected governments or are attempting to secede parts of territories by undemocratic means.

In all these examples, Honourable Deputy Speaker, criminal and terrorist gangs are using the most modern means of communication. In such a situation the Government must be given effective tools to monitor and eventually to deal with these evil intentions. It is the duty of every

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON DR KAWANA**

democratically elected Government to ensure that its citizens enjoy the rights which are guaranteed by the Constitution in peace, not in pieces.

One of the most effective means of guaranteeing the enjoyment of such fundamental rights and freedoms is to intercept the intentions of criminals and criminal gangs before they strike. Effective interception means the establishment of interception centres.

Honourable Deputy Speaker, it is common knowledge that the SWAPO Party was elected to power by the Namibian Nation with more than a two-thirds majority. Chapter 3 of the Namibian Constitution guarantees fundamental human rights and freedoms to every citizen of our Republic. The enjoyment of such human rights and freedoms require that the SWAPO Party Government must adopt effective measures in order to ensure that our citizens enjoy their rights in a peaceful, secure and stable environment.

It is for these reasons that the laws of our Republic, which were all passed by this august House, established a number of institutions aimed at guaranteeing the enjoyment of the aforementioned rights and freedoms.

Honourable Deputy Speaker, we established the Namibia Central Intelligence Agency under the Central Intelligence Agency Service Act of 1997 (Act 10 of 1997). We established the Namibian Defence Force under Article 118 of the Namibian Constitution, now regulated under the new Act known as the Defence Act of 2002 (Act 2 of 2002). We established the Namibian Police under Article 115 of the Namibian Constitution and the Police Act of 1990 (Act 19 of 1999) and we established the Security Commission under Article 114 of the Namibian Constitution, now regulated under the Security Commission Act of 2001 (Act 18 of 2001) and established the Anti-Corruption Commission under the Anti-Corruption Commission Act of 2003 (Act 8 of 2003).

In addition we ratified several international instruments to combat drug trafficking and a new Act of Parliament aimed at giving effect to the international instruments will be drafted and tabled before this august House. In addition, this august House passed the Prevention of Organised Crime Act of 2004 (Act 29 of 2004) and the Financial Intelligence Act of 2007 (Act 3 of 2007).

In order to be effective, those who are tasked to administer the laws referred to above and, indeed, any future laws, such as the Combating of Drug Abuse law, will need to gather intelligence information. Part 6 of this

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON DR KAWANA**

Bill is the answer in that it establishes a central communication infrastructure that is intended to serve all the entities I have mentioned above. Such infrastructure is referred to as interception centres as per Clause 70 of the Bill.

May I inform the Honourable Members of this august House that apart from being efficient in establishing one central point for interception centres, it is also cost effective in that it will not unnecessarily push up the cost of communication. Therefore, Part 6 of this Bill is in line with the 2004 SWAPO Party Election Manifesto as well as the principle of enjoyment of fundamental human rights and freedoms by our citizens.

I must further point out that such centres are operational in all countries of the West, which Honourable Members of the Opposition regard as the champions of democracy. Indeed, we are aware that in some of these countries granting an entry visa is conditional to fingerprinting, not to mention the inconvenience of physical luggage and body search. I am aware that some of our Members of the Opposition have been subjected to these measures notwithstanding their status, but they have volunteered themselves with a broad smile.

Honourable Deputy Speaker, I have always maintained the view that the security of our Nation is not negotiable and I still maintain this view. Today mobile phones and computers are the favourite tools for terrorists, criminal gangs and individuals with criminal minds. We can only maintain security and stability in our country by establishing interception centres. Indeed, these centres are long, long overdue. (Intervention)

HON DE WAAL: Honourable Deputy Speaker, may I ask the Honourable Minister a question, please? Honourable Minister, maybe you can help us, you are saying that we are subjecting ourselves to searches. Can you advise us how we should react when we are in London, Paris or New York and they want to search us? Can you tell us how we should react? Must we refuse to be searched or what we should we do? Can you advise us, please, because when we travel overseas as Members of Parliament we represent the people and, therefore, we try to behave in a civilised and dignified way. Even if inside you are angry, you still behave in a dignified way, but apparently that is not good enough for you. So, tell us what you think we should do.

HON MINISTER OF PRESIDENTIAL AFFAIRS: Honourable Deputy Speaker, as I said, we live in the 21st century, the century where terrorism knows no bounds. Terrorism does not differentiate between an innocent target and a legitimate target. My advice to the Opposition is that when you are called to be body-searched, you must smile and run and run fast to be searched. That is my advice, the world has changed.

Honourable Deputy Speaker, if our Opposition Members are worried about the possible abuse by those who will be tasked to man these centres, I have no problem in providing additional safeguards in addition to those which are already provided for under Clause 75. Apart from the additional safeguard proposed by my senior Colleague, the Honourable Minister of Justice, namely that persons who man such centres should be appointed by the Security Commission, I propose further that prior to assumption of duty, such persons should be required to make a declaration to the effect that they will only carry out their duties and functions in accordance with the provisions of this Act and other laws of our Republic. In addition, I also propose that in the event that they fail to honour such an undertaking, they will be personally held liable for any loss or damage caused to any person in addition to the criminal liability proposed under Clause 5, as I have said. They should also be required to take an Oath or Affirmation in this regard. To me this will be additional sufficient safeguards to meet the Opposition halfway.

Honourable Deputy Speaker, I believe that such safeguards are more than adequate to address genuine concerns of our citizens. If, notwithstanding these concessions, the Opposition is still having some difficulties with the Bill, then my logical conclusion will be that their concerns are not genuine and are politically motivated. As a Government we have gone out of our way to consult stakeholders on this Bill for more than two years. We should, therefore, not accede to the Opposition's demands that every Act of Parliament which authorises interception should create its own interception centre. This will prohibitively push up the cost of communication and it is not in the interest of the consumers. The Opposition should know that this is a highly competitive industry, not only regionally but also internationally.

Therefore, with this Bill the SWAPO Party Government has balanced the interest of the consumer, national security and the enjoyment of fundamental human rights and freedoms of our citizens.

Honourable Deputy Speaker, the attitude of the Opposition on the Bill shows that they are already in the political dustbin of history. They are in a

23 June 2009

COMMUNICATIONS BILL: SECOND READING
HON DR KAWANA

fix and I compare them with the story of a young man who had a habit of indiscriminately cutting down trees in the surrounding area of his village despite protests from his elders. One day he was sent to the next village to collect medicine for his grandfather. In order to protect himself from the sun, he was given a beautiful hat to cover his head. On the way he developed a running stomach and he decided to relieve himself next to the only small bush which he has not cut down. (Intervention)

HON TJIHUIKO: Honourable Deputy Speaker, may I ask the Honourable Minister a question? The Honourable Minister is telling us a nice story about this young man. What was the name of this young man? Was it Albert Kawana and was that the hat which you are wearing? (Laughter).

HON MINISTER OF PRESIDENTIAL AFFAIRS: No, I will tell you. He developed a running stomach. He decided to relieve himself next to the only small bush that he did not cut down. In the meantime, four beautiful girls were using the same footpath to the same village. He only saw them at very close range. In order to avoid embarrassment, he quickly covered the parcel he had deposited near the bush with the beautiful hat with a view to conceal the parcel. The girls were very happy to see him because as a man he was able to provide protection. To their surprise, the young man joined them, leaving his hat on the ground. One of the girls told him that he had forgotten his hat and his response was: *“There is no problem, leave it there.”* With sympathy the girl wanted to pick up the hat for him, but the young man shouted: *“Hey, I told you to leave it!”* This young man’s name was Mr Opposition.

The Opposition is in a political fix in the same manner and I feel very sorry for them, but there is nothing I can do.

HON RIRUAKO: On a Point of Order. I am not in a political fix and if you are in a political fix, that is your business and the future will determine who is right between me and you. Our future will tell us who is who.

23 June 2009

COMMUNICATIONS BILL: SECOND READING
HON DR KAWANA

HON MINISTER OF PRESIDENTIAL AFFAIRS: Honourable Deputy Speaker, in SWAPO we do not deal with individuals. I can fall by the wayside tomorrow, I do not mind. As long as my Party grows stronger and stronger, I will be satisfied. (Intervention)

HON KAURA: May I ask the Honourable Minister a question? Honourable Minister, there was a Kenyan Minister of Home of Affairs who was in charge of prisons, but then fate turned and he ended up being a common person who was accused of a transgression and thrown into prison and when he got to prison, he said, "*this is not a place for people.*" One of the inmates said, "*if you fixed it when you were Minister, it could not have looked like this.*" Do you not think it would be the same situation if one day you are no longer a Minister and this situation hits you right in the right place?

HON MINISTER OF PRESIDENTIAL AFFAIRS: Honourable Deputy Speaker, in Namibia, as a country founded on the Rule of Law and democracy, nobody is above the law. If a Minister transgresses and falls from grace, he has to go to the cells. Nobody is above the law in our Republic.

Honourable Deputy Speaker, all countries of the world, some of which are highly admired by the Opposition as being models of democracy, have interception centres. As an elected SWAPO Party Government, tasked with the responsibility of safeguarding national security, interception centres should have been established a long time ago. After all, what better evidence can one hope for than the recorded evidence which is almost tamper-proof? (Intervention)

HON RIRUAKO: As I remember what happened, Honourable Geingob was there and I said to him, "*you do not want to increase our salaries because you are a bit jealous of it. If you do not do your job properly, one day you are going to find yourself here.*" After two years I found him there and I asked him: "*Honourable Geingob, where are you now?*" "*Yes, Chief, we are together here.*" "*How much do you earn?*" He could not say anything.

HON MINISTER OF PRESIDENTIAL AFFAIRS: That is a personal issue. The principle of the SWAPO Party is that we do not look at the individual, we look at the Party interest and the national interest. If tomorrow I am no longer a Member of the Cabinet, I will not cry crocodile tears. As long as my Party is strong, I will know I am in good hands. That is the SWAPO Party principle.

Honourable Deputy Speaker, as I said, as an elected SWAPO Party Government tasked with the responsibility of safeguarding national security, interception centres should have been established a long time ago. After all, what better evidence can one hope for than the recorded evidence which is almost tamper-proof? Other types of evidence render themselves to framing and tampering. At the end there is a risk of convicting an innocent person. I, therefore, move that this Bill be passed today, not tomorrow, but today. I support the Bill and I thank you.

HON DEPUTY SPEAKER: I thank the Honourable Minister. I recognise Honourable Goreseb.

HON GORESEB: Honourable Deputy Speaker, thank you very much, for affording me this opportunity. It is imperative that I must also add my voice to this Bill under discussion.

To address poverty and unemployment, all economic sectors, primary, secondary and tertiary, must be fully supported with laws that stimulate growth. Communication, being an element of the tertiary sector of our economy, is presently doing very well and all it needs is supportive laws. Any suppressive law will damage growth of a given sector.

Having said that, the tabled *Communications Bill* includes many attempts to stimulate competition in telecommunication. Thus one has to establish an independent regulatory authority to the communications sector, which has been lacking up to now. The envisaged Bill states that any abuse of an individual or a collective dominant position by one or more person in the market for the supply of communication and broadcasting services is prohibited and we welcome this stipulation.

The Clause which mandate operators who are dominant in a certain field to make their infrastructure available at rates that are just and reasonable

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON GORESEB**

and non-discriminatory is also acceptable. Here reference is made to MTC, which is the largest cell phone operator in the country with advanced infrastructure services. The call is for cheaper rates.

There is a strong feeling among the public that the inter-connection fees MTC is charging is prohibitively high and prevent competition and this Bill, when it becomes a law, will address this issue.

Under the envisaged law, all collection arrangements must be approved by the Minister. That is fine. The company ownership in the communication sector must be 51% Namibian and that is also very good. However, the inclusion of Part 6, interception of communication, in this good intended Bill is a real bone of contention. Why can this part not be a subject on its own? Why the urgency now?

Honourable Deputy Speaker, I do agree that interception centres are necessary for the combating of crime and national security, but the big question still remains unchallenged: Is it only for crime prevention and national security that we need these centres countrywide and at a high cost? We have just emerged victoriously from the dark chapter in our history of colonialism with its very harsh laws and regulations on our citizenry. We are trying to heal the wounds of the dungeons era of the seventies and eighties and the causes which led to these unfortunate evils.

The country is gearing itself now for historic watershed Presidential and Parliamentary elections in November this year. Will the interception Clause in this Bill serve any good now or in the near future? One has to be extra cautious, remembering the past here inside the country and outside, of any association as our cell phones, e-mails and other communications would be intercepted and monitored, followed by severe harassment and victimisation.

Honourable Deputy Speaker, Governments do not just censor, they scare, as Honourable Viljoen has said. The examples here are what is happening in China, our neighbour Zimbabwe or in the Middle East. Things are very bad in those countries. Censors are hunting not just for political challenges to establish order, but also for signs of what they consider social deviancy, critics or open expression of opinions. This interception Clause stipulates that service providers must share data about their clients' habits with the authorities. If not, they will face the consequences.

Is this not an imprisonment to all the Honourable Members of Parliament

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

whether you are from the Ruling Party or Alternative Government and the public at large? The centres will be pressured to give daily reports on clients' browsing habits. Is it not forced policing?

Honourable Deputy Speaker, this Clause offers no benefits over cost, but to serve the sinister agenda of those in power. This Clause clearly intends to rob us of our constitutional right to privacy, freedom of speech and dignity and is abusive.

Honourable Deputy Speaker, Honourable Members, I plead for the removal of this Clause from this long very important and long-awaited Bill for its speedy approval and I rest my case.

HON DEPUTY SPEAKER: Thank you. Honourable Tjihuiiko.

HON TJIHUIKO: Thank you very much, Honourable Deputy Speaker. Before I make my contribution, allow me to thank the Honourable Minister of Presidential Affairs and Attorney-General for the very good statement that he has made. For the last five years that I have been in this House, for this one I will give him four out of ten, it is the best that he has delivered. He has made some good recommendations and I believe that the Honourable Minister of Communication has taken note of what the Minister has said. In the absence of that, I think he must get a copy of the Minister's speech and I hope what the Minister has said at the end, that he was hoping for the Bill to be passed today was just a joke, because the recommendations that have been made need to be looked at and we need to have a copy of that so that we can also make our contributions to that.

Honourable Deputy Speaker, and sound-minded and responsible person in any democratic society, especially in Namibia, would expect to see a Bill that would be introduced in this august House to recognise the inherent dignity and inalienable right of all members of the human community as indispensable for freedom, justice and peace.

Honourable Deputy Speaker, Honourable Members, Article 13 of the Namibian Constitution is very clear on the privacy of individual Namibians. I, therefore, strongly believe that as lawmakers, defending and protecting the Constitution and laws of the Republic of Namibia...(Intervention)

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

RT HON PRIME MINISTER: May I ask Honourable Tjiuiko a question? Honourable Tjiuiko, you continue to dwell on irrelevancies. Have you read Clause 70(1) of the Bill? Have you ever read that? If you have not read it, let me read it for you: “*The President must establish such interception centres as are necessary for the combating of crime and national security.*” Are you protecting criminals or subversives? What are you trying to say, Honourable Member? Tell me what your statement is trying to tell me.

HON TJIHUIKO: Honourable Deputy Speaker, what I am trying to say is that any law that should be passed in this House should be within the parameters of the Constitution of Namibia. That is what I am trying to say.

Honourable Member, Article 13 of the Namibian Constitution is very clear on the privacy of an individual Namibian. I, therefore, strongly believe that as a lawmaker, protecting the Constitution and the laws of the Republic of Namibia....(Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: Comrade Deputy Speaker, may I ask Honourable Tjiuiko a question? Honourable Tjiuiko, you are talking about privacy and quoting the Constitution. Do you want to tell the House and the public out there that crime is privacy? That is the purpose for establishing the centre, to combat crime. Is crime privacy?

HON TJIHUIKO: Honourable Deputy Speaker, I think there is confusion here. The Honourable Member is talking about the centres and I have not mentioned any centres. I am talking about the Constitution, not the centres. Perhaps I will come to the centres, but I have not yet mentioned the centres. (Intervention)

RT HON PRIME MINISTER: On a Point of Order. The privacy of an individual – Honourable Tjiuiko, are you saying that henceforth no Police Officer should be given a search warrant to search? Are you saying that?

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

HON TJIHUIKO: I am not saying that, I am saying that the search must be done within the law. There we are together. (Intervention)

HON RIRUAKO: Search with a warrant is lawful and every citizen knows what will happen. The other one is search in secrecy, which is not lawful and to make it lawful, we can have a warrant. Then at least it will be transparent and everyone can defend himself in public.

HON TJIHUIKO: Honourable Deputy Speaker, I believe that Part 6 of the Bill denies the citizens of this country their fundamental right of freedom of thought, conscience and beliefs, as envisaged in Article 21(1)(g) of the Namibian Constitution, read with Article 13(1) and (2). This Act infringes in the right of privacy of individuals.

Honourable Deputy Speaker, Honourable Members, I understand that countries with these kinds of laws, such as Canada, New Zealand and others, have a system that protects privacy of individuals through privacy impact assessment. In our case there is no mechanism such as mentioned in the countries above, protecting our citizens' right to privacy as provided for by our own Constitution.

Honourable Deputy Speaker, by the look of things and the various views expressed by a number of legal experts, this Bill in its current form could either be illegal or unconstitutional and we need to verify that as a responsible and mature lawmaker.

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,
HOUSING AND RURAL DEVELOPMENT:**

Will the Honourable Member accept a question? Have you ever seen a child who has been sent to school by his father and he became a doctor, that he would come and boast to his father that "*I am a doctor, you are not?*" I am saying this because starting from here, only one Opposition Member was there when we drafted the Constitution and on this side many people were there. Now you are telling the people who were involved in the drafting of the Constitution that it is unconstitutional. You are teaching them about the Constitution. Only Honourable Kaura was there, the rest of you were not there. Now why do you want to teach us here? You cannot teach us

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

about something we drafted ourselves. We should tell you what we drafted.

HON TJIHUIKO: I am surprised to hear the Honourable Member saying that. (Intervention)

HON RIRUAKO: On a Point of Order. That Constitution is not yours, it was drafted in Germany. (Interjections). I am sorry, you had better keep quiet. We will look it up in our archives. You did not do anything to it, you put your name on it. I have to tell the truth and you know what I am talking about. Go back to your German friends, they will tell you.

HON MINISTER OF TRADE AND INDUSTRY: May I ask the Honourable Member a question? Honourable Tjihuiiko, do you know when we were sitting to draft the Constitution, that each Political Party had their own Constitution and ours was drafted, worked on by Honourable Tjiriange in Lusaka and everywhere as the SWAPO basic document and you, the DTA, had yours which you are now referring to as being drafted in Germany, which is true. Are you aware of that? It is true that there was a Federal Constitution drafted in Germany and given to the DTA. We had our own Constitution.

HON TJIHUIKO: Honourable Deputy Speaker, I think I need to be protected here.

HON DE WAAL: Honourable Deputy Speaker, I want the Honourable Dr Geingob to withdraw what he said about the DTA proposal at the Constituent Assembly, because it is not true. (Interjection)

HON MEMBER: It is true.

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

HON DE WAAL: No, if you want to say it, then bring the proof, otherwise I will call you a liar. Bring the proof or you are a liar! No, you are liar if you do not want to bring the proof. You do not have that proof! (Interjections). Honourable Deputy Speaker, you cannot make a statement here as if it is the truth and it is not the truth. We sat in Windhoek, you stayed in New York. It is not the truth and you know it!

HON DEPUTY SPEAKER: Order! As I look up, I see children seated there and Honourable Members are calling one another liars. It is not Parliamentary and you know it very well. You know that we cannot use “liar” in front of the kids. That word is not Parliamentary and you are the people who drafted the Constitution. (Interjections). Honourable Kaura was there. Calling one another liars, you have to withdraw first. (intervention)

HON DE WAAL: Which one?

HON DEPUTY SPEAKER: The liar story. It is not Parliamentary. He said it was drafted in Germany.

HON DE WAAL: Which is not true.

HON DEPUTY SPEAKER: Which is not true, those were the right words, but you said “liar.” Withdraw the word “liar” first. (Interjections). We have to follow the Rules of this Parliament.

HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE: Honourable Deputy Speaker, I am terribly sorry, it is not my intention to take the Floor, but I am really worried about the way we are running the business of this House. It is true, as MPs we are supposed to know what is Parliamentary language. One can send the same message with different words, rather than using unparliamentary words and behaviour. For example, finger-pointing is not part of Parliamentary behaviour and also to argue with the Chair is also not Parliamentary. What are we doing?

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

Recently, Honourable Deputy Speaker, I read an SMS in the *Namibian* that one member of our society out there was comparing the two Houses of Parliament, the National Council and the National Assembly, and he was saying in that SMS that the National Council is performing much better than the National Assembly. That points to the way that we are conducting our Debates. There is nothing wrong to differ and even Members of the same Parties sometimes have different views on issues, but how you put your difference on the Floor is the concern.

I am not referring to any MP now, but may I appeal through you, Honourable Deputy Speaker, for the Members of this House to bring back the decorum of the National Assembly and do their business as politicians and as leaders representing the Nation of this country.

HON DEPUTY SPEAKER: Thank you very much for your advice. I became a Member of Parliament in 1995 and I know that some Members of the Opposition are pointing fingers, even pointing fingers at me and they are the people who elected me to be here. If they want me to be impartial, I can do it. I told you in the first instance, when I took an oath here, that I would be impartial, therefore you forced me into a situation I do not want to be. Especially Chief Riruako and Honourable De Waal, please bear with me, I do not want to be forced into a situation, I have to apply it to others who are not provoking me and you are senior Members of this House. I do not know whether we are frustrated because of the coming elections.

HON KAURA: Honourable Deputy Speaker, when we were drafting our proposals with the highly qualified Barrister of the Court, Adv Kozonguizi, those things should be struck from the record and the young people who are sitting up there should not take it that the proposals of the DTA were drafted in Germany. It was drafted by Adv Kozonguizi, a qualified Barrister. Could the Honourable Hage Geingob please withdraw the statement that our Constitution was drafted in Germany?

HON DEPUTY SPEAKER: The Honourable Chief Riruako mentioned it first.

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

HON RIRUAKO: I did not!

HON DEPUTY SPEAKER: I was listening. Honourable Geingob said that maybe your constitution was drafted in Germany, ours was from exile by Honourable Tjiriange. You are confusing the situation yourselves. (Interjection). I close this Debate, Honourable Tjihuiko continue.

HON DE WAAL: Honourable Deputy Speaker, I have no problem to withdraw what I said to Honourable Dr Geingob, I have the greatest respect for him, but please, I just want to say we must also be protected, because if we do not say these things, the children up there will go out tonight and tell the people outside that the DTA's Constitution was drawn up in Germany, which is not true. So, Honourable Deputy Speaker, if you can just protect us against those things. I humbly withdraw. Dr Geingob, you know it comes from my heart.

HON DEPUTY SPEAKER: Thank you very much. Honourable Tjihuiko.

HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE: Honourable Deputy Speaker, I am terribly sorry to rise again, but I think to clean the Table, the Chair must also request Honourable Riruako to withdraw what he said, because the whole German story was started by him. The drafting of the Constitution in Germany was started by the Chief. It was in response to what the Chief said that Honourable Geingob said what he said. The Chief should also withdraw that story of the German drafting because it does not auger well. How could our drafts as Political Parties been drafted in different countries for us to adopt it here? The Chief must also withdraw that.

HON RIRUAKO: Honourable Deputy Speaker, I am not going to say I withdraw, I have the right to have an independent opinion and to share the idea with other people. The man whom I met there was a professor of Germany and he was a highly qualified man. I am a human being and I did this research on my own. If I introduce it to anyone, it is my right and even

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

in New York you had to look for experts. (Interjection). Let me say what I have to say, you are not even qualified to draw up your own Constitution, Mr Tjiriange, and you know that. Therefore, I do not have to play with words, let us face the reality.

HON MINISTER OF TRADE AND INDUSTRY: Comrade Deputy Speaker, I also rise to accept the apology by Mr De Waal, we have equal respect for each other and I will also in shouting back withdraw that, but not what I said about the Constitution.

HON DEPUTY SPEAKER: Thank you very much for the gentlemen's agreement. Chief, you misled the House, you are the one who created all this and you are requested to withdraw.

HON RIRUAKO: I did not say anything to anyone.

HON DEPUTY SPEAKER: Just withdraw.

HON RIRUAKO: How can I withdraw if I did not say anything to anyone? To myself, okay.

HON DEPUTY SPEAKER: You withdraw?

HON RIRUAKO: No.

HON TJIHUIKO: Honourable Deputy Speaker, thank you very much. I hope that I can continue with my contribution. From the look of things, from the various views expressed by a number of legal experts...(intervention)

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

HON DEPUTY MINISTER OF JUSTICE: On a Point of Information. Honourable Tjihuiiko, I just want to inform you that today we are facing a serious dilemma with the land question, because when SWAPO came to these constitutional talks, SWAPO proposed that the land belongs to all the people, we wanted the land to be returned to the owners, but the DTA came in and proposed this Chapter 3, Article 16. (Interjection). The 1992 Principles were imposed and that is the reason why we are facing this problem today. The DTA is responsible for this situation. (Interjection)

HON KAURA: Are you questioning the Constitution?

HON DEPUTY MINISTER OF JUSTICE: No, I am not questioning, this is our document. You imposed it on us, you imposed those principles on us and today we are sitting with the problem of the land question. Now you are saying SWAPO has been in power for twenty years, what has SWAPO done, but you have created the problem. (Interjections).

HON DE WAAL: You are the first puppet I have seen here.

HON DEPUTY SPEAKER: Honourable Nujoma, I did not get your question at all.

HON DEPUTY MINISTER OF JUSTICE: On a Point of Information. I was saying that with the 1992 Principles SWAPO came with good proposals to solve the land issue once and for all in Namibia and you know that the Opposition were the ones who were adamant that private property must be protected and fair compensation must be paid and that is why today we sit with this problem. (Interjections). *You see, this young Honourable Member is always asking what SWAPO has done after 19 years.* That is what I wanted to tell you. *Pasop*, we go back to the AK.

HON RIRUAKO: On a Point of Order. A spade is a spade.

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

HON DEPUTY SPEAKER: Who gave you the Floor?

HON RIRUAKO: I asked the Floor.

HON DEPUTY SPEAKER: No, I did not give you the Floor.

HON RIRUAKO: We do not know where we are now.

HON DEPUTY SPEAKER: Continue, Honourable Member.

HON TJIHUIKO: Thank you very much for the protection, Honourable Deputy Speaker. As responsible and mature lawmakers, the best thing for us to do is to refer this Bill to legal and constitutional experts for their professional interpretation and advice before we proceed.

Honourable Deputy Speaker, the intention of the Bill to promote competition in the communication industry is highly welcomed, but it is only spoiled by the inclusion of Part 6, Clauses 70 to 75. Any law or regulation that would create anxiety or fear among...(Intervention)

RT HON PRIME MINISTER: May I put a question? Honourable Tjihuiko, can you tell us what Part 6 is saying?

HON TJIHUIKO: Honourable Deputy Speaker, we were given this Bill almost a month ago. If the Right Honourable Prime Minister wants me to read what is in here, I know that he was travelling, I will go to his office tomorrow and I will advise him accordingly.

23 June 2009

COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO

Honourable Deputy Speaker, any law or regulation that would create anxiety or fear among the citizens of the land should not be contemplated in any civilised and democratic society. If the main objective of this Bill was to open the communication industry to competition, then Part 6 should be taken to the Act where it belongs. But if the main objective of this Bill was to detect...(Intervention)

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: On a Point of Information, Honourable Deputy Speaker. If some people are living in fear, self-created fear, the Namibian public should not be misled that they are living in fear. Why? Because the Constitution of Namibia provides for freedom of expression...(Interjection)

HON MOONGO: Interception?

HON DEPUTY MINISTER OF LANDS AND RESETTLEMENT: Expression, and the Honourable Member is exercising his freedom of expression and rallies are held, Political Parties are registered, so fear only exists in the minds of those who fear defeat, nothing else. They are paranoid, Namibia is a democratic country and there is no fear, so technological advancement should not be linked to backwardness, primitivism and superstition.

HON TJIHUIKO: Honourable Deputy Speaker, that is not worth responding to. Honourable Deputy Speaker, but if the objective of this Bill...(Intervention)

HON RIRUAKO: I am not referring to anyone, but I am referring to the Constitution. One, this fear is not from this side, it is from that side. I am sorry, they do not want to open their mouths to say anything. If this Bill is introduced, everyone of you will be under the thumb, not just me or anyone. I do not intend to take the law to the underdogs, those who are unhappy must be somewhere there or somewhere outside. I have to say this.

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

HON TJIHUIKO: If the main motive of this Bill was to open up the communication industry to competition ... (Intervention)

RT HON PRIME MINISTER: On a Point of Information. I suspect that Honourable Arnold Tjihuiko was not here in 1997. In 1997 this House passed the Intelligence Service Act. In that National Intelligence Act Parliament authorised interception. (Interjection)

HON DE WAAL: By way of a warrant.

RT HON PRIME MINISTER: By way of a warrant and that law has not been amended. That law did not provide for the means of interception. You did not even complain then, you were supposed to ask how we are going to intercept, but now you are trying to mislead the public that this law is saying, go and intercept. That has already been passed in this House. The law we are talking now is only saying how we are going to do it, under what conditions. Do not mislead the people, please go and read the Intelligence Service Act and then you will perhaps come back better educated. For now, do not mislead the public, please, I appeal to you, my brother.

HON TJIHUIKO: Right Honourable Prime Minister, we are together. I am saying that if the objective of this Bill is to open up competition in the communication industry, we should stick to that. If we want to amend the other Act, if we want to improve the other Act we should do so, but where it is now, it is misplaced. I do not question the interception and the spying or whatever, I am saying it is put in the wrong place where it is now. (Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: On a Point of Information, Comrade Deputy Speaker. This Bill, especially Clause 70 in Part 6, is to create a structure and that structure will be established under communication. Why? Because communication is going to be regulated by this law and that is the only time you will have the right to ask any of the communication service providers to provide information.

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

If currently you go to MTC or Cell One and ask them to give you information, they say they cannot do it. (Interjection)

HON DE WAAL: That is why you must get a warrant.

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:
The warrant is there in Clause 70(b). You were asking me the question that time, the warrant is provided for there. (Interjection)

HON MEMBER: Read the Section.

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:
You have a command of English, you are supposed to understand this Bill better than me who went through NAMCOL. You went to university and you fail to understand the Bill. Sub-clause (6) says, “*where any law authorises any person or institution to intercept or monitor an electronic communication (Interjections) or perform similar activities, that person or institution may forward a request with a warrant...*” You cannot just do it alone. Ask those people to interpret the law for you so that you understand it better.

HON TJIHUIKO: Honourable Deputy Speaker, I agree with what the Deputy Minister was saying that we have to refer this Bill to experts to interpret this for us. (Intervention)

HON DEPUTY SPEAKER: He did not say it like that. This is your problem, Honourable Tjihuiko, for so long I have been observing you.

HON DEPUTY PRIME MINISTER: I do not know whether I should ask a question or maybe it is a Point of Order, but maybe between the two. I do not know why we are going on and on about warrants. Are you ever

going to allow somebody to knock at your door and say that he has come to investigate you? You will not even open the door, you will peep from the veranda and ask, “*who are you?*” If he says he is a Police Officer, you will say, “*show me your card, what are you doing here, I am not going to open the door.*” It is obvious that people have to have a warrant.

The second thing I wanted to share with you is that time will come here in Namibia. I was in Geneva in Europe and every step you take is photographed – cameras all over! Let us just get used to not have secrets which are criminal.

HON DEPUTY SPEAKER: Honourable Members, I think Cabinet Ministers should really try to explain and maybe people will understand you. The warrant is mentioned in Part 6. What is our problem? Get another topic, get another story, get another excuse.

HON TJIHUIKO: On page 52, Sub-clause (6) there is no clear indication of a warrant, it says: “*...together with any warrant that may be required.*” That may be required or may not be required. (Interjections). May I continue, Honourable Deputy Speaker? (Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: Comrade Deputy Speaker, Honourable Kaura has been in this House for nineteen years and how many laws passed through this House with the word “*may?*” There were many. There may be certain times which they will not require a warrant. If I kill somebody now, do you think the Police will require a warrant to come and arrest me? If I come and stab and I twist Tjihuiiko’s neck with his tie, do you think the Police will require a warrant to arrest me?

HON TJIHUIKO: Honourable Deputy Speaker, on a serious note, the Honourable Deputy Minister said something to the effect of twisting my neck and I will die. Did he say that? I think he must withdraw that. (Intervention)

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

HON DEPUTY SPEAKER: I did not hear it, continue.

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,
HOUSING AND RURAL DEVELOPMENT:** May I ask my Honourable brother a question? Honourable Tjihuiiko, do you not think that the Honourable Member has immunity in this House and if he twists your neck here in the House he will be free?

HON TJIHUIKO: If the main objective of the Bill was in fact to spy on certain individuals during the coming November Presidential and National Assembly elections, then the Mover will not listen to anybody. (Intervention)

RT HON PRIME MINISTER: May I ask Honourable Tjihuiiko a question? Honourable Tjihuiiko, one would expect that those who are going to stand in the Presidential and National Assembly elections are not criminals. One would also expect them to be loyal Namibians. Why do these non-criminal, loyal Namibians need to be intercepted? This Bill does not authorise that. That is just in your head, in your twisted head. (Laughter). I withdraw, I withdraw!

HON TJIHUIKO: Honourable Deputy Speaker, let me qualify my statement. I believe that the inclusion of Part 6 in the Communications Bill is not innocent and I will tell you why.

In the *New Era* dated 22 June 2009, page 2, it was reported that Tobias Hainyeko SWAPO Party Youth League in Windhoek was calling for the Bill to be passed immediately and before the November National and Presidential elections. That is the secret of it. If it is innocent, if there is no political agenda behind it, the Youth League has opened it up.

**HON DEPUTY MINISTER OF REGIONAL AND LOCAL
GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** Honourable Deputy Speaker, on a Point of Information. This Bill is very,

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

very important, for Namibia, a developing country which is linked to the global community, but the importance here is that the Namibian people and the public should not be misled by the president of twisting and president of distortion. The Honourable Gentleman on the other side of the aisle wants the Bill to go to legal experts. That is either based on ignorance or naivety. Government Bills are based on Government procedures, they come from Government lawyers, they are not drafted by the Ministers here, they have been checked. That is how the SWAPO Government operates. They have been checked, gone through the legal minds.

HON MEMBER: Why do you bring them to Parliament?

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: They come to Parliament for debate, for normal procedures. There are three branches of Government, the Executive, the Judiciary and the Legislature. These are the balances, so do not distort the issue, the Namibian people out there should not be misled.

Lastly, on a Point of Information on the SWAPO Youth League. There are those who do not appreciate their constitutional provisions. The public of Namibia, including the lawmakers, have the full right to comment on the process of lawmaking. That is what democracy means. However, those who are obsessed and fear defeat, have failed and they should be prepared for it.

HON MOONGO: On a Point of Information. I would like to inform this House that this is a very good Bill, but not that sub-Clause which deals with interception centres. We cannot allow the community to be subjected to fear that wherever he is, whether in the bedroom or anywhere else, somebody is listening to what he is doing. The think-tank of SWAPO is always concocting these very sensitive things before elections in order to win the elections. This is the way they intercepted the notes of Nyamu and they intercepted Mathews Shikongo and we do not want our people to be subjected to this. We must not allow this Clause to pass.

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

HON TJIHUIKO: Honourable Deputy Speaker, just to inform Deputy Minister Kazenambo...(Intervention)

HON DEPUTY MINISTER OF JUSTICE: On a Point of Information. I think it is very unfair for Honourable Tjiuiko to quote SWAPO Youth League because the SWAPO Youth League is just exercising their constitutional right of freedom of expression. You are quoting from a newspaper which could have misquoted the SWAPO Youth League. The SWAPO Youth League has the full right to comment on national issues because the SWAPO Youth League is part of the community. It is part of the public. We are always hearing from the public and newspapers, but when SWAPO expresses itself, you are already allergic. What is wrong with you? Let freedom of expression be the prerogative of everybody and you must take their views into account. They have the full right!

HON TJIHUIKO: The reason why I quoted...(Intervention)

HON MINISTER OF PRESIDENTIAL AFFAIRS: On a Point of Information. That is why I said the Opposition are living in the Stone Age. When the terrorists bombed the London Underground, there were no cell phones, no Internet. When the Trade Centre was bombed in the USA, no cell phones, no Internet. When the Mumbai Hotels were bombed in India, no cell phones, no Internet. If you think that we will give up the security to guarantee the security of this Nation, forget it. Forget it!

HON TJIHUIKO: Honourable Minister, I did not say that. I said Clause (6) should be placed where it belongs. I did not say that we do not need that security and I did not say that we do not need the interception centres, I have never said that. What I am saying is that it must be where it belongs.

On the question of the Youth League, I appreciated the honesty of the SWAPO Youth League. You were denying, but they came out and said it is about the election.

Before I conclude, Honourable Deputy Speaker, it is becoming clear that this Bill was meant to spy on the Opposition leaders and the suspected

23 June 2009

**COMMUNICATIONS BILL: SECOND READING
HON TJIHUIKO**

hibernators of RDP in SWAPO. This is the main reason.

HON MINISTER OF VETERANS AFFAIRS: It is saying that we are intercepting criminals in order to rid this country from criminals, does he want to say that when we are saying we are intercepting criminals, the Opposition leaders are the ones who are criminal? That is what he is implying. Are you trying to say that because you are criminals, you do not want to be intercepted? Is that what you are saying?

HON TJIHUIKO: No, that is not what I am saying. Otherwise, let us take this Part 6 to the Namibian Intelligence Act where it belongs. We are going to keep it, it is going to do exactly the job that it was supposed to be doing at the wrong place. You put it in the wrong house, let us take it to the right one. A provision was made through Article 25 of that Act that NCIS may only monitor personal communication under High a Court warrant obtained by written application after consultation with the Inspector-General of the Police. (Intervention)

HON DEPUTY SPEAKER: On that note, the House stands adjourned in terms of Rule 90 until tomorrow at 14:30.

HOUSE ADJOURNS AT 17:45 UNTIL 2009.06.24 AT 14:30`1

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
30 JUNE 2009
WINDHOEK**

The Assembly met pursuant to the adjournment.

HON SPEAKER took the Chair and read Prayers and the Affirmation.

HON SPEAKER: This is just to remind, Honourable Members, that in terms of Article 59 of the Namibian Constitution, Section 2 of the Powers, Privileges and Immunities of Parliament Act (Act 7 of 1996) and Chapter 5 of the Code of Conduct for Members of Parliament, you are required to disclose your interests every year. The forms have been distributed to you and this is a reminder once again that the completed forms were due last Friday. It is a constitutional requirement, we must comply with it.

Any Petitions? Any Reports of Standing or Select Committees? Other Reports and Papers?

**TABLING: REPORTS BY OBSERVER GROUP ON
MALAWIAN ELECTIONS**

HON DEPUTY SPEAKER: I lay upon the Table –

1. The SADC PF Report;
2. The SADC Organ; and
3. The Commonwealth Observer Group on Malawian Parliamentary and Presidential Elections held on the 19th of May 2009 for note-taking.

I would like to comment a bit on the SADC Observer Mission. I have observed about four elections in SADC. All that I have seen there are requirements which are needed. Therefore, you will see on the documents distributed to everybody the standards of SADC-PF, the guidance for observing elections for the SADC Organ. Therefore, I would like all Members of Parliament to have those documents, so that come the elections in Namibia all of us know what we are required to do.

During the November elections, those observing us will require every member of a Political Party to present something and they will be putting

30 June 2009

**NOTICE OF QUESTIONS
HON VENAANI**

questions to you that you need to answer. Therefore, I am giving you these documents so that it would help the Political Parties in a situation which some of us are predicting will be bad and others that it will be good. Give it to your members so that they know what they are required to do during the elections. Also the Political Parties which are not represented here, could go to the SADC-PF and get the guidelines of the SADC Organ. I have observed in other countries that these are the requirements we should meet.

HON SPEAKER: Will the Honourable Member table the Reports?

HON SCHIMMING-CHASE: I would like to thank the Honourable Deputy Speaker for tabling these two documents, but may I suggest that we also add the one by the African Union, because we are signatories to all of those three and we should domesticate all of them together.

HON SPEAKER: That shall be done. Any Notice of Questions? Honourable Venaani.

NOTICE OF QUESTIONS

QUESTION 69:

HON VENAANI: I give Notice that on Thursday, the 9th of July 2009, I shall ask the Minister of Justice the following:

1. Whether it is true that the Ministry has closed down the Estate Offices in Rehoboth and what was the reason for this closure?
2. Is the Minister aware that the citizens of Rehoboth and the surrounding areas are currently being sent up and down from Rehoboth to Windhoek for petty estate matters?
3. Is this in focus with the policy of decentralisation?

30 June 2009

**NOTICE OF MOTION
HON !NARUSEB**

QUESTION 70:

HON VENAANI: I further give Notice that on Thursday, the 9th of July 2009, I shall ask the Honourable Minister of Information and Communication Technology the following:

1. How long would parts of the Karas Region, such as Aus, Lüderitz and Oranjemund, 19 years after Independence not receive radio in some areas and television signals from the Namibia Broadcasting Corporation in all the languages?
2. How does the Minister envisage to address this great problem experienced by the Karas Region?

HON SPEAKER: Will the Honourable Member table the Questions? Any Notice of Motions? Honourable !Naruseb

NOTICE OF MOTIONS

HON MINISTER OF LANDS AND RESETTLEMENT: I give Notice that tomorrow, the 1st of July 2009, I shall Move –

That this Assembly –

In accordance with Section 63(2) of the Agricultural (Commercial) Land Reform Act 6 of 1995, resolve to appoint upon recommendation by the Minister, Mr Kaulikufwa Hendjala as a member of the Lands Tribunal for a period of three years following the resignation by Mr Jan Engelbrecht due to ill-health.

HON SPEAKER: Any further Notice of Motions? Ministerial Statements? The Notice of a Motion is the one by Honourable Moongo. Does the Honourable Member Move the Motion? Who seconds? Any objection? Agreed to.

30 June 2009

**MOTION ON MUNICIPAL RATES
HON MOONGO**

MOTION ON MUNICIPAL RATES

HON MOONGO: Honourable Speaker, Honourable Members, allow me to congratulate the many new times towns who developed their towns in a reasonably short time. I wish municipalities the best and hope those towns will become cities in the near future.

Mr Speaker, Honourable Members, I was disturbed by the fact that the water and electricity rates of some towns, such as Ongwediva and others, are very high. In the oldest towns in Namibia, such as Walvis Bay and Swakopmund, the residents pay much for water even when absent from the house for one or two months to go and cultivate his land 200 kilometres away. They are robbing the poor people from the little money they have.

The other problem is that that people are being charged about N\$400 every month for gardens which are non-existing on the plots. Imagine charging N\$400 times 12 for all the years the person has been living there. It is too much. What is even worse, is you go to the office to complain about your problem, because their calculations are based on how many people are in the towns and how much they will receive each month and each year. They are enriching themselves in this process and I appeal to the House that an investigation be done to find out whether this information is correct or not.

The houses of those who cannot afford to pay the exorbitant charges which were concocted and forged were expropriated, because the municipalities have lawyers and the poor community cannot afford to pay any lawyer to defend themselves.

In the case of the widow of Boy ya Nangolo who is working in the Ministry of Health in Rundu, the house was forfeited to the individual Councillors or officials of the municipality. Is this not corruption in broad daylight? Community members lose their houses and the officials buy those houses at low prices after being forfeited to the municipality. This is corruption and the Parliament must investigate whether the officials and their kith and kin have more than one house and if yes, how many and whether they got the houses in an appropriate and genuine manner or in an unscrupulous way. Is this not enriching themselves?

I request the House to investigate why by-laws differ from town to town and whether these differences are to generate more money and to make the

30 June 2009

MOTION ON MUNICIPAL RATES
HON RIRUAKO

residents poorer. The different rates and the different by-laws in many towns subject the residents of many towns to hardship.

Mr Speaker, Honourable Members, the autonomy of municipalities has become a burden. It has subjected the residents to hardship and poverty, as everyone knows any law or by-law must be of general application and should not differ from town to town. I am aware that human beings are prone to fail and powers are prone to be abused. If the human being is left unchecked or uncontrolled, it becomes a beast towards each other. Whenever the few become richer and richer at the expense of the majority of the poor, it threatens democracy. With this, I thank you very much.

HON SPEAKER: I thank the Honourable Member. Any further discussion? Honourable Riruako.

HON RIRUAKO: Honourable Moongo, it has become a habit of the rich to become richer. It started with the redistribution of the wealth here in this House. You distributed the wealth of this country among yourselves, not among this side. We did not want to denounce this, we just kept quiet and observed it for quite a long time until we came to the point where we could not tolerate anymore.

The wealth of this country belongs to all of us. We suffered in the same way and some of us suffered more than some people who are sitting there and you know that. While I was running between the House of Shiwawa and Kamberera, you were not involved. Now you are the richest while I am the person who suffered for what you have now. This is really uncalled for. I have been running between these houses and those who are here today never, ever suffered. Some of them call themselves freedom fighters and they cannot compare me to that one sitting opposite me here. Honourable Tjiriange can call himself a freedom fighter because I know what happened during those days. (Interjection)

HON MEMBER: He is more than a freedom fighter.

30 June 2009

**MOTION ON MUNICIPAL RATES
HON RIRUAKO**

HON RIRUAKO: He is more than a freedom fighter, if he was honest with himself. Now it has come to the point where we can expose these things, some people who are enriching themselves are going too far. I can mention them one by one and the people who gave you food in this country are now suffering. (Intervention)

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: May I ask the Honourable Chief a question? Have you registered as a veteran?

HON RIRUAKO: We have a book who says who was who during those days and your name is not there. His name is there and I can say who were there. But not all of you were there. (Intervention)

HON MINISTER OF VETERANS AFFAIRS: I am sorry to interrupt the Honourable Member but I want to pose a question for clarity's sake. I did not understand exactly what the Chief said when he mentioned me. Did he say I was a freedom fighter or not? I want to know before I speak.

HON RIRUAKO: If you do not know about yourself, I have come across your name in the third book of the South African regime. There are those who enjoy the fruits of what I have done and they just keep on telling me, "*who are you, I am a member of SWAPO, I have the power, I enjoy the fruits of this country.*" How did it become yours on your own? That is the problem. (Intervention)

HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE: Comrade Speaker, may I put a question to the Chief, please? I want to be assisted by the Chief, maybe I am getting lost. Reading the Motion as introduced by Honourable Moongo and listening to the contribution by the Honourable Chief, I am getting lost, whether this Motion is talking about freedom fighters, whether it is talking about those who sacrificed and waged the wars or is it talking about skyrocketing tariffs charged by Regional Councillors for municipal services. I am getting confused, so if the Chief could assist me with that one, because I think the Motion on the Table at the moment does not talk about freedom

30 June 2009

**MOTION ON MUNICIPAL RATES
HON RIRUAKO**

fighters. Chief, I know my name is not in that book, but I am concerned about the work on the Table.

HON RIRUAKO: You are talking about skyrocketing prices, I am talking about the distribution of the wealth of this country which belongs to all of us, not for kith and kin, not for members of SWAPO, but to those who suffered during the colonial days, all of us, and if you distinguish between me and you, okay, let me know that you did that and when it is my time I am not going to think about you. I want to know from you now. I did it for you, you were not here until you arrived and if you say it is for you, let me know, then I can know how far you have been gone and remember what happened in the past can continue itself. You and I suffered together.

You went to the point where you distributed the wealth of this country among those who have some kith and kin, this is unfair.

HON SPEAKER: Chief, the Minister is correct, if you read the Motion, unless you link what you are saying with what the Motion says, I will rule you Out of Order.

HON RIRUAKO: You can rule me Out of Order, it is something that is going to come back...(Intervention)

HON SPEAKER: You have to try to link what you are saying to the Motion.

HON RIRUAKO: My link is that some people who happened to contribute to this country are not the same people on that side. The young people who come in today...(Interjection)

HON MEMBER: Like who?

HON RIRUAKO: I am not talking about you, I am talking about the people who happened to suffer. Where were you?

30 June 2009

**MOTION ON MUNICIPAL RATES
HON DR TJIRIANGE**

HON SPEAKER: Chief, let us cooperate as usual. The Motion says “*discuss and consider legislation to regulate the unfair skyrocketing tariffs charged by certain Regional Councillors for municipal services and the evacuation of poor people from their houses who cannot afford the municipal charges, especially in new proclaimed towns.*” That is the Motion and the Mover of the Motion is saying that after the discussion here it will be referred to the relevant Standing Committee for further discussion. So, link what you are saying to the Motion. Make a link between what you are saying that some people have enriched themselves and this Motion. Come to the point.

HON RIRUAKO: Some people, in the distribution of the wealth of this country, enriched themselves, but not other people. They did not think about other people, only about themselves. If I come with a Motion, I am not going to talk in Parliament, I will go to the other spot. If you allow me to come with a Motion, if you want to hear what I mean by that statement, I will do it and I can whisper in your ear what I mean by that.

HON SPEAKER: Honourable Tjiriange.

HON MINISTER OF VETERANS AFFAIRS: Comrade Speaker, I would like to just briefly contribute to this Motion. I think the concern is not misplaced because there are certain things happening in certain municipalities, not all but at least I know of the Windhoek one. What really surprises me when it comes to these charges, is that you cannot predict what will be your bill the next month. They pretend to come and look at the meters, when you ask they say they were there, but it is not true. I know my own house, you cannot come there if I do not open it. How do they get in there and out? It is not possible. I think there is an estimate and if it is estimated by Tjiriange this month, it is a different amount, if it is estimated by Paul the next month, it is a different amount. There is no predictable amount that we pay to these municipalities. I can give you an example:

A month ago I paid over N\$2,000. Last month I paid almost N\$4,000. This month I pay N\$1,400. How do they come to these amounts, the same place, the same everything, the same number of people? There is

30 June 2009

MOTION ON MUNICIPAL RATES
HON KAZENAMBO

something terribly wrong somewhere and this definitely has to be looked into. Maybe they do not have the capacity to correctly estimate these things, but if that capacity is lacking, it is inconveniencing us who are paying the municipality.

Therefore, I think when it goes to the Committee, they should be able to ascertain these things with the municipalities themselves, so that we know what we are paying for. I thank you.

HON SPEAKER: I thank the Minister. Honourable Kazenambo.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Thank you very much, Comrade Speaker. I know that the Motion of Honourable Moongo concerns the Ministry where I am working and I am sure at one point the Minister will respond, but I am talking to this Motion as a citizen, as an elected Member of SWAPO Party and as a citizen of the Republic of Namibia.

Honourable Speaker, Honourable Members, the Motion of Honourable Moongo, as it stands here, has a lot of substance to follow the process as articulated. There are matters of concern surrounding this Motion that need to be seriously looked into. I have no quarrel with that. However, before I say what I would like to say, I will only disagree with some of the content of Honourable Moongo's motivation that are casting aspersions and that are destroying and targeting the credibility of elected Councillors or individuals that are mentioned in Honourable Moongo's motivation. This means that on the other hand I have sympathy and perhaps support for some points that Honourable Moongo is raising in his Motion.
(Intervention)

HON DEPUTY SPEAKER: May I pose a question? Honourable Kazenambo, as I see this Motion is addressed to Regional Councillors, does it suit the Regional Councillors or municipal Councillors? Which ones does it suit here? We know that the Regional Councils do not deal with municipal Councillors.

30 June 2009

**MOTION ON MUNICIPAL RATES
HON KAZENAMBO**

**HON DEPUTY MINISTER OF REGIONAL AND LOCAL
GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:**

Honourable Speaker, the semantics may perhaps be questioned, as to whether it is directed to the Regional Councils or the Local Councils, but there is no ambiguity in the substance. Therefore, it is a question of just correcting the wording. Your point is highly appreciated. Those who are dealing with the wording need to address that.

I am saying it is a pity that Honourable Moongo used this very sensitive and critical Motion to cast aspersions and to target individual Councillors. If there are individual Councillors who are engaged and involved in corrupt practices, as alluded by Honourable Moongo, the procedures are very clear, we have the Anti-Corruption Commission and as an elected Member of Parliament who always has accessibility to the Ministry of Regional and Local Government, Housing and Rural Development ...(Intervention)

HON RIRUAKO: May I pose a question to you, Honourable Kazenambo? What makes you so negative? We can discuss matters here if we want to and if you push us to go to the Anti-Corruption Commission as quickly as we can, what makes you to be so aware of the irregularities? We ought to discuss this matter in this House in order to solve the problem without the Anti-Corruption Commission.

**HON DEPUTY MINISTER OF REGIONAL AND LOCAL
GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:**

Honourable Chief and Honourable Members, I know that we have immunity and power in this House, but I am saying that even our Rules are saying that we should not discuss people who cannot defend themselves here. I am saying it is not fair to destroy the reputation of people who cannot defend themselves here or to cast a picture as if Regional Councillors or municipal Councillors are enriching themselves or they are corrupt without substantiating. If there are some Regional Councillors who are doing that, even Honourable Moongo has been in my office for certain enquiries and as an elected representative we can use this platform to raise issues. However, I think the manner in which he sometimes raises these issues is not helpful to the process which we are saying is good governance, because now, although I have full sympathy, I think he should have done it otherwise without throwing mud at the people who are not here. (Intervention)

30 June 2009

**MOTION ON MUNICIPAL RATES
HON KAZENAMBO**

HON RIRUAKO: Who are representing the Municipal Councils? Is it not you? These people are represented here because they have their Ministry here and to say they are not represented is not fair.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: I think the issue of regulation, the issue of monitoring and evaluation are very critical points, not only to the issue of regional and local structures, but even in the house where I am coming from, in the family. If everybody could do as they wish, there will be a problem in that family. Therefore, I think there is a lot of merit in the proposal put forward by Honourable Moongo, that there is a need that a Committee investigates what remedial mechanisms can come about in order to put a regulatory framework on what is going on in the structures Honourable Moongo is referring to.

In this country of ours, even in the Central Government, even in Parastatals here are people who have become *mini-gods*. There are Permanent Secretaries who have no respect whatsoever for the laws of this country. They do things the way they want and because they do not sit in this Parliament, they have the audacity to do wrong things and they know Kazenambo will come and defend it here. This must come to an end and we must call a spade a spade. This is too much. Some people in the Local Authorities are lazy. There is no control in those structures and then the question is asked, “*what is the Minister doing*”, but those people in those Parastatals and Local Authorities have no accountability whatsoever and we have to come here and answer questions on issues that amount to corruption, because there are *mini-gods* in this country, people who cannot be transferred, but who do things which are disadvantaging this Nation and we have to come here and defend their mess and since and for the past five years I have been doing that. There should be accountability, the people must start accounting.

Sometimes you do not know where this will end. You read it in the newspapers, it is public knowledge, people do things as if they are mini-gods and they are untouchable because they are relatives of the untouchables. It is a fact! Let us start regulating, let us start following up on things when people are crying, because these things are affecting the citizens, they affect all of us.

We as politicians from all the Parties like to come here and say yes, the poor people are being evacuated from houses. When we were in the

30 June 2009

**MOTION ON MUNICIPAL RATES
HON KAZENAMBO**

struggle our slogan was that the struggle is work, we have to work and struggle and then the other slogan was that after Independence it is the beginning of hard work. In this country a person will not pay even N\$10 for his municipal services, but he will go and buy a bottle of whisky which costs N\$20. This is also a reality. Then a politician, for populism purposes, will defend a person who takes N\$50 to buy liquor while his children are hungry in the house. (Intervention)

HON RIRUAKO: Honourable Speaker, the people who are sometimes not paying their bills are the Parastatals and Ministries, not individuals. You are talking about an individual who can buy whisky, but what about the millions of dollars which are supposed to be paid by the Government of the day?

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: When I started speaking I said we have a culture of dependency syndrome and we have a culture of creating mini-gods who cannot be touched. “*Yarira ombazu yetu, omundu u tiriwa, kuza komuhona, omuatje ua karive omutumbe*”. I agree with you that even Ministries and Parastatals do not pay because of laziness and lack of accountability. Let us educate ourselves, individuals, Ministries, let us have a culture of being accountable, let us have a culture of being responsible.

People are drinking tombo the whole day, they do not work and when their water is cut, they know that Honourable Moongo will defend them and this is a fact. (Intervention)

HON SPEAKER: I have many people on the list who want to speak, but it is not for me to control how long the Honourable Members are going to speak when they take the Floor, that is the business of the Chief Whip, but when you take the Floor, you should also have consideration for other Members too. Deputy Minister, you were wrapping up.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: For the sake of others, let me rest my case. I will write it in the newspaper, I will start writing now. (Intervention)

30 June 2009

**MOTION ON MUNICIPAL RATES
HON DR AMATHILA**

HON SPEAKER: You still have the Floor. I made a general point, not directed to you personally.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: The culture of lack of accountability, the culture of defending the indefensible, the culture of doing wrong things because you know you will run to the politician to go and defend you. If you drink water, if you live in a house you have to pay, there is no two ways about it. That is how you build a prosperous society. I rest my case.

HON SPEAKER: Deputy Prime Minister.

HON DEPUTY PRIME MINISTER: Honourable Speaker, I will be very brief. As the first Minister of Regional and Local Government and Housing I think this story of paying the municipal bills is an old story. They normally just estimate and I think the question was once asked in this House why they estimate and the answer was that they do not have enough staff members to go around. Secondly, people lock their houses, there are dogs and they cannot enter. We must find a way how these people can go and read the meter. Where do they place the meters? Some of the meters are inside the yard. I think we must find a way, but with this vandalism, you cannot put the meters somewhere outside the gate.

I am very impressed with NamPower. NamPower goes to the farms once a month and they read the meters and you pay your electricity according to your usage. On the farms it is very easy, the meters are out there, they do not have to enter your house, but the problem with the municipality is that they cannot get into your house to read the meter.

The question of not paying the bills is also an old story. When we had this alienation scheme to give the houses to the old people who lived there for thirty years plus, the young people moved in – teachers, Police Officers – and they misused the electricity and the water of the elderly persons because they paid half price. These children went and misused the electricity without paying and the bills just went up.

30 June 2009

**MOTION ON MUNICIPAL RATES
HON VENAANI**

As Honourable Riruako mentioned, we as the Government are not paying our bills. A study was made where Ministries which do not pay their bills were named. So, we, the Ministers here and our Permanent Secretaries, are the culprits. When I was the Minister of Health, at one point our ambulances were not allowed to get petrol because the bill was not paid and we battled with our Accounting Officers to please pay the bills on time.

There are many things and I am glad this Motion is going to a Parliamentary Standing Committee so that people can go around and really dig deep into the question of what should be done, because it is an old story, it happens every day. Every month you pay the same, even when you are on holiday and your house is locked you pay the same or even more.

Therefore, this is a serious issue and we should not make excuses here and blame other people, let us give it to the Standing Committee, let us find ways to solve the problem and I appreciate the Motion by Honourable Moongo. I thank you.

HOUSE ADJOURNS AT 15:40

HOUSE RESUMES AT 16:17 PURSUANT TO ADJOURNMENT

HON SPEAKER: Honourable Venaani.

HON VENAANI: Honourable Speaker, thank you very much. I also want to be very brief on this matter. Honourable Speaker, I wholeheartedly support the Motion as moved by Honourable Moongo and I want to reflect on two or three issues.

Honourable Speaker, the problem coupled with this issue is the question of the tariffs that are charged by Municipalities, Town Councils and Village Councils that vary. For example, here in the City of Windhoek the price per cubic metre of water is different from location to location. The usage is the same, but the pricing is different. Coupled to that is the inherent problem within the Municipality of Windhoek that they would delay, through omission or commission, charging your rates and taxes. For two or three years they will charge you N\$190 or N\$200 and you are paying your bill every month, but one day they realise that for the last 10 years you were wrongly charged on your rates and taxes and now you have to pay

30 June 2009

**MOTION ON MUNICIPAL RATES
HON VENAANI**

N\$120,000 and that day they do not even request you to pay, they bring a warrant, either pay or your house will be repossessed tomorrow. That is a very serious issue. If you do not tell me what my rates and taxes ought to be and I am paying according to what you are charging me, then you must enter into negotiations with me to pay the N\$120,000. That issue must be addressed by the Municipality of Windhoek.

Another issue that is very important and I think the Honourable Deputy Prime Minister has raised it very eloquently, is the question of water meters. I had a disagreement on this matter for a very long time now. Those who are Windhoekers will remember that before electricity meters came to our homes, people's electricity would be cut left, right and centre because you could not follow the sequence of the charges. However, if you put an electricity meter in your house, it is very rare that you would find that your electricity is running low because you are paying it.

We really need to bring the same meters for water, because I have seen in certain Local Authorities that you buy a card, you pay and you get water. The problem is that municipalities do not want to be responsible for leakages. (Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

On a Point of Information. Currently there are water meters at the houses, but I think what the Honourable Member wants to say is pre-paid.

HON VENAANI: I always tell you that I can learn from you. That is the correct word, it is a pre-paid water meter. People can better manage the pre-paid electricity. The problem is that some of these water pipes have been installed in 1962 and when there is an underground water leakage, the municipalities expect you as the customer to report it, which is fair, but what if one does not detect it?

You would find that, for example, the Honourable Minister !Naruseb's water bill is N\$30,000 and the society would think the Ministers are using more water than the other people. No, these are some of the problems that need to be addressed and I would support that the City of Windhoek must move with haste to bring in pre-paid water meters.

Honourable Speaker, the other issue is the question of different tariffs. The town of Katima Mulilo is the highest charged town in the whole country.

30 June 2009

**MOTION ON MUNICIPAL RATES
HON VENAANI**

They are overcharged by N\$1,75. Why should water have different prices? Water should be like fuel, there is a standard price. Why overcharge you? And Katima Mulilo is not like Khorixas, they are along the river. (Interjection). If you are saying it is because of transport, Katima Mulilo has a better case because they are just metres away from a perennial river. Therefore, their water should be way cheaper than the water in Khorixas. We must have some consistency on how we charge people for what they are consuming.

Lastly, Honourable Speaker, is the price of erven. The Prime Minister has left, I wanted to mention his name as I am very glad for what he has done. Nobody promotes lawlessness, but there must also be that social responsibility of managing migration and it is one thing that we are not managing properly. There was a time when people were squatting illegally and I am very glad that the Prime Minister intervened and I want to thank him publicly. They were squatting illegally, there is no question about it, but the response was so bad. Of course, all the big cities have this problem of squatting and have a proper migration policy in order to manage migration, but the people are coming to Windhoek and they are squatting and the next morning you are just bulldozing their homes without entering into negotiations with them.

I remember, Honourable Deputy Prime Minister, when you were revamping the single quarters, you took people and put them in these Standvas. People were put there for a period and the negotiations were clear, that you are only here until the work has been completed. (Intervention)

HON TJIHUIKO: May I ask the Honourable Member a question, please? Honourable Venaani, you are doing fine, you are saying that during the era of the Deputy Prime Minister there were consultations and people were moved. Who was the Minister responsible for overseeing the demolition and where was the Minister? Have they approved these things or what happened?

HON VENAANI: The people were taking the law into their own hands and settled there. The people had a problem with housing and they put their own shacks there. But I consulted the Prime Minister and I briefed him on this matter and he intervened. The situation has nearly normalised and the municipality is now negotiating with these illegal immigrants to try to get them another place.

30 June 2009

**MOTION ON MUNICIPAL RATES
HON VENAANI**

However, the issue of erven in the small towns is a serious problem and I think Honourable Moongo is right that sometimes a Local Authority would come to Mr Viljoen, for example, and say, "*Mr Viljoen, this town is developing, we want to build a school here or a road must pass here.*" You get a relocation allowance and the next morning Mr Nashandi's shop is built there. You have given up your space in the public interest for a school to be built there and the next morning it is the shop of one of the powerful that Honourable Kazenambo spoke about that is built on this place. We really have to address these anomalies, especially in these new towns which we are developing.

Coupled with that issue is Helao Nafidi and do not know whether Honourable Moongo deliberately left all the places out in order to address the whole problem. However, let me single out Helao Nafidi and let me tell you what is happening there. Helao Nafidi is in foreign hands, the powerful, the rich. I am not saying the businesses there are not legitimate, they are legitimate, but how did they arrive at that point? This is a serious question that one has to ask yourself. Will a person who was born and raised in Helao Nafidi one day have a piece of land where he can develop his infrastructure as an entrepreneur?

When we are selling our country, we should also ensure that there is a component for the inhabitants. The people who live there must also get some benefits.

If you look at the areas at the border, I am sure less than 2 percent of Namibians own properties there and a person who bought a property for N\$1,5 million, tomorrow sells it for N\$7 million. It is mostly Angolans and Chinese and there is nothing bad about the Chinese, but it has to do with what we are giving out at what prices.

The erven in Swakopmund are a good example. One wonders whether there is any policy that talks about a child born in Swakopmund one day to own a piece of land close to the beach. There must be balance when we trade, the market forces should also look at the inherent problems of our country and where we are coming from. Most of the erven in Long Beach belong to South Africans. Ten years from now, a child born in Walvis Bay and Swakopmund will have to live in the dunes as if the dunes were reserved for him. We should also look at affirmative policies to intervene.

Even here in Windhoek the prices for erven in Cimbasia were reserved for N\$70,000 to N\$80,000 at the last auction and the erven went for more than N\$200,000. N\$200,000 for an erf on which there is nothing in

30 June 2009

**MOTION ON MUNICIPAL RATES
HON VENAANI**

Cimbabasia or Auas Blick.

These are some of the problems that the Committee on Human Resources should investigate. (Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:

Honourable Venaani, I am following your contribution and also what is in the newspapers and on the radio. You are approaching a socialist way of thinking. Do you know the cause for the skyrocketing prices? It is the capitalist system which many of you defend while we say land should not be owned, but you are the ones who defend it. Today, because it is election year, you want to be seen as being really concerned, but you are the one who defend the capitalists. Everything is service, service, but when they are the ones who come and buy you start crying.

HON VENAANI: Honourable Speaker, I never intended to go to that level, but the Colleague is pushing to that level. The policy of the DTA is a free market economy. I believe a free market economy does not mean that you must sell everything, just as you sold the shares of Cell One to the Egyptians. I am saying, sell them but sell them to Namibian entrepreneurs. It is you who propagated this, how did Namibian telecommunications power got into Egyptian hands? The Spaniards are controlling the fishing industry, why? Why can Namibians not control it? Let us not go there. We will have time to do the political rounds and talk about policies and having debates and I challenge you to have the first Debate with you on economic policy. You will not survive.

For example, why can we not build a school next to a beach in this country, for children to be able to know the beauty and the purpose of God's creation? We are only building houses. These are some of the issues that we really need to address when we are selling our land, that we do not take everything away. We sell erven, but that we also consider the population living around those areas. This is all I am saying, I am not pursuing a policy shift, I am not a Socialist, I will never be one, I am a man who believes in the free market economy. (Interjections). No, do not bring in capitalism, I believe in a free market economy, the balance of power, social policy and also free market economy. There is nothing wrong with selling the land, but there is something wrong with selling all the land to foreigners. We must also give it to Namibians. We as a Party have a problem that the land belongs to the whites and that is why we are having

30 June 2009

**MOTION ON MUNICIPAL RATES
HON NAMOLOH**

policies that must address that issue. However, let us not politicise this very important issue. It is beyond political difference. We are in agreement that we should really address some of these tariffs that are being charged by our municipalities.

Honourable Speaker, with these few remarks, I thank you and I support the Motion.

HON SPEAKER: Honourable Minister Namoloh.

HON MINISTER OF DEFENCE: Honourable Speaker, I would also like to contribute to this very important topic, the skyrocketing tariffs in Namibia.

As was said earlier, tariffs, whether it is pre-paid electricity meters, are not the same. I have examples of different tariffs. I have a house in Windhoek and I have a pre-paid electricity meter, I have a house in Grootfontein with a pre-paid electricity meter and I have a house at my village, Odiibo, where I also have a pre-paid electricity meter. If you buy electricity for N\$1,000 in Grootfontein, you receive 700 units, but if you buy it in Windhoek with the same amount of money, you receive 1,000 plus. If you buy it at Odibo at the same amount, you receive 1,000 plus units. It is very expensive to buy electricity in Grootfontein. I do not know if it is the whole of Otjozondjupa or only Grootfontein.

With regard to the estimation of water, the Deputy Prime Minister said the people mentioned dogs and locked gates, but sometimes it is not true. The municipality makes a lot of money out of the estimations. This month I was given a bill of N\$3,584 just for water, no electricity. When I went there to find out, because I realised they just doubled what I have paid last month, they said, "*no, your gate is always locked.*" I said, "*there is always a Police Officer there, he does not leave. Why did you not go there?*" They said they would find out, I must give them two days. They went there and to my surprise, I was only charged N\$298. From N\$3,000 to N\$298! I tell you, it is corruption, the difference is too big.

Even if you are on holidays and leave only one person at the house, you pay the same amount as when you were there and I think something has to be done. Maybe we can take this to the Anti-Corruption Commission. The

30 June 2009

**MOTION ON MUNICIPAL RATES
HON NAMOLOH**

people think we have a lot of money, but what about the poor people? It is too much, they are exploiting people and we need to do something.

I think they should introduce the pre-paid water meters mentioned by Honourable Venaani so that we buy the water. People in different parts of this country are suffering and we do not see it. I gave an example because I have a house in Grootfontein. Somebody said I am rich. When I came to this country I was posted in Grootfontein, I bought a house there, not that I am rich. This is Namibia, I can have a house where I want.

I also want to comment on what Honourable Venaani has said about the coast. We are destroying the beauty of our coast. I have been in many countries in Europe and the Europeans have spoiled what they have and I am sure the Minister of Environment is also here. We are destroying our coast because we are just building houses. I have seen in other countries that they are building houses where it is high and not along the flat coast. They build stairs for people to enter there, then they have the beach front and then they have restaurants. We are destroying our coast completely. Our future generations will not enjoy the beauty of our country. They will think Namibia is landlocked, they will only see the sea from afar. I think we must put brakes on what is happening at our coast. Between Swakopmund and Walvis Bay there is no beach anymore and others will also be destroyed. (Intervention)

HON DEPUTY PRIME MINISTER: It is not only the beach, Honourable Minister, but if you go to the rivers and Epupa Falls, our children will not see Epupa Falls because that whole place is fenced off. It is land which was supposedly given by our traditional leaders to these people who come in. The same in Katima, the same in Rundu and for me that is even more serious than the sea which you can see from far away. If we have allowed our traditional leaders to give land haphazardly, the traditional leaders must work *in tandem* with the Government officials.

HON MINISTER OF DEFENCE: Comrade Deputy Prime Minister, there should be control. This land belongs to all of us and it should not belong to a few people.

Honourable Venaani mentioned Oshikango and it is very unfortunate that Oshikango is now owned by foreigners. All the properties there are owned by foreigners. (Intervention)

30 June 2009

MOTION ON MUNICIPAL RATES
HON TWEYA

HON DR ANKAMA: May I ask a question? Are you saying that because of the haphazard allocation of a piece of land, particularly when it is destroying our beautiful coastline and banks of rivers, we need to revisit our laws to find out whether there is a need to tighten up the loopholes? Do you perhaps see it that way?

HON MINISTER OF DEFENCE: That is exactly what I am saying. When people come to Namibia, they think they can own anything in Namibia and we need to look at this. When you meet some people they say, “*beautiful Namibia, beautiful Namibia*”, and they are interested in beautiful Namibia, but we ourselves must also preserve that beauty, otherwise we allow it to be destroyed and our children will never know beautiful Namibia. They will see Namibia without a coastline, Namibia without riverbeds, Namibia without the land which is free for Namibians but occupied by those with money. With these few words, I rest my case.

HON SPEAKER: A dear friend of mine says, “who is in charge?” Deputy Minister Tweya.

HON DEPUTY MINISTER OF FINANCE: Thank you, Honourable Speaker. My first contribution is a request to the Mover of the Motion so that when it is finally referred to the Committee, that Committee would be clear on what it has to look at. I see it that we need to discuss and consider legislation to regulate the unfair skyrocketing tariffs charged by certain Regional Councillors for municipal services. I think and I believe that the Honourable Member really means the municipal services charged by the Local Councillors.

Honourable Speaker, I said I want to request the Mover of the Motion to rephrase the Motion so that it reads differently. It is not Regional Councillors for municipal services, but the Local Councillors for municipal services.

Having said that, I now want to address myself to the substantive issue of the tariffs charged by the various municipalities.

We have debated the high bank charges and there is still a question that the banks cannot answer. Why we are paying high bank charges,

30 June 2009

**MOTION ON MUNICIPAL RATES
HON TWEYA**

because they cannot say how much it costs them to process a transaction and this is why we are feeling the pinch. I am bringing it from the bank charges so that there is fairness in this discussion about the municipal services.

There is also a similar problem, that our municipalities are charging for services which they cannot tell us exactly what they are charging for. This is why I am supporting the Motion that it is high time that we need to consider a law to regulate those charges. I tend to give a footnote to my senior brother here who gave the example of Grootfontein and Windhoek. My experience in Windhoek itself is that when you buy electricity units at the municipality, it is around 60 cents per unit, but when you go to the other agencies, it is much less. That is my experience with electricity units in Windhoek.

Coming to the municipal services and the earlier contribution by the Deputy Prime Minister that we keep on hearing that they do not have enough people to go and check these rates. Not long ago we were talking here about unemployment in Namibia and I said here that I am not interested in discussing the issues because there are employment opportunities but we are not serious to address those issues. (Interjection)

HON MEMBER: Who are the “we?”

HON DEPUTY MINISTER OF FINANCE: You can take your own Floor, Honourable Member. The discussion is here, us as parliamentarians. If it is a matter of lack of staff to do that, while we have many youth who are unemployed, then there are opportunities to create employment. We should not buy that they are estimating because there are not enough people to go and do the meter readings. People are there, job opportunities are there to be created.

Honourable Speaker, I have personally gone to enquire about the municipal charges. When you get your bill, they charge you for rates and taxes, they charge for sewerage, the charge you for various things they cannot substantiate and even on an empty plot you will pay for water and electricity. When I enquired, I was told it is the Municipal Ordinance that you must pay for basic water and electricity even if you do not live there. If we really want to fight poverty and allow these types of charges that do

30 June 2009

**MOTION ON MUNICIPAL RATES
HON NUJOMA**

not make sense, it is really high time that the Government and the Ministry responsible should take serious actions, maybe after the discussions by the Committee, so that we put in place a law to regulate the charges by municipalities. Whether the consumer is rich or poor is immaterial. We are talking of paying for the charges, we must know what we are paying for, just as we are complaining about the bank charges, that we want to know what we are paying for.

I, therefore, want to support the Motion that we need to consider legislation that would regulate the tariffs to be charged by the municipality for municipal services in the country and that this be done after thorough consultation by the said Standing Committee of this august House. I rest my case, Honourable Speaker.

HON SPEAKER: I thank the Honourable Deputy Minister. Honourable Nujoma.

HON DEPUTY MINISTER OF JUSTICE: I would also like to make a contribution to this Motion and I agree with Honourable Kazenambo that this is an important Motion. However, I think the Mover did not approach the Motion in a proper, civilised way because he started by attacking the poor Regional Councillors, that they are corrupt, they are guilty of misconduct and that they are enriching themselves, all these unnecessary things. Nevertheless, we cannot agree on that, because we cannot sweep all these Councillors with the same broom. There may be guilty ones who have been involved in illegal practices, but there are institutions responsible to investigate those types of issues. So, Honourable Moongo, you should not sweep everybody with the same brush.

However, this Motion is important because as you know, the SWAPO Party Government in its political programme is committed to the alleviation of poverty in the whole of Namibia, irrespective of which town, city or village.

We are coming from the legacy of apartheid and we have inherited a lot of social imbalances, a serious imbalance because of the apartheid system and SWAPO is trying to address that issue. However, we are again facing another problem, namely the rural-urban migration which puts severe strain on our Local Authorities and we must admit that.

30 June 2009

**MOTION ON MUNICIPAL RATES
HON NUJOMA**

Further to that there is also the issue of lack of erven. Local Authorities can only make money by selling the erven and you will find that the surrounding areas are owned by farmers – again the land issue remains a critical issue that we need to address. The Local Authorities want to expand to provide housing, to service these erven, but there is no land available.

Then again the Local Authorities are also under severe strain. The only money they could make in the past was by selling electricity and water and then we took away the sale of electricity from the poor municipalities.

We created new super structures, the REDS, and where will these municipalities get money from? All of us are demanding services, but what must they do? They have to raise their tariffs in order to be able to provide services and then we have the ever-increasing migration and new *kambashus* are coming up.

The other day Honourable Venaani was complaining that we are not looking after our people in the informal settlements, it is cold, it is raining, there are no toilets, the issue of sanitation. What should we do? These are the challenges and that is why the SWAPO Party Government is committed to work with the Opposition to resolve the issue of poverty in this country and that is why all the contributions by the Honourable Members are very important and they have enriched the Debate. I agree with Honourable Tweya that we need to legislate so that we can control the prices of erven.

We need to consult on these issues and also take into account that we should not in the process bankrupt our Local Authorities who are trying very hard to keep their heads above the water. They are under severe strain. (Intervention)

HON VENAANI: I am terribly sorry to spoil this Debate, but for a very short time you reminded me of your father. If you could stick to that trend it would help you more.

HON DEPUTY MINISTER OF JUSTICE: Comrade Speaker, on that positive note I rest my case.

30 June 2009

**MOTION ON MUNICIPAL RATES
HON EKANDJO**

HON SPEAKER: Honourable Ekandjo.

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,
HOUSING AND RURAL DEVELOPMENT:** Thank you very much, Comrade Speaker. Comrade Speaker, first of all I would like to thank Honourable Moongo for bringing this issue.

In a nutshell, let me put it this way: We in the Ministry have realised that Local Authorities in Namibia are not subsidised by the Government with even a cent. If one goes to towns like Johannesburg, Johannesburg gets R1 billion from the Central Government. Cities such as New Delhi, Beijing, London, Paris, New York, Berlin, all towns in Europe and America are subsidised by the central Government and in our case not even a cent.

Let me take a Village Council such as Tses as an example. We will remember that earlier this year the people in Tses demonstrated because NamPower cut off their electricity, because they do not get a subsidy from the Government. The people in Tses buy pre-paid electricity but the electricity was cut off and they could not understand and they demonstrated and said, "*we pay but you cut off.*" Apparently what happened, was when the people pay for water and electricity, the Village Council uses this money to run the town, the cleaning and salaries and as a result, they do not pay NamPower. It happens in most of the towns. Before that the municipalities were getting money from electricity, but then we created these REDS.

When we had a meeting with ALAN and the Local Authorities, the delegation from Katima Mulilo was saying that before the REDS came in, they were getting more than N\$400,000 per months from electricity and then they pay NamPower, but now with the REDS they only get N\$30,000 per month. Windhoek has refused to join the REDS, Oshakati refused. Otavi, Walvis Bay and Swakopmund want to withdraw because they say they are not making any money. The result is that the Local Authorities are now milking the citizens and they have to pay more for water, more for electricity because they have to survive.

Whenever citizens of Namibia, even Members of Parliament, pass through Grootfontein, for example, one would say, "*why is Grootfontein dirty, why can the municipality not do anything?*" But the Central Government does not contribute.

30 June 2009

**MOTION ON MUNICIPAL RATES
HON EKANDJO**

We have informal settlements springing up and once investors come to a town like Omuthiya, the informal settlements will follow very soon. Wherever a town is proclaimed these informal settlements are springing up.

If one goes to Okahandja Park in Windhoek where the informal settlement goes up into the mountain, those people do not have sanitation, so I have decided that the priority should be sanitation and clean water. Those people do not have sanitation, they use plastic shopping bags during the night as toilet buckets. When you drive around there during the night, you will see in front of the doors there are three, four plastic bags, because the people make use of it and put it outside, because the bushes are very far and four o'clock in the morning while it is still dark, they go and throw it away, because if they wait until the sun is up, they will be asked where they are going with their plastic bags. This situation cannot continue.

I have requested all Local Authorities and all Regional Councils to provide me with their Capital Budget programmes for 2010/2011. Most of them have already submitted it. What we in the Ministry have decided to do is that we want Central Government at least to service the land.

In 1990, 1991, when I was the Deputy Minister of the same Ministry and Dr Libertine was the Minister, we found some people in the riverbeds somewhere at a rubbish dump. The municipality had already serviced an area north of Shipena and National Housing Enterprise wanted to build houses. Dr Libertine approached the municipality and said, "*do not build houses because the erven are already serviced, National Housing Enterprise must also build flush toilets and provide clean water at the erven. Then we took all those people, we allocated serviced erven with flush toilets and gave them tents.*" If one goes there today, it is a township with the Hage Geingob Secondary School, Moses Garoëb, Tobias Hainyeko, all those schools are there, it is a township on its own.

In order for the municipalities to survive, they have to get something before they pay NamWater and NamPower and I decided to make a Cabinet submission that in each of the 54 Local Authorities, the Government should budget and service 50 to 100 plots. Once it is serviced by the Government, then the informal sector has to provide flush toilets and clean water and people can erect their *kambashus* there. Then we tell those people that at least within five years they have to erect structures. In this way the municipalities will not milk the residents of the town because the Central Government has taken care of the servicing of land. If the Central Government takes charge of the servicing of land, you must just pay for the structure which was put there.

30 June 2009

**MOTION ON MUNICIPAL RATES
HON EKANDJO**

Secondly, the servicing of land takes up to one or two years. There must be town planners, surveyors, conveyors and it is a long process. When I went to Kenya with the UN Habitat, I visited the Minister of Local Government and the Minister of Local Housing, I visited the Minister of Metropolitan Nairobi, it is like a Regional Council and I visited the Minister of Rural Development. All these Ministries have a directorate of technical services where they have the surveyors, the planners and the engineers under them.

I am now in the process to restructure the Ministry so that we must also have a technical department where we also have the surveyors and town planners. Currently the Local Authorities are making use of private people to service the land and apparently those people charge hundreds of thousands per square kilometre. Apparently it costs N\$800 to put one pen. They put many pens and they are very expensive and as a result, the municipality wants to recover the money and they milk the ordinary people.

I feel the best way would be for the Central Government to subsidise and I have requested the Local Authorities and the Regional Councils and they have requested many things. One wants street lights, pavements, parks or whatever, but we are only going to service the land. Once we service the land, then the municipality cannot say they have spent a lot and everything will be cheaper.

There is going to be an Electricity Summit under the Ministry of Mines and Energy regarding the REDS, because the Local Authorities want to withdraw from the REDS. (Intervention)

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: On a Point of Information. Honourable Minister, you are doing very well, I remember proposing the same thing here, but what I have noticed with NamWater is that even if NamWater has not increased the rates, the municipalities increase the water tariffs and now with the servicing of the land by the Central Government, we need to control so that the municipalities do not take advantage of what has been done by the Government and they will still charge as if they have developed the land themselves. I think that must be built into the process.

30 June 2009

**MOTION ON MUNICIPAL RATES
HON EKANDJO**

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,
HOUSING AND RURAL DEVELOPMENT:** That is the reason why we want to take over, so that they must make a profit on water and electricity, because they claim that they have to provide services.

At one time Otavi has been a municipality and now it has been demoted to a Village Council and there are also talks to demote Karibib to a village council, but I think demoting is not the solution. Tomorrow we will demote Grootfontein, tomorrow we will demote Walvis Bay, tomorrow we will demote Windhoek to a town and it is not a solution. Therefore, I think that the Central Government has to play its part, then at least the municipalities will not have an excuse to say that they have to increase water and electricity in order to survive.

With regard to the coast, people are buying up that piece of land between Walvis Bay and Swakopmund. If one goes to Mauritius, the ordinary people do not go to the beach because the hotels have bought up the land. If we allow our coast to be bought by private people, in the end the ordinary people will not have access.

Let me come to Oshikango. We have put a moratorium on Oshikango because the Councillors and the staff there just sell land before it has been surveyed. They put numbers there without authorisation from the Deeds Office in the Ministry of Lands. There are no Title Deeds and people are just selling haphazardly. Then you find that two, three people come to the Council and say they want their number and two, three people are fighting about the same land because they have given money. It is corruption and we have handed it over to the Anti-Corruption Commission which is working on it. I have made a Cabinet submission that we uplift the moratorium, so that the erven with Title Deeds can be sold but the others not.

Today I had a meeting with some staff members and they brought me the whole map of the town land boundaries of Helao Nafidi. From Helao Nafidi up to Onuno where the roadblock is, is town land and I was asking them, "*why did you make this huge area town land?*" There are hundreds and hundreds of villages and apparently those villages are now also within the town lands. I asked, "*why create this unnecessary headache?*" I told them that, for instance, as any town grows and comes nearer to that farm, then you buy that farm. You do not create the boundaries of Windhoek going up to Dordabis. They should have gone step by step, but this is already water under the bridge. We put a moratorium and we are going to align the whole township of Helao Nafidi. The Ministry of Works is

30 June 2009

**MOTION ON MUNICIPAL RATES
HON EKANDJO**

already working on it. Where the railway line runs is where the border post, the truck port and everything will go. The area of the current border post will be a business area and we are planning the whole system.

Therefore, I really sympathise with what the Comrade said, but the solution is for the Central Government to intervene.

When I came into the Ministry, I called the Permanent Secretary and said that our Budget for this year is more or less N\$600 million plus, we have thirteen Regions, why can we not cut N\$13 million from the N\$600 million and subsidise each Regional Council with N\$1 million? We have 54 Local Authorities, why can we not take N\$54 million from the N\$600 million and subsidise each Local Authority with N\$1 million? They said no, if we just give them money, they will use this for S&T and travelling, we ask them to provide them with Capital Projects, which we did. Every year we asked them for Capital Projects for 2010/2011. What they have presented to us will be spread over a two, three years period, but we will start with the servicing of land. Once we have serviced the land, we believe the Local Authorities will no longer have excuses to charge these exorbitant prices. That is just in a nutshell, but I am going to make a presentation to Cabinet because we really have to subsidise.

Only Walvis Bay, Swakopmund and Windhoek generate money because they have many industries. Arandis, none. Ongwediva does not have industries, it is only the well-to-do people who work in Oshakati and Ondangwa who do business, including Ministers and Members of Parliament who have houses in Ongwediva. Ongwediva is a town for the well-to-do.

We have towns coming up and this year we will come up with Otjinene. Imagine if Otjinene is proclaimed, what do you expect from Otjinene to develop or even Omuthiya? Opuwo, Kamanjab, Karibib, Kalkrand are Local Authorities. What do you expect if the Central Government does not help? The developers only come to Windhoek, they will never go to Karibib, they will never go to Usakos. (Intervention)

HON NAMBAHU: Honourable Minister, do you not think there is a need for a workshop? When you mentioned Oshikango and where the border is going to be, do you not think they have used the traditional way of marking

30 June 2009

**MOTION ON MUNICIPAL RATES
HON EKANDJO**

virgin land, where you just take a machete and then you put marks on the trees?

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,
HOUSING AND RURAL DEVELOPMENT:** It was professionals who went there and established the outer boundary. Professionals were sent by the Ministry, but I see it as too big. Now the result is that the hundreds of villages are on town land but not serviced. The ones that are planned are Oluno, the layout of Oluno has been done, the layout of Ohangwena and Oshikango has been done, but in-between there is just a town boundary. The people who are within this huge town land, know that within ten years they will have to vacate and they are now selling this land at exorbitant prices to the Philipinos or whoever. They are making a lot of money. This will also sabotage the compensation policy of the Government, because they know they will have to vacate within ten years and they are making a lot of money, causing unnecessary problems.

Comrade Speaker, I think it is very good Motion, but the only way is for the Central Government to subsidise, because for instance, if a developer goes to Usakos and wants to put up a factory and because Usakos does not have any other income, they will milk that developer. The result is that that person will say no and come to Windhoek. Everything is coming to Windhoek. (Intervention)

HON KASINGO: May I ask the Honourable Minister a question? I just want to find out whether there is not a policy which was converted into a law, prohibiting the selling of prime land to private entities? This is the land along the rivers and the beach. I thought there was such a law.

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,
HOUSING AND RURAL DEVELOPMENT:** Could you perhaps give an example? (Intervention)

HON KASINGO: If I am not mistaken, there was a law which prohibited the sale of land along the Kavango River and also along the beach. I think that was during the era of Dr Nicky Iyambo.

30 June 2009

**MOTION ON MUNICIPAL RATES
HON EKANDJO**

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,
HOUSING AND RURAL DEVELOPMENT:** This was a policy. Let me come to Kavango and Caprivi Regions where we have rivers. Outside the town land we have Communal Land Boards and a person applies to the Communal Land Board that he wants this piece of land and the Communal Land Board decides whether the person may build a lodge or not. If they apply for less than 20 hectares, the Land Board may allocate the land, but more than that requires approval by the Ministry of Lands. It is just a policy and it depends on the discretion of that particular Land Board and most of the Traditional Authorities and the Line Ministries are represented in the Land Boards.

However, Comrade Speaker, our Central Government has to subsidise. You cannot complain if Grootfontein is not growing. Aus was at one time proclaimed as a Village Council and it was demoted to a Settlement. The result is that those surviving municipalities such as Windhoek, Swakopmund and Walvis Bay milk us, because they have to survive. If you ask the Councillors or the Chief Executives, they say they have to.

Two, three weeks ago all the African Ministers responsible for housing had a meeting here and after that we took them around Windhoek. Then we went to the Municipality of Windhoek and they were briefed in the Northern Industrial Area by the Chief Executive on how Windhoek is operating, because they commented on cleanliness of Windhoek. They were told how Windhoek maintains the cleanliness. To maintain is very expensive and they were told that their rates are very high because the Central Government does not give them a cent, but they are proud to say Windhoek is clean. That is what they said, they are proud to say Windhoek is clean, but we do not get a cent from them. That is why we make it expensive, because if we do not, then they are the first to complain that it is dirty.

Once we bring it here, let us support so that we maintain it. Otherwise we complain. Our Ministry's current Budget is close to N\$700 million and the Capital Projects are only N\$200 million plus. The more than N\$500 million is only running costs and it should be vice versa. Once we bring it here, let us support. If Johannesburg gets R1 billion, Paris, New York and all over they are subsidised by the Government, I think that is the only solution. If they reduce the rates, Windhoek will be dirty. They explained that it is very expensive to maintain Windhoek. The towns that do not get anything, cannot even afford to maintain. I feel that is the only way, otherwise we will keep on complaining about high taxes.

30 June 2009

**MOTION ON MUNICIPAL RATES
HON NAMBAHU**

At one meeting I have given directives that they must look into the world, New York, Johannesburg, New Delhi, how do they collect water and electricity, because currently they estimate. Apparently they check it two or three months and then they keep it that way. We must do research in the world on how it is done in New York. Do they go house by house or do they have pre-paid electricity and water? We must find a way so that the residents do not complain or they must not estimate.

Comrade Speaker, this is my short contribution.

HON SPEAKER: Earlier before I gave you the Floor I said a friend of mine says, "*who is in charge?*" You are in charge, you have convinced me. Honourable Nambahu.

HON NAMBAHU: I also rise to support the Motion, but I only want to make a few points.

If a surveyor puts up pins and all these other things, why do they not account to anybody which is prescribing the fees the same as is done with the attorneys? We only take it that what they tell is justifiable. (Intervention)

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,
HOUSING AND RURAL DEVELOPMENT:** I said we want to create a technical directorate within the Ministry so that the Ministry itself must have quantity surveyors, surveyors, town planners. Kenya has hundreds of thousands of people on the streets, they can come and work here and we pay them salaries while we train our own, so that we do not make use of the private people who milk us. That is what I said, we are going to restructure the whole Ministry. At least in each Region there must be a quantity surveyor, a town planner and we even want our conveyancers within the technical directorate rather than making use of the private people who make things expensive.

HON NAMBAHU: Yes, I think that is a good approach and it should probably be reciprocated in all other services, because most of the time

30 June 2009

**MOTION ON MUNICIPAL RATES
HON NAMBAHU**

when you do not have these professionals within your Ministry you have to do damage control.

Without trying to offend anyone, what happens mostly with Government cases is that after a decision has been made, the consequences are there and one has to approach an attorney in order to come and clean up, but the damage has already been done. I think it is good to have those ones inside so that they can also check the errors of the professionals outside there.

I would also think that their bills should be itemised in a way, because the man in the street does not understand how people come up with these kinds of bills? What is it that makes the servicing of the land so expensive? Some of these things should be looked at.

Obviously, leaving the issue of habitat to profit-making companies is really a serious issue and will take us nowhere in the world. What I am trying to say is that Government intervention is crucial.

In many countries in Africa you find people making window frames in their *kambashus* and it is being sold all over, but here you have to depend on Pupkewitz and I feel this is something we have to emulate and come up with the ingredients that would make housing affordable and start investing in these areas. (Intervention)

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,
HOUSING AND RURAL DEVELOPMENT:** Can the Comrade just explain what he means? Does he mean the municipality must tell the people to make window frames? This is up to the citizens themselves, because currently they are only selling chips and wine. Is it not up to the politicians to change that mentality? I do not think that is for the municipality or what do you mean?

HON NAMBAHU: It is really that I want to compare systems, but we have realised that cement is a very critical element in the process of construction and we started encouraging people to come up with something like that. What they have done in Venezuela was to target those areas, what is it that makes the houses so unaffordable and they started encouraging investments in those areas and where it was not possible, Government intervened in that. (Intervention)

30 June 2009

MOTION ON MUNICIPAL RATES
HON NAMBAHU

HON DEPUTY PRIME MINISTER: In Kenya the streets are full of these buckets we wash our clothes in, window frames and furniture and it is done by the Kenyans themselves. What is wrong with our country, why do we not encourage our young people, the business people to do things? It is just cuca shops and then the people are saying they are creating jobs through that. I think it is very serious, let us do the thing ourselves.

HON NAMBAHU: Comrade Deputy Prime Minister, maybe it sounded like blame but that is not the intention, it is rather to start provoking thinking in that direction.

HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: I went to West Africa, it is the people themselves who started to make these things. If you go to the open market at the single quarters, they are only selling these hair pieces for women and nobody makes bicycles or anything else. If one goes to the Soweto market, an opportunity was created, which the Municipality of Windhoek created here at Wernill Park. Currently in Namibia, even if an open market is created, people only sell drinks and fish and chips. What we as politicians should do is tell our people to start making mattresses. A person is a welder, this one is a carpenter, but you must be employed by somebody. You will find an electrician who is unemployed, why can he not create a job for himself? I do not think it is for the Local Authorities to tell the people what to do, it is the people who must take up the challenge themselves.

HON NAMBAHU: Sometimes I have listened to politicians who go to a village where people are illiterate and they tell the people to come up with projects, while you yourself, as sophisticated as you are, are unemployed.

HON SPEAKER: You may continue tomorrow afternoon. The House shall rise.

HOUSE ADJOURNS AT 17:45 UNTIL 2009.07.01 AT 14:30