

**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 &amp; Interim Attorney-General)</i>
Mr J Mutorwa	<i>(Agriculture, Water &amp; Forestry)</i>
Dr N Iyambo (Mr)	<i>(Safety and Security)</i>
Mr J Kaapanda	<i>(Information &amp; Communication Technology)</i>
Rev W Konjore (Mr)	<i>(Youth, National Service, Sport &amp; 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 &amp; 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 &amp; 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 &amp; Culture)</i>
Mr P Smit	<i>(Works &amp; 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 &amp; Industry)</i>
Dr R Ndjoze-Ojo (Ms)	<i>(Education)</i>
Mr V Simunja	<i>(Defence)</i>
Mr R Dinyando	<i>(Information &amp; Communication Technology)</i>
Mr U Nujoma	<i>(Justice)</i>
Mr P Iilonga	<i>(Labour and Social Welfare)</i>
Mr I Katali	<i>(Agriculture, Water &amp; Forestry)</i>
Mr K Kazenambo	<i>(Regional and Local Government, Housing and Rural Development)</i>
Mr B Esau	<i>(Mines &amp; 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. Kavari  
Mr T Gurirab *(Chief Whip)*  
Ms R Namises

**DTA OF NAMIBIA**

Mr J De Waal *(Chief Whip)*  
Mr K Kaura *(Party Leader)*  
Mr P Moongo  
Mr M Venaani *(Deputy Whip)*

**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 Booyoys *(Chief Whip and Deputy Chairperson  
of the Whole House Committee)*  
Ms H Christian

Mr Dinyando	<i>(Deputy Minister)</i>
Mr J Ekandjo	<i>(Minister)</i>
Mr B Esau	<i>(Deputy Minister)</i>
Dr H Geingob (Mr)	<i>(Minister)</i>
Dr T-B Gurirab (Mr)	<i>(Speaker)</i>
Ms P Haingura	<i>(Deputy Minister)</i>
Mr M Hausiku	<i>(Minister)</i>
Mr P Iilonga	<i>(Deputy Minister)</i>
Ms E Ipinge	
Ms P Iivula-Ithana	<i>(Minister)</i>
Dr A Iyambo (Mr)	<i>(Minister)</i>
Dr N Iyambo (Mr)	<i>(Minister)</i>
Mr J Kaapanda	<i>(Minister)</i>
Mr E Kaiyamo	
Dr R Kamwi (Mr)	<i>(Minister)</i>
Ms L Kasingo	
Mr I Katali	<i>(Deputy Minister)</i>
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  
15 SEPTEMBER 2009  
WINDHOEK**

The Assembly met pursuant to the adjournment.

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

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**ANNOUNCEMENT**

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**HON DEPUTY SPEAKER:** Honourable Members, today is Democracy Day and will be celebrated in the Parliament Gardens. We wish everybody a very prosperous Democracy Day in this House and outside there. I thank you.

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

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**TABLING: ANNUAL REPORTS OF  
THE MINISTER OF FINANCE AND NAMFISA**

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**HON DEPUTY MINISTER OF FINANCE:** Madam Deputy Speaker, I lay upon the Table, Annual Report of the Ministry of Finance for the year 2005/2006, secondly, the Annual Report of the Ministry of Finance for the year 2006/2007 and finally, Annual Report of NAMFISA for the year 2008.

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15 September 2009

**TABLING OF ANNUAL REPORTS  
HON DR KAWANA**

**HON DEPUTY SPEAKER:** Table the Reports, Honourable Member.  
Dr Kawana.

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**TABLING: ANNUAL REPORT OF THE  
NATIONAL PLANNING COMMISSION**

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**HON MINISTER OF PRESIDENTIAL AFFAIRS:** Honourable  
Deputy Speaker, I lay upon the Table, Annual Report of the National  
Planning Commission for the year 2007/2008.

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**HON DEPUTY SPEAKER:** Table the Report, Honourable Minister.  
Minister of Labour.

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**TABLING: ANNUAL REPORTS OF  
MINISTRY OF LABOUR AND SOCIAL WELFARE  
AND SOCIAL SECURITY COMMISSION**

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**HON MINISTER OF LABOUR AND SOCIAL WELFARE:**  
Honourable Deputy Speaker, I lay upon the Table, the Annual Report of  
the Minister of Labour and Social Welfare for the year 2007/2008.

I also lay upon the Table, the Annual Report of the Social Security  
Commission for the year 2006/2007.

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15 September 2009

**NOTICE OF QUESTIONS  
HON VILJOEN**

**HON DEPUTY SPEAKER:** Table the Reports, Honourable Minister. Further Reports and Papers? Notice of Questions? Honourable Viljoen.

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**NOTICE OF QUESTIONS**

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**QUESTION 75:**

**HON VILJOEN:** Honourable Deputy Speaker, I give Notice that on Thursday, 25 September 2009, I shall ask the Right Honourable Prime Minister the following question:

Is it true that no HANSARDS are available for Sessions of the Fourth Parliament of Namibia between the period July 2004 to September 2005 and for some of the Sessions after 2007? Why is it necessary to spend millions of Namibian Dollars to rewrite the history of our country if the Government does not have the competency and expertise to keep record of the contemporary history of the country?

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**QUESTION 76:**

**HON VILJOEN:** I further give Notice that on Thursday, 25 September 2009, I shall ask the Honourable Minister of Labour and Social Welfare the following questions:

1. Are there vacancies in your Ministry for professionally qualified expertise like engineers, surveyors and other similar professions?
2. If there are vacancies, are there any limitations that prevent white Namibians to qualify to apply and be appointed in such posts?



15 September 2009

**NOTICES OF QUESTIONS  
HON TJIHUIKO**

**HON DEPUTY SPEAKER:** Table the Questions, Honourable Member.  
Honourable Tjihuiko.

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**QUESTION 77:**

**HON TJIHUIKO:** Honourable Deputy Speaker, I give Notice that on 25 September 2009, I shall ask the Honourable Minister of Works and Transport the following questions:

1. Honourable Minister, can you explain to me and this august House as to who was responsible for the purchase of the Chinese manufactured multi-million dollars locomotives that are incompatible with the Namibian railroad network?
  2. Is it true that this N\$44 million transaction was actually paid in cash?
  3. If the answer to question 2 is in the affirmative, would you agree with me that the reason why N\$44 million was paid in cash was to accommodate tips for some people who were directly involved in this transaction?
  4. Is it true that this multi-million dollar transaction's records do not contain substantial information in this regard?
  5. How deep was the Government, through the relevant Ministry, involved in this deal and at what level were they involved?
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**HON DEPUTY SPEAKER:** Table the Questions, Honourable Member.  
Honourable Venaani.

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15 September 2009

**NOTICE OF QUESTIONS  
HON VENAANI**

**QUESTION 78:**

**HON VENAANI:** Honourable Deputy Speaker, Honourable Members, I give Notice that on Thursday, the 17<sup>th</sup> of September 2009, I shall ask the Right Honourable Prime Minister the following:

The Public Service Act of 1995, Section 17(a), (b) and (c), speaks of permission needed to be granted for staff to do other remunerated work in the instances of Cabinet Secretary or President Secretary where permission must be sought from the Office of the Prime Minister. Hence the following questions:

1. Has the Office of the Prime Minister granted any permission to the Cabinet Secretary or the President Secretary for doing other remunerated work outside the Public Service?
2. Has the Secretary to Cabinet granted any permission to Permanent Secretaries in the Civil Service to perform other remunerated work outside Government?
3. If question 2 is in the affirmative, can the Prime Minister list the names of those who applied?
4. How many staff members in all Ministries have applied for permission from their respective Permanent Secretaries in the Civil Service for the last three Financial Years?
5. How many Permanent Secretaries' private interest Companies have secured Government tenders in other Ministries and what is the estimated cost of the inside trading over the last three Financial Years?
6. Does the Prime Minister realise that some Civil Servants are using inside trading to secure Government businesses through dubious means and influence of their jobs and knowledge in the Civil Service? How does the Office of the Prime Minister envisage to

15 September 2009

**NOTICE OF QUESTIONS  
HON VENAANI**

address this serious conflict of interest and the well connected deals inside trading?

7. Will the Prime Minister consider commissioning an investigation to address and curb this worrisome trend? Will the Prime Minister further consider amending the Act to protect Government procurement from inside staff from abusing their roles?

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**QUESTION 79:**

**HON VENAANI:** I give Notice that on 17<sup>th</sup> September 2009, I shall ask the Honourable Minister of Defence the following:

In the interest of accountability and openness, I put this question, knowing that the Minister is replying under oath:

1. What is the actual procurement cost of vessels, equipment and armament purchased from the Republic of Brazil in the last three Financial Years?
2. From which companies and institutions were this equipment purchased? May the Minister name them?
3. Who were the Namibian Defence Force representatives who were negotiating with these institutions and how many trips were taken to Brazil for the purpose of these negotiations?
4. Has any of those representatives or those companies or institutions visited Namibia and at what intervals during the last Financial Year?
5. Have any of our Defence leaders, be it civilian or commanding officers, involved in the negotiations visited Brazil for private or holiday purposes? If yes, at what intervals?

15 September 2009

**NOTICE OF QUESTIONS  
HON T GURIRAB**

6. Is there currently an investigation in the Ministry regarding this Brazilian armaments procurement?
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**HON DEPUTY SPEAKER:** Table the Questions, Honourable Gurirab.

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**QUESTION 80:**

**HON GURIRAB:** I give Notice that on the 25<sup>th</sup> September 2009, I shall ask the Minister of Environment and Tourism the following:

1. What exactly are the terms of the so called private-public partnership between NWR and private operators, Tungeni Africa Investment in relation to Von Bach Dam near Okahandja?
  2. Has any part of the resort been sold, leased or contracted out and at what terms?
  3. What revenues, if any, will be generated for NWR and the Treasury and how superior will those incomes be in terms of the present operations?
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**QUESTION 81:**

**HON T GURIRAB:** Honourable Deputy Speaker, I give Notice that on Thursday, 17 September 2009, I shall ask the Honourable Minister of Environment and Tourism the following:

Firstly, I would like to congratulate the Government on the upgrading of the lodge facilities at Ais-Ais. However, I have three questions to ask about NWR's operations at the same facilities:

15 September 2009

**NOTICE OF QUESTIONS**

**HON GURIRAB**

1. What was the total cost of the recent refurbishment at the said lodge, how much was budgeted for and in the event that expenses exceeded the Budget, how does the Ministry plan to correct the situation?
2. When does the Minister plan to table the long outstanding annual Reports of NWR?

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**HON DEPUTY SPEAKER:** Table the Questions, Honourable Member. Notice of Motions? Honourable Kamwi.

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**NOTICE OF MOTIONS**

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:**  
Honourable Deputy Speaker, Honourable Members, I give Notice that tomorrow, 16 September 2009, I shall Move –

That leave be given to introduce a Bill to establish a Tobacco Products Control Committee to advise the Minister on matters relating to the use of tobacco products; to provide for the Constitution, powers, duties and functions of the Committee; to provide for the reduction of demand for and supply of tobacco products; to provide for protection from exposure to tobacco smoke; to provide for the establishment of the Tobacco Products Control Fund; to provide for matters relating to the enforcement of the Act; and to provide for matters incidental thereto. I so Move, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Please table the Motion. Minister Mungunda.

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15 September 2009

**NOTICE OF MOTIONS**  
**HON MUNGUNDA / HON MBUMBA**

**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Comrade Deputy Speaker, I give Notice that on the 22<sup>nd</sup> of September 2009, I shall Move –

That this Assembly –

*Ratifies* the SADC Protocol on Gender and Development.

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**HON DEPUTY SPEAKER:** Please table the Motion. Minister of Education, Comrade Mbumba.

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**HON MINISTER OF EDUCATION:** Honourable Deputy Speaker, I give Notice that tomorrow, 16 September 2009, I shall Move –

That this Assembly –

*Ratifies* the SADC Protocol on Science, Technology and Innovation.

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**HON DEPUTY SPEAKER:** Table the Motion, Minister. Ministerial Statements? That brings us to the end of the business of the day. I will give the Floor to the Minister of Justice to adjourn the House until tomorrow.

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**HON MINISTER OF JUSTICE:** Comrade Deputy Speaker, let me welcome the Members of Parliament whom I have not seen for some time. I hope those who are not here today is not on account of ill-health, but we are all back safe and sound. I now propose that the House adjourns until tomorrow at 14:30.

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15 September 2009

**ADJOURNMENT**

**HON DEPUTY SPEAKER:**     The House stands adjourned until tomorrow, 14:30.

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**HOUSE ADJOURNS AT 15:10 UNTIL 2009.09.16 AT 14:30**

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
16 SEPTEMBER 2009  
WINDHOEK**

The Assembly met pursuant to the adjournment.

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

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

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**TABLING: REPORT ON ROLE OF  
INSURANCE COMPANIES**

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**HON P MUSHELENGA:** Honourable Deputy Speaker, I lay upon the Table, Report on the Motion on the Role of Insurance Companies by the Parliamentary Standing Committee on Economics, Natural Resources and Public Administration for consideration by this august House.

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**TABLING: REPORT ON FAMILIARISATION  
VISIT TO MINING AND AGRICULTURAL SECTORS**

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**HON P MUSHELENGA:** I lay upon the Table, the Report on the Familiarisation Visit to the Mining and Agricultural Sectors in the Karas and Erongo Regions during 2008 by the Parliamentary Standing Committee on Economics, Natural Resources and Public Administration for consideration by this august House.

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16 September 2009

**TABLING OF REPORTS  
HON NGATJIZEKO**

**HON DEPUTY SPEAKER:** Table the Reports, Honourable Member. Other Reports and Papers? Honourable Ngatjizeko.

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**TABLING: ANNUAL REPORT OF THE  
SOCIAL SECURITY COMMISSION 2006/2007**

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**HON MINISTER OF LABOUR AND SOCIAL WELFARE:** Honourable Deputy Speaker, I lay upon the Table, the Annual Report of the Social Security Commission for the year 2006/2007.

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**HON DEPUTY SPEAKER:** Table the Report, Honourable Minister. Honourable Minister Mungunda.

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**TABLING: ANNUAL PROGRESS AND MONITORING  
REPORT: NATIONAL PLAN OF ACTION**

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Honourable Deputy Speaker, I lay upon the Table, the Annual Progress and Monitoring Report from 1 April 2007 to 31 March 2008 for the National Plan of Action, 2006 to 2010, for Orphans and Vulnerable Children in Namibia of the Ministry of Gender Equality and Child Welfare for the year 2007/2008.

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**HON DEPUTY SPEAKER:** Table the Report, Honourable Minister. Deputy Minister Tweya.

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16 September 2009

**TABLING OF REPORTS  
HON TWEYA**

**TABLING: REPORTS OF AUDITOR-GENERAL**

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**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. Town Council of Helao Nafidi for the Financial Years ended 30 June 2006 and 2007;
  2. Town Council of Ondangwa for the Financial Years ended 30 June 2007 and 2008;
  3. Village Council of Ruacana for the Financial Years ended 31 March 2006 and 2007;
  4. Village Council of Aroab for the Financial Year ended 30 June 2007;
  5. Village Council of Aroab for the Financial Year ended 30 June 2008; and
  6. Village Council of Ruacana for the Financial Year ended 31 March 2008.
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**HON DEPUTY SPEAKER:** Table the Reports, Honourable Deputy Minister. Further Reports and Papers? Any Notice of Questions? Honourable Tjihiuko.

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**NOTICE OF QUESTIONS**

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16 September 2009

**NOTICE OF QUESTIONS  
HON TJIHUIKO**

**QUESTION 82:**

**HON TJIHUIKO:** Thank you very much, Honourable Deputy Speaker. I give Notice that on the 24<sup>th</sup> of September 2009, I shall ask the Right Honourable Prime Minister the following questions:

It was reported in the *Namibian* newspaper of August 24, 2009, that at the opening of Ai-Ais Hot Springs Resort, an event that was supposed to have been officially done by His Excellency the President of the Republic of Namibia or alternatively, by His Excellency, the Founding Father, but due to other commitments they were not able to attend.

1. Is it true as it was reported in the newspaper that NUNW Secretary-General made a statement that, *“those who choose to snub the event have made a biggest mistake.”* If the statement referred to was indeed true, who were those the NUNW Secretary-General was referring to?
2. It was also reported in the same paper that the Secretary-General of NUNW went on and said: *“They betrayed the respect of the people of this country.”*

Do those two statements have any reference to the absence of His Excellency the President or His Excellency the Founding Father or the Minister of Environment and Tourism?

Finally, I assume that the Prime Minister will agree with me that statements of this nature are an insult and total disrespect to the very fibre of our national leaders. What action will SWAPO take against such behaviour?

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**HON DEPUTY SPEAKER:** Table the Questions. Honourable Chilinda.

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16 September 2009

**NOTICE OF QUESTIONS  
HON CHILINDA**

**QUESTION 83:**

**HON CHILINDA:** Thank you, Honourable Deputy Speaker. I give Notice that on Thursday, 24 September 2009, I shall ask the Right Honourable Prime Minister the following questions:

I rise to pose a question to the Right Honourable Prime Minister regarding the representativeness of all the people of Namibia in the current Public Service in Namibia. The Constitution of Namibia gives every Namibian citizen the right to enjoy all rights, privileges and benefits offered by the country. The SWAPO Party Election Manifestos of 2004 and 2009, respectively, place emphasis on democracy, peace, unity and stability, particularly nation building and unity among the people of Namibia, hence the need for a Civil Service that will be representative of all people of Namibia.

1. Can the Prime Minister clearly state or indicate that the composition of the current Civil Service of Namibia is based on nation-building when it is daily observed that not all ethnic groups are adequately represented?
2. Is the SWAPO Party Government achieving this promise of representation of all people in the Civil Service?
3. How are the members of Boards of directors of parastatals recruited that they end up being dominated by a single ethnic group?
4. How is the recruitment process of Chief Executive Officers of current Government Ministries and parastatals conducted that such institutions of Government also end up being dominated by a single group?
5. When are Namibian citizens from other ethnic groups going to be visibly qualified as Namibian Ambassadors or representatives in Foreign Missions, not only as First or Second Secretaries?

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**NOTICE OF QUESTIONS  
HON CHILINDA**

6. What other appointment requirements besides academic professional skills and political membership should citizens possess in order to be appointed in such positions, since even when they belong to the SWAPO Party they still feel the same pinch?

I ask these questions in the light of the fact that there is clearly under-representation of other ethnic groups in the top echelons of the Government institutions, particularly if viewed against the SWAPO Party's own Election Manifesto.

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**HON DEPUTY SPEAKER:** Table the Questions. Further Notice of Questions? Notice of Motions? Honourable Mushelenga.

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**LEAVE OF ABSENCE**

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**HON P MUSHELENGA:** Honourable Deputy Speaker, I Move without Notice, that leave of absence due to her own health be granted to the Deputy Minister of Gender Equality and Child Welfare, Honourable Muharukua, until the 30<sup>th</sup> of September 2009.

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**HON DEPUTY SPEAKER:** Table the Motion. Any further Notice of Motions? Ministerial Statements? The First Notice of Motion is the one of the Honourable Minister of Health and Social Services.

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**INTRODUCTION AND FIRST READING:  
TOBACCO PRODUCTS CONTROL BILL**

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16 September 2009

**TOBACCO PRODUCTS CONTROL BILL**  
**HON DR KAMWI**

**HON DEPUTY SPEAKER:** Does the Honourable Minister Move that the Bill be now introduced?

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** I Move, Honourable Deputy Speaker.

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

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**SECRETARY:** *Tobacco Products Control Bill.*

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**SECOND READING:**  
**TOBACCO PRODUCTS CONTROL BILL**

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**HON DEPUTY SPEAKER:** Does the Honourable Minister of Health and Social Services Move that the Bill be now read a Second Time?

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** I so Move, Honourable Deputy Speaker.

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16 September 2009

**TOBACCO PRODUCTS CONTROL BILL  
HON DR KAMWI**

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

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:**  
Honourable Deputy Speaker, Honourable Members, I rise to introduce the long-awaited Namibia's Tobacco Products Control Bill, whose core objective is to minimise the impacts of smoking on the health of our people.

The impact of tobacco smoking in Namibia has reached alarming epidemic proportions and the full extent of this epidemic is not fully appreciated by some sections of our society. Given the successful strategies applied in many developed countries, the tobacco industry is very aggressively looking for new markets in the developing world, especially in countries with a young population such as Namibia.

According to a School-Based Student Health Survey conducted in Namibia in 2004, about 17% of our school children, aged 10 to 12 years, have experienced smoking in the 30 days preceding the survey. In other words, this very harmful behaviour is practised by far too many of our children too early in their lives. However, the damages to their health will only become evident many years or even decades after they started smoking. As many of you are aware, tobacco contains nicotine, which is a dependence forming substance. In other words, it is a drug to which too many become addicted to, with resultant life-threatening side effects and struggle their lifetime to quit. We can change this situation if we have the political will through putting in place the right policies and legislation, followed by concerted actions by Government and all our stakeholders.

Honourable Deputy Speaker, tobacco is the single most preventable cause of death in the world today. To paraphrase an Oxford Medical Companion, *"tobacco is the only legally available consumer product which kills people when it is used entirely as intended."* According to global projections, tobacco kills one person every six seconds. Worldwide it is estimated that the tobacco epidemic already kills 5, 4 million people a

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**TOBACCO PRODUCTS CONTROL BILL  
HON DR KAMWI**

year, more than HIV/AIDS, tuberculosis and malaria combined. This number is likely to increase to 8 million a year by 2030, with more than 80% of those deaths occurring in the developing world.

It is, therefore, disheartening that globally, Namibia included, there is an increase in the consumption and production of cigarettes and other tobacco products. We see an escalation in smoking and other forms of tobacco consumption by children and adolescents, particularly smoking at increasingly early ages. We also witnessed an unacceptable increase in smoking and other forms of tobacco consumption by women and young girls.

Sadly, tobacco smokers are not the only victims of tobacco. Second-hand smoking or passive smoking is proven to have serious and often fatal health consequences and may include lung diseases, allergies and cancer. The longer and more exposure a person has had to second-hand smoke, the higher the chance of developing tobacco induced disease. This is why we need to specifically protect our children and our mothers, the future leaders and custodian of the tobacco free generation.

Tobacco control issues have been discussed on many occasions in this august House. Many of you are strong supporters of a more controlled environment for tobacco and might not need introduction to the problems caused by tobacco. Therefore, my task today is to introduce the Namibia Tobacco Products Control Bill to you for your consideration and early approval into an Act of Parliament.

Honourable Members, in May 2003 the World Health Organisation adopted the Framework Convention on Tobacco Control. The World Health Assembly saw it fit to develop such a tool to protect the health of the people of the world. This august House voted unanimously during November 2005 for Namibia to ratify the Framework Convention on Tobacco Control.

In addition, according to the Namibian Constitution, Article 95(b), read with Article 6 and 95(g), makes provision for the Namibian Government to protect the health of the people, protect and respect life, as well as to



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improve public health. Taking these provisions into account, Government has the responsibility to ensure that no one's life is to be put to risk commercially or otherwise.

Article 5 of the Framework Convention on Tobacco Control requires each Party to develop, implement, periodically update and review comprehensive multi-sectoral national tobacco control strategies, plans and programmes in accordance with the Convention and the protocols to which it is a party.

My Ministry has taken the necessary steps in compliance with the Framework Convention on Tobacco Control and embarked on drafting a Tobacco Products Control Bill immediately following ratification. Since then, the draft Bill has been reviewed by various Government bodies to ensure the involvement of all relevant stakeholders that will eventually contribute to its smooth implementation. We have also sought the opinion of World Health Organisation experts and their inputs are incorporated in the Bill.

Comrade Deputy Speaker, I would like to stress the fact that the tobacco industry has been completely excluded from all the consultations in the development of this Bill. This is in compliance with the Framework Convention on Tobacco Control. The Framework Convention on Tobacco Control prohibits the involvement of the tobacco industry as its interests are contrary to public health interest. According to the Framework Convention on Tobacco Control, *"the tobacco industry should not be a partner in any initiative linked to setting or implementing public health policies, given that its interests are in direct conflict with the goals of public health."*

As stated in the Framework Convention on Tobacco Control, the Parties to this Convention, including Namibia, are determined to give priority to their right to protect public health. By July 2008, many Parties to the Convention reported the development and implementation of comprehensive multi-sectoral national tobacco control strategies and programmes prohibiting sales and importations by international travellers of tax and duty-free tobacco products.

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Similarly, parties to the Framework Convention on Tobacco Control require manufacturers and/or importers of tobacco products to disclose information about tobacco product contents to Government authorities. They have also instituted a comprehensive ban on all tobacco advertising, promotion and sponsorship.

Most parties in the European and African Regions reported providing full protection from tobacco smoke in health-care facilities. Our neighbour, South Africa, has gone far ahead and started implementing various legal measures in compliance with the Framework Convention on Tobacco Control.

It is clear that Namibia, as one of the first African countries who signed the Framework, Convention on Tobacco Control, cannot afford to lag behind while other countries are proceeding to effectively implement their tobacco control strategies. This would be a disservice to the Namibian people and the Nation as a whole.

Therefore, I call upon each one of you Honourable Members, with effect from today, to support the noble idea of a smoke-free Nation by endorsing this most valuable Bill on the Control of Tobacco Products.

The introduction of the Tobacco Products Control Bill is one important way of curbing diseases, especially non-communicable ones, for example, diabetes, high blood pressure and heart failure which many Namibians suffer from.

Furthermore, of grave concern is that tobacco smoking is increasingly affecting our youth and young adults and it is very often closely linked to the abuse of other addictive substances, which are also posing a serious challenge to our society today. The youth are especially at serious risk as they are confronted by peer pressure to conform to.

Honourable Deputy Speaker, the Bill that I have the honour to bring to your attention is intended to establish a Tobacco Products Control Committee to advise my office on matters relating to the use of tobacco products; to provide for the Constitution, powers, duties and functions of

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the Committee; to provide for the reduction of demand for and supply of tobacco products; to provide for protection from exposure to tobacco smoke; to provide for the establishment of the Tobacco Products Control Fund; to provide for matters relating to the enforcement of the Act; and to provide for matters incidental thereto.

Comrade Deputy Speaker, Honourable Members the Framework Convention on Tobacco Control has outlined the six most important and effective tobacco control policies proven to reduce use. These are, raising taxes and prices; banning advertising, promotion and sponsorship; protecting people from second-hand smoke, warning everyone about the dangers of tobacco; offering help to people who want to quit and carefully monitoring the epidemic and prevention policies. The Bill rigorously and clearly stipulates a number of measures in line with the Framework Convention on Tobacco Control aimed at preventing the escalation of the tobacco epidemic and its harmful consequences in our population today in years to come.

Honourable Deputy Speaker, our goal is to protect our people from the harmful effects of tobacco by instituting the required legal measures. We cannot afford to delay the Bill for another day. The more the Bill is delayed, the higher the harm done to our people. I have no doubt in my mind that this House will unanimously support the draft Bill and expedite its implementation as soon as possible.

My Ministry has worked around the clock for a number of years to make this valuable tool a national reality. This august House is, therefore, encouraged to support the promulgation of this Bill into law without further delay.

In closing, I would like to reiterate here that the effect of tobacco smoking has been scientifically proven to be detrimental to the environment and human health. Tobacco contains various poisonous substances that are addictive and cause dependency in one's life. This is the reason why people who start smoking find it extremely hard to quit the habit later in life.

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The control of tobacco smoking is a global endeavour to reduce the considerable harm caused by tobacco products to the health of many people. Globally, smoking is still wrongly associated with high class status and wealth. Too many of our people and especially our youth and women get seduced into starting smoking through peer pressure. I trust that after the promulgation of this Bill into an Act, all our people and in particular our smokers, will be empowered to guard their own health and save themselves from the harmful and deadly effects of tobacco smoking.

Honourable Deputy Speaker, Honourable Members, I now have the honour to call upon you to unanimously support the Tobacco Products Control Bill and its promulgation into an Act of Parliament. I so Move and I thank you for your kind attention.

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**HON DEPUTY SPEAKER:** Thank you very much. Any further discussions? Honourable Viljoen.

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**HON VILJOEN:** Honourable Deputy Speaker, I will be very brief. Before I make my contribution, I think there is a need to congratulate the Minister of Safety and Security and the Police Force of Namibia for excellent work during the past couple of weeks and for their role to keep order in our country and bringing a large number of trespassers to justice, which include alleged murderers and thieves. I am convinced that the Police deserve the applause of the whole Nation.

Honourable Deputy Speaker, it is very difficult to speak on this Motion. One has to be a true politician. Whether you speak in favour of the smokers or the non-smokers, you will become unpopular. If you speak in favour of the smokers, you will lose the votes of the non-smokers.  
(Intervention)

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**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT:** May I ask the Honourable Member a question? Honourable Member, I am told all 24 members of MAG are smokers. Why is it that all your members are smokers?

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**HON VILJOEN:** Honourable Deputy Speaker, we are 72. I am number one and I am not a smoker. I am also convinced that it is not necessary for us to have long discussions on all the pros and cons of smoking because everybody, even the heavy smoker, will agree that it is a health risk. Let us not waste time on issues which are known to every body.

I think we must not punish people, because they are smoking, they are punishing themselves. (Intervention)

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**HON MINISTER OF JUSTICE:** On a Point of Information. Comrade Deputy Speaker, when we debate issues such as this one, we must be truthful. The number of people who are affected by smoking are the non-smokers and therefore, the statement of the Honourable Member is not quite truthful. The concern of the public is that those who do not smoke are affected and infected by the smoke coming from the lungs of other people.

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**HON VILJOEN:** Honourable Minister, I agree with you. If you have never smoked in your life, you cannot put yourself in the position of a smoker. (Intervention)

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**RT HON PRIME MINISTER:** May I put a question? You are saying we should not punish the smokers because they are punishing themselves.

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If by any chance you find somebody who is trying to commit suicide, what would you do?

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**HON VILJOEN:** If you are a smoker and your system is crying for nicotine, you will still manage to buy a cigarette or you will swim a river to purchase tobacco. We must not try to force people to quit smoking. I can assure you that the proposed legislation will not force one single person to give up this habit. At school the teachers tried for many years and it was fruitless efforts. We must rather get the cooperation of all smokers to consider those who prefer not to smoke. The signs should read, “*thank you for not smoking*” instead of “*smoking prohibited*.” We must concentrate on the right of people who do not want to smoke or who are the victims of second-hand smoking. We must also protect children against this bad habit. (Intervention)

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**HON DEPUTY MINISTER OF JUSTICE:** May I ask Honourable Viljoen a question? Honourable Viljoen, you are speaking as somebody who is representing the tobacco industry, because this is what is coming out. It seems that you have some interest in the tobacco industry. Is that the case or what is happening here?

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**HON VILJOEN:** Honourable Deputy Speaker, it is not true, but I think we in this country concentrate on the rights of people and all people have rights. They have the right to smoke, but the non-smoker also has the right to unpolluted air. (Intervention)

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Honourable Deputy Speaker, I have never smoked but two very close relatives of mine died of lung cancer because their husbands were smoking and it is very dangerous for the people who are not

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smoking. Honourable Viljoen, if your son is addicted to drugs, you will definitely make a plan to get him to a place where this service is rendered because it is a very serious bondage on the lives of people and a health risk.

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**HON VILJOEN:** Honourable Minister, I think you cannot force a person to stop smoking, you can convince him. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** May I ask a question? Honourable Viljoen, how many times have you travelled in an aircraft where you saw people were forbidden to smoke for almost 12 hours? From Frankfurt to Windhoek takes 9 to 11 hours. How does it fit your argument that you cannot force people to stop smoking, but they are made to obey the rules of the airline? Did you declare your interest to the Speaker concerning the tobacco industry?

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**HON VILJOEN:** Honourable Deputy Speaker, I think the Honourable Members must give me time, because they think I am speaking in favour of the smokers, which is not the case. I agree with the non-smoking on the planes, but I have also seen that after they got off the plane, they try to eat the cigarette instead of smoking to get to the tobacco.

The formulation of the legislation should be very clear and without loopholes and should leave no doubt about the intention of the lawmakers. In Maerua Mall and other malls there are Coffee Shops, partly in the building, partly outside the building. Is the one part smoke-free and the other part not? I wish to suggest that any building or place with a roof should be a smoke-free area.

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Now the problem is that it is possible to penalise the owner of a restaurant if someone smokes in his area. (Intervention)

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**RT HON PRIME MINISTER:** May I ask Honourable Viljoen a question? Does he agree with me that this Bill could be called the “*Johan De Waal Bill*?”

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**HON VILJOEN:** Honourable Deputy Speaker, I think the practice is that you cannot mention a person’s name if he is not here.

Honourable Deputy Speaker, what about that part in the mall which is no-man’s land, outside the restaurant? I am saying the law must be very clear and who will control that area and discipline trespassers? (Intervention)

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**HON DEPUTY MINISTER OF JUSTICE:** I want to ask Honourable Viljoen a tiny question. Honourable Viljoen, the object of this Bill is to protect the non-smokers against the effects of smoking and that is why it is important that we have to look at the non-smokers who are the first target. Those who are smoking could be looked at later, but we must protect people who do not smoke, because the innocent people are being affected in the restaurants and other public places. You want to enjoy your meal and have a cup of coffee and these unscrupulous elements will just light a cigarette and you cannot breathe. Yes, they do not have respect for others. The important thing here is that we have to look at the rights of the people who do not smoke. Everywhere you go in the city they are smoking and then they throw the cigarettes in the streets, creating unnecessary hazards and impact on the environment. The people we have to protect are the non-smokers, they have as much rights as the smokers and that is what we want to do, because we cannot continue sitting in restaurants and you can no longer eat, because of the bad smell of tobacco.

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**HON VILJOEN:** I agree with you and I recommend that smoking should be banned in any building with a roof or shade netting. A couple of years ago when I was still with Education, there was a circular that nobody should smoke in the offices, but nobody enforced that. There must be people to enforce this. Last month South Africa made an Amendment to their Bill and the penalty for Shop and Restaurant owners is now R50,000.

There should be no smoking in a public place where there is any form of a roof, even a net or any place where children are present. Even if you give piano lessons in your home, smoking should be prohibited. The selling of tobacco to children under 18 years and the sale of loose cigarettes at the street corners should be prohibited.

The final piece of legislation on the Table should give muscles to the applicable people to enforce it. It should be an appeal to all Namibians to give their cooperation, because the purpose of this law should not be to prevent people from smoking, but to protect the rights of the non-smokers and children. I support the Bill wholeheartedly.

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**HON DEPUTY SPEAKER:** Thank you very much. The House will rise for a tea-break.

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**HOUSE ADJOURNS AT 15:48  
HOUSE RESUMES AT 16:20 PURSUANT TO ADJOURNMENT**

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**HON DEPUTY SPEAKER:** Honourable Gurirab.

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**HON T GURIRAB:** Honourable Deputy Speaker, I shall be very brief. I rise to support the Bill tabled this afternoon and before I proceed with my contribution, we must ask some Members namely the smokers to leave the Chamber because of conflict of interest.

Honourable Deputy Speaker, I agree with the Minister that this is an important Bill and I agree too that this Bill should have been tabled quite some time ago, because internationally the trend now is that we should not allow smokers to pollute the environment around us and by introducing this very important Bill, we are also doing what we intend to do in terms of this Bill, that will reduce the bill of our public health because if we are a healthier Nation, we will be spending less on hospital and doctor's costs and because of all those reasons we support this very important Bill and that the moneys which otherwise would have gone to cure people because of diseases and illnesses caused by smoking or because of secondary smoking, is spent on other important things like education.

I want to assure the Minister that we all should march as one group from here to ensure that Namibia becomes a smoke-free country. We will deal with the details of the Bill when we look at it during the Committee Stage, but I want to say for the record that this is a very noble and important Bill and that we support it. Thank you very much.

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

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**HON VENAANI:** Thank you very much, Honourable Deputy Speaker, Honourable Deputy Speaker, I crave your indulgence to make one remark about a very senior leader of this House, Honourable Tjiriange, who is about to retire and I wanted to be on record, because I received misinformation that he has already left. I want to be on record to have stated the following:

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I want to be on record as stating that I want to recognise his work in the 7 years and few months that I have been in this House, that I would remember him always as a very thoughtful legislator in this House, because during Committee Stages he was the man who always addressed the technical errors in the Bills and his contribution to this country can be best explained and told by his Colleagues who worked with him, but I, from the Opposition, want to tell him that he has made an impression on me as a person, as a leader and I want to thank him for what he has done for our people in this country and his work in this House.

Honourable Deputy Speaker, I rise to wholeheartedly support and congratulate the Minister .... (Intervention)

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**HON MINISTER OF PRESIDENTIAL AFFAIRS:** May I ask the Honourable Member a question? Honourable Member, for the first time in the history of your Party I am agreeing with the sentiments of the DTA, particularly the terminology of “*scrap Political Parties*” and “*scrap yards*”, but I have noticed that Honourable Tjihiuko who is a product of that terminology is now looking at the SWAPO Party 2009 Election Manifesto and as I have observed, where the word “*SWAPO*” appears he is replacing it with the word “*NUDO*.” Is that allowed?

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**HON VENAANI:** The question is irrelevant to the Debate. I want to thank the Minister wholeheartedly for the intention and purpose of this Tobacco Products Control Bill. Coupled to this issue, I want to raise a few minor issues and that is the importance of this Bill that it is also addressing tobacco products. Those who are older than I am ... (Intervention)

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**HON DEPUTY MINISTER OF JUSTICE:** On a Point of Information. It is rather interesting that when SWAPO coughs everybody sneezes. Honourable Tjihiuko is busy deleting “*SWAPO*” and replacing it

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with “*NUDO*”. This is what we are telling you, you are going to sneeze more.

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**HON VENAANI:** There is nothing wrong fundamentally with what SWAPO does, because SWAPO is the Party in public office. Whatever you do has to do with the citizens of this country, so I do not even deny that I follow what you do because you are governing the country and I must be interested. (Intervention)

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**HON TJIHUIKO:** Honourable Deputy Speaker, on a Point of Information. It seems that there is a misunderstanding here and sometimes human beings have the tendency that when they are guilty or have a guilty conscience, to say wrong things at the wrong place and time. I have heard the statement that was made that NUDO has copied the SWAPO Election Manifesto, but the fact of the matter is that NUDO was the first Political Party to write an Election Manifesto and I am sure that SWAPO delayed their Manifesto which was launched last month and if you look at the NUDO Election Manifesto and you look at the SWAPO Election Manifesto, there is not much difference. I do not know whether the SWAPO Election Manifesto qualifies to be called an Election Manifesto. For that matter they are using it as if it was a SWAPO asset and that is wrong.

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**HON VENAANI:** I was trying to say that I am seeing a new tendency especially with our mothers that they are using snuff and when you go to funerals, you find half the population sniffing and you do not know whether it is fashion. These are some of the new cultures that are brought into our society and it is a worrisome that some people would say they do not smoke, but yet they are using these products. (Intervention)

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**HON MINISTER OF JUSTICE:** May I ask a question? Nowadays when you see people sniffing, it does not necessarily mean they are sniffing tobacco. Maybe they are sniffing something else. Do you know what they are sniffing? This is very, very un-Namibian for young women to sniff. Really, I have not seen them sniffing tobacco, I have seen old men and old women doing that, but nowadays I am told cocaine is rampant in our community and it should not surprise us that they may be sniffing cocaine. It is just hint.

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**HON VENAANI:** Thank you for elucidating the point, because you would go to church and you will find everybody sniffing. You do not know whether it is a constant flu or whether it is just sniffing, but it is a serious trend that we need to address in our society, that people think smoking is bad and they can do the other thing, but it is equally bad as smoking and I am very glad that the Minister has spoken about tobacco products.

One other issue is the school and peer pressure and this notion of young learners thinking that it is cool to smoke, because if you ask a lot of smokers today, they will tell you that they started smoking at school, either Oshigambo or Augustineum. The general trend was that people from the North were not smokers, but today the situation has been reversed, it has changed completely. In the old days to see a person from Kavango or the North smoking was like a taboo. (Intervention)

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**RT HON PRIME MINISTER:** On a Point of Information, Honourable Venaani. In our good old days smoking had something to do with age, but now the reverse is true, it is young people who are smoking now.

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**HON VENAANI:** Nevertheless, there is this peer pressure and the schools are the breeding grounds of smokers and drug abuse and effective

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campaigns must be launched at our schools that it is not cool to smoke. I would even love the idea of advertisements at schools, telling the effects of smoking to students, because I remember at high school, every second guy would give you a cigarette and it was fun to have a cigarette, girls would look at you as if you are an old man, but it looked cool while creating problems. We should even do random tests at our institutions of learning, that one day the Police must enter a school and start looking what the students are carrying in their bags. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On a Point of Order. Is it allowed for a Member to try to recruit members from other Political Parties and then he runs away?

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**HON VENAANI:** I know in England they are doing these random searches and it has had a positive impact. We do not know what our learners are carrying in their bags, we have given them the freedom to carry drugs and cigarettes every day and there is no deterrent measure. (Intervention)

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**HON NAMBAHU:** May I ask the Honourable Member a question? Honourable Member, you are talking about snuff, but what is wrong with it? Do you know that you women, in order to disguise that their boyfriends are old men, are telling others in the hair salon that, "*I have just been dropped off by my Ofenya?*"

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**HON VENAANI:** I did not know the modernised version of calling the older colleagues of the generation are called *Ofenya*. However, be that as it may, I feel very strongly that our schools are left to go astray because we do not have deterrent measures. The teachers have no control over the students, we are allowing too many human rights to our children, to the

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point that they are carrying drugs to school and I am sure if you conduct searches at some schools here, you would find a lot of drugs. It has become the biggest market for drugs and tobacco. These people are sitting in front of schools in BMWs and you see students running back and forth during breaks and you do not know what this guy is selling, but there is proof that our schools are the breeding ground for tobacco and drug abuse and we must do more.

Another issue which was raised is the question of market liability. On the one hand we want to control, but the market will always determine the sale of these products and we must also try to deter the markets. There are countries whose income is primarily derived from tobacco, such as Zimbabwe and Malawi where tobacco is the greatest GDP earner. How do you address that issue, because it also becomes an economic issue?

One question that I want to raise to the Minister is on Part 3 where it is talking about reduction of demand for tobacco products, where you want to limit advertisements and that tobacco companies not giving donations. Has the Ministry done a proper economic costing on what would the impact be? For example, I know there are advertising companies that are making their money from Stuyvesant and if you are telling us that you are going to curb the advertisements, you have to try to address the costing.

However, I think it is a very important Bill for our society in general and I welcome it wholeheartedly and I support the Bill. I thank you.

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**HON DEPUTY SPEAKER:** Thank you very much. Honourable Amweelo.

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**HON DR AMWEELO:** Thank you very much, Deputy Speaker. I would also like to join others in congratulating the Honourable Minister for bringing this very important Bill. When I travel and stop at a filling

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station, I have seen many people smoking at the Filling Stations without considering the danger. Maybe the Comrade Minister should create awareness about those very dangerous areas.

Another issue which has already been mentioned by Honourable Venaani is advertising. I have seen very big billboards advertising tobacco and it means that we are promoting tobacco, while we are saying it is not good. Therefore, we have to look at this and see how we are going handle this issue. Otherwise I am very much thankful and I support the Bill.

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**HON DEPUTY SPEAKER:** Thank you. Honourable Tjiuiko.

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**HON TJIHUIKO:** Thank you very much, Honourable Deputy Speaker. Before I make my small contribution to this Bill, I just want to echo the sentiment expressed by Honourable Venaani on the statesmanship of the Honourable Minister of Veterans Affairs, Honourable Tjiriange. Personally I have learned something from him, because I remember that when I joined the House for the first time, not knowing the Rules and Procedures, as a young person by then I have made a number of mistakes, I have made some remarks that were very unbecoming for a senior person and instead of being angry with me, he taught me by his behaviour that sometimes we need to take a backseat and learn from the elders. I appreciated that example and I know that the Minister knows what I am talking about. We have learned a lot from the Minister and it is a pity that the mature leaders are leaving the House before preparing us properly. Honourable Minister I thank you very much, for your kindness and leadership that you have shown to all of us. Whether we are members of your Party or not members of your Party, we have learned a lot from you. Thank you very much.

Honourable Deputy Speaker, let me start by saying that I support this Bill for two reasons. (Intervention)

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**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT:** May I ask the Honourable Member a question? Honourable Tjihiuko, I have forgotten the terminology you used. You said you are a product of what? Can you just refresh our minds, you said you are a product of scrap?

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**HON DEPUTY SPEAKER:** Honourable Minister, we are talking about the Tobacco Bill now.

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**HON TJIHUIKO:** I was saying that what has struck me about this Bill is the fact that the intention of the Bill is not to prohibit the sale of tobacco, but the objective is that all of us should benefit from what is taking place. It is true what Honourable Venaani has said that the economic benefits to the country needs to be looked at and compared critically with the health effects of smoking. We may get a lot of money from tobacco, but a lot of people may die from the effects of smoking.

The Bill is meant to protect both of us. As a non-smoker I want to enjoy an environment that is free from smoking and it is the democratic right of the smokers to smoke, but this demarcation of the rights of both of us needs to be respected in such a way that as a smoker you should know that you should not smoke at places where it would affect non-smokers. I think it is important to have a little piece of paper that we can refer to and say, "*this is my right and that is your right.*" (Intervention)

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**RT HON PRIME MINISTER:** May I ask Honourable Tjihiuko a question? Honourable Tjihiuko, what are we going to do about those tobacco plants growing around the scrap yard?

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**HON TJIHUIKO:** Let me attempt to answer that question. When somebody is talking about a Political Party being a scrap yard and the person is not even here to say that is what he said or not, I was looking at the Manifesto of the Party that was alleged to have said that, a document consisting of three unnumbered pages... (Intervention)

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**HON NAMBAHU:** May I ask a question? Honourable Member, are you now a specialist in the collection of Manifestos and everybody who wants a Manifesto should come to you?

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**HON TJIHUIKO:** I was saying that when somebody goes to the scrap yard and pick up something there, then he would turn around and say the person who was coming from the scrap yard is Honourable Uutoni, forgetting that he has brought along the things that he has picked up at the scrap yard. (Intervention)

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**HON VENAANI:** On a Point of Information. I think the Colleague who is claiming that we have a three-paged document counted wrongly. (Interjection)

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**HON MEMBER:** Unpaged.

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**HON VENAANI:** The numbering is not important. Books are written in the world that are not numbered.

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**HON DEPUTY SPEAKER:** Honourable Venaani, is it true that there are no numbers?

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**HON VENAANI:** Yes, there is no need for numbers in a Manifesto. It is not a book, nor a Bible. However, be that as it may, this is one of the best thought-out Manifestos, but IPPR said their Manifesto had the worst spelling mistakes. If a Party cannot even correct their Manifesto, how can they make legislation in a country?

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**HON TJIHUIKO:** Honourable Deputy Speaker, I think we have a serious problem and I think we need somebody to help us count – one, two three. This is the cover page. Let us be very clear, when you have a Manifesto done by professionals, doctors, you will have a paged document like this one that will never be implemented. That is the problem.

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**HON DEPUTY SPEAKER:** Honourable Tjihuiko, you can go and do that in your campaign.

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**RT HON PRIME MINISTER:** On a Point of Order. Could the Honourable Member please quote the part of the Manifesto which has not been implemented. Just quote one!

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**HON TJIHUIKO:** Honourable Deputy Speaker, I think I owe the Right Honourable Prime Minister an answer.

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**HON DEPUTY SPEAKER:** Yes, you can answer outside. Please continue on the Bill.

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**HON TJIHUIKO:** In conclusion, Honourable Deputy Speaker, the Bill

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**HON TJIHUIKO**

will help us as parents to make sure that our kids are not involved in these unbecoming activities. It starts with us and the Bill will help us as parents, as Police officers and teachers to do the right thing within the law. That is why it is very important that the Bill is not prohibiting the selling of tobacco products, but it also makes provision for me to be protected as well and that is crucially important to all of us.

That is why it is important that when we look at the Manifestos of the parties to see that it is a Manifesto written by young Turks sitting somewhere or something that is coming from the people. (Intervention)

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**HON DEPUTY SPEAKER:** Address the Bill.

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**HON VENAANI:** Honourable Deputy Speaker, on a Point of Information. Given the fact that I know the Chief who leads my Colleague's Party, I am aware that there are no policy documents in NUDO. Being a new member in NUDO, he wants to modernise NUDO and Honourable Tjihuiko attempted with the Manifesto to bring all policies of NUDO in place. DTA is a Party which has a lot of policies in place. Therefore, when you write a Manifesto, you do not write an academic paper, you write the ideals that you want to give the electorate. The electorate do not want to read a document of 49 pages. I want to thank him also for having attempted to modernise his Party's policies, but he has fell short or selling a programme that people would understand. If people read a document of 49 pages, they would not know what you stand for and you have to summarise your Manifesto in such a manner that voters understand what you are saying, because you are dealing with semi-literate people in this country. Therefore, do not try to make a Manifesto a policy document of all your policies.

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

On a Point of Information. I am not dwelling on the Manifesto, but I would like to correct information which is being given from the Floor of this House, that the Manifesto of SWAPO was prepared young Turks and doctors and although it looks brilliant, it will not be implemented. That is a misleading notion and as the Manifesto stands, SWAPO as the Ruling Party has been in power since 1990 and the pictures that are depicted there are referring to the achievements and the things that SWAPO has implemented. As a Party of continuity, as a Party of the people which is going to enjoy the majority endorsement comes November, we are reassuring the Namibian people that on these areas we are going to consolidate and intensify the coverage of their interests.

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**HON DEPUTY SPEAKER:** Honourable Tjihuiko, I do not want a discussion on Manifestos. Parliament is not a platform for that discussion. Please conclude.

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**HON TJIHUIKO:** I do not want to behave like Chiefs, so in conclusion... (Intervention)

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**HON MINISTER OF JUSTICE:** On a Point of Order. The Honourable Member who just spoke is a member of a Party led by a Chief and he is busy condemning the chiefs. How do the Chiefs behave?

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**HON TJIHUIKO:** I think that is very important to be answered. I was saying that I am behaving like a Chief in a very respectful and professional manner Chiefs behave.

Honourable Deputy Speaker, in conclusion, I just wanted to thank the Minister and I support the Bill.

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**HON KAZENAMBO**

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

Thank you very much, Honourable Deputy Speaker. I rise to support the Bill. I do not want to go into the details of the Bill, but just make general comments on the issue of consumption of tobacco products in Namibia.

Tobacco cannot be described otherwise than being dangerous in the sense that the end-result of usage of tobacco in many cases is disease and the Secretary-General of the SWAPO Party in her intervention mentioned passive smokers. (Intervention)

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**HON TJIHUIKO:** On a Point of Order. Is it allowed for an Honourable Member of this House to start summarising what others have said, rather than saying something different?

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**HON DEPUTY SPEAKER:** It is what you did before, because you were just addressing the Manifesto.

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

Honourable Deputy Speaker, I am saying that some of us are daily exposed to the danger posed by tobacco in restaurants, bars and even in shops where people are smoking. I am speaking under correction, but I understand there is a law which prohibits smoking in public places, however this law or policy instrument is ignored and violated with impunity in many public places in this country. Sometimes when you are at a restaurant or bar and raise this matter with the manager or owner, you are totally ignored or even rebuked or abused.

Therefore, the implementation of this Bill must be strengthened with enforcement. Somehow we must have recourse to the violation of this public policy because really, people are subjected to these dangers because of lack of intervention instruments to protect those who find

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themselves getting a raw deal from those who are smoking.

Another issue is societal behaviour, culture and the value system of our society, not only with regard to tobacco but in many spectrums of our societal behaviour. By and large you would find some people not taking responsibility, but rather shifting their responsibility to the State or blaming somebody else. We are by and large a society that look for scapegoats by blaming others and we need to have a cultural re-engineering. Although we have democracy, we do not need to misinterpret everything and say we have democracy. It is because we are democratic that people of a young age can smoke. It is because of democracy that people can do certain things that our cultural norms and practices do not allow. A public policy instrument like this one will unfortunately not implement itself, it is us who have to do so.

It has been mentioned that kids nowadays do smoke, but who are these kids imitating? It is the parents and elderly people. Even during those days my parents would choose to do certain things in front of kids and other things not in the presence of kids, because they knew that kids emulate the examples of the elders. I admit there is peer pressure, but some of the things are emulated from our homes. If our parents are smokers, we will become smokers because that is what we know. We must lead by example, it takes two to tango. This is all I wanted to say, that it takes two to tango, let us not retreat from our cultural values. Those things that were not done in our cultures were meant to serve a purpose and they have served their purpose and they are still good. Kids are sent to buy tobacco and liquor and they are exposed to these things, which in our cultures was never done. I rest my case.

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**HON DEPUTY SPEAKER:**

Thank you very much. Honourable

Nambahu.

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**HON NAMBAHU**

**HON NAMBAHU:** Thank you very much, Comrade Deputy Speaker. I also rise to add my support to the Bill and to congratulate the Minister for introducing it.

What caught my attention is the Clause which deals with advertising. Advertising to me is like marketing. I will not give a definition of what it means, but a layman understands advertising as an inducement. You are inducing a person to do what he would otherwise not have done. Advertising on the radio invites you to spend, it never tells you to save. Advertising is telling you what you need, you yourself are not determining what you need. You are told that you are not complete if you do not have that product of that company. You are not yourself, you are not the cool one if you do not have that cell phone. That is advertisement.

When you travel around here you see some billboards advertising tobacco and I have seen one in a particular town north of here with a very young, smartly dressed man with Peter Stuyvesant next to him. What does that tell the young person? It is to smoke and that person is being bombarded with that message time. Every time I drove past that billboard, I was wondering what is it that I have to empower myself to say what I am saying today. Therefore, it is really good that this Bill came here and it contains some of these Clauses.

However, there is one thing that I would like us to think of in re-engineering the way we do things. Time and again we pass laws and want implementation thereof, but one thing we do not pay much attention to is the law enforcement. If this is the table of the law enforcement agency, we pass Bill number one and put it there, number two is put there, three, four, five, six a year, but the resources of the implementers stay the same. The responsibilities that we are assigning are not commensurate with the resources to implement them and we cry foul that these things are not being implemented. The number of Police officers stays the same, the number of prosecutors stays the same while the laws are piling up and new responsibilities have been assigned. This is something we need to think of and maybe when we achieve some savings with these measures that we are introducing, we should also think of allocating resources



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commensurate and accompanying the Acts that we are passing, because these are new responsibilities that we are assigning and cannot expect the same resources to implement all these additional responsibilities.

Maybe it is not the orthodox way of thinking, it is not the way things have been done and we continue implementing them like we have found our predecessors doing, but this is the time for us to think out of the box – new challenges, new ideas, new innovations to the established philosophy that we found.

With those remarks, I wholeheartedly support the Bill and call on the Minister to go ahead full-steam. Thank you.

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**HON DEPUTY SPEAKER:** Thank you. Honourable Iilonga.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Thank you, Comrade Deputy Speaker. I rise to support the Tobacco Products Control Bill. I will start with Part 2 on the establishment of the Tobacco Products Control Committee and I want the Minister to explain whether the trade unions are also included in this Non-Governmental Organisation, because these are stakeholders which can mobilise their members not to smoke in public or to send their under-aged children to and buy tobacco.

In Clause 6(2) I want to know whether we want to term this to be a Constitution if the members of the Tobacco Products Control Committee will have only two terms.

Comrade Deputy Speaker, this Bill is very important, but it is a Bill which is challenging, because this is where money lies. These people know that tobacco is sold every minute and I want to echo what Honourable Nambahu said, that this Legislature will pass this law and you will find

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that when it goes to the other House, they just do what they do to other important laws passed by this House. Implementation, decision taken and they just sit on it and nothing happens. The Police arrest people, nothing happens. I think we need to agree on the constructive criticism. If we are really based on three pillars and one pillar causes the other pillars to suffer, it is not democracy, it is not justice. I wanted to say this because this House passes very important laws in the interest of this Nation, but in the end nothing happens.

Clause 20 deals with vending machines and I hope that the Committee will enforce this Clause. This Bill is not prohibiting, it is only limiting the impact of tobacco on people who do not smoke. The Clause says these vending machines should be placed where they are not accessible to people under 18 years old. I feel it is best that they be placed in zones earmarked as tobacco zones. I saw such a zone at Frankfurt Airport where they have built an incubator where people may smoke and that smoke does not go into the atmosphere. (Intervention)

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**HON NAMBAHU:** Comrade Iilonga, you are making a good proposal and I think there was a proposal at some stage to build that incubator between Okahandja and Windhoek and to have a dedicated taxi line and the Civil Service to be declared non-smoking areas and then have people commuting between Windhoek and that incubator somewhere. What do you say about that idea?

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** It is not really necessary, you might create another problem if people have to rush to incubators and come back to work and the taxis will fight to have these customers.

There is no prohibition in the Bill and these vending machines should not be accessible to people under 18 years old. The only places which cannot be reached by those under 18 years old are only those areas which they are prohibited to enter.

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We also need to have an awareness campaign for our elderly as a kid cannot refuse to go and buy snuff or tobacco for an aunty or uncle. It is the duty of this Committee to make people aware that it is not insubordination if a kid refuses to go and buy liquor or tobacco.

That is the contribution I wanted to make and I support the Bill. We must be ready to fight these companies. In America they fight these companies but the use of tobacco continues. I am also wondering whether the price of these products should not be increased. I thank you.

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**HON DEPUTY SPEAKER:** Thank you. I call on the Right Honourable Prime Minister.

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**RT HON PRIME MINISTER:** Thank you, Comrade Deputy Speaker. I thank, congratulate and commend the Minister for introducing this Bill in this House and I support its thrust. However, I want to draw the attention of the Minister to a number of issues which I think are very important.

Firstly, the Bill is too much a Police thing. This is like a Police bill and we are talking about social behaviour and I thought a Bill on social behaviour should emphasise behavioural change through awareness campaigns about the danger of smoking to your health and other people's health. The Bill is very silent on this one and I thought the Minister should pay attention to this so that we tackle the issue in a comprehensive manner. As it is now, it is all about policing and I am not quite sure whether these powers which are given in this Bill would actually be enforced.

I am looking here at Clause 30 which deals with the appointment of inspectors by the Minister. These inspectors will be Public Servants in the Ministry of Health. If you look at their powers in Clause 31, these are

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actually the powers of the Police, not just of any civilian, to enter somebody's house, to do searches and to do all sorts of things. I am not even quite sure whether these people have the powers of arrest or just powers of confiscation.

I can imagine that an inspector, who is my neighbour with whom I had a disagreement, decides to use his powers just to come and inspect my house without any purpose. I am not quite sure whether they should have these broad powers. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On a Point of Information. The labour inspectors have the same powers as the inspectors in Fisheries and the Ministry of Health and Clause 31(b) stipulates that they can only enter that house with the consent of the owner or if they have a warrant. In most cases when it comes to the level of arrest, the labour inspectors are assisted by the Police.

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**RT HON PRIME MINISTER:** Fine, but let me read to you: "*That an inspector can order any person who has control over or custody of any book, document, tobacco product or a thing...*" What is this "*thing*?" This "*thing*" is not even defined. It is too much, this "*thing*" is not even defined. If somebody has to inspect your books, your documents, tobacco products or things, then that person can do anything. I will not mind if these powers are given to people who are dealing with drugs, but not just for tobacco and then to seize a "*thing*" or seize a book. I do not think this is really to control the use of tobacco. I am saying this Bill is too much like a Police Bill, I would have preferred a balance, education and enforcement, so that you are cultivating behavioural change, not just punishing.

I want the Honourable Minister to see whether they can bring about a balance in the Bill whereby we should also target behavioural change to prevent people from smoking in the first place.

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I also want to know from the Minister whether there is a relationship between this Bill and the other one we passed here about drugs so that there is a cross-reference and the person who is dealing with drugs can also deal with tobacco, because tobacco is also a behaviour-forming substance, so that there is no duplication. Otherwise you have this inspector who is going to confiscate the “*thing*” and another one from the drugs coming again to confiscate the “*thing*” and eventually you will have nothing in your house. All the “*things*” will be confiscated.

Those are my concerns, but my major concern is education, awareness and behavioural change. That is the point that I am trying to make, that we should more emphasise the behavioural change towards smoking, rather than just arresting, confiscating, forfeiting and inspecting the “*thing*”.

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**HON DEPUTY SPEAKER:**      Thank you. Honourable Bohitile.

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**HON BOHITILE:** Honourable Deputy Speaker, I rise to support the Bill of the Honourable Minister of Health and when I looked at Clause 15 in Part 3 which deals with advertising, I thought that all places and institutions that are selling tobacco could now replace those adverts of tobacco with information on the negative effects of tobacco on the health of the citizens, that those boards are replaced with this.

In Clause 18 on the age restriction I also like the idea of the prominent display of such notice, so that anybody who is younger than 18 knows that that area is a no-go area for him or her.

Clause 20 deals with the restriction on vending machines. Nowadays people have less money and, therefore, do not buy a packet of cigarettes, but buy what we call the “*los sigaret*” and these loose cigarettes are sold

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everywhere. They are also sold on the corners of streets and that is where the youngsters would be able to access it very easily. Who would be taking care of that part, because where a shop is selling, the complaints are taken to the owner, but if everybody is selling it at the street corners, how do you deal with it at that level?

Comrade Minister, I really think Part 6 is the best part of the Bill, the public places where people smoke and everybody else is inhaling it, but I am not sure whether we are all aware what a public place is and whether there is not a need to give examples of such public places, mentioning them by name, whether restaurants, bars, trains, buses, shops, malls and so on. I thought there is probably a need for that.

On Clause 31 the Right Honourable Prime Minister also mentioned the inspectors. It says that the inspectors, when performing any of their functions, could be accompanied by an interpreter, but I was wondering, who are going to employ these people. Under which Ministry will the inspectors and the interpreters resort? Is it the Ministry of Health or where would they resort?

I want to conclude by asking two general questions. One is on the laws relating to alcohol use. Under whom do they resort? Do they also resort under your Ministry, Honourable Minister of Health, or is it under the Ministry that deals with business, because I thought they should actually resort under you because alcohol is also detrimental to the health of people when abused. What is the difference between alcohol abuse and drug and tobacco abuse? All of them affect the health of people. Should the alcohol-related law not come back to this House so that it can be re-engineered and that this House will deal with it in such a way so that it benefits the whole society, because at the moment we have a problem with permits and shebeens which stay open the whole night. Whose responsibility is it to bring this alcohol-related law so that it is re-done?

My other question is on the law enforcement agencies, like the Police. Whenever a law is enacted, does the Minister of Safety and Security educate the Police in terms of the new laws, so that they are able to deal

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**HON DR TJIRIANGE**

with it? When the Human Resources Committee went to the Regions and visited your hospitals and clinics and dealt with the abuse of women and children and how it is dealt with, in many cases the Police and the nurses were not aware that when a child of 15 years is giving birth, that that is statutory rape and therefore, the Police must be called in to deal with the issue. What do we do when we enact the law and expect the Police to intervene? Do we go and educate them, do we train them or do we just say the law is there, they must read it and they must be aware of it themselves.

I support the Bill and I want to thank you very much for bringing it, Honourable Minister.

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**HON DEPUTY SPEAKER:** Thank you very much. Honourable Tjiriange.

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**HON MINISTER OF VETERANS AFFAIRS:** I will be very brief, indeed. First, let me thank the Colleagues there who have said a few words about me. I thank you very much.

On page 17, Clause 20(2), we seem to be a bit hesitant. I think once we take action, we have to take action that will prohibit the things that we do not want. Here we are talking about vending machines. Paragraph 1 says: *“From a date determined by the Minister by notice in the Gazette, no person may sell tobacco products from a vending machine.”* Then immediately after that paragraph 2 allows that, as long as they are in an area which is not accessible to certain people. I do not think that this transitional period is necessary to be brought into the law since you are already outlawing the practice. As of that date nobody will do that and full-stop. Why should give them that period where these things can happen while you have prohibited it. Therefore, I think that paragraph itself is enough. From the date that you have outlawed the practice, that is it, everything has to stop. If you have not given that date yet, it will

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continue as usual. I do not see the necessity for paragraph 2 and maybe the Minister could think about that.

On page 19, Clause 22(3): I have read the Bill and I do not see any prohibition in places where people normally congregate, such as restaurants and so on. This thing is talking about outdoors and that is what confuses me, saying that the Minister may prohibit the smoking of any tobacco product in any prescribed outdoor place. What about indoors? If you prohibit, do not do it half-heartedly. Actually indoors is more dangerous and it is not provided for here. The Minister is only going to prohibit these things outdoors and this word is being used twice. Once you prohibit something, do it. One may say it is the right of people to smoke in the restaurant, but it is also the right of people to be protected there, unless you say they will be smoking in restaurants and if you go there, you do so at your own risk. But once you prohibit, it must be that it is not allowed altogether.

It goes on to say, “*the owner or the person in charge of the place or the area contemplated in Sub-section, must display*” these things and again it is outdoors. These are the things I feel are not straightforward enough, unless it is covered somewhere else. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On a Point of Information. I think it is covered under the definition of “*public place*”.

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**HON MINISTER OF VETERANS AFFAIRS:** Even though “*public place*” means any indoors enclosed area which is open to the public and includes workplace, etcetera, Clause 22(3) is talking about outdoors. Where is it that this definition of “*public place*” is being enforced in the manner that it is being enforced in Clause 33(3). Maybe I did not see it, but as it stands, it invites more questions than answers. Those were my remarks.

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**HON DR KAWANA**

**HON DEPUTY SPEAKER:** Thank you. I call on Honourable Kawana to adjourn the Debate.

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**HON MINISTER OF PRESIDENTIAL AFFAIRS:** Comrade Deputy Speaker, I rise to support the Bill and Namibia being a member of the international community, we have acceded to a number of international instruments, including tobacco control. To me this is a reflection of our international commitment and I also agree with the Honourable Deputy Minister of Labour who said that the main body of the Bill should reflect the representation to the Tobacco Products Control Committee to include the unions, particularly under Part 2, Clause 3(1)(b). Maybe the Honourable Minister could move an Amendment because smoking definitely takes place in most of the workplaces and I am also happy to see that the National Youth Council is also represented in that body. Otherwise I support the Bill.

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**HON DEPUTY SPEAKER:** Thank you very much. That brings us to the end of today's business and the House stands adjourned in terms of Rule 90 until tomorrow.

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**HOUSE ADJOURNS AT 17:45 UNTIL 2009.09.17 AT 14:30**

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
WINDHOEK  
22 SEPTEMBER 2009**

The Assembly met pursuant to the adjournment.

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

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**MOTION OF CONDOLENCE**

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**HON SPEAKER:** Honourable Speaker, I want to inform the House that I have been given information about the untimely death of the late Honourable Siegfried Wohler, a former Member of Parliament, who also served as Deputy Minister of Lands and Resettlement as well as Deputy Chief Whip of the SWAPO Party. The Leader of Government Business would at an appropriate time send expressions of condolences and sympathy to the bereaved family and friends of our late colleague. For now we shall rise and observe a minute of silence.

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**THE HOUSE OBSERVES A MINUTE OF SILENCE**

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**HON SPEAKER:** I would also like to inform the House that we have in the Speaker's Gallery member of the Standing Committee on Public Service and Local Government of the Parliament of the Republic of Uganda who are on a study tour, interacting with Members of our Parliament and also meeting with other relevant authorities in the country. You are most welcome to Namibia, Honourable Members. Our two countries have so much in common, including ancient blood ties between your people and our people. Therefore, while you are here, you might

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**TABLING OF REPORTS  
HON NAMBAHU**

take some time out to reconnect with your relatives who have preceded you centuries ago. You are most welcome.

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**HON SPEAKER:** Any Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Honourable Nambahu.

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**TABLING: REPORT ON GLOBAL  
ECONOMIC CRISIS**

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**HON NAMBAHU:** Honourable Speaker, I lay upon the Table, Report on the Parliamentary Conference on the Global Economic Crisis of the International Parliamentary Union (Namibia Group), held in Switzerland from 7 to 8 May 2009 for discussion.

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**HON SPEAKER:** Please table the Report, Honourable Member. Honourable Dr Abraham Iyambo.

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**TABLING: ANNUAL REPORT, 2007:  
MINISTRY OF FISHERIES AND MARINE RESOURCES**

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** Honourable Speaker, I lay upon the Table, Annual Report of the Ministry of Fisheries and Marine Resources, 2007.

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**TABLING OF REPORTS  
HON TWEYA**

**HON SPEAKER:** Will the Honourable Member table the Report? Any further Reports and Papers? Deputy Minister of Finance.

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**TABLING: REPORTS OF AUDITOR-GENERAL**

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

1. Municipality of Walvis Bay for the Financial Year ended 30 June 2008;
2. Marine Resources Fund for the Financial Years ended 31 March 2000 and 2001;
3. Trust Fund for Regional Development and Equity Provisions for the Financial Years ended 31 March 2002 and 2003;
4. Fisheries Observer Fund for the Financial Years ended 31 December 2006, 2007 and 2008;
5. Department of Works of the Ministry of Works and Transport for the Financial Year ended 31 March 2008;
6. War Veterans Trust Fund for the Financial Years ended 31 March 2002 to 2008;
7. Land Acquisition and Development Fund for the Financial Year ended 31 March 2007;
8. Marine Resources Fund for the Financial Years ended 31 March, 2002 and 2003;

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**TABLING OF REPORTS  
HON TWEYA**

9. National Monuments Council for the Financial Year ended 31 March 2004;
10. Diamond Board for the Financial Years ended 31 December 2002, 2003 and 2004;
11. Diamond Valuation Fund for the Financial Years ended 31 December 2000, 2001 and 2002;
12. Diamond Valuation Fund for the Financial Years ended 31 December 2003, 2004, 2005.
13. Ministry of Finance for the Financial Year ended 31 March 2008;
14. Game Products Trust Fund for the Financial Years ended 31 March 2004 to 2007;
15. National Heritage Council for the Financial Years ended 31 March 2005 and 2006; and
16. Town Council of Lüderitz for the Financial Year ended 30 June 2005.

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**HON SPEAKER:** Will the Deputy Minister table the Reports? Any further Reports and Papers? Any Notice of Questions? Any Notice of Motions? Ministerial Statements? The first Notice of Motion is the one of the Minister of Education. Does the Honourable Minister Move the Motion?

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**RATIFICATION: SADC PROTOCOL ON  
SCIENCE, TECHNOLOGY AND INNOVATION**

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**RATIFICATION: SADC PROTOCOL  
HON NDJOZE-OJO**

**HON DEPUTY MINISTER OF EDUCATION:** Honourable Speaker of the National Assembly, Honourable Members of Parliament, during the SADC Summit held in Johannesburg, South Africa in August 2008, the President of the Republic of Namibia, His Excellency Hifikepunye Pohamba, together with other Heads of State and Government, signed the SADC Protocol on Science, Technology and Innovation.

The Cabinet, at its Second Session in February 2009 approved the ratification of the SADC Protocol on Science, Technology and Innovation and mandated the Minister of Education, who is also responsible for Science, Technology and Innovation, to table it in the National Assembly.

The overall objective of the Protocol is to foster cooperation and promote the development, transfer and mastery of science, technology and innovation and supporting all programmes that are meant to achieve sustainable socio-economic growth and poverty reduction.

Namibia already has legislation that promotes the coordination and facilitation of research, science and technology in the form of an Act of Parliament, called Research, Science and Technology Act, 2004 (Act 23 of 2004). This Act is intended to establish a coordinating system and funding mechanisms with, unfortunately, little emphasis on innovation. Hence the need for ratification of a protocol that is explicit on innovation. This is a necessity for a country that aspires to be a knowledge-based technology-driven Nation.

The coordination and facilitation of cooperation in science, technology and innovation under the Protocol shall comprise of the following structure:

- (a) SADC Committee of Ministers responsible for Science, Technology and Innovation, whose function is to oversee the regional Science, Technology and Innovation Programmes at the strategic and political levels;
- (b) A Committee of senior officials, comprised of Permanent Secretaries of Ministries responsible for Science, Technology and Innovation or

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**RATIFICATION: SADC PROTOCOL  
HON TJIHUIKO**

- (c) officials of the same level or their representatives that will be responsible for policy translation into implementable programmes as well as monitoring of the programme implementation; and
- (d) The SADC Secretariat through the Science, Technology and Innovation Unit that will be responsible for the day-to-day facilitation of Science, Technology and Innovation Programmes in the Region.

**Financial Implications:** The Protocol is aimed at strengthening the commitments of national Governments towards the attainment of one percent of Gross Domestic Product expenditure on research and development by 2010. Other major financial implications will be with regard to the implementation of programmes at national level as well as the participation of the relevant officials in the Regional Management Meetings and Technical Workshops.

I now have the honour to request the Honourable Members of the National Assembly to consider and ratify the SADC Protocol on Science, Technology and Innovation and I thank you, Honourable Speaker.

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**HON SPEAKER:** Any further discussions? Honourable Tjihuiko.

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**HON TJIHUIKO:** Thank you very much, Honourable Speaker. Once more we are being requested to ratify a protocol and most importantly, a SADC Protocol.

When we are looking at science and technology, we get excited, saying that this is something that we need to do, but Honourable Speaker, one needs to know the objective of ratifying a protocol. We have a tendency of ratifying protocols coming to this House and the question is, what actually happens to the protocols after ratification? I think the objective is

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that once we ratify, we have to domesticate these protocols into law and, therefore, as a Parliament we need to defend and protect those other laws.

We have a situation where we have ratified a SADC protocol that deals with elections and in that protocol it is clearly stated that elections in SADC member countries should take place in one day and what happened is that we turned around and this House came up with a law that says that our elections will take place in two days. Now we are again being asked to ratify a SADC Protocol and it does not make sense. (Intervention)

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**HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE:** On a Point of Order. The item under discussion is a SADC Protocol on Science. I would like to establish whether the Honourable Member is still in order, trying to ambush this discussion by bringing in an item that is not on the Order Paper.

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**HON SPEAKER:** Honourable Tjiuiko, I would like you to establish the link between what you are saying and what the Minister has just said.

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**HON TJIHUIKO:** Honourable Speaker, the link is that the protocol that we are ratifying and the protocol that we have ratified should have correlation. If we are ratifying international protocols and then turn around and start violating the same laws that we have ratified, what is the point of ratifying it? That is the crux of the matter. (Intervention)

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**HON SPEAKER:** This protocol has nothing to do with other instances, unless you explicitly show that this protocol has some relation to elections. Say something about the protocol.

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**HON TJIHUIKO:** That is why it is so important for us, Honourable Speaker, that when we ratify this protocol, it means that it becomes part of our laws, it means that Honourable Members should respect the protocol that we have domesticated into our laws.

The issue of science and technology is so important that once we ratify it... (Intervention)

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**HON DEPUTY MINISTER OF JUSTICE:** On a Point of Information. I would like to remind the Honourable Tjihiuko that this House has passed the Electoral Act and that Act is still in force, it has not been amended and as far as we are concerned, we are implementing it to the letter and spirit. The letter and spirit of that Electoral Act has not been violated at any given time, it is still operational and it has been passed by this House. You must respect your laws, do not come with tricky, irrelevant issues here.

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**HON TJIHUIKO:** I do not know whether the Honourable Deputy Minister of Justice would agree with me that the SADC Protocol on elections that we have approved in this House.... (Intervention)

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**HON SPEAKER:** Honourable Tjihiuko, the protocol which the Deputy Minister of Education wishes the House to consider is the SADC Protocol on Science, Technology and Innovation.

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**HON TJIHUIKO:** Thank you, Honourable Speaker. So, the question was actually Out of Order. (Intervention)

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**RT HON PRIME MINISTER:** May I ask Honourable Tjihiuko a tiny question? Honourable Tjihiuko, you seem to be allergic to science and technology. Are you afraid that science and technology might be used to

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get rid of scrap yards?

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**HON TJIHUIKO:** The point that I wanted to make, Honourable Speaker, is that as much as all of us seem to be very interested in science and technology, the Polytechnic of Namibia has been fighting hard to transform the Polytechnic into a fully-fledged University of Science and Technology and it has been blocked by the very same people who are saying that we should ratify this very important protocol. Therefore, the contradictions are so big that one does not know where to start. Maybe we need to bring in a change, so that we can have people who do what they are saying. (Intervention)

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**HON MINISTER OF JUSTICE:** May I ask Honourable Tjihuiko a question? Honourable Tjihuiko, linking the Protocol to the name-change of the Polytechnic of Namibia, do you want to say we can only teach science and technology in Namibia if that institutions is re-named as the University of Science and Technology?

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**HON TJIHUIKO:** The objective of the Polytechnic changing to a university was not just for the sake of changing the name, it was to change it to become a fully-fledged University of Science and Technology. The name is irrelevant, the issue is to move it from the level where it is now to a higher level and that is what the Ruling Party has failed to do.

Coming to the point, the Ruling Party has also failed dismally to promote science in schools. Our schools are performing dismally. When you go to the rural areas you would be surprised by what you see after 19 years and you are bringing a protocol for us to ratify. To do what? (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Comrade Speaker, I just want to ask a question to Honourable Tjihiuko. Honourable Tjihiuko, to campaign in this House will not help you. Would it not be better for you to help this House to ratify this protocol so that it can be implemented? Is it not logical to say that you support the protocol to be ratified so that the Government can implement what you say is not being done in the rural area?

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**HON TJIHUIKO:** Honourable Deputy Minister, for 19 years the SWAPO Party Government has failed to implement. They have developed policies and programmes, but the problem with you is that you cannot even implement what you have. (Intervention)

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**HON SPEAKER:** Can we all try to do justice to this very important Protocol? I know we are having elections, but let us do justice to this Protocol.

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**HON DR ANKAMA:** May I ask the Honourable Member a question? I am very much concerned in that the Member has spoken for such a long time and he does not really come to the point. My concern is whether he understands the Protocol. Maybe he needs some lectures to understand that. The question is, does the Member need assistance to understand the term "*protocol*" so that he can address himself to the right understanding? That is my question.

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**HON SPEAKER:** Honourable Tjihiuko, speak to the Protocol.

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**HON TJIHUIKO:** I do not think it is worth answering because it is totally Out of Order. Let me conclude, Honourable Speaker, by saying that if you look at page 4, Article 2 of the document before us, the objective of this Protocol is clearly defined and I am wondering whether, after ratifying this Protocol, we are going to see anything to this effect implemented.

Therefore, I call upon the relevant Ministry, that is the Ministry of Education, to become more serious about the education of our kids and to be more serious about science and technology and the overall development of this country and to put more efforts into the areas which are relevant to the development of our country.

I know you are going to take note of what I have said and with these few words, I support the Protocol.

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**HON SPEAKER:** Honourable Gurirab.

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**HON T GURIRAB:** Thank you, Honourable Speaker. I shall avoid the temptation to campaign. I have reason to give our support to this very important Protocol, as science and technology is the language of the future. However, before saying that, I want to mention something which I read in the newspaper, because of the Colleagues only read newspapers and in the newspaper of this morning there was a report on the establishment of the Medical School at our University. I feel it is something very important and commendable and I think it is part of our national process of bringing about the basic knowledge-base for our country and it is a very important development.

Having said that, I am saying I shall be brief as usual, that this is a very important Protocol that we all should support. Looking at the performance of our learners at the moment, this is one area in which our

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schooling system is weak for now. (Intervention)

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** On a Point of Order. I was a teacher before Independence and also after Independence and I am going to challenge Honourable Tsudao Gurirab. He is saying the system is weak, but I will prove him wrong and he must withdraw that “*weakness*”. There is no weakness, there is only strength in the Education-for-All in Namibia. I can challenge you, even outside or in the newspapers or wherever.

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**HON T GURIRAB:** I know our official language is English, but I do not know what you want to say in English. What I am saying is that we must strengthen the capacity in the area of science and mathematics, because that is one area in which our students are performing poorly. I have earlier made a reference to the Medical School and if we want to profit from the Medical School, if we want to profit from knowledge in science and technology, we need to strengthen not *naaldwerk*, but strengthen capacity in science and technology.

I think this is an important protocol and for that reason we support the ratification.

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**HON SPEAKER:** Honourable Venaani.

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**HON VENAANI:** Thank you very much, Honourable Speaker. Honourable Speaker, we too rise to support this very important Protocol on Science, Technology and Innovation.

Honourable Speaker, as we are celebrating the centenary of the life of Kwame Nkrumah, one of those patriotic leaders who has brought

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Independence to sub-Saharan African, one of the issues that are outstanding is Africa's economic emancipation and that we can only achieve if we invest heavily in technology and this is part of the ideals and dreams that have not been achieved and this Protocol, in our opinion, is just working towards the furtherance of that noble idea by those leaders who have freed Africa.

Honourable Speaker, Honourable Members, I support Article 2(d) that speaks of pulling regional resources together in advancement of technology and innovation, because I think the Region has missed good opportunities where we were leading in the area of innovation. I remember a few years back, Namibia was producing a vehicle – and in fact, some of the people are still producing it – called an Uri, but because of lack of economic support, the buying power was lacking in this country. This was a noble project that failed because Namibia does not have the capacity to sell these vehicles, but had SADC taken this opportunity, Uri could have become the first car for SADC, but these are opportunities that we have missed. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On a Point of Information. The Honourable Member said that Uri manufactured cars, which is not true, it was not manufactured cars. They just put a body to the chassis and engine which have already been produced. It was not like you have an assembly plant in South Africa. I used that vehicle when I was in the Ministry of Environment and we found that it is not even worth using.

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**HON VENAANI:** An Uri is a car which is used in the South African Police and the Army, but the modelling of the Uri was started here in Namibia and what I am saying is that the opportunity was missed because SADC was not strong on innovation and technology. (Interjections). South Africa is part of SADC, but the idea originated here and we lost it because of support. (Intervention)

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**HON TJIHUIKO:** May I ask you a question? Honourable Venaani, I have heard what the Deputy Minister has said. From your experience, is the assembling of motor vehicles not needed in a country like Namibia?

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**HON VENAANI:** I think I have answered that question. The idea that I am propagating is the need to pull resources together and I want to look at another issue that is quite important. (Intervention)

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**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT:** May I ask Honourable Venaani a question? Honourable Venaani, do you want to say the Uri is the first car? What about the Casspir? We produce Casspirs which are used internationally, the best army cars, bullet-proof. (Intervention)

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**HON VENAANI:** I am not saying that we are not doing anything, I am talking about a missed opportunity. We are manufacturing the Werewolf, we get international support. It is those countries which wage war which are supporting us. It is most America which is using our vehicles to be used in Iraq and Afghanistan, but be that as it may, we originated the idea of the Uri, but it was stolen because SADC did not have the capacity to check with one another.

I want to look at another issue, namely solar energy. There is a certain doctor who has patented a new solar technology and Germany has bought the patent rights, but if the southern African Governments have pulled resources together, we could have once more led the world in the solar energy and green revolution. It is not that southern Africa is not innovative, but because we are not cross-fertilising with one another, we lack the necessary capacity and this Protocol will address this issue.

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Lastly, Honourable Speaker, the question of mathematics. This is an international problem, even in industrialised countries. The Korean and the American students are faring poorly in mathematics and we need to share teachers, bringing good teachers from Botswana to Namibia or Namibian teachers to South Africa in order to improve the capacity of our students.

Honourable Speaker, Honourable Tjiuiko has raised one important matter and that is the question of direct applicability of our protocols. It is good to ratify, I support this wholeheartedly, but we must remember that we should not ratify these protocols to become dusty documents, they must mean something to our people and in promoting the ideals of Kwame Nkrumah whose life we are celebrating, I think this Protocol is going a long way in addressing some of those missed opportunities by Africa. I thank you.

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**HON SPEAKER:** Right Honourable Prime Minister.

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**RT HON PRIME MINISTER:** Thank you, Comrade Speaker. I thank the Minister of Education for introducing this very important Protocol. It is very important because the curse of Africa is Africa's failure to leverage technology and apply it to our natural endowments. I am happy to see Honourable Members from the Government of the Republic of Uganda. When I go to some of their countries I like to visit markets. The other day I was in Kampala, I went to the open market and I found piles and piles of bananas, some rotting, and I asked, "*is there nothing you can do about these bananas, either to make juice or to make something out of them before they rot*".

The same is true when you come to Namibia. If you look around, especially our lady compatriots, you will not see any of them wearing a diamond ring. (Interjection)

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**HON MEMBER:** They are very expensive!

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**RT HON PRIME MINISTER:** But the point is, they are produced here. As I am standing here, the diamonds are rotting in that black building there, but we are so impotent that we cannot do anything to the God-given raw materials we have in abundance, primarily because we are not able to leverage technology and apply it to our raw materials. Now we are making other people richer and richer and we are impoverishing ourselves by exporting our raw materials.

This Protocol is partially an answer to this dilemma we have and knowledge is now something which is shared. We have to leverage the potential of others, we have to pull resources together. For example, we have the South African Industrial Council. The other day I visited them to discuss food technology and they were happy to work with me on food technology and mind you, a certain percent of Namibian children within the age of one day to three years are suffering from malnutrition. They are stunted, they are not growing. Meanwhile we have a lot of beef, fish, mahangu and other things, but we are not able to address this problem of malnutrition. The food is there, but to manufacture it, package and distribute it is a problem. Therefore, our poverty is actually of our own making, that we are not able - especially Honourable Tjihuiko who is allergic to science. (Intervention)

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**HON TJIHUIKO:** May I ask the Right Honourable Prime Minister a question? Right Honourable Prime Minister, you are saying that poverty is of our own making, if I got you right. My question is, for the last how many years now have we been ruling ourselves to address the old issues that were created by the policies of yesteryears? How long are we going to continue before we start addressing these issues if today, after 19 years, the Right Honourable Prime Minister is talking about this issue being of our own making?

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**RT HON PRIME MINISTER:** Yes, that is a very relevant question. I know Mr Tjihiuko comes to Parliament with a cellular phone made somewhere in Finland to come and disturb the proceedings of this House. It is because of that sabotage that we are not making progress. Now we are not able to carry out the business of the House because of your Cellphone which is made in Finland. It is not even made in Namibia.

I was saying this is a very important Protocol and science is the key to fighting African poverty and we need to collaborate in order to draw strength from each other's assets in terms of science and technology. I think the Region has a great potential. There are great institutions around the Region, but we should share. What we need to do is to identify the problems, our problems of national concern. I have talked here about malnutrition, it is a serious problem and we need to investigate our staple food to see how to fortify and enrich them, so that our children should not be stunted as is happening now.

I want to read Article 4(k) of the Protocol and I want Honourable Kuugongelwa-Amadhila to listen to his. It reads: "*Intensification of efforts to attain at least one percent of gross domestic product expenditure on research and development by 2010.*" Honourable Minister of Finance, that is next year, 1% of GDP should go to science, research and development. Then we are in business.

Let me inform Honourable Tjihiuko in his absence that a long time ago when I was the Minister of Education this Honourable House passed the Science and Technology Act and that Act provided that a Science and Technology Council be established. That Science and Technology Council is the one which is now going to supervise, monitor and serve as a forum for the various branches of science and technology to interact and it is that Council which would represent this Protocol.

Honourable Tjihiuko alleged that we adopt Protocols and they are not implemented. It might be true, but this House should have a Committee on Science and Technology to support the Executive, to make sure that the laws and the agreements and protocols are implemented. It is their

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responsibility, they have the oversight function over the Executive.

The point here is that this Protocol is very important, let us ratify it, let us in particular honour the requirement of Article 4(k), that one percent of our Gross Domestic Product is allocated to research and development. I support the Protocol.

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**HON SPEAKER:** Thank you. Honourable Nambahu.

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**HON NAMBAHU:** Thank you very much, Honourable Speaker. I also want to add my voice in support of the Protocol in the hope that it will actually assist us on our way towards achieving Vision 2030.

On page 6, under Areas of Cooperation, it is talking about the intensification of efforts to attract and retain scientific human resources. In (e) it mentions forging strong partnerships with the African Diaspora. These are grand statements and noble ideas, but I do not think our intention should be left at that. Preparations should be embarked upon in order to make our societies ready to attract, retain and actually use those that would come from the Diaspora to come and help us. I think we should prepare our societies for that.

Time and again we see people being frustrated by their own working environments and actually trying to make life difficult for that person to exit and how about somebody coming from the Diaspora to come and work and advance your system? What is it that we are going to do to retain them and encourage them to stay if the society is not ready to actually embrace that colleague in the fight against poverty and underdevelopment? These are things that I would like us as a Region and as a country to start reflecting upon, what is it that we are going to do so that we become friendly to those that would be coming from the Diaspora.

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18 Years ago we came back home, we were born here, some of us spent only 15 years away, but when we came back, it was like you were not born here. (Intervention)

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**HON MINISTER OF JUSTICE:** I really regret that I have to interrupt my son while addressing this very important Protocol, but I just have a small question. I know what he wants to say, but the way he is putting it may sound as if we are anti-foreigners or against those Africans living in the Diaspora. Is that really what you want to say?

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

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**HON NAMBAHU:** Before we went on tea-break, I was asked a question by the Honourable Secretary-General, whether what I am saying might not be construed as ... (Intervention)

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**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT:** On a Point of Information. Among the delegation from Uganda which was here, there was an Honourable Member Chihuika. When they came to our Ministry and she was introduced as Chihuika, I told them that we have an Honourable Tjihiuko in Parliament. Every time when Honourable Utoni said, "*may I ask Honourable Tjihiuko a question,*" they would touch her every time. Every time somebody mentioned Tjihiuko, then they would touch her, "*look.*" It is a namesake Member from the Ugandan Parliament. That is just for the information of the Honourable Member.

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**HON SPEAKER:** I told the delegation that they should also take advantage of being here for an extended period to reconnect with their relatives who are here.

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**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT:** Comrade Speaker, those “*old toppies*” were naughty, they were travelling around, so if on this side is a Tjihuiko and the other side Chihuika, maybe it is the same father, it is just the pronunciation.

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**HON SPEAKER:** Honourable Nambahu, let us get to the Protocol.

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**HON NAMBAHU:** Honourable Speaker, I think those are the people we should target in the Diaspora. The question was as to whether what I was saying could not be construed to mean that probably we have some dislike for foreigners. When I started I said when we came here in 1989, even those of us who were born here were not as welcome. It means it is really talking to ourselves, to the system which was not welcoming even for its own siblings, for its own kids. Therefore, it cannot be construed to be against foreigners. (Intervention)

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**HON TJIHUIKO:** May I ask the Honourable Member a question, please? Honourable Nambahu, the point you are making is very important, that when people returned home there was that tendency of not liking foreigners, but I have heard that apparently in the North, Angolans are attending meetings of certain Political Parties there. Have we now changed to welcoming foreigners to participate in our meetings?

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**HON NAMBAHU:** The Honourable Member did not say the North of

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where, maybe North America. I am not responsible for that side, he was not talking about the North of Namibia or any north, so it is probably a question that is not deserving of any answer from my side.

The issue is simply to say our people should be prepared to make a conducive environment for those that we are attracting. When we were schooling in exile, we used to see people telling you, "*I am going straight to Paris, I am going to Montreal,*" because the situation at home is not as welcoming for those that are coming from outside. That is the point I am trying to make. All I am saying is that we have to prepare our society.

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**HON RIRUAKO:** May I ask a question? You said a foreigner in Europe goes to Montreal instead of coming home and you all know it because you were discriminated when you came home and now you have a tendency, "*why should I go home, can I go to London instead?*" Now, who discriminated against you? The people at home where you are coming from did not accept you and now you have become something else? Am I correct? Can you not understand what I mean? They did not welcome you home, you have become a stranger. What happened that we are not accepted by our own parents or by our own kith and kin? Those who came from abroad did not even want to move from here.

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**HON SPEAKER:** Let us not dwell too much on that.

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**HON NAMBAHU:** I am about to conclude because the Chief has asked and answered himself and it is actually the system that should be welcoming those who have the means of production and should be prepared to accept those coming from outside and ourselves actually to be welcoming and giving our brothers a welcoming attitude, because if we put these things in the Protocol and we do not go further to prepare the ground for that, I do not think we are doing much. I thank you and I support the Protocol.

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HON DR KAWANA**

**HON SPEAKER:** Thank you. Dr Kawana.

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**HON MINISTER OF PRESIDENTIAL AFFAIRS:** Thank you, Honourable Speaker. I rise to add my voice to the Honourable Members who have supported this very important Protocol.

Honourable Speaker, Africa's disease is its failure to finance institutions of learning, especially institutions of higher learning. African talent is being used to develop Europe and North America, just like during the slave trade and during the colonial period when our natural resources were used to develop North America and Europe. As a result of this very unfortunate situation we are today exporting raw materials without adding value because of lack of skills, especially in this field which is covered by this Protocol. We are competing to sell to the West and as a result it is a buyer's market. When these raw materials are processed into end-products, we buy them at prices determined by the seller and in this regard the continent is ever going backwards in reverse gear.

Developed countries have stolen our indigenous knowledge, obtained patent rights and then in turn, we buy our own local generated knowledge at exorbitant prices. It is my considered view, Honourable Speaker, that it is a shame that those Africans who qualified on the African continent leave for Europe and North America so to speak for greener pastures. Those who qualified in Europe and North America do not come back to Africa to develop their continent. In both cases Africa is subsidising Europe and North America.

This Protocol before us, Honourable Speaker, will only have meaning if SADC and, indeed, the entire African continent address this untenable situation. We should improve the conditions at our institutions of learning, especially institutions of higher learning. We should attract those talented ones who have left the continent, we should also attract those who studied in Europe and North America but never came back to their mother continent to develop the continent. In this regard once again

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I say to the African countries, to the countries of SADC, we have, as the first phase, to improve the conditions at our institutions of higher learning, otherwise this Protocol will have no meaning at all. Otherwise, I support the ratification of the Protocol. I thank you.

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**HON DR AMWEELO:** Thank you very much, Comrade Speaker. I want to congratulate the Deputy Minister of Education who brought this very important Protocol on Science and Technology.

Comrade Speaker, I want to refer to Article 4(b), “*Investment in Human Capital Development.*” As the other Colleague said, we have potential in Africa, we have the resources, but because of lack of skills and technology, we could not identify those resources. Therefore, I think we really need to support this Protocol so that we invest in human capital and train our people in different areas.

I would like to appreciate that SWAPO in exile sent people to be trained in all sectors, although they were not many. They were sent to be trained as engineers, medical doctors and we have people in all fields and we should continue doing that, so that we can invest in human capital.

Comrade Speaker, we cannot talk of growing an economy without infrastructure. Infrastructure and economy are parallel. We cannot talk about the one while ignoring the other one. We cannot talk about roads, railroads, ports and many other infrastructures if we do not have engineers, quantity surveyors and all those people. That is why I am emphasising this investment in human capital.

We in Africa are facing challenges and threats of droughts, floods and climate change. We have experience, we see it, we feel it with regard to electricity, energy. We experience these problems.

Two weeks ago I went to Zambia with some colleagues and we happened



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to visit the Kariba Dam and saw how the colleagues in Zambia developed the system in order to generate power. I feel if we invest in human capital, we can also solve this problem as soon as possible.

The second threat is climate change. Electricity is becoming increasingly expensive and people are talking about low-cost alternatives, such as renewable energy. The existing electricity is too costly and it is also causing climate change and we are saying that in order to solve this problem, we need those qualified people to invest in our people, to train our people in different areas and sectors. We can even talk about establishing nuclear power. Some people are saying it is dangerous, but it is not dangerous, it is very good to generate power.

That is why I am saying we have the potential, we have the resources, but we only lack knowledge based on science. We also have to think about implementation, because sometimes we have good policies and laws, but implementation is a problem. Therefore, I am saying I really support this Protocol. The Prime Minister has already spoken about raw materials and with these few words, I fully support the Protocol on Science and Technology.

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**HON SPEAKER:** Thank you. Minister of Finance.

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**HON MINISTER OF FINANCE:** Honourable Speaker, I would only like to make a few comments in support of the Protocol. Firstly, I wish to start by saying that it is important to acknowledge the commitment shown by Government towards promoting science and technology in our country, especially through the allocation of public resources which are channelled through education for the most part and I know that it may not be very well-known to everybody how much as a State we are spending towards this, because this is included in the vote of Education and I am sure that we can benefit a lot from information from the Ministry itself

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with regard to what is happening in this area.

Maybe we can agree that we put aside some time to be briefed by the technocrats in the Ministry of Education with regard to what is happening there, because I know that they have a dedicated structure that deals with science and technology and they do have an action programme, so that we actually know what is on the agenda as far as this issue is concerned and what portion of our resources goes there. We can then supplement that with our own comments so that it is enriched.

To come to the Protocol, I agree with those who have spoken before and advocated for the promotion of science and mathematics in our educational institutions and I think that this should include prioritising them within the resources dedicated for our education sector, so that when we agree an amount to be allocated to Education, we would know what portion of that would go to specifically that aspect and also within the other votes, because I know there are components in other Votes of the Budget that deal with related issues to science and technology, which include things like product development and research that are conducted through programmes that are carried out by other offices of Government.

The Prime Minister has spoken of a percentage to be dedicated for science and technology in terms of our budget. I would have no quarrel with that because the resources of the public are availed to us as leaders to allocate them towards national priorities. If we agree that we should dedicate a certain portion of the resources that is earmarked for a certain sector to a specific aspect, I think that should not present any problem. (Intervention)

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**HON TJIHUIKO:** May I ask the Honourable Minister a question? Honourable Minister, I appreciate your contribution, especially looking at the amount of money that we have invested in our education. When you look at your investment, what is the output? Are you happy with the output that we are getting out of the huge investment that we are putting into education for the last how many years now?

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**HON MINISTER OF FINANCE:** I do not know if the Honourable Member is looking for an answer from me, because if he is, I would say that is a letter sent to a wrong address. I believe that we have on numerous occasions discussed in this House about what could still be done in the area of education in order to further improve the educational outcome. I am not going to repeat that which we have said on numerous occasions, I would rather continue with my contribution to the Debate on this Protocol, because I am sure all of us here are familiar with what is the state of education and what is being done in order to rectify that and what are the current outcomes from our education sector.

In promoting science and technology and especially through strengthening of the teaching of science and mathematics, I think it becomes important to identify children with talent at an early stage, especially in the rural areas, because if we dedicate resources for them to study at tertiary institutions through the financial assistance that we give to students, we will find that the majority of these children would be those who are coming from urban schools in areas that are more advanced and there may be more talent out there that we may never be able to develop because there was no assistance given at an early age so that they can actually be able to excel at secondary school level and then be in a position to benefit from further opportunities that are availed by Government at the level of tertiary institutions.

I also think that technical educational institutions other than universities are also important, because in other parts of the world they have played a very critical role. I am a bit apprehensive when we seem to suggest that a commitment towards promoting science and technology can only be demonstrated if we can change this or that institution into a university. I disagree, because in some parts of the world some of the greatest innovations have been made by people who have not even gone up to the level of tertiary education and we should be prepared to spot this talent and develop it further. It means technical institutions, such as the vocational training centre, for example, should be further strengthened and these institutions should be geared to also spot possibilities, so that if a child, who has never completed secondary school or is not in the formal

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education stream, comes up with an innovative idea, there should be a possibility for that idea to be taken up in the system and be developed further.

As important for science and technology development is research and I am sure that this is taking place not only within the sector of education but within other sectors also, especially the business sectors, research related to product development. Eventually this is related to what I said earlier, maybe it becomes important for us as parliamentarians. The Prime Minister has talked of a possibility of having a parliamentary Committee. If we had to agree that that should be realised, that Committee could then assist Parliament to become more acquainted with the initiatives on the ground, especially those initiated at the Ministry of Education by the relevant department, so that we can actually see how our agenda can be integrated, including not only efforts that should take place in the academia, but those that can only be coming through the business sector, so that teaching in schools would be coupled with research and product development so that we provide that integrated support to this very important programme. (Intervention)

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**HON DEPUTY MINISTER OF JUSTICE:** May I ask a small question? I sincerely agree with what she said and she talked about integration, and I was just thinking aloud about our cousins in the Diaspora and Venaani's cousins in the United States and Britain. We have a lot of these graduates there and I understand they sweep the streets and some of them are security guards. They do not want to come to Africa and I was thinking that maybe the time has come to source those talents in those countries so that they can come and reinforce us. Do you not think Honourable Minister that it is possible to do that?

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**HON MINISTER OF FINANCE:** I fully agree, we should come up with a mechanism by which we should be able to attract our citizens who are out there in the world to come back home and contribute to the

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reconstruction efforts of our country. I know that in other countries it is a requirement that you must have some skills related to priority areas in those countries before you get permanent residence or citizenship. We can also couple that to our requirement to get citizenship here, so that you do not just come from your country because you recently came out of jail and landed in Namibia and you are now demanding that you should get permanent residence. If you have skills that is fine, I am not saying that we should say that anyone who has ever been to jail should not be allowed here. If they are rehabilitated and have something tangible to offer, we can accept them. (Intervention)

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**HON MINISTER OF JUSTICE:** May I ask a small question? I was provoked by the question by my Deputy. If truly there are qualified Namibians in Europe and the Americas who are ready to sweep the streets of Europe and America, do you think they will be an asset if we go and collect them and bring them here? Will they not just be a liability? I am asking this in earnest.

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**HON SPEAKER:** As from experience, there are a lot of University graduates and scientists, not necessarily roaming around, but they are there for so many reasons, including perhaps feeling that they are not wanted here at home. It will not apply in the case of Namibia, but when our President was in London not too long ago, he had audience with a large number of Namibians and I saw the President inviting them to come back. I saw it on television. I think we should send missions to where they are located to go and meet and engage them and find out why they would rather do that than to come back home. Let us keep an open mind, let us not judge them, we do not know.

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**HON MINISTER OF FINANCE:** Honourable Speaker, I think that difficult decision would be handled by the very senior leaders in our Government. (Intervention)

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**HON MINISTER OF HOME AFFAIRS AND IMMIGRATION:** On a Point of Information. Because we had discussions on the Diaspora last year, I met the High Commissioner from the UK and he informed us that about 7,000 Namibians are registered in our Mission there, but they only register when they have problems, some of them are still not registered.

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**HON MINISTER OF FINANCE:** It would probably not be the case that we will embrace into this programme, everyone of our citizens who is out there. We will still have discretion to say that those of you who may not have the requirements that we need can still come home because Namibia is your country, but you would probably have to look for other opportunities and we select those who suit this specific programme and we will utilise them. (Intervention)

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**RT HON PRIME MINISTER:** Yes, there are Namibians in the Diaspora, there are a couple of them especially in America, Stockholm and other places. Those are the old-timers. However, of recent it is fashionable for young Namibians to go in Diaspora.

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**HON SPEAKER:** “*Diaspora*” has a different meaning.

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**RT HON PRIME MINISTER:** They go to Germany, they go to America, they go to Britain and other places because it is fashionable.

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**HON MINISTER OF FINANCE:** I just want to round up. (Intervention)

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**HON DEPUTY MINISTER OF MINES AND ENERGY:** On a Point of Information. I came across an organisation called IMO, International Migratory Organisation, which is a special agency attached to the UN and this organisation has data of all African people who are, I do not want to say misplaced, but somewhere in other parts of the world and maybe we should tap from that database in order to determine where our people with the necessary capacity and technical know-how are, so that they can assist us in developing Africa.

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**HON MINISTER OF FINANCE:** I wanted to propose that since we have agreed to go ahead with the establishment of the Skills Development Fund, we can also agree that a proportion from this Fund can be used towards promoting research and development. I think that will be good because industry would also contribute.

Finally, the thought-provoking one that I wanted to pull of the hat is to say that since we are actually a consumer country for other people's products, we can identify a few products which we think we can actually produce here and then we can put a levy on the import of those types of products into the country and use that money towards the fund which we will establish for the promotion of research and development. I thank you very much.

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**HON SPEAKER:** Thank you. Chief Riruako.

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**HON RIRUAKO:** Mr Speaker, I have listened very well, no one of you were in jail. My Colleague here, Mr Kamwi, knows where he comes from and you all benefited from Norway and out of the blue you became rich out of something you did not suffer for. (Intervention)

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**HON SPEAKER:** Stick to the Protocol, Chief.

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**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:** May I ask the Honourable Chief a question? The Honourable Chief is saying none of us went to jail.

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**HON RIRUAKO:** No, you did not suffer. (Intervention)

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**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:** And we did not suffer and now we are rich. Is it really a requirement that you must first go to jail in order to become rich?

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**HON RIRUAKO:** You have to suffer first before you get rich. You cannot grab other people's property. You have to get it the hard way, not the easy way. (Interjection)

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**HON MEMBER:** Chief, are you rich now?

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**HON RIRUAKO:** I do not want to answer you. I have come across many arguments and many theories. Without factories we cannot achieve our objective. You can say I can live from other people's factories and I can import the products here so long as I have money, but that is not the way forward. Change your attitude. (Intervention)

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**HON BOOYS:** On a Point of Correction. I spent 9 months in prison at the age of 26. The Chief needs to be corrected.

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**HON RIRUAKO:** You did not fire one bullet out of a gun. (Interjections). Kwame Nkrumah came up with proposals that Africa must unite and we did not; we have to have an African common market, we do not; African high command, we do not. Now we have a theory that Trotsky is a man who was supposed to be high and he never achieved anything in his life. Now we as Africans we are here as Trotskyites, because what happened, the OAU nothing happened. The AU, ten years from now nothing is achieved. Where are we going? What are we promoting here?

The Europeans have taken our ideals, they implemented the EU, the European High Command, the European Common Market. What is wrong with us? Until when will we keep on crying? (Interjections). I speak to those who understand, I do not want to waste my time. The question remains, what are we doing here? (Interjection)

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**HON MEMBER:** To promote and protect.

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**HON RIRUAKO:** We can protect ourselves at home as a country, Africa must unite. We have to form a common market, one currency like in Europe. They were crying like we are crying now. The United Kingdom refused to have a common market. (Intervention)

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**RT HON PRIME MINISTER:** The Honourable Chief Riruako attended the Kwame Nkrumah school of ideology, so you should listen

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very carefully.

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**HON RIRUAKO:** I have never become a Communist. The Europeans threatened you, if you follow Kwame Nkrumah you are going to become a Communist. Now how is Communist in this country here? All of you failed to become Communists and you failed to achieve your objectives. What happened? Those who have power do not have the vision to guide what is to be done and how it is to be done. It is just due to failure. Now we have the power of democracy, we were supposed to unite Africa and give them direction where to go. Nothing is going to take us anywhere else, the modality can come afterwards. (Intervention)

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**HON DEPUTY MINISTER OF MINES AND ENERGY:** May I ask the Chief a tiny question? Honourable Chief, you talked about empowerment. I understand that you are empowered from the resources of the sea. Is it true or is it false?

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**HON RIRUAKO:** The empowerment is not for an individual. As you empowered yourself through the company which I can call a parastatal, that belongs to the Nation, not for certain individuals who selected themselves to be empowered, that is wrong.

Mr Speaker, I am here to tell the truth and the truth alone and we are supposed to put our ideas together in order to form an idea that can go to the objective, as simple as that. We cannot keep on being tolerant. We become tolerant, we do not take action, we become cowards. We cannot face the problems. Let us face the problems one way or another if we want to achieve the objectives. Now we are crying about technology and science. (Intervention)

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**RT HON PRIME MINISTER:** May I ask the Honourable Chief a question? Honourable Chief, how is the brother leader doing?

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**HON RIRUAKO:** I do not have time for simple questions which are not going anywhere. What I mentioned is enough for you, you could not even reply, you could not come up with something tangible. Now what about Ghadafi? (Intervention)

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** On a Point of Information. I would like to inform my uncle and my Chief that scientific innovation was started in the SWAPO camps, because when Dr Iyambo was studying science, he was baking bread without yeast. It was a scientific innovation for the camps there.

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**HON RIRUAKO:** Baking bread is something easier and I am not talking about that, I am talking about the concerns of this country and the fact remains that we cannot keep on talking about technology and science without achieving our consciousness. If you want to do things, be ready for it. If you do not want to achieve, do not bluff the Nation. They are going to find out this man is joking, he does not mean business. Let us face the problem. We keep on depending on the Europeans' ideas and funds. Those Europeans all asked 775 trillion dollar, but you are cowards and you do not face the problem they way they did. You asked me about Ghadafi, he got his 4 billion and he faced them and they said, there is the money, go and take care of development, roads, hospitals, schools, agriculture. (Intervention)

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**HON DR AMWEELO:** May I ask the Honourable Chief a small question? Chief, you are talking about cowards, you are talking about not taking action, but the Government wanted to put a hydro-power station at Epupa but some people were not willing to do that. If the Government

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goes ahead with their decision and establish a hydro-power station at Epupa, will you support the Government?

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**HON RIRUAKO:** I thought you were a serious scientist with a doctorate who is supposed to know what I am talking about. Mr Speaker, the fact remains that Epupa is not the whole world, the whole Namibia. Baynes is there for us to develop a hydro-power station. Someone here mentioned nuclear, but we are not developed to the extent to use nuclear power. It is very dangerous. The Honourable Member who asked me the question said that we are supposed to use nuclear power, but nuclear power is dangerous, we are supposed to have solid scientists who can take care of that 24 hours per day. If you do not have that, do not even think about it, think about solar power.

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**RT HON PRIME MINISTER:** May I ask a question? You said that the brother leader got his millions from the Italians. He told us the same story the other day. Do you agree that he is the supreme chief of the African chiefs?

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**HON RIRUAKO:** If I give that type of title to you, are you capable or fit to lead the Nation as a whole? You are not, you know that. Nkrumah said, *"I can do this and put together the structure, the modality is yours, the structure is mine"* and then we have to run the country and we failed.

Mr Speaker, if we want to develop a strong economy in this country, we are supposed to develop a strong economy in Botswana, in Swaziland and in Zimbabwe and we are supposed to come together and forget about your tribalist ideas. Let us face the reality and face the right way of living.

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**HON MINISTER OF PRESIDENTIAL AFFAIRS:** May I ask the Honourable Chief a question? You are talking of unity, Nkrumah's teachings about continental unity and so forth. Why did you leave the DTA to form NUDO if you aspire unity?

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**HON RIRUAKO:** If the structure where you are and the vision is so weak... (Intervention)

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**HON VENAANI:** It is unfortunate that I have to come to this level, but on a Point of Information, Chief, you are a leader and a product of history, you have been a leader of the DTA, its President from 1981 up to 1989, and all those issues that you are now saying the DTA never did. You were a Member of Parliament of DTA from 1994 to 2003, you started the reparation case as a paramount leader of the Hereros together with all Herero leaders who are leading with you, because you are the only leader in history who says, "*I have done all of it without the help of others.*" Then, what issue was never articulated in the DTA that you are articulating in NUDO now?

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**HON RIRUAKO:** It is quite a simple answer. I took the case to the United States High Court without any single cent of the DTA. If you are really honest with yourself, you cannot say you gave me a cent and I am now fighting Germany and Germany was there opposite me all the time, this side and that side and the DTA did not contribute. (Intervention)

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**HON TJIHUIKO:** May I ask the Chief a small question, please? Honourable Chief, Honourable Venaani was asking a question as to what you have not done when you were in the DTA. Are you aware of the fact that shortly before Independence, as an African and a nationalist you had a

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meeting with His Excellency the Founding President to work out an African mechanism as to how best can the Africans work together? Would you agree with me that the meeting with Dr Sam Nujoma by then was the recipe for your downfall to be kicked out of the DTA leadership?

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**HON RIRUAKO:** They kicked me out of the house where the Honourable Leader was living and after that I became a traitor because I met Nujoma. Then I said he bought the flats from the Honourable President, Mr Mudge. He could not say any word and this is what happened in a meeting of the DTA and I became third instead of first because I met Honourable Dr Nujoma. (Intervention)

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**HON SPEAKER:** As interesting as these actions might be to some of you, please come back to the Protocol. The internal DTA affairs are interesting to know, but it is entirely irrelevant to the purpose for which we are here.

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**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT:** Honourable Speaker, we were so worried, the DTA kicked you out of the Parliament for a long time while you were the President of the DTA. Why?

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**HON RIRUAKO:** First of all, there was fighting here in this country and I was supposed to solve the fighting here. Before you arrived from abroad, I called all the Chiefs from Ovamboland to Okakarara after the war and we stayed there for two weeks and we accepted one another and the whole battle was off. After that I received the President somewhere here and Mr Mbai and Mr Kamburona... (Interjection)

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**HON MEMBER:** Where are they now?

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**HON RIRUAKO:** Kamburona is in RDP.

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**HON SPEAKER:** I will Rule you Out of Order.

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**HON RIRUAKO:** What happened is that I have become third, you cannot become number one in the Parliament or in the Constituent Assembly. Why? Because you met Nujoma. (Intervention)

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**HON VENAANI:** On a Point of Information. The Chief is a very respected person to me and he knows that. Chief, you are a product of history and you know that I read history. In 1981 in Geneva you met Sam Nujoma, in 1984 you had an engagement in Lusaka. (Interjection)

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**HON MEMBER:** Say apparently.

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**HON VENAANI:** Not apparently, this is history. You were there, you met Nujoma, you were not fired. Why then in 1989? Do not take those that have sympathy with you when you lost in 1989. A lot of people had sympathy with you, do not say nobody was sympathising with you.

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**HON SPEAKER:** I gave Honourable Venaani the Floor simply because you monopolised the discussion and to allow either one of you to take us to the DTA problem. I want you to stick to the Protocol or otherwise I will Rule you Out of Order.

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**HON RIRUAKO:** Let us talk about science and technology. Let us face the reality, we cannot have an AU like the OAU, that is gone. Ten years from now we must come with mechanisms, something tangible that can guide us how it is to be done and when. There must be a date. I thank you.

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

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**HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:**  
Thank you, Comrade Speaker. I am rising to make a small contribution to this very important item under discussion, the Protocol on Science, Technology and Innovation. It is a matter that we are deliberating upon so that at the end of the deliberations we unanimously should accede to its ratification in terms of Article 63(2)(e) of our National Constitution.

I would like to agree hundred percent with the contributions made by my Colleague, Honourable Dr Kawana, that as a first starting point it is very important that we as Africans should pay attention to what we have and to strengthen those institutions that were created to exactly achieve what we intend to achieve, in particular our tertiary institutions and we have many of them on the continent of Africa. (Intervention)

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

Honourable Speaker, may I ask Honourable Johannes Mutorwa a question, please?

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**HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:**

Comrade Speaker, when the question comes from the patriarch Abraham, I cannot reject such a question. (Intervention)

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

Honourable John Mutorwa, I have in my hand the Manifesto of the SWAPO Party. Would you agree with me that the SWAPO Party is a progressive Party? Under point 1.8 of the Manifesto it reads: *“Improve our ability to harness science and technology in the process of developing innovation.”* Honourable Mutorwa, we are discussing science, technology and innovation. Would you agree that the SWAPO Party is a progressive Party?

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**HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:**

Honourable Speaker, from 1960 up to today the SWAPO Party has been, is and shall continue to be a progressive Party for all Namibians and also for all people who are progressive in terms of developing our country, Namibia.

I am particularly emphasising in my contribution the point that the Right Honourable Prime Minister also raised with regard to the possibility for the National Assembly to consider, as part of their oversight responsibilities, the establishment of a Standing Committee on Science.

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**HON TJIHUIKO:** May I ask the Honourable Minister a question, please? Honourable Minister, looking at the SWAPO Election Manifesto

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and what the Honourable Minister of Fisheries was referring to, can the Honourable Minister inform this House whether this time around, looking at the history of the Ruling Party, SWAPO, this Manifesto is going to be implemented, because SWAPO has a tendency of not implementing their Manifesto? Can you just give us that guarantee?

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**HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:**

Honourable Speaker, if NUDO wants to use this platform to politicise and promote the Manifesto, we are ready. In 1989 SWAPO issued its very first Manifesto and we went to the Namibian people with that Manifesto and they approved and overwhelmingly gave SWAPO the mandate to rule. That was not the end. In 1994 with the second elections we went back with a Manifesto and the Namibian people again voted for us to rule. In 1999 the same. In 2004 it was the same and we are now in 2009 and I can tell you, our Manifesto was developed by scientists, economists, politicians, intellectuals, ordinary people, farmers, community leaders, church leaders, everybody and it was publicly and officially launched. Now, because SWAPO is the only party that has structures at all levels, they are now busy informing the electorate, including those who are members of NUDO, about what we have in our Manifesto. I can tell you, come the day of elections, we will get the majority of votes, including the votes of members of NUDO because what we are saying in the Manifesto are practical things that will benefit the country. That is my response.

Coming to science and technology, I am not going to take much of your time. (Intervention)

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**HON RIRUAKO:** On a Point of Order. Honourable Mutorwa said even now he is going to defeat NUDO. Honourable Iyambo knows what I am talking about, he is the head of the Police. Hundreds of registration materials were stolen in Aminuis, the Police are there. That is the way you are going to defeat. Your members registered the people in that area and when they were asked, what happened?

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**HON MINISTER OF SAFETY AND SECURITY:** On a Point of Information. The information you have is what I have. There were no Police, it was the people who went to register, and they transported themselves. The register envelope came to the house of the supervisor and between the supervisor and the driver is where the envelope was lost. The Police were only informed that there was an envelope missing, they were not involved and, therefore, since the Regional Coordinator for Elections has been informed, we believe they have informed the Electoral Commission. Please leave the Police out. (Intervention)

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**HON RIRUAKO:** No, I am not finished. I allowed you to say what you wanted to say, now give me a chance.

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**HON SPEAKER:** You do not have the Floor, Chief, the Minister has the Floor.

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**HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:**  
The Protocol under discussion provides for institutional mechanisms... (Intervention)

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**HON RIRUAKO:** On a Point of Information. He talks about the Protocol, if this Protocol is observed, what happened in Aminuis? (Laughter).

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**HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:**  
On a serious note, Honourable Speaker, Article 5 deals with the institutional mechanisms. You have the SADC Sectoral Ministerial

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Committee and then the Committee of Senior Officials and the SADC Secretariat. In view of the fact that once we have acceded to this Protocol it becomes part of our national laws and in light of what the Right Honourable Prime Minister proposed, I would like to go a little bit further and in a way use our Standing Rules and Orders and through your good offices, Comrade Speaker, at an appropriate time maybe to consider that proposition, because when I look at Rule 38(3) of our Standing Rules and Orders, to enable the Legislature to ratify this particular Protocol, to play its important oversight responsibility, I think it is fair and I think it is appropriate that at an appropriate time the Standing Committee on Standing Rules and Orders, “may from time to time amend and determine the Standing and Select Committees required for the effective conduct business of the National Assembly and the Speaker shall announce such decisions of the Committee of the Assembly.” Looking at the existing Committees, we do not have a Standing Committee on Science, Technology and Innovation specifically, and in light of this debate, I think we can just invoke our Rules so that at an appropriate time the Speaker and the Standing Rules and Orders can consider that.

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**HON RIRUAKO:** Who followed the procedures during the elections? Nobody followed the procedures. If this kind of thing takes place, there are no procedures. We can name them, we can call them, we do not have an achievement. Who followed the registration during elections?

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**HON SPEAKER:** That is something else. You are Out of Order.

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**HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:** Finally, Comrade Speaker, Article 6 of this Protocol is actually the heart... (Intervention)

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**HON KASINGO:** On a Point of Information. It is a good proposal by Minister Mutorwa for the Standing Rules and Orders to consider the establishment of another Standing Committee on Science. I just want to inform him that the Standing Rules and Orders has already established the IT Committee and maybe we can just beef that up.

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**HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:**

Finally, Honourable Members of this House, Article 6 deals with the financial provisions. In Africa we are very good at establishing institutions, but once we have established institutions, then we fail to properly finance those institutions. When you look at Article 6, it deals with three institutions. The first one says: *“Member States shall ensure allocation of financial resources in their Budgets for the implementation of this Protocol in their respective States.”* Secondly, *“Regional STI projects may be financed from various sources, including international organisations and other partners.”* In many cases we establish institutions instead of first making sure that the financial allocations to sustain those institutions must come from our own resources and that is wrong. When we go to number two and source funding from elsewhere, then we lose our agenda, because those who will provide financing must necessarily determine the agenda. That is why I am saying, when you look at SADC, they are talking about an organisation consisting of 16 Member States and, therefore, for this particular Protocol to be successful, to be sustainable and to achieve the noble objectives that are set in the Protocol, it is important that all the Member States of SADC must ensure that in terms of the National Financial Allocations from their Budgets, we make sure that we give this money so that the institutions that we are establishing through the Protocol are sustainable. Otherwise if only two or three Members do that, then we go back to square one – noble idea, good intentions, noble objectives are not realised.

I think we have now learned a lot of lessons and I am positive, Comrade Speaker, that we are on the right path and that this particular Protocol will assist us in achieving the objectives in terms of science, technology and

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**RATIFICATION: SADC PROTOCOL  
HON DR A IYAMBO**

innovation in our respective countries. I support the Protocol.

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**HON SPEAKER:** I give the Floor to Honourable Dr Iyambo to adjourn the Debate.

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:**  
Honourable Speaker, I move that the Debate be adjourned until tomorrow.

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**HON SPEAKER:** The Debate is adjourned until tomorrow. I call on the Prime Minister to adjourn the House.

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**RT HON PRIME MINISTER:** I Move that the House be adjourned until tomorrow at 14:30

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**HOUSE ADJOURNS AT 17:45 UNTIL 2009.09.23 AT 14:30**

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
WINDHOEK  
23 SEPTEMBER 2009**

The Assembly met pursuant to the adjournment.

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

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**ELECTION OF MEMBERS TO  
IPU NAMIBIA GROUP**

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**HON SPEAKER:** Honourable Members, I have been informed by the IPU Namibia Group that Honourable Peya Mushelenga and Honourable Kavari have been elected to serve on the IPU Namibia Group as Chairperson and Vice-Chairperson, respectively. I now, in terms of Rule 38(b) announce Honourable Mushelenga and Honourable Kavari as duly appointed Members of the IPU Group. Congratulations.

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**HON SPEAKER:** Any Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Honourable Bohitile.

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**TABLING: REPORT ON SPEAKER'S VISIT TO  
PEOPLES REPUBLIC OF CHINA**

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**HON BOHITILE:** Comrade Speaker, I lay upon the Table, the Report of the Official Parliamentary Visit by the Speaker of the National Assembly to the Peoples Republic of China from the 9<sup>th</sup> to the 15<sup>th</sup> of August 2009. Before that I would like to give a brief motivation on this Report.

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**TABLING OF REPORTS  
HON BOHITILE**

It is with a sense of fulfilment that I lay upon the Table the Report of the Official Parliamentary Visit by the Honourable Speaker of the National Assembly and his delegation to the Peoples Republic of China. The visit was undertaken on the invitation of the Chairman of the Standing Committee of the National Peoples Congress of China.

The Honourable Speaker was accompanied by yours truly and Honourable Venaani and in China the delegation was joined by the Namibian Ambassador to China, His Excellency Leonard Nambahu. During the visit the delegation had an opportunity to interact with various leaders on both national and provincial level of the National Peoples Congress of China as well as some of the leaders of non-political arena.

We are happy to report that our interactions went well and once again, the Peoples Republic of China assured the Republic of Namibia and its people that they are ready to assist Namibia and other developing countries to achieve their Millennium Development Goals, as well as to improve the living conditions of their countrymen and women. China attaches a great importance to her relationship with African countries.

Comrade Speaker, Honourable Members, I am convinced that we as Namibians can grab the opportunity the Chinese Government offered to us with both hands in order to develop our young economy and to ensure that we develop our country and its human resource.

One important aspect that also came out during these discussions is that China welcomes and is committed to promote exchange visits not only at the Head of State level, but also on regional, local, citizenry as well as on technocrat level.

In conclusion, therefore, Honourable Speaker, Honourable Members, I submit to this august House the Report of this Official Parliamentary Visit and request the House that the Report be submitted to the Parliamentary Standing Committee on Economics, Natural Resources and Public Administration to involve in a meaningful interaction with the relevant Line Ministries, Trade and Industry, Agriculture, Water and Forestry, Foreign Affairs, Lands and Resettlement and that of Gender Equality and



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**NOTICE OF QUESTIONS  
HON MOONGO**

Child Welfare to ensure that recommendations and interactions in this Report are followed up and implemented wherever possible.

Comrade Speaker, I now, therefore, move that the Report I am going to lay upon the Table be referred to the Parliamentary Standing Committee on Economics, Natural Resources and Public Administration. I so Move, Comrade Speaker.

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**HON SPEAKER:** I thank the Honourable Member. I take it that the Honourable Members are in agreement that the Report be referred to the Committee, as indicated. Will the Honourable Member table the Report? Any further Reports and Papers? Any Notice of Questions? Honourable Moongo.

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**NOTICE OF QUESTIONS**

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**QUESTION 84:**

**HON MOONGO:** I give Notice that on Thursday, 1 October 2009, I shall ask the Right Honourable Prime Minister the following:

Can the Prime Minister agree or deny that some NDF members who assisted the flood victims in Ohangwena Region were remunerated and those NDF members from Omusati and Oshana Regions were deliberately left out. When will they be remunerated?

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**QUESTION 85:**

**HON MOONGO:** I give Notice that on Thursday, 1 October 2009, I shall ask the Honourable Minister of Regional and Local Government, Housing and Rural Development:

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**NOTICE OF QUESTIONS  
HON MOONGO**

1. Whether it is the appropriate time to consider adequate salaries, benefits and medical for the Traditional Leaders, some headmen and headwomen in the forthcoming 2010/2011 Budget while it is in the pipeline?
2. Is the Minister aware that in the office of the Traditional Authorities there are well-qualified secretaries and staff who are unfairly remunerated.
3. When are they going to be regarded as Civil Servants and treated equally according the Civil Service provisions?

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**QUESTION 86:**

**HON MOONGO:** I give Notice that on Thursday, 1 October 2009, I shall ask the Minister of Justice:

1. Whether more than ten years in detention can be regarded as a delay or a denial of justice to the accused Caprivi secessionists. Article 12(a) is the determination of the civil rights and obligation of any criminal charges against them. *“All persons shall be entitled to a fair and public hearing by an independent, impartial and competent Court or tribunal established by law.” A trial referred to in Article 12(a) shall take place within a reasonable time. Failing this, an Accused shall be released.*
2. Is it an appropriate time that His Excellency, the President can use his powers to pardon or reprieve offenders either unconditionally or subject to such a condition as the President may deem fit, as enshrined in Article 32(3)(d) in the Namibian Constitution. By so doing, Namibia will be free from political detainees.

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**NOTICE OF MOTIONS  
HON MUNGUNDA**

**HON SPEAKER:** Will the Honourable Member table the Question? Any further Notice of Questions? Notice of Motions? The first Notice of Motion is the one of the Honourable Minister of Gender Equality and Child Welfare. The Honourable Minister has the Floor.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Comrade Speaker, I pray for your indulgence to move the motivation of this Motion until tomorrow, the 24<sup>th</sup> of September.

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**HON SPEAKER:** Any objection? Agreed to. The Secretary will read the First Order of the Day.

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**RESUMPTION OF SECOND READING:  
TOBACCO PRODUCTS CONTROL BILL**

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**SECRETARY:** Resumption of Debate on Second Reading – *Tobacco Products Control Bill*.

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**HON SPEAKER:** When this Debate was adjourned on Tuesday, 16 September 2009, the Question before the Assembly was a Motion by the Honourable Minister of Health and Social Services, that the Bill be read a Second Time. The House adjourned in terms of Rule 90. Any further discussion? Minister Iyambo.

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**TOBACCO PRODUCTS CONTROL BILL**  
**HON DR N IYAMBO**

**HON MINISTER OF SAFETY AND SECURITY:** Honourable Speaker, Honourable Members, thank you very much, I will make a short intervention on this very important Bill before this House, the Tobacco Products Control Bill. Honourable Speaker, I only have a few questions to the Minister which he can take into account when he replies.

Tobacco is a killer product. It kills more people per year more than any disease that is known biologically and, therefore, Namibia is timeously introducing this Bill. However, I want to pose some questions that the Minister may be able to answer on Clause 1, the definitions of a “*public place*.” Enumeration is made there what public places are we referring to and I would have wanted that one of those public places where people smoke and obviously, also affect others as secondary smokers, is public transport. I want to find out whether, in defining these public places, means of transport, such as buses and taxis, should not also be included in one way or the other.

Then in Part 3 on the Tobacco Products Control Committee there is a definition on who can belong to this Committee and who may be prohibited to belong to these Committees. I would have liked, if it were possible, that a smoker should also not be allowed to be a member of this Committee as he might hinder as opposed to enhance the Committee’s work. He might be in a conflict of interest.

The other is Part 3, reduction of demand for tobacco products in Clause 15, advertising, sponsorship and promotion and it is listed under Sub-section (1)(a) of what is meant by advertising. I was wondering whether arts could also not be included as “*art impressions*.” I wonder if the Honourable Member could also look into that.

In Part 4, reduction of supply of tobacco products on page 16, Clause 17(1), it reads: No person may sell or import for sale any tobacco product unless the package bears the statement, “*sales only allowed in Namibia*”. My question is, what about those enterprises that have import and export licences and the person will import it, but it will be for the purpose of re-export? What steps could be taken in order not to allow him to do so. Otherwise people will then re-export the products that are

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**TOBACCO PRODUCTS CONTROL BILL**  
**HON MOONGO**

imported into the country, whereas originally the idea was not that it would be sold here, but for export purposes and you may find yourself in conflict with the licence that they have that would include import and export.

With those few remarks and observations, Honourable Minister, you may wish to look into them whether there are some that warrant your able attention to give clarification. Thank you very much.

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**HON MOONGO:** Honourable Speaker, I would also like to mention three points. I want to congratulate the Minister for tabling this Bill. Rather late than never and it is a good move. On the other hand, since I was very busy handling SWAPO at the neck, I did not read the Bill and I was just thinking about the tradition and custom where people sometimes use tobacco when they make peace... (Intervention)

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**HON MINISTER OF VETERANS AFFAIRS:** On a Point of Order. Is it allowed for a lawmaker to stand up in this House and discuss laws that he has not read?

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**HON MOONGO:** I gave a good reason, I had my two hands at the neck of somebody. I would only like to know whether the Minister can inform the House ... (Intervention)

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**HON MINISTER OF EDUCATION:** Honourable Speaker, the long-serving Honourable Member of this House is talking about putting his hands at the neck of somebody else. Can the Honourable Member explain himself or retract that reference?

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**TOBACCO PRODUCTS CONTROL BILL**  
**HON MOONGO**

**HON MOONGO:** It was a political move which was really good for future democracy. I would like to know from the Honourable Minister whether there are provisions to allow traditional customs where they use tobacco when they make peace and whether there is a provision to prevent tobacco flowing in from the neighbours. (Intervention)

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**HON VILJOEN:** May I ask a question? When I spoke on this Motion, the question was asked whether I am a member of a tobacco Company. At one stage tobacco was one of the pillars of Zimbabwe and now you are saying that we should boycott this product. Are you not afraid that Honourable President Mugabe will beat you with a hammer on your head?

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**HON MOONGO:** My question is only whether tobacco could be used in the traditional manner in order to establish peace whenever somebody was killed among the two tribes. (Intervention)

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**HON P MUSHELENGA:** May I ask the Honourable Member a question? Honourable Headman, the tobacco you are talking about for making peace was used a long time ago, even in pre-colonial times when kingdoms waged war against each other. We are now a unitary State, a Republic. Are you now insinuating that we are going to instigate some social formation to have wars?

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**HON MOONGO:** I know you are young, you do not know how to make peace between the families of the victim and perpetrator. It will be good that we have a provision to allow that. (Intervention)

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**TOBACCO PRODUCTS CONTROL BILL  
HON DR KAMWI**

**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Comrade Speaker, on a Point of Information. As Comrade Tjiriange said, the Honourable Member did not read the Bill. The Bill does not prohibits smoking, but it prohibits smoking in public. Even if a Traditional Leader wants to smoke, he will have far from the people. That is the intention of the Bill. You said that you were having your two hands on somebody, are those chairs you were addressing the body you were holding at the neck or what do you want to tell us? You were addressing the chairs.

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**HON MOONGO:** We also use tobacco to make peace, so that my hands can get off the neck of SWAPO. With this I support the Bill.

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**HON SPEAKER:** Any further contributions? If not, I ask the Honourable Minister to reply.

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** Thank you, Honourable Speaker. Several questions were put to me on this Bill and I will not do justice if I were just to answer straightaway without consulting. I beg for the indulgence of this House that I may give appropriate answers tomorrow.

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**HON SPEAKER:** Any objection? Agreed to. The Secretary will read the Second Order of the Day.

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**RATIFICATION: SADC PROTOCOL ON SCIENCE,  
TECHNOLOGY AND INNOVATION**

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**RATIFICATION OF PROTOCOL  
HON DR A IYAMBO**

**SECRETARY:** Resumption of Debate on the Ratification of the SADC Protocol on Science, Technology and Innovation.

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**HON SPEAKER:** When this Debate was adjourned on Tuesday, 22 September 2009, the Question before the Assembly was a Motion by the Honourable Deputy Minister of Education. The Honourable Minister of Fisheries and Marine Resources adjourned the Debate and I give him the Floor.

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** Honourable Speaker, Honourable Members of Parliament, I support the ratification of this very important Protocol on Science, Technology and Innovation. However, I would like to make very brief comments on this very important Protocol on Science and Technology.

Honourable Speaker, our existence as a human race depends on science and technology. However, science and technology have both very tragic as well as life-saving consequences. Therefore, science, technology and innovation have to be used responsibly.

Honourable Speaker, we are talking about the SADC Protocol, we are talking about science in Africa and the question is: Have Africans contributed or not contributed to the evolution of sciences? Have we as Africans contributed or not? The answer is an absolute yes, Africans have contributed. After all, Africa is the cradle of human life, Africa is the cradle of civilisation, so Africa has contributed to science and technology. Africans have practised science and technology for centuries. Now what is the tragedy for Africa, the tragedy for SADC, the tragedy for Namibia in terms of the utilisation of sciences?

The tragedy is that the African knowledge is not documented, in most cases not acknowledged, neither patented. There have been so many



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unique discoveries by Africans, but the tragedy is that we Africans did not have a chance to document, neither patent what we have done and others can claim many of these discoveries.

I would like to give just a few examples that I think Africa has contributed and Namibia and SADC should be recognised. For example, if you look at the usage by Africans of the bow and arrow, whether used for protection or hunting, this is really pure physics. The Africans used the feather and put that to the bow and arrow, so that you are shown velocity, you are shown direction and stability as that object is moving and this is the imperative of sciences, an African sort of sciences a long time ago.

If you look at the *bazooka* in the modern world, it is coming from that concept. If you look at a space shuttle and ballistic missiles, it is the same concept. Therefore, Africans had that knowledge. (Intervention)

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**RT HON PRIME MINISTER:** May I ask Honourable Abraham Iyambo a tiny question? I was informed that your doctorate on Analytic Chemistry was based on the theory of *Epapata*?

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:**  
No, I am a biochemist by tribe and my genes are highly chemical by nature.

The other thing is telecommunications. Today we have telephones, we have everything, but what has been the contribution of Africa and why are there no African names or the names of the SADC nationals? When we were growing up we used match boxes. You had a thread and then we communicated. This is the principle of telecommunications. Today we have telephones and everything, but the Africans ended there at the match box and others went to produce Cellphones and other items.

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HON DR A IYAMBO**

The other is that Africans were the first to really concentrate and excel in chemistry. Let me give the example of *ombike*. I hope you understand what I am talking about. *Ombike* is alcohol derived from boiling certain products and then through evaporation and distillation you get that liquid. Africans came up with this invention and we ended there. Other produced it *en masse*. Vodka is the same concept from Africa, brandy and other things. The African used that science to bring about this idea, but it was not patented and we do not have a single African to be linked to how we have contributed to science.

The same applies to medicine. These days you use a lot of herbs when you are cut. Many people are now using *Oshizimba* as well as *Olievera*. This is what Africans used those times, but then we never extracted the juices to cure ourselves and of course, now we are calling it traditional, but others have given their names, not African names.

The same with the science of micro-biology, the bacteria. It is really from Africa. Our fathers used to convert milk into yoghurt and that is pure bio-chemistry, but others produced the first yoghurt and the name is not given to an African, it is given to somebody from France.

Those who used to clean their teeth with roots from the trees were using micro-biology, because they knew that these herbs had bacteriacidal properties to kill bacteria. The Africans ended up eating these roots and others produced other things, including Colgate, but the same intellectual properties from the African continent. (Intervention)

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**RT HON PRIME MINISTER:** May I ask a question? Do you not think that the difference between Western science and African science is the fact that the Europeans privatised knowledge, but we make knowledge available to everybody? If you know how to make *ombike* or *kashipembe*, you teach your neighbour to make it. In Africa knowledge was never privatised. Do you not think that is the difference?

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HON DR A IYAMBO**

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

Yes, Prime Minister, the problem is not the knowledge, Africans have the knowledge. Neither is privatisation the problem. The problem is what has been the contributions from the Africans to be able to assist those with the knowledge to be able to produce in larger quantities what they have come up with as an idea and that is one point that I want to come to, the African Government should assist in terms of supporting science and technology if Africa is to be a continent to be reckoned with. It is a question of support in terms of resources.

Another example I would like to give that Africans have worked so hard is on the issue of physiology or anatomy. Africans use their hands to massage and now the Asians are doing that. What have the Europeans done? Now they have all kinds of equipment, privatised as the Prime Minister is saying, highly commercialised with a lot of resources given to their nationals. Therefore, Africans knew more than anybody else, anatomy, physiology and science although we did not have the words.

Just to conclude, our mothers and fathers used to produce pottery. They would dig a hole, cover it and put fire on top and then it produced some pots. Africans had the idea, the knowledge, but it ended there. What have the other people done? People produce thousands of pots and Africans can produce six of these. Africans had the idea, nobody elsewhere were producing these things underground, it was an African intellect, but why is it not given to an African who has invented that either in southern Africa or SADC or a Namibian? (Intervention)

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**HON MOONGO:** May I ask a question? Could the Honourable Member please explain more on the quality of the massage, because we were not trained to massage, but we have the *Olusha*, the typical African one. Can you explain a little bit?

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**HOUSE ADJOURNS AT 15:40**

**HOUSE RESUMES AT 16:15 PURSUANT TO ADJOURNMENT**

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

Honourable Speaker, I was highlighting the specific areas...  
(Intervention)

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** I regret interrupting my brother who is making a brilliant contribution on African science, but I want to ask him a very tiny question. My brother, Dr Mannetjie Abraham, are you aware that *etselakuku*, the elephant dung, *chimukona* are some of the inventions by the Africans as repellents for the malaria mosquito?

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

Yes, Honourable Dr Kamwi, I am very much aware of *etselakuku* this plant. I am also aware of the elephant excrement or dung. If you had flu or a bleeding nose, you would burn the dry elephant dung, the reason being that the elephants have consumed plants that have medicinal properties and this smoke if working on the respiratory system, mainly to dilate the veins. Of course, when you are dealing with malaria, you want to remove a bit of the bacteria, so I am aware of the *etselakuku*?

Honourable Speaker, I was saying that Africans could even find water without complicated instruments. (Intervention)

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**RT HON PRIME MINISTER:** Comrade Iyambo, you talked earlier about the specialists in pottery, what is a community which specialises in pottery called?

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HON DR A IYAMBO**

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

Honourable Prime Minister, scientifically we do not have a word yet, culturally I do not know.

Honourable Speaker, I was saying that Africans could find water without any instruments. They would just get a pure stick from a tree, move it around and here we are looking at the issue of gravity. What have others now done? They are using seismic. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:**

May I ask an additional question to make it more clear to the public out there? Yesterday when we were discussing this very important Protocol on Science, Technology and Innovation, Honourable Tjihiuko wanted to ridicule it. Could you tell the people outside there that the SWAPO Party has committed itself in its Manifesto that it would invest in education and training in order to improve our abilities in science and technology? We have already committed ourselves to that before the Protocol came here. Are you aware of that?

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

Yes, I am fully aware that the SWAPO Party is a forward-looking Party and it has at heart science, technology and innovation.

Yesterday when I asked Honourable Tjihiuko a question during his contribution, I said that in line with the SWAPO Party Election Manifesto, it is clear that training and skills development will be a priority and that we want to show that we harness science and technology in the process of developing innovation, efficiency and productivity. So, the SWAPO Party is very, very clear and has already put forward science and technology and the SWAPO Party is in harmony with what we are discussing.

In conclusion, Honourable Speaker, Africans have innate scientific knowledge and with this SADC Protocol, we as Namibians should play

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our part and invest in science and technology.

Honourable Speaker, our ancestors were thinkers, but our new generation seem to be a bit tired of thinking. There is less innovation and creativity and maybe the time has come for us to start thinking. I support this document since it emphasises the following: It emphasises the need to promote mathematics and science at all levels of education and the public domain and that is very critical. I support this document because there is a need to improve mathematics and science teaching standards at all education levels and would like to emphasise “school level.” I am supporting this document because it emphasises the need to attract, motivate and retain young local scientists in the Region. I do believe that scientists in the world are mistreated. I happen to be from that angle. It is a specialisation that you cannot compare with the legal system. If you talk to a lawyer, you become poor; if you talk to a scientist you are likely to become richer. I will not go into the details. There is a need to improve on the findings of the local science and technology and innovative research. I also support this document because of the need for regional centres of excellence and the need for a coordinated research programme for the Region.

Finally, I think if we Namibians have to develop in the long-run, we have to concentrate on science and technology. As the Prime Minister mentioned yesterday, we should allocate sufficient resources for the building of the country. (Intervention)

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**HON MINISTER OF VETERANS AFFAIRS:** I want to ask whether you are aware that if a scientist makes a mistake, it may affect a number of people, but if a lawyer makes a bad law, it will affect the whole Nation?

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** I agree with what is directed at the scientists and what is directed at the lawyers. Any mistake by a pilot, an engineer, a doctor can be fatal.

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Therefore, the scientists need to be supported. We can talk of our resources, but if we do not refine them and invest in science, Namibia will never, ever develop and Honourable Speaker, take that from me, we cannot develop if we do not invest in science and technology. Thank you very much.

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**HON SPEAKER:** I thank you. Chief Ankama.

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**HON DR ANKAMA:** Thank you very much, Comrade Speaker. I wish I had a chance to chat with the expert, the scientist, Comrade Abraham Iyambo, before I penned down what I am going to present right now.

Comrade Speaker, Honourable Members, in my short contribution to this very important Protocol, I would like to confine myself to illuminate a few amongst the stated objectives in Article 2 of this Protocol and these are objective (g) to demystify science, technology and innovation by promoting public understanding and awareness and meaningful participation in these disciplines; (h) recognise, develop and promote the value of indigenous knowledge, systems and technologies; (j) to develop human resources in science, technology and innovation and work collectively towards the attraction, motivation and retention of scientists for the development of the Region; and (k) to strengthen institutional capacity in research and technology institutions and facilitate institutional cooperation and networks. The last objective that I would like to highlight is, to increase access to the teaching and learning of basic sciences and mathematics at all levels of the education system.

Comrade Speaker, Honourable Members, the above-stated objectives are in all probability the cornerstones of this Protocol and must be anchored on a firm foundation. Africa is blessed with fauna and flora of which these should be aligned with the knowledge-base of the African people in

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terms of their diversified cultures and environmental legacy. A number of literary resources has shown the wealth of indigenous knowledge on natural resources management, including that of plants and animals as well as off-land use. Dr Iyambo has already alluded to this.

Knowledge of plant species and their use has been part and parcel of the living culture of the African indigenous people. For as long as they have been on earth, they have discovered edible plants, such as fruits and vegetables, plants that are used for specific diseases or ailments and those whose by-products can be used to make cosmetics, body or cooking oil, just as they were in the know-how on animal by-products either as medicinal or dietary supplements.

Comrade Speaker, African indigenous people also for decades knew many preservation methods. They know how to store whatever they wanted to store, particularly agricultural or any other products and foodstuff, just as they had African knowledge of extracting by-products from animals, plants and soil.

I want to highlight a few examples, that the *Aawambo* can extract *ombike*, which is gin and *omalunga* which is palm wine from palm trees. They can also extract *Oshilwa* which is marula juice, *Omagongo* which is also marula wine and *Odjove*, marula oil from marula trees.

African indigenous people can cure rabies *eenguwngu*, snake bites, epilepsy and many other ailments with herbs from indigenous or local plants or products from local animals. Mind you, we have a great concern and I think I mentioned this during the Budget Debate, that currently quite a number of herbs and shrubs are becoming extinct and this is a cause for concern. The African indigenous people can make their own local utensils and other products for household use from plants, animals, ore and soil products, such as knives, spears, arrows and bows from iron ore, made by *aahambuli* or blacksmiths. Clay products, for example pots *Omatiti* or containers mady by *aahongi yininima*, wooden products of all kinds and many more. The African indigenous people can make clothing out of animal products, such as pelts, hides to wear *oomba*, *eenyoka*, all those



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things that they used during those days. Now this knowledge is sort of diminishing.

Comrade Speaker, Honourable Members, the examples highlighted are an indication of how science has been evolving among the African indigenous people. It is perhaps our own reluctance and ignorance of the modern African indigenous people who shun their own cultural knowledge and heritages. Modern indigenous people pass their ancestral scientific knowledge to researchers from the Western world who come and steal our heritages, go and patent them and come back to sell improved products out of our knowledge to us again. They do so many times, when they come here we give them the go-ahead.

The modern African indigenous people are hesitant to recognise, for example, a certain *Mapaya* or maybe *Nepaya* for their cultural scientific norms and skills, not even to do research on their practice, but the moment a European person comes and does a so-called discovery on the skills of *Mapaya* and *Mr Nepaya*, then all of a sudden the practice is good.

Comrade Speaker, Honourable Members, it is high time that we recognise the potential of indigenous cultural knowledge. It is high time that our school systems in SADC introduce a regular core curriculum for science, technology and innovation from primary school to institutions of higher learning. It is high time that African indigenous people with cultural scientific knowledge are acknowledged and contracted as experts to impart and transfer local scientific knowledge to learners at all levels of education taking science, technology and innovation as a course or subject. It is high time that SADC takes drastic steps to sensitise the Region by way of dynamic programmes on matters related to science, technology and innovation through printed and electronic media on a regular bases and it is high time that we start preserving plants of medicinal value in our Region, especially at places where we erect new towns and cities, so that this could be used by future generations.

Comrade Speaker, Honourable Members, I support the speedy ratification of the Protocol on Science, Technology and Innovation. I thank you.

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**HON SPEAKER:** I thank the Honourable Member. Honourable Kazenambo.

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

Thank you, Honourable Speaker. I rise to give my contribution to the ratification of the Protocol on Science, Technology and Innovation. The themes captured by this Protocol are very critical to the existence of human beings, because human life, human existence is affected by technology, is affected by innovation of communities and individuals. Science has come to dominate our lives in many forms, therefore this Protocol addresses an important area in our existence.

Comrade Speaker, not repeating what the other Comrades have eloquently said, Dr Abraham Iyambo has spoken eloquently about the importance of science, Comrade Ankama has said the same and other Colleagues who spoke, although some of them are from those dying Parties. The dead Parties that are waiting for their funerals in November are NUDO, DTA. (Intervention)

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**RT HON PRIME MINISTER:** Honourable Kazenambo, are you saying that a scrap yard is a graveyard of a Party?

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL  
GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** Yes, Comrade Prime Minister, a scrap yard is a place where you go and collect dead Parties from. (Intervention)

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**HON TJIHUIKO:** May I ask the Honourable Deputy Minister a question, please? Honourable Kazenambo, I know that you are known to

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be making very boring statements, but how do you feel that while you are speaking, your two senior leaders are having a private meeting? How do you feel about that, that the Secretary-General of the party and a senior Minister are having a serious meeting while you are speaking? Do you not think it is perhaps because the statement you are making is boring to the point that they have their own private meeting?

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

SWAPO Party is a dynamic Party, a Party full of ideas and consultations and they were speaking before I stood up and this will not bring life to the political scrap yard for dead Political Parties. I may make boring statements, but at least I am alive and am saying something. Those who are dead cannot say anything, they are rejected.

Coming to the topic, while supporting this Protocol, I have serious concern and I want to register this concern, because we have been talking about the food. He is not allowed to turn the SWAPO Manifesto that way, it is illegal. (Intervention)

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

May I ask my brother a question? Honourable Kazenambo, Honourable Tjihiuko is holding the SWAPO Manifesto upside down and he is reading. Are you not worried about his illiteracy?

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**HON SPEAKER:** The document that Honourable Tjihiuko is holding in his hands is not the SWAPO Party Election Manifesto, it is some other document.

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** I agree with you, it is a serious concern, but the SWAPO Party Government takes care of all the segments of the society and we also have a literacy programme which the Members of Parliament can attend.

I was saying that I have a serious concern. At one point the Honourable Speaker was saying this is Africa's generation, sometimes he says Africa must rise, if I quote him correctly. When the leaders of the liberation struggle stood up - and some of them are in this august House - they realised a problem that needed to be addressed and I think it is about time that as we are busy talking about problems confronting us and as we are busy approving protocols, Africa needs a serious re-examination. Not only Namibia, but Africa as a continent needs a serious re-examination and that re-examination also calls upon us to face the reality, to look at the ugly reality and diagnose the situation. There should also be self-criticism in an honest manner and we separate issues through this process. We identify the problems which we are part of causing and Tjihuiko must listen, this will also help him, it is not only a question of boring, he must also confront the reality by listening to me and benefit something.

The reality is as follows: As we will blame colonialists, and indeed they deserve to be blamed by us because they have mistreated us... (Intervention)

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**HON TJIHUIKO:** May I ask the Honourable Deputy Minister a question? Honourable Kazenambo, you mentioned a very important point of self-evaluation and you were saying that Africa should seriously look at the issue of self-evaluation. Do you agree with me that maybe for us to think that Africa should start looking at that, do you not think it is better for us to start re-evaluating ourselves and looking at what we have done and perhaps what we have done for the last couple of years that we have been given the mandate to provide basic services to the people of this country, education, health, land reform, all these things? Do you not think

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that would be the best way to go about it?

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

Honourable Tjihuiko, this is exactly what I said and I said we should do self-examination, a self-analysis to evaluate our strengths, our weaknesses, our threats and opportunities. (Intervention)

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**RT HON PRIME MINISTER:** May I ask a small question? Do you not think that the Parties which never achieved anything in life are the ones who should evaluate themselves? SWAPO brought Independence, freedom, democracy, peace, national reconciliation, big achievements, but the other Parties have nothing to show. Do you not think that they need serious self-evaluation?

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**HON TJIHUIKO:** Honourable Speaker, may I ask Honourable Kazenambo a question? Would you agree with me that the Party that the Right Honourable Prime Minister is perhaps referring to may be the Party that is always coming down with 7 votes and the people of Namibia have already decided? Do you agree with me that perhaps the Right Honourable Prime Minister could have asked the question directly to that party?

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

As it is election year and we are about to go and start our campaigns, I appreciate that, but it includes Political Parties also to evaluate themselves and in the scale of evaluation, some will definitely fall at zero and remain there at zero. If we are addressing achievements of the SWAPO Party, in addition to what the Prime Minister has enumerated, UNAM was not there, we have the Polytechnic. Those are achievements in the field of

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education and only a politically blind person cannot see that. There are achievements in the area of health and elsewhere.

Coming to the point of self-evaluation, not to be diverted by the dying Parties, I was saying that we must identify...(Intervention)

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**HON NAMBAHU:** May I ask a small question? Comrade Kazenambo, do you think that a whole Party that does not have anyone who knows that a computer has a function to correct spelling can actually be in a position to see anything else? If the whole Party cannot see their whole Manifesto is full of spelling mistakes, can they be expected to evaluate anything else? Why are you wasting time and not talking to the point?

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** On the issue of self-evaluation, I do not want to move away from the area of food and others which were mentioned... (Intervention)

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**HON TJIHUIKO:** On a Point of Information. We must make a distinction between an academic paper and a peoples' paper. When you have a document that was created under the trees by the people, the real people in Katutura at Single Quarters, you will find a few mistakes, but the most important thing that you need to look at is the content of what the people want to achieve. You have a document that was done by a think-tank and all that they come up with is a photo album because there was nothing else to put in. We need to look at the content, the vision, the objective, rather than the fineness of the paper. That is the difference between us and them.

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL  
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I will respond to him later, Honourable Speaker, let me address the Protocol. My concern is that self-analysing the continent and Namibia included, the colonialists – and I said they have done horrible things to us and it cannot be forgotten although it may be forgiven, but I also think in certain areas we need to move on. We need to move on instead of blaming the colonialists, instead of blaming the whites, instead of blaming the past. I think it is about time that we blame ourselves. We have this culture of blaming the teacher because your children have failed, but you do not evaluate yourself that you have contributed to the failure.

The realities will remain there and they are real things which we as Africans and Namibians need to tell ourselves. For example, it is my own belief that there is nobody who will come and develop Namibia for us, it is us who should develop this country. This one is a fact. You find a person comparing Namibia to Europe and America, that in New York you will find this, Windhoek is not New York and those things in New York were developed by the Americans themselves. Do something, stand up and say, *“I would like to do this like I saw it in New York.”* However, what you hear in many cases that Namibia is not like New York, Namibia is not like Johannesburg, but you are not a citizen of South Africa and you must stand up and do things.

What I am saying is that surely we have all the powers, we have been independent for 19 years. Some African countries have been independent for more than 50 years and they have all the powers, the economic power, the Parliaments, the Cabinets, everything that we have. They have the power to legislate, they have the power to come with laws that can empower them in certain areas, but in many cases their cry is about what the colonialists did, what he past did. It is not a SWAPO member talking, where is that policy in SWAPO, you will not find a policy of blaming. It is individual, it is the mindset of psychology and it is about changing the psychology of blame in Africa. It is also based in our culture, if a person dies of HIV, they will go to the witchdoctor and to the Pastor and say it is Kazenambo who killed the nephew. They will not

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believe that the person had unprotected sex and he contracted HIV and he died of HIV.

What I want to say is that, seriously speaking and scientifically speaking, the basic fundamental principles of economics, is that the products that we are talking about, such as *ombike*, would become usable if there is a market for it. There is no two ways about it. My people are good at making *omaere*. We have what we call *omaere*, *Omaze uo zongombe* which is Herero butter which is a very tasty product and I am sure it will sell in any market, but who should promote it in the market, who should consume it, who should produce it? Is it an Englishman or Scotsman from England or a Japanese from Japan or an Oshierero person who innovates and puts in the market?

As long as I am alive I will repeat this until I become like a broken record, like Dr Tjiriange used to say, we must stop blaming other people and we must start blaming ourselves. (Intervention)

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**HON MINISTER OF SAFETY AND SECURITY:** May I ask the Honourable Member a question? I have followed you very carefully, particularly when it comes to the Otjiherero and Oshivambo butter, because you find those in these two cultures, very tasty as you say, but I wonder whether you have considered the element of high cholesterol in those butters and the effect thereof, whether apart from the wonderful product, we can still do something to the element of cholesterol which is very bad for health.

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** I agree entirely and I take note of what my senior leader is saying, I really appreciate that and that should be part of the product development. The majority of the products that we consume and that we use have side-



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effects. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On a Point of Information. We have *hemba* which we can put in that butter to reduce the cholesterol. It has an acid which will reduce the concentration of fat. We can implement this science, everything is there.

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** I agree and I said that in any product development there are some side-effects that need to be noted, but without really moving away from my line of thought... (Intervention)

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** Comrade Speaker, my Colleague is doing very well, but I am afraid that most of the Honourable Members, including myself, did not understand the meaning of Jillocow. I need the Colleague's assistance in giving a definition of Jillocow.

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** It is green tea. What I am saying, Honourable Speaker... (Intervention)

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**HON MINISTER OF HOME AFFAIRS AND IMMIGRATION:** Just for the information of Honourable Kazenambo, the same *ombike* that is made in Africa is found in China, but there it is bottled very nicely and very costly. I think we can also do that.

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL  
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Thank you for the information and in conclusion, what I am pushing for is that yes, the colonialists did a lot of horrible things here, but we should not blame our failures on the past, we should not blame our limitations and weaknesses on the past. Our Governments and Governments all over the world are the biggest consumers of products. Sometimes I laugh when people say that they proud that they are in the private sector. There is no private sector in this country, these are the extensions of Government departments, because who are the biggest consumers of the products of the private sector? In this document they do not feature anywhere, they do not even manufacture matches in this country and even milk is imported. We have to congratulate the colleagues who are now trying to manufacture milk, but you are not from the private sector, you are from the Government.

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**HON VILJOEN:** On a Point of Information, ending with a question. Honourable Kazenambo, I appreciate what you said, you are talking like NUDO, but none of the Parties in the coming election can rule the country better than the Ruling Party except MAG. What we cannot understand is that the SWAPO Party says they brought peace and stability to the country and I agree, but my question is, why do they not succeed in their efforts to bring people together, reconciliation, or how can we understand the speech in the North about the whites and the Germans and the knobkieries?

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL  
GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** The speech that you are referring to, let us face the reality, former President Nujoma... (Intervention)

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**HON SPEAKER:** Let us leave the names out, everybody knows.

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**HON TJIHUIKO:** Honourable Speaker, on a Point of Information. I do not think what we are trying to discuss right here on that issue is the appropriate place to discuss that issue. I would appeal to the Honourable Deputy Minister that the moment we start talking about statements of whatever nature, this may not be the appropriate place. I would request the Honourable Deputy Minister just to ignore that and to stick to the point.

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL  
GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** I am about to conclude. (Intervention)

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**HON MOONGO:** On a Point of Order. Is it allowed in this House to have double standards? While you are saying you brought peace, the former President incited the people and insulted Phil Ya Nangolo and now he is insulting the foreigners. Is that peace?

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**HON SPEAKER:** You can say anything, just leave the names out.

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL  
GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** I was talking about markets and the accessibility of products on the market. I want to repeat and I said I will repeat until I become what Honourable Dr Tjiriange always refers to as a broken record. I was saying that the power is with us and the question is market and access of products

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to markets.

Sometimes you walk around and you feel like crying. There are companies that are manufacturing bricks made from clay and my parents used to do the same. It has nothing to do with the whites and the imperialists, today we are buying these bricks, other people have captured this market, but many of us come from communities which make bricks. It is a question of coming up with laws that we should consume our own products before other people come in this market and produce it *en masse* and sometimes they are subsidised.

Today some people are bringing in cheaper technology and we are going to be at the receiving end of cheaper technology. Some are even beginning to produce salt and in my culture where I am coming from our mothers used to produce salt. However, if we start producing this, not the whites for that matter, the black health inspectors are the very first ones to say this salt does not meet the standards, but this is the very same salt our mothers used and since when has it become dangerous? We have prejudices against our own food, we have prejudices against our own materials and I am saying it does not take us anywhere. If we are the very same people who have prejudices and despise and undermine our products, it will not help us by blaming the whites, by blaming the colonialists, by blaming the imperialists, we must blame our psychology and blame our mindset. Let us start consuming what we produce, let us start using what we innovate and the market is the Government. The Government must start purchasing on a mass scale so that the producers will produce on mass scale, knowing that when I produce this soap, it will be bought by schools, it will be bought in Angola, it will be used in the schools in Botswana, African products.

All of us talk a lot about the white imperialists and the past, but when you as a Government employee are told you are going to Lusaka, you are reluctant; when you are told you are going to London or Bonn, you cannot even sleep. It is hypocrisy. You want to land in Tokyo, but you are told to land in Gabarone, you are reluctant. I am talking of experience. A trip to London or Germany is a lucrative one and I am asking myself why

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Germany is shining today with that technology. It is because of Germans, they are consuming their own products, but African innovation is regarded by Africans themselves as substandard, as not healthy.

Recently a gentleman here had a clinical laboratory or something. He was being prevented and he is a gentleman from one of SARRI universities. He was stopped from practising here by the people who are keeping the market to themselves. The people from our countries are dominating the market and African people cannot practise, their innovations are regarded as substandard by whom? By African Governments, by African consumers. Therefore, let us stop crying, let us wake up and popularise our own innovations, let us popularise and eat our food. This is my recommendation. If we can do this, economics and business is about mass scale production and if there is a market, we will expand and employ and create jobs and this will not be done by blaming the colonialists, by blaming the whites, it will not take us anywhere. Let us face the reality.

SWAPO has brought reconciliation to this country. Let us face it, the Founding President was the President of this country for more than ten years, the Founding President was the most popular President on this continent, let us face it, and the very same Founding President is the one who introduced the policy of reconciliation. It was under his leadership. (Intervention)

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**RT HON PRIME MINISTER:** Honourable Kazenambo, are you aware that the Founding President is the one who signed the ceasefire and stopped the war?

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** I do not know if the Founding President signed the ceasefire. Other than that, as a former PLAN combatant, under the same directives and instructions of the very same Founding President, our forefathers, the

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Mahareros, he gave us clear instructions, your targets are not human beings, your target is to fight the colonial system, do not fight the whites physically, do not kill their women and it is the very same principle which applied when this country got its Independence. It was under the Founding President for fifteen years. The peace that we enjoy here was not dreamed of, it was crafted in SWAPO policies which SWAPO presided over for forty years, including fifteen years of full executive leadership. He was a full Executive President, he never confiscated anybody's property in this country. (Intervention)

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**HON SPEAKER:** I think you have made your point.

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** My point is that we do not dehumanise a person, let us not disown a person, statements of *kaffirs*, statements of mistreatment. There are perhaps those who are not making these statements, but go into their factories, go into their shops, go into their houses and see how they treat people of different colours. Let us go to service stations, let us do a test. Let us go to the farms and so on. Other Political Parties, tribal Political Parties, one-man show Political Parties cannot pretend to be better than SWAPO, they cannot be compared with SWAPO. (Intervention)

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**HON MOONGO:** On a Point of Order. The Honourable Member must stick to the Protocol rather than trying to convince people that there is reconciliation. People are tired of being provoked by the former President to kill. We are tired of this, we do not want to hear it anymore.

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

Yes, where there is no truth, the people jump on their chairs. What I want to say in conclusion is that the Protocol is very important, but let us popularise the products which the Africans are innovating in all spheres of life. We have the power to do that. These protocols must be accompanied by effective implementation by the various Ministries. I always say that today we have *Team Namibia* and it has to promote Namibian products and innovation and science will go a long way in Namibia and help Namibians to empower the Africans. I rest my case.

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**HON SPEAKER:** I thank the Honourable Deputy Minister. Minister of Justice.

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**HON MINISTER OF JUSTICE:** Comrade Speaker, I rise to add my voice to the Debate on this very important Protocol. I wish this Protocol had come sometime shortly after Independence, at least so that by now SADC would have created these institutions in all the Member Countries of this organisation. However, be that as it is, the effort is worth praising. I wish this Protocol will push us as Africans in southern Africa into the mood to truly take advantage of the sphere being addressed by this Protocol.

I partly listened to Dr Abraham Iyambo's speech this afternoon because I came in as he was moving to the end of his speech, where he was enumerating the African inventions, to which I can also add, but that to me is not important. What is important is, why is it that whatever invention we have made as Africans have not moved to another stage?

I like to watch certain movies that many of my Colleagues do not like. I have listened to them expressing dislike, but I watch them with keen interest just to be able to understand the system, the tradition, the

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mentality, so that at least at the end of the day, even if I have not lived in that society, I will be able to figure out how that society is composed or what makes it tick.

We as Africans believe so much in mystery. Whatever innovation one has made should make it a point to make that so mysterious, it should never be known by the neighbour. If by mistake they got to know it, fine, but to the Region it should be hidden, so much so that some of our traditional scientists died with a host of knowledge before the Europeans came. They were doctors, they were using natural medicine, roots of the plants. Some of the plants no longer exist, some do, but we do not know the importance of such roots any longer. (Intervention)

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**RT HON PRIME MINISTER:** I am sorry to disrupt the discourse of my dear leader, I just have a tiny question. Do you know that the only knowledge which was not public in African society is witchcraft?

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**HON MINISTER OF JUSTICE:** Comrade Speaker, it is not true that the only knowledge that was not publicly known was witchcraft. Witchcraft yes, but innovations also, because there were families that were known to have knowledge of certain things and only them.

The other aspect of us Africans that is also retrogressive is the rise of the knowledge of science. Those who are knowledgeable are either feared or are ridiculed or are not respected at all. You can say a blacksmith, which in Oshivambo is called *Omukwaangwa*, is an engineer. That word is so derogatory. Immediately you hear that word, you know these are useless people, who are ever hammering. Therefore, such an attitude has stifled interest and creativity in our society and if you couple that with the mysteries surrounding witchcraft and all these things, children grow up thinking that to be curious is looking for misfortune. I am saying this, Comrade Speaker, for us to also understand the background why we remain where we have been for centuries and if we are to promote science



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among our African children, we must also address the history that is disrespectful of science in our society, in the black communities.

Comrade Speaker, our education system has not been helpful. I do not want to say nasty things about education, you know that my neighbour is the Minister of Education, but I am saying that truly our education system has not being helpful in this particular aspect.

I remember in the early nineties there was a call from some of us who have benefited from elite schools which were very rare in those days. I am a product of Oshigambo High School. Oshigambo High School during my days had a laboratory. Any knowledge, little as it is, I have of science and chemistry is from Oshigambo High School, probably the only school north of Otjiwarongo where science, mathematics and agriculture used to be taught. Maybe there was another school somewhere and Oshigambo has produced the first few medical doctors we have north of Otjiwarongo and I can enumerate them. I am talking about those who went from Oshigambo to universities in South Africa or somewhere else. I am not talking about these ones who were made by SWAPO. Currently we have north of Otjiwarongo doctors like Paulus Kanyama, a heart specialist, Dr Anaambo, Hamata, name them, they are products of Oshigambo High School.

Shortly after Independence we thought SWAPO should replicate such Centres of Excellence. We should have created schools in every region, modelled on the system of Oshigambo High School. At least by now we should have had close to a thousand scientists produced after Independence, but we did not adopt that policy. We gave all the children general secondary education, all of them. Very few schools have laboratories or science subjects. We cannot develop this country if all of us have general education. Even in our families, there are those children who are naturally gifted. (Intervention)

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**HON MINISTER OF HOME AFFAIRS AND IMMIGRATION:** I have a small question to the Honourable Minister. With all this very important information I have a small question. When this Protocol is implemented, how will it accommodate those natural or cultural innovations, for example how to produce *Okandjaviti*? Those are the things that we need to upgrade, the traditional *Okakuwa* and all those good things we have.

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**HON MINISTER OF JUSTICE:** Comrade Speaker, science and technology should also not be introduced in a vacuum. Scientists produced for the Namibian environment should also try to understand the science that our forebears used. They should investigate and improve upon the science of our forebears. For example, the Ovambos make this very delicious oil from marula nuts, a simple chemical process which is still being used, but we cannot commercialise it. Can our scientists of today not investigate how to extract this oil and commercialise it? (Intervention)

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**RT HON PRIME MINISTER:** On a Point of Information. I would suggest that you visit the *Eudafano* factory in Ondangwa, then you will see the processing there.

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**HON MINISTER OF JUSTICE:** Well, I do not know whether that one is borrowed from elsewhere or it is our own innovation. If it is our own innovation, fine, but I am saying that the process there does not involve water. I went there to observe how they do it. The traditional way of extracting the oil is by using friction and water. (Intervention)

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**HON NAMBAHU:** May I ask a question? Comrade Secretary-General, you are touching on a point that, in my view, could be very important if

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that line of thinking could be pursued. Innovation, in my view, will leave the production cycle incomplete. You innovate, come up with something and then you leave the process incomplete. You leave the commercialisation and all the other aspects to the competitors who are against your product. In that country that we do not want to talk about very much they have their own outlet and they follow through up to the commercialisation of the product, but we innovate, we produce, then we leave it to our competitors who do not want that. If that is not addressed, no matter how much innovation we come up with, we will not be able to reach far. I do not know whether our system does not address that in education. What do you say about that? I did not want to interrupt you, but I did not want that point to be lost.

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**HON MINISTER OF JUSTICE:** Comrade Speaker, there is a lot to say about what we have here. If our scientists could just direct themselves to how the Namibian communities used to use science to enhance their lives, it could mean a lot. The question of Comrade Nambahu is very valid. The *Eudafano* produce is shipped raw to Europe and Europe processes it further and send them back to Africa for our consumption. The soap that we are using, the facial creams and perfumes are produced with our raw materials.

Why I am bemoaning the fact that we have not paid attention to this sector is the fact that we are still being unduly exploited. We were supposed at this particular moment at least to have something to show to the world that we produced this from step one to the last step.

Therefore, my recommendation is that our Schools of Excellence, if there are any, must look at what we have already and enhance it, other than send our scientists to Europe and elsewhere to do their research there. What can they research in Europe that will come and help Africa? Let them come back here.

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**RATIFICATION OF PROTOCOL  
HON IIVULA-ITHANA**

**HON TJIHUIKO:** Can I just advise the Honourable Minister of Justice and the SWAPO Secretary-General that you are on television, but with your body language and the way you are going about, you are going in and out of the picture.

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**HON SPEAKER:** The Honourable Minister's body is none of your business.

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**HON MINISTER OF JUSTICE:** Comrade Speaker, since I will not be here tomorrow, I will just give my recommendation that our scientists should be encouraged to come back home and do their PhD research here at home as we have a lot to offer. I thank you.

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**HON SPEAKER:** The House shall rise under automatic adjournment until tomorrow afternoon, 14:30.

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**HOUSE ADJOURNS AT 17:45 UNTIL 2009.09.24 AT 14:30**

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
WINDHOEK  
24 SEPTEMBER 2009**

The Assembly met pursuant to the adjournment.

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

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**OATH/AFFIRMATION BY NEW MEMBER**

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**HON DEPUTY SPEAKER:** First announcement, Honourable Members. A vacancy has occurred in the National Assembly as a result of the withdrawal of Honourable Nora Schimming-Chase of the CoD Party. In terms of Article 48(2) of the Namibian Constitution, the CoD Party has nominated Mr Rosalinda Namises to fill the vacancy. I now call on Judge Maritz to administer the oath of affirmation to Ms Namises.

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**JUDGE MARITZ ADMINISTERS THE OATH TO MS NAMISES**

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**HON DEPUTY SPEAKER:** I now declare Ms Rosalinda Namises as a duly elected Member of the National Assembly. Congratulations and please take your seat. Your Honour, Justice Maritz, thank you for once again carrying this duty conferred upon you as per our Constitution and the responsibilities that each of the three Branches of the State carries. I now ask the Sergeant-at-Arms to kindly escort Judge Maritz from the Chamber.

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24 September 2009

**NOTICE OF MOTION  
HON DR TJIRIANGE**

**HON DEPUTY SPEAKER:** Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Notice of Questions? Notice of Motions? Honourable Minister of Veterans Affairs.

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**HON MINISTER OF VETERANS AFFAIRS:** Honourable Deputy Speaker, I give Notice that on Tuesday, 29 September 2009, I shall Move-

That this Assembly debates the following important issue stipulated under Article 53 of the Constitution and Order No. 17 of the National Assembly's Standing Rules and Orders which provides as follows:

*“A quorum of the National Assembly consists of 37 Members, excluding the Speaker or the Presiding Member.”*

I shall further request this august House to review the Constitution as well as the Standing Rules with a view to amend them to restrict its application to the requirement of a quorum only to matters pertaining to vote or decision of the House.

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**HON DEPUTY SPEAKER:** Further Notice of Motions? Ministerial Statements? Question 76 is the one by Honourable Viljoen to the Minister of Labour and Social Welfare. Does the Honourable Member put the Question?

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**RESPONSE TO QUESTIONS**

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24 September 2009

**RESPONSE TO QUESTIONS HON VILJOEN  
RT HON N ANGULA**

**QUESTION 76:**

**HON VILJOEN:** I put the Question.

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**RT HON PRIME MINISTER:** In the first place, the Question is misdirected. However, I want to assure the Member that this issue is receiving the full attention of the Speaker. There were some technical problems which have been ironed out. I am informed that the newcomer has been informed to compile the HANSARD and very soon you will have a full set of the HANSARD. Once you have them, I hope that you will read them. Thank you for reading the HANSARD.

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**HON DEPUTY SPEAKER:** Question 77 is by Honourable Tjihuiko to the Minister of Works and Transport. Does the Honourable Member put the Question?

**QUESTION 77:**

**HON TJIHUIKO:** I put the Question.

**HON MINISTER OF WORKS AND TRANSPORT:** Thank you very much, Honourable Deputy Speaker. Honourable Tjihuiko asked on behalf of NUDO for me to explain to this House whoever was responsible for the purchasing of the Chinese manufactured locomotives.

I assume the Honourable Tjihuiko is referring to the four locomotives, Secade 8C including the passenger train, Ongulumbashe, and I thought this question was dealt with very recently in June. Maybe I just want to remind him that the motive for the acquisition of the four locomotives was to provide additional capacity for the transport of rails and the ballast stones to construct the Northern Railway Extension and that an agreement

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RT HON H ANGULA**

was sale was signed between TransNamib and China Railways Material Import and Export on the 11<sup>th</sup> of November in Windhoek for the supply of two locomotives.

Another agreement of sale was signed between TransNamib and the Chinese company on the 16<sup>th</sup> of December 2003 for the supply of a further two locomotives. The price per locomotive as US\$990,000 in respect of all four units. The delivery took place in September 2004, short of one year after the signing of the agreement.

The Honourable Member further wanted to know whether it is true that the N\$44 million transaction was paid for in cash. I do not know what the Honourable Member has in mind because there might be misuse of the term “cash” here. Is it meant that people sat and counted N\$44 million or is it cash in terms of not borrowing but through cash? I want to assume that he meant the last, that it was not borrowed money. However, if he meant the other way, then that is malicious and I am not going to answer that. I positively confirm that, therefore, the financing was made directly from TransNamib coffers.

Then he wants me to confirm whether the reason the N\$44 million was paid in cash was to accommodate tips for the same people who were directly involved in this transaction. If the Honourable Member has any information, he has all the right to report to the Inspector-General of Police or to the Anti-Corruption Commission or to the Ombudsman to take up the matter with any relevant authority who is responsible for security. Otherwise, if he has seen people getting tips illegally and he is keeping quiet, he is an accomplice.

The Honourable Member further wants me to confirm whether this multimillion dollar transaction records do not contain substantial information in this regard, meaning that there were no information. All payments for the four locomotives as well as the DNU were made by letters of credit through the banking system directly to the supplier of the goods in China. No local agent or middleman was involved at any stage of this transaction.



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**RESPONSE TO QUESTIONS HON VENAANI  
RT HON N ANGULA**

A further question is: How deep was the Government through the relevant Ministry involved in this deal and at what level were they involved? The line Ministry, representing the shareholder, was consulted fully on the matter. For any further information the Honourable Member may wish to directly contact TransNamib who is responsible for the operation and maintenance of these equipments. I thank you very much.

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**HON DEPUTY SPEAKER:** Question 78 is by Honourable Venaani to the Right Honourable Prime Minister. Does the Honourable Member put the Question?

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**QUESTION 78:**

**RT HON PRIME MINISTER:** Thank you for your question. I was privileged to have been appointed by His Excellency, President Hifikepunye Pohamba to be his Prime Minister from the 21<sup>st</sup> of March 2005. At that point in time the Office of the Secretary to Cabinet was part of the Office of the Prime Minister. At one point the Secretary to Cabinet did request in writing for the Prime Minister to allow him to be a non-executive member of private entities, which was granted. Since then the Office of the Secretary to Cabinet has been transferred to the structure of the Office of the President and I have not received any request from him to perform work outside the Public Service. That is the only request I have received from a senior official like him, I never received any other request from any other Permanent Secretary. Thank you.

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**HON VENAANI:** I want to thank the Right Honourable Prime Minister for his truthfulness, but one of the questions which is very important is: Would the Prime Minister consider commissioning an investigation in the

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**RT HON N ANGULA**

Public Service, because a lot of senior officials are doing other remunerative work outside the Public Service and they have not sought permission. There is this question of senior officials trading with Government and they are using their positions and influence in the Public Service to be able to do this inside trading within the Public Service. Will the Prime Minister as the head of the Civil Service make sure that there is an investigation that would curb and control this trading within the Public Service?

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**RT HON PRIME MINISTER:** I cannot involve myself in witch-hunts. However, if a citizen has information relevant to good governance of the Republic of Namibia, that citizen should document that information and forward it to me, for me to have a basis of asking the Government to institute the investigation you are talking about. Without that I have no basis. Thank you.

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**HON VENAANI:** A follow-up question. The Right Honourable Prime Minister is challenging the basis, but there is an Act of Parliament, the Public Service Act that says that permission must be granted by your Office. If you have not granted permission... (Interjection)

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**HON MEMBER:** Who are they?

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**HON VENAANI:** You are not the Prime Minister, the Prime Minister is intelligent enough. I am trying to establish the legal basis of the Prime Minister's Office because we have an Act of Parliament that mandates that permission must be granted from your Office and if these fellows are doing other remunerated work without your permission... (Interjection) Should I give you one name?

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**HON DEPUTY SPEAKER:** Honourable Venaani, do not put yourself in a position where you cannot defend yourself in future. People are asking you questions and now you want to give the name. Do not give the name. The Prime Minister has clearly said that he cannot go on a witch-hunt. That means he does not have information. If you are a good citizen, document the information and hand it over. That is what he said. He cannot smell what is going on.

Question 79 is the one by Honourable Venaani to the Minister of Defence. Does the Member put the Question?

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**QUESTION 79:**

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

**HON MINISTER OF DEFENCE:** Honourable Deputy Speaker, I would like to thank Honourable Venaani for putting these questions and I will try to summarise.

My response is that the Ministry of Defence of Namibia entered into an agreement with a Brazilian ship-building company to build and construct 1 patrol ship and 4 other patrol boats. The patrol ship is 200 tons with a length of 46,5 metres and it carries a crew of 31 men and women. This vessel is fitted with a 40 mm canon and two 20 mm machine guns. It has a patrol range of 2,200 nautical miles with an autonomy of 18 days at sea.

The patrol boats are of 45 ton vessels with a crew of eight men each and the boats are also equipped with either a .762 mm machine gun or a 22 mm naval machine gun. The total cost for the ship and the boats is about US\$31 million and this was to be paid in a period of 6 years with three annual instalments of US\$2 million.

The vessel from Brazil was commissioned at Walvis Bay on the 2<sup>nd</sup> of June 2009, which was done by the President of the Republic of Namibia and Commander-in-Chief of the Namibian Defence Force.

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HON NAMOLOH**

The media was invited and there are no secrets about its procurement. This ship is named after one of our heroes, it is named after Brendan Simbwaye and the two patrol boats were the only vessels procured from Brazil for the last two Financial Years. Of course, the equipment I mentioned here, which are integral to both the ship and the patrol boats were also procured and the training of personnel was also included in this cost.

Honourable Venaani wants to know from which Company or institution was the equipment purchased. The Company is known as Empresa Gerencial Projectos Novias (EMGEPRON).

His second question is: Who were the Namibian Defence Force representatives negotiating with the institution and how many trips were undertaken to Brazil for the purpose of negotiating? All procurements are negotiated at the Ministry of Defence. The visits which are made are only to verify whether what the ships or the boats are being constructed to the specifications of the Ministry. There were no further negotiations, it was only to verify whether we have ordered is being built according to our specifications, because this ship is constructed from scratch and from time to time we send people just to check the specifications. The officers would go there to satisfy themselves on the specifications.

When I took over as the Minister of Defence, I went to Brazil to look at the training of their personnel and I was taken to see the ship being built. I did not go to negotiate, only to see the ship and also to verify that it is being built according to our specifications.

I also went there just to receive the ship after its construction. The crew went there until the ship was completed and sailed, to see if there were any leaks and so forth. For about three months they were there with the Brazilian Navy and to sail it and to check if everything is functioning perfectly until the ship was sailing to Namibia. They were not there for negotiations or for holidays, they were there to check the ship and they were being trained on the same ship.

*“Whether the representative of these Companies visited Namibia and for*

*what period during the Financial Year?”* The only time I have seen one of the members of the Company who came here, is when they accompanied the Minister of Defence of Brazil when they came here for the commissioning of the vessel. That is when I saw this representative, from the 1<sup>st</sup> of May to the 2<sup>nd</sup> of June, but it was rather unfortunate that he could not be with us since the Minister also had to leave, since it was the same time when the French plane disappeared over the Atlantic, so they had to leave early. They left only the Navy Commander of the Brazilian Navy to be with us.

I have dealt with the fifth question by Honourable Venaani. The negotiations took place only at the Ministry and after that it was only the experts, the project managers, who went there to verify if the equipment we have ordered is being built according to specifications. That was the only purpose. To my knowledge there have been no holidays.

I think I have diligently answered your questions, Honourable Venaani. I thank you.

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**HON VENAANI:** Honourable Deputy Speaker, I want to thank the Minister wholeheartedly for his kind spirit in which he has answered these questions, but as information is coming, I will come up with follow-up questions.

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**HON DEPUTY SPEAKER:** Question 80 is by Honourable Tsudao Gurirab to the Minister of Environment and Tourism. Does the Honourable Member put the Question?

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**QUESTION 80:**

**HON T GURIRAB:** I put the Question.

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HON NANDI-NDAITWAH**

**HON MINISTER OF ENVIRONMENT AND TOURISM:** Thank you, Honourable Deputy Speaker. Honourable Tsudao has asked three questions, all related to Von Bach. The answers are as follows:

Question 1: The terms of private-public partnership Namibia Wildlife Resorts are entered into with Tungeni Africa Investment in relation to Von Bach are as follows:

1. No alienation of State assets;
2. Existing staff must be taken over under the same conditions of employment or better;
3. Payment of rental fee to Namibia Wildlife Resort;
4. Namibia Wildlife Resort to receive a 10% monthly gross turnover;
5. Black economic empowerment as a prerequisite; and
6. Lease lasts for 50 years.

Question 2: No part of the resort has been sold. The whole Namibia Wildlife Resort facility has been contracted out under the terms listed in Question 1.

Question 3: The agreement already generated N\$3 million in signage fees and a monthly rental of N\$10,000 or N\$110,000 per year. It is estimated the turnover percentage contribution from the upgraded existing facilities will bring in at least an additional N\$250,000 annually. Thus, excluding the Lifestyle Village component of the agreement, the annual income to Namibia Wildlife Resort from this private-public partnership will be at least N\$375,000 as opposed to the annual losses of between N\$210,000 to N\$650,000 realised over the period from 2000 to 2008.

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**HON NANDI-NDAITWAH**

**HON DEPUTY SPEAKER:** Question 81 is by Honourable T Gurirab to the Minister of Environment and Tourism. Does the Honourable Member put the Question?

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**QUESTION 81:**

**HON T GURIRAB:** I put the Question.

**HON MINISTER OF ENVIRONMENT AND TOURISM:** Thank you once again, Honourable Deputy Speaker. I really hope that Honourable Tsudao is asking this question because he has interest in the operations of Namibia Wildlife Resorts and he does make use of their facilities in order to support them.

Question 1: According to the information available to the Ministry of Environment and Tourism, the total cost of the Ai-Ais establishment is N\$34 million, including VAT.

Question 2: In the turn-round strategies for the refurbishment of Ai-Ais, an amount of N\$21,5 million was estimated. However, the contract awarded was for N\$18,7 million, excluding VAT, but over the course of the project implementation, it is reported that the scope of the work has been broadened and necessitated an Additional Budget that was allocated. On the corrective measures, provision for additional Budget was already made, however expenditure verification are being made. I thank you.

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**HON T GURIRAB:** I would like to thank the Minister for her kind answer, except the Minister has overlooked the final part of my question which deals with the Annual Reports.

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HON NANDI-NDAITWAH**

**HON MINISTER OF ENVIRONMENT AND TOURISM:** Question 3: It has also been brought to my attention that the NWR Board has completed and approved the annual audited financial statements for the years ending March 2005, 2006, 2007, 2008 and 2009. Against that background, a general meeting to consider those statements is scheduled to take place latest October 2009. In addition, a meeting between me and the Namibia Wildlife Resorts Board has been set to take place immediately after the general meeting in which they will present those Reports. Thereupon I will make those Reports available to the Parliament. I thank you.

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**HON T GURIRAB:** I am grateful to the Honourable Minister, but I just want to ask as a follow-up question whether the Minister is aware that in terms of the Act these Reports should have been tabled a long time ago as some of the Reports go back four years and that is in contravention of the Act. Is the Minister aware of that?

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Yes, the Reports are to be made available. Of course, as I have mentioned in my earlier response, once they are finalised, we are going to table those Reports and we will then make the Reports available in accordance to the law. I thank you.

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**HON DEPPUTY SPEAKER:** Question 82 is by Honourable Tjihuiko to the Right Honourable Prime Minister. Does the Honourable Member put the Question?

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**QUESTION 82:**

**HON TJIHUIKO:** I put the Question.



24 September 2009   **RESPONSE TO QUESTIONS HON TJIHUIKO**  
**RT HON N ANGULA**

**RT HON PRIME MINISTER:**   Some time ago I received an invitation from the Managing Director of the Namibia Wildlife Resorts to attend the official inauguration of the revamped Ai-Ais Hot Springs. However, since I had another commitment somewhere else on official business, I was unfortunately not able to attend this event. Therefore, what you have read in the newspaper is also what I have read in this newspaper and I have no basis of saying what was reported was correct or not correct. Thank you.

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**HON TJIHUIKO:** Honourable Deputy Speaker, I must thank the Right Honourable Prime Minister. He has shown that he is a matured politician. Thank you very much.

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**HOUSE ADJOURNS AT 15:40**  
**HOUSE RESUMES AT 16:20 PURSUANT TO ADJOURNMENT**

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**HON SPEAKER:**   The Notice of Motion is the one by the Honourable Minister of Gender Equality and Child Welfare. Does the Honourable Member Move the Motion? Secondment? Objections? Agreed to. The Minister has the Floor.

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**SADC PROTOCOL ON GENDER  
AND DEVELOPMENT**

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Honourable Speaker, Honourable Members of this august House, first of all, let me congratulate my dear sister, Honourable Rosalinda Namises, for attaining the 31% of women representation in Parliament, because I was little bit scared when Honourable

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**SADC PROTOCOL ON GENDER  
HON MUNGUNDA**

Schimming-Chase retired that they will bring a man. Therefore, thank you very much.

Namibia has demonstrated and continues to demonstrate its political will towards the full emancipation of the Namibian women. Testimony to this is our commitment through the signatory and ratification of the following international and regional instruments which are powerful tools to achieve equitable women representation and participation at all elected structures. The instruments are:

- The SADC Declaration on Gender and Development of 1997 which was signed in Blantyre, Malawi;
- The SADC Declaration on Gender Equality in Africa which was signed in 2004;
- The Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa which was signed and ratified by Namibia in 2003;
- The Convention on the Elimination of All Forms of Discrimination Against Women which was ratified in 1992.

The SADC Protocol on Gender and Development is a result of concerted efforts which built up the momentum at level of the implementation of all these crucial instruments. The SADC Protocol on Gender and Development was signed by the Heads of State and Government of the following countries: Angola, Democratic Republic of Congo, Kingdom of Lesotho, Republic of Madagascar, Republic of Mozambique, Republic of Namibia, Republic of South Africa, Kingdom of Swaziland, United Republic of Tanzania, Republic of Zambia and the Republic of Zimbabwe on the 17<sup>th</sup> of August 2008 in Johannesburg, South Africa.

Honourable Speaker, Honourable Members, the objectives of the Protocol are to provide for the empowerment of women, to eliminate discrimination and to achieve gender equality and equity through the development and implementation of gender-responsive legislation

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**SADC PROTOCOL ON GENDER  
HON MUNGUNDA**

policies, programmes and projects. Secondly, it will harmonise the implementation of the various instruments to which SADC Member States have subscribed to at the regional, continental and international levels on gender equality and equity which, amongst others, are:

- The Convention on the Rights of the Child of 1989;
- The International Conference on Population and Development, 1994;
- The Beijing Declaration and its Platform for Action, 1995;
- The UN Security Council Resolution on Peace and Security 1325 on Women;
- The UN Convention on the Rights of People with Disabilities, 2008;

or any other legal instrument that may be relevant to this Protocol in order to accelerate implementation.

Thirdly, it will also address emerging gender issues and concerns, such as the realistic measurable targets, standpoints and indicators for achieving gender equality and equity.

Fourthly, it will strengthen, monitor and evaluate the progress made by Member States towards reaching the targets and goals set out in this Protocol and to deepen regional integration, attain sustainable development and strengthen community-building.

Comrade Speaker, Sir, the SADC Protocol has thirty-six articles and the following are some of the potential legal implications of the Protocol to Namibia:

In Part 2 of the Protocol, Member States are required to enact, review and revise their national legislation, which means to domesticate as well as to set up necessary measures for gender and development, empowerment and the protection of women, men, girls and boys by 2015. I am pleased to note that in this regard Namibia has made tremendous strides and that

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some of the laws and regulations seeking to address gender inequalities and improve status of women in society have already been put into place, for example, the Combating of Domestic Violence Act, Act 4 of 2003, Maintenance Act, Act 3 of 2003, Combating of Rape Act, Act 8 of 2000, Married Persons Equality Act, Act 1 of 1996, Affirmative Action (Employment) Act, Act 29 of 1998; Communal Land Reform Act, Act 5 of 2002 and the Labour Act, Act 11 of 2007.

However, there are still gaps that will be closed through the implementation of this Protocol. Some of these will be the enactment of the recognition of the Customary Marriages Bill, which will be a law that will provide for the full recognition of marriages concluded under the customary law, to specify additional requirements from such marriages and to provide for the registration of such marriages and also for the matrimonial property consequences of such marriages.

Furthermore, in terms of Article 12(1) of the Protocol, the Member States are requested to make an effort of ensuring that at least 50% of decision-making positions in the public and private sectors are held by women by 2015.

Comrade Speaker, Sir, Part 3 of the Protocol on governance is a very essential and effective sector of this Protocol. Let me use this opportunity to touch on critical statistics and achievements on the equitable representation of women in all levels of decision-making.

Women in politics in Namibia:

Local Authorities	-	45%
Regional Councils	-	16%
Parliament	-	31%
Public Service	-	33%
Private Sector	-	42%
Parastatals	-	21%

We will look into the 16% of the Regional Councils. We have the Local Authority Electoral Act which looks into the quota in the law and then the

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zebra system and the PR system. That combination brings us to 45%. In the Regional Councils you have first-past-the-post, which is not a woman-friendly type of system and in the Parliament we also have the PR-system, that is why we have 31%, but in the others it is based mostly on the qualifications and the requirements of the Affirmative Action Equity Act that we have 33% and 32% in the public and the private sectors. In the parastatals it is the top management, such as the Managing Directors, the Chief Executive Officers and Deputies.

However, closer analysis reveals significant disparities. There are only 5 female Ministers out of 22 and five Deputy Ministers out of 27, female Member of the National Council out of 26. Women are underrepresented in Regional Councils with only 13 females out of 107 and there are 13 Regional Governors and only 3 are women. However, women are well represented in the Local Authority Councils, primarily as a result of the Affirmative Action initiative established in the Local Authorities Electoral Act, which constitutes 45%, as I have already said.

As a signatory to the SADC Protocol on Gender and Development, the Government of the Republic of Namibia has committed itself in achieving the SADC target of fifty percent women representation by 2015. Measures which can be put in place to reach these goals:

Various laws are proposed for Amendment, so that by 2015 Namibia will achieve the new set target of fifty percent representation. Namibia is going to the polls in November 2009 and it was hoped that Political Parties would add more women on their lists in the top twenty. Measures under the Affirmative Action (Employment) Act, Act 29 of 1998 are still in force to ensure that all Namibians have equal employment opportunities and are equitably represented in the workforce, focusing on previously disadvantaged groups, such as women and people with disability.

Comrade Speaker, Sir, Article 3 of the Protocol will, therefore, be welcomed in Namibia as we are already party to the regional and international instruments, as I have just mentioned. Thus, if Namibia is

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HON BOOYS**

to ratify the Protocol, we see no deviation from Namibia's foreign policy as far as those instruments are concerned.

Lastly, Comrade Speaker, Sir, I would like to draw your attention to the fact that for effective implementation of the SADC Protocol and other relevant international instruments to which Namibia is a party, our Ministry has already prepared itself. It has revised the National Gender Policy, which will soon be tabled in this august House when approved by Cabinet and Namibia was one of the first countries in 1997 to have a National Gender Policy under the watchful and successful hand of Honourable Ndaitwah.

Comrade Speaker, in conclusion, I recommend to this House to favourably consider the ratification of the SADC Protocol on Gender and Development in order to empower women, eliminate discrimination and achieve gender equality and equity in Namibia. God bless the SADC Protocol on Gender and Development. I thank you.

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**HON SPEAKER:** I thank the Honourable Minister for her very lively and commanding statement. Any further discussion? Honourable Booy's.

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**HON BOOYS:** Comrade Speaker, I know we live in a democratic country, but I have to say whatever I want to say.

In the interest of gender, I would like to Move that the House unanimously accept this Protocol. I thank you.

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RT HON N ANGULA**

**RT HON PRIME MINISTER:** I support the Motion by Honourable Booyis, but before I do that, let me mention something of great concern affecting women and the population of Namibia. First let me thank the Honourable Minister of Gender Equality and Child Welfare for eventually bringing this Protocol to the Floor of the House. I do remember this Protocol was discussed by SADC, I cannot remember the year but it was a long time ago. (Interjection). 1997, just imagine that was a long time ago. Thank you for eventually bringing the Protocol to the Floor of the House.

I want to address the Protocol, looking at Part 7, Article 26 and I am looking at (a), “*reduce the maternal mortality ratio by 75% by 2015.*” This is more or less the same goal of the Millennium Development Goal Number 7. However, in the Namibian case we are sure we are not going to achieve this. We are not going to achieve this because there is an unacceptable high maternal mortality in Namibia and I think we have to take note of this as Parliament, as Political Parties and as a country.

How can we support the Minister of Health to improve maternal health? Starting with a campaign for pregnant women to attend ANC and I am not talking about attending ANC meetings in South Africa, I am talking about ante-natal clinics, during the first month of pregnancy, as early as possible, so that pregnant women can receive advice, can receive treatment where needed and more so, nutrition. Nutrition is one of the problems in Namibia. Many of our pregnant women are malnourished and eventually they conceive children who are stunted and their growth leaves a lot to be desired. There is a relationship between a malnourished mother and child mortality and according to information at my disposal, something like 7% of children below the age of 5 do not survive, basically because of maternal health and I think, besides focusing on politics, there are basic things which we have to do and one of them is maternal health if we are really serious about this Protocol.

I would, therefore, like to urge the Minister of Gender to engage the Minister of Health and develop common programmes for awareness-building and information in our population, so that we can truly improve maternal health and eliminate maternal mortality. However, I can tell you that this promise we are giving here of reducing maternal mortality by

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75% by 2015 is not likely to happen. That is the sad message I have to tell this House. I thank you.

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**HON SPEAKER:** I thank the Prime Minister for his contribution. Dr. Tjiriange.

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**HON MINISTER OF VETERANS AFFAIRS:** Thank you, Comrade Speaker. Surely Namibia has gone a step forward in trying to eliminate discrimination against women and girls in our country, but we still have a long way to go and we are on course. One thing that I want to say, even as I am recognising the need to move forward faster and do these things, is that I do not want us to be doing things for the sake of propaganda. If we do something, we must be serious about it and when we are talking about seriousness, it does not mean that we are reluctant to do things. There is nothing so bad like committing yourself to do something and then you do not do it. Once you commit yourself, you must do something and you must have the capacity to do so.

I just want to bring the House to the understanding that there are certain things that ought to be done if we ratify, as we are going to do, so that we do not simply do things for the sake of propaganda and pleasing some other organisations such as the United Nations or SADC that we are progressive, yet we are not going to live up to the expectations.

If you look at Part 2 of the Protocol, there are certain things that ought to be done and I just want to be realistic, I am not saying they should not be done, but I just want to make sure that we are aware of the fact that we have to do these things.

If you look at Part 2, Article 4: “*State Parties shall endeavour by 2015 to enshrine gender equality and equity in their constitutions.*” We are taking that obligation, we must do it by that day. Not propaganda, we must do it and we must have the means to do it.



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*“State Parties shall implement legislation and other measures to eliminate all practices which negatively affect fundamental rights of women, men, girls and boys, such as the right to life and health.”* Maybe that is doable, but we must do it, we must not make propaganda.

*“State Parties shall put in place Affirmative Action measures with particular reference to women in order to eliminate all barriers which prevent them from participating meaningfully in the spheres of life and create conducive environment for such participation.”* It is broad but it needs action from the State. I do not want us to ratify these things and comes 2015, nothing has been done. We must know that when we are doing something, we are not doing it for propaganda, we must do something that will live up to the expectations of the documents that we have adopted.

Look at Article 6: *“State Parties shall enact and enforce legislation and other measures to ensure equal access to justice.”* Yes, we can do it, but we must have the machinery to do it, not to file this document.

So it goes, abolish the minority status of women by 2015. How do you do it? How many years are left to 2015? Comes 2015, then we are being accused of not having done anything.

What I am saying is that whatever we do must be accompanied by practical measures of implementing what we have agreed upon.

*“Eliminate practices which are detrimental to the achievement of human rights by prohibiting such practices.”* That is in order, but let me go to the other one. There are certain things here that I do not know how you are going to do it. For example, Article 6(f), *“that women have adequate representation on, and participation in all Courts, including Traditional Courts.”* Who has leverage over the Traditional Courts? How are you going to enforce that when the Traditional Courts are not being made from this place? All these things are small, but you do not have to make propaganda, you must know how you are going to do it.

When it comes to (b), *“equal legal status and capacity and civil and*

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*customary law.*” How many customary laws do we have that are dealing with these things? Do we have the capacity to do that? “...including among other things, full contractual rights, the right to acquire and hold rights in property, the right to equal inheritance and the right to secure credit.” Credit is our stuff, but there are traditional laws which deal with inheritance and as we are sitting here, we are coming from different tribes and every tribe has its own inheritance laws. We must have the capacity to do that. I am just pointing out some of these things which sound good, but I am talking about the implementation part of it. They are not impossible, but they need to be done and the mechanisms must be in place to do that if we do not want to be seen as just making propaganda by adopting one document after the other and then we file it.

I could have gone on and showed many other things, but you can read it for yourself. I am just trying to show you some things that may cause problems in the process of implementation. (Intervention)

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**HON MINISTER OF SAFETY AND SECURITY:** May I ask the Minister a question before he concludes? Honourable Colleague, since this is a SADC Protocol, I understand you clearly that at the level of traditional institutions, even in Namibia, there are degrees of differences. This being a SADC Protocol, those differences probably also exist between and among member countries of SADC. There would be some SADC Member States which are more advanced than Namibia, where perhaps there is more homogeneity of institutions. Do you think that because of discrepancies that exist in our traditions, we should have opted not to commit ourselves to the Protocol or do you think it would have been better that the period to achieve it should have been extended? If that is the argument, I would have said that maybe we will try to see what we can do and if we reach there and we have not done much, then we have to invigorate ourselves to do more. However the principle is there that we have to do it. What do you think we could have done as a country? Should we have brought it here the way we did it or should we not have done it?

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**HON MINISTER OF VETERANS AFFAIRS:** Comrade Minister, I am a practical man, I do not want to take responsibilities that I am not going to implement. My caution is not that we should not ratify the Protocol, let us ratify it and I will be one of those to vote for it, but I am saying, when you are taking something, you must know what it is that you are taking and how are you going to do it. Be practical; do not do things for propaganda so that Namibia is seen as progressive. It has ratified the Protocol and comes 2015, you have done nothing. This is what I am talking about.

Therefore, how we are going to do it is our problem. What things we will put in place to implement it, we must put them in place, so that we do not just ratify things. However, I am not saying we should not ratify, but we have to know what it is that we are ratifying, what difficulties are we going to have in the meantime, is it achievable or not? This is all I am trying to say so that we can be practical.

There are many things I could have said, but that does not have to be interpreted that I do not want the ratification of the Protocol, but for you to do something, you must know how you are going to do it. Let us do it, but let us not do it halfway. Once you take the obligation, go for it, do it. That is all I am trying to say and I rest my case.

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**HON SPEAKER:** The Prime Minister underlined the point that this Protocol went through some stage in 1997 and that is quite some time ago. I think that is what Honourable Tjiriange is saying. We have not crossed all the t's and dotted all the i's, and after ratification we are now ready to do things that stood in the way since 1997, so that it will be smooth sailing forward. Honourable Ndaitwah.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** I thank you, Comrade Speaker and I also want to thank and congratulate the Minister of Gender Equality and Child Welfare, my granddaughter, for having brought this Protocol to this House for ratification.

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Over the years we have been talking about gender equality, but I want to draw our attention to the Protocol, which is Gender and Development and when we look at the content, we see that it is really addressing all the issues that are needed in order to integrate a gender perspective in our development programme.

It is true that this Protocol is giving deadlines in some parts and articles and I believe that with political commitment we will be able to beat those deadlines. In fact, when one goes through the Protocol and apply it to Namibia, some of the issues being demanded has already been done by Namibia. It is only a matter of reporting when the time comes for reporting. Take for example Article 5 on Affirmative Action. We already have in place Affirmative Action. Our Affirmative Action law already contains what is demanded here and it is only a question of implementing that particular law.

The issue of gender equality is already enshrined in our Constitution and we only need to implement it. There are things which have already been done and we only need to report on what we have done.

Coming to Article 7 which is on equality in access to justice, we are not given a deadline because the issue of traditional and customary laws is a very complicated issue. However, by having it here, we must look at it very seriously. We also have to understand that the Protocol is not only meant for Government to implement, but it is meant to be implemented nationally, be it at the national level, regional level, local level, traditional level and church level and that is where I agree with the question of sensitising and informing our people about this Protocol so that they can implement it.

Therefore, the whole Protocol has something for everyone to do their work and it should not be seen as a document to be implemented by the Ministry of Gender Equality and Child Welfare. The Ministry can be a monitoring body, but it is not the implementer. Each and everyone in your institutions, be it a public or private institution, has to make this Protocol part of your operations because we are all participating equally in the development process and that is where we have to apply it seriously.

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One can see a lot of things in the Protocol which has been generated by us. For example, Article 28 – and Comrade Speaker will recognise this very well – makes reference to the UN Security Council Resolution 13/25 on Women and Peace. You will recall when you worked on this particular resolution. When Namibia was the President of the Security Council, the Minister of Foreign Affairs asked Netumbo, “when we are in the Security Council, what do you want us to focus on?” Then we said, let us focus on women and peace. When we introduced that, there was an upheaval. Members of the Security Council were saying women and peace is not a security issue, it is a social issue. However, we made our presentation, we made our case and finally it was agreed that it should really be discussed in the Security Council. The outcome was this Resolution on Women and Peace. We did so because we saw peace as a requisite for development and unless you integrate the women perspective in issues of peace, you cannot effectively talk about development.

Comrade Speaker, Honourable Members, I really feel that we will be able to implement the things mentioned here if we are committed. If we go back to our offices and organisation, we will realise that many of the things have already been done.

In most of the cases when we talk about gender issues, what comes to mind is representation at the level of politics. It is very important because it is a window, but we have to make sure that every step we take in our activities, we have to consider a gender component and how does this impact on women, how does this impact on men and in that way we are now talking about gender and development and this is what this Protocol is talking about.

With this, Comrade Speaker, I support the ratification and I want all of us, be it the Government, be it Political Parties, individuals, traditional leaders, church leaders to commit ourselves and make a deliberate effort to implement this Protocol. I thank you.

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HON NDJOZE-OJO / HON MOONGO**

**HON SPEAKER:** The Foreign Minister mentioned is Tandagob's father in 2000. Honourable Deputy Minister of Education.

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**HON DEPUTY MINISTER OF EDUCATION:** Thank you, Honourable Speaker, I feel I should also add my voice to this Protocol.

Men in Namibia have assisted the cause of gender equality and we are on course, but women need to support each other more than paying lip-service and shooting themselves in the foot. It is very important to stress that 51 percent of the Namibian population are women, so we have the majority and without empowering the majority of the Namibian population, if we are left out, no development shall be brought about solely by the minority men in our country.

As we accede to this Protocol and putting it into operation by putting the mechanisms which are still lacking in place, let us again do a short analysis, to be it on our strengths and eliminate our weaknesses.

With these few thoughts, I support the Protocol.

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**HON SPEAKER:** Thank you. Honourable Moongo.

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**HON MOONGO:** Thank you very much, Honourable Speaker. First of all, allow me to thank the Minister of Gender Equality and Child Welfare for tabling this Protocol. Of course, all of us want improvements and I think we must not delay the Protocol. Let us accept it and also look at the areas where women are not accommodated, because in the Traditional Authorities, for example, there are a lot of stumbling blocks for women and we have to address those first in order to pave the way for equal gender representation. In SWAPO we used to say, "*Nge to gengwa iiheka*" and there are a lot of things which prevent equal representation.

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We must solve those problems within our societies and Ministries and, therefore, let us not just talk for the sake of politics. What we want is the effective improvement of women. Thank you.

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**HON SPEAKER:** Honourable Iipinge.

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**HON IIPINGE:** Thank you very much, Honourable Speaker, Honourable Members. I rise to support the ratification of the SADC Protocol on Gender and Development. The people who spoke before me have made many points that I agree with and I do not want to waste time, I want to speak on the implementation.

Namibia has made many, many strides in the area of policies and structures, but the problem Namibia is facing is implementation. We have a problem implementing what we have committed ourselves to do and I feel that is a point that we need to take into account.

Yesterday we were discussing the Protocol on Science, Technology and Innovation and if you look at the principles of that Protocol, there are monetary commitments. They are calling for 1% of the GDP, but in this Protocol on gender there is no indication in terms of money and I call that bias. There is bias in what we do, because these are both SADC Protocols that we ought to ratify in this House, but in the Protocol on Science the State Parties are committing 1% of the GDP. How are we going to implement what is contained in this Protocol if we have no financial resources? Here financial resources are committed and I am sure that State parties will try to give that 1% of their GDP to implement the programmes and activities on science, technology and innovation, but here is zero. What are we saying? I want us to look at this and identify the gender gaps in our activities.

Having said that, I support the ratification, but I call for financial

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resources to be committed to the implementation of this Protocol. I thank you.

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**HON SPEAKER:** Honourable Iilonga.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Thank you, Honourable Speaker. I just wanted to make a few observations which could be taken into consideration in the implementation of the Protocol.

We have surpassed what is stipulated in Article 4, our women in Namibia can buy cars without the permission of the husband and I think Honourable Ndaitwah has already mentioned that.

Article 10 deals with the departure of one of the family and it only deals with a woman left by her husband. That is the respect which we do not have towards others. It is true that she will have the responsibility, but a husband can also be left by his wife and he will also become the custodian of the children. In Article 10(b) we need to say that both will have that responsibility.

The other one says that the widow shall have the right to an equitable share in the inheritance of the property of her husband, but nothing is said about the husband when he becomes a widower and the wife could have been a rich person. This is one of the shortcomings because we only think about women, women, and we do not take into consideration that there are men who are discriminated against even worse than the women.

I do not know whether we have the right to amend this Protocol.  
(Intervention)



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**HON SIOKA:** Are you not aware that most of the time when a woman dies, the husband takes everything and he is going to look for a new wife. They never look after the children like the mother. (Interjections). It is true, you are not going to look after the children. That is what most of the men do. They have to share that wealth in the house and not give it to the girlfriend.

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**HON KAVETUNA:** Mine is just a Point of Information. Article 10(2) says “*the State Party shall put in place legislative measures to ensure that widowers enjoy the same rights as widows under Sub-article (1).*” It is covered and men are provided for.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** I take note and I thank you for the information, but still it does not really help and if I can come to the Deputy Speaker’s question, we definitely find irresponsibility by both gender. You will find that a widow inherited the property of the husband and he had children which are not biologically hers and then she does not look after them. You find that the wealth of that husband is used by either her brothers and sisters or the new boyfriend while the children of that man are suffering. (Intervention)

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**RT HON PRIME MINISTER:** Comrade Iilonga, may I ask you a small question? In some of our traditional communities there is a saying, *Omona gwa mukweni, eyoka*, meaning that the child of another woman is a snake.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Comrade Speaker, let us not make legislation to protect only one gender. If you marry in community of property it is 50/50, but in most cases when a man dies, that 50/50 is forgotten. The people do not even think of the mother of that man who died and do not even consider giving a mere N\$20.

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In my culture we do not have a problem, we do not chase the woman from the husband's property. My father died when I was 18 years old and until today we are in my father's house, nobody chased us out. (Intervention)

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**HON NAMBAHU:** Someone who was married in community of property complained to his lawyer that if he buys a car, then the other half is very happy to say, "*oh, we have a nice car*", but when he went to kitchen and broke a cup, she said, "*who broke my cup?*" What do you say about that?

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Those are the things we are experiencing. Comrade Speaker, the Protocol is aimed to bring equity and equality and in most cases I am happy because it is always saying, women, men, girls and boys and we must approach the Protocol in that way, that we want to create unity and harmony between the gender.

I want to say to the women that they have to protect themselves. They do not defend themselves. (Intervention)

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**HON TJIHUIKO:** May I ask Honourable Iilonga a small question? Honourable Iilonga, have you read (e) and (f) of Article 10 and what is your view on that? In (e) it is said, "*widows shall have the right to an equitable share in the inheritance of the property of her husband and shall have the right to remarry any person of her choice.*" Looking at the article itself, do you not think that this article does not include men at all?

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** In the process of drafting they have realised that there are loopholes and then they tried to fill that gap with Sub-article (2), that only

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if there is legislation passed the men can benefit. If there is no legislation the man cannot do anything.

In the process of drafting they have realised that there are loopholes and then they tried to fill that gap with Sub-article (2) that only if there is legislation passed the men can benefit. If there is no legislation the man cannot do anything. (Intervention)

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**HON IIPINGE:** Comrade Speaker, I do not want to interrupt the Honourable Member, but I just felt that there is a need to give information. Honourable Members, this Protocol covers SADC as a whole and not only Namibia. In some communities in the SADC the wife has no right to the inheritance, she has to marry the brother of the husband whether you like it or not. Maybe it is not the practice in Namibia, but it happens in other SADC countries. In some SADC countries the wife has to stay indoors for three months after her husband dies and as such a woman loses her employment, but this is not applied to the men. This has been drafted to protect those women who find themselves in those situations. In my tradition, for example, there is no terminology to describe a man whose wife has passed away, but there is terminology to describe a woman whose husband has passed away, “*Omuserekadhi*”, and there are some taboos, how you have to behave. You have to be washed, you have to be cleansed and all those kinds of things, but they are not done to the man. Therefore, this Protocol has been drafted to protect those women who find themselves in those situations. We need to look at this as such and to be knowledgeable. That is the information I wanted to give.

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**HON SPEAKER:** Very relevant information.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Thank you very much for the information and I am fully aware that this Protocol is not meant for Namibia only. However, when

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we are going to implement it, we are going to implement it for Namibia and, therefore, it even talks about domesticating our laws and so on.

The aim of the Protocol is not bad, it is very good, but we men should not be blamed. Maybe in olden times the men could be blamed, but currently the women are discriminating against themselves. (Interjection)

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**HON MEMBER:** No!

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** You say “no”, but you are the ones who are discriminating against yourselves. With that, I rest my case.

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**HON SPEAKER:** Honourable Tjihiuko, you have the Floor.

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**HON TJIHUIKO:** Thank you very much. Honourable Speaker, I must admit that for almost the first time I agree with Honourable Ilonga on that Article 10. One thing we should know and should remember is that international protocols or conventions are being drafted by individuals and those who are drafting these protocols are coming from certain communities and they are often being influenced by the traditions of their communities, their way of life, which is not the same. Therefore, when we are looking at the protocols, we should also remember that as Africans we have our own roots.

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**RT HON PRIME MINISTER:** I am sorry to disrupt my Colleague. May I ask a question? Honourable Tjihiuko, if you are saying that these are drafted by individuals, can you explain why the Republic of Botswana and the Republic of Malawi did not sign this Protocol?

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**HON TJIHUIKO:** Before a document is presented for us to sign, the document has already been prepared and I am telling you that if you give me a chance to draft a law on traditional leadership, you would see that 60% of that Act will be influenced by the cultures and traditions that I know and those that I do not know, will not feature in that.

Therefore, when we are talking about having equal opportunities for all, it is something that nobody is going to disagree with, but we should also remember that the reason why Africans are becoming more American than the Americans themselves is because we are running away from our own cultures and traditions and we are afraid to talk about that. Therefore, I think what the Honourable Member has raised is very important.

Let me go to Article 17, economic empowerment. Honourable Speaker, I have seen that we have deadlines and there are certain financial commitments that will need to be put into this in order to accomplish what we have set ourselves to do before 2015, and if you look at the things that we need to do, whether tradition, health, whatever, I am not sure that we are going to ratify this Protocol, knowing that we are not going to be able to implement it. That is one, we should be very, very clear on what we are able to do and what we are not able to do and that is one of the things that we should be very careful of, because otherwise we will end up ratifying this Protocol for the sake of trying to impress our womenfolk that we are radicals, we are progressive. It will only help if we know that by 2015 all the things that we have said we are going to do are going to be implemented and maybe the female colleagues who have spoken about this have not really expressed themselves on that issue.

I am quite worried, I do not have a problem with the Protocol itself, but I am not sure that we ratify it, thinking that hopefully we will be able to implement what has been recommended or we ratify it and file it until such a time that by 2030 we will hopefully be able to implement what has been ratified in this Protocol.

Honourable Speaker, in conclusion, I support the Protocol but I have my reservations that we as a country, looking at our resources, will be able to meet all these requirements by 2015. With those few comments, I support

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the Protocol.

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**HON SPEAKER:** I thank the Honourable Member. Honourable Kaiyamo.

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**HON KAIYAMO:** Comrade Speaker, I have just returned from a conference in Uganda and Namibia is doing well. What this country needs is a gender protocol. If you go around the Region and you see and hear of the gender-based violence, it is so clear that there is something wrong with gender or I did not understand the country.

If you look at the Budget for the Gender Ministry and take early childhood development, we budget maybe a thousand for the whole country, meaning that we are neglecting the Ministry of Gender. We as a country need to approve this Protocol so that we can strengthen our existing laws which are gender sensitive.

Sometimes we hide behind this cultural backwardness. I respect culture, but culture must be in line with the reality on the ground. If culture is being used to oppress the children and women, then I do not support that kind of culture.

I support this Protocol and I think there is a need for us to support it.

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**HON SPEAKER:** Thank you. Honourable Kasingo.

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**HON KASINGO:** Honourable Speaker, in supporting the SADC Protocol on Gender and Development, allow me to repeat to say what has been said by Honourable Ipinge earlier. When it comes to the ratification

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of an instrument of this nature, I should think Namibia is one of the best in Africa, if not in the whole world. The problem lies with implementation. It has been said time and again during workshops we used to attend that implementation is zero and I would like to suggest that even before an instrument of this nature is signed, the people who are affected should be consulted. If they are consulted even before the signature, then the decisions here will also be addressed at that forum of consultations. (Intervention)

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**HON MINISTER OF VETERANS AFFAIRS:** Honourable Kasingo, maybe you can interpret something for me here before you sit down. Being a lawyer too, Article 18, access to property and resources: (a) *“and all discrimination against women and girls with regard to water rights,”* what does it mean? Is it to fetch water or what is it?

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**HON KASINGO:** Honourable Minister, as Honourable Iipinge has stated, this Protocol is not a product of Namibia alone, it is a product of all SADC Member States. Maybe some of the other SADC Member States experience that there is discrimination at water points or something like that. In Namibia we do not experience that, but the point I want to emphasise is that sensitisation and consultation of all the stakeholders is necessary even before the signature, so that at the end of the day it is a product which comes from the people themselves. You and me adopt this instrument while the grassroots are not in the know and that poses a problem. However, as soon as we empower the grassroots, then it will be easier for us to domesticate a law which sells itself.

With these comments I support the Protocol with the understanding that before the domestication, Honourable Minister, your Ministry should consult the people so that they know the content thereof. Thank you.

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**HON SPEAKER:** Honourable Basson.

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HON BASSON**

**HON BASSON:** Comrade Speaker, I will be brief. I want to thank the Minister for bringing this very important Protocol to this House. I also attended a workshop held for the grassroots and I know everybody was invited to attend. Thank you very much for bringing it here for ratification.

I am invited to attend a workshop in Johannesburg during the first week in October to talk about the ratification of this Protocol and if it will be ratified before I attend this workshop, then Namibia will be the first country. My concern is the implementation, as other Colleagues have said. As my sister has said, the men will support us if they see that we are together. If we are together and support each other, then we will get the support of the men, but the problem with us is that we are not supporting each other, we are not honest with each other.

Honourable Ministers, you know there are some Ministries which do not have gender equality and I can start with Defence. Therefore, I support the Protocol and we must ratify it maybe today or next week, if possible, but let us as women support each other, then the men will support us. Thank you.

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**HON T GURIRAB:** I move that the Debate be adjourned until Tuesday, next week.

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**HON SPEAKER:** The Debate on this Motion stands adjourned until Tuesday, next week.

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**RT HON PRIME MINISTER:** Honourable Members, I move that the House adjourns until Tuesday, 29 September at 14:30.

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**HOUSE ADJOURNS AT 17:45 UNTIL 2009.09.29 AT 14:30**

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
29 SEPTEMBER 2009  
WINDHOEK**

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**ANNOUNCEMENT**

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**HON SPEAKER:** I want to announce the presence in the Speaker's Chamber of a parliamentary delegation from Nigeria, paying an official working visit to our country at the invitation of the Speaker. They arrived this morning and this is in the spirit of continuing efforts we are making as two sister countries to diversify interaction, not only at the political level but also while they are here, they will pay a courtesy call on His Excellency, the President, the Prime Minister, the Heroes Acre and they will be interacting with business people, the Breweries and others, visit the university, if time allows meet some leaders of the Political Parties, representatives of the Regional and Local Authorities and so on. The delegation is led by Honourable Senator Oila Omisore, but after a working lunch we had, he had to go to the airport on his way to Tokyo. The other members of the delegation are Senator Ibrahim Ita, serving on the Committee on Defence, Senator Chris Anyanu, Committee of Defence, Senator Lee Maeba on the Committee on Petroleum Upstream, Senator Sidi Ali Adamu, Committee on Petroleum Upstream, Senator Immanuel Emmanuel Paulker, Committee on Petroleum Downstream, Senator Abubakar Umaru Gada, Committee on Petroleum Downstream, Senator Joy Emodi, Committee on Education, Senator Jubril Aminu, Committee on Education, Senator Ahmed Maccido, Committee on Appropriation, Minister of Finance and of course, the Nigerian High Commissioner is part of the delegation.

We welcome you to the Parliament. Your Nation's birthday is around the corner and perhaps while you are on your way, the 1<sup>st</sup> of October will come and we congratulate you in advance on the national day of Nigeria.

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**HON SPEAKER:** I am sure you know what I am going to do next. The House will not be able to proceed. The veteran Minister of Justice,

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liberation lawyer, Attorney-General, all those things, has a Motion on the Order Paper on this very issue of a quorum, but that is for later. In the absence of a quorum, the House shall rise. The names of all of you present will be recorded.

Honourable Members, it is entirely up to you. While I was on a mission, I was informed that there was a desperate need for the House to rise on the 24<sup>th</sup>. I believed you, I came back and I discovered that you did not know what you wanted to do. It is not the business of the Speaker to keep this phase of the business of the House in order. Each one of the Political Parties, starting with the Majority Party, which forms the Government, has Whips. The business of the Whips is to whip the Members to do what the Parties want them to do and the first business of whipping them to be in the House is for the House to be able to conduct the business here. If this is going to be the trend, that each day we are going to meet and adjourn, then I am appealing to the Government, I am appealing to the Opposition Parties that either we have the meetings or we do not, in which case all of you get together as Political Parties represented here to decide what you want to do and when you are ready, I will come in and we will conduct the business of the House.

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**HOUSE ADJOURNS AT 15:15 UNTIL 2009.09.30 AT 14:30**

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
30 SEPTEMBER 2009  
WINDHOEK**

**HON SPEAKER:** Honourable Members, we have a lack of quorum and the House shall adjourn until Tuesday, next week to decide to adjourn for elections.

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**HOUSE ADJOURNS AT 15:04 UNTIL 2009.10.06 AT 14:30**

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
06 OCTOBER 2009  
WINDHOEK**

The Assembly met pursuant to the adjournment.

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

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

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**TABLING: DEFENCE POLICY, FIFTH DRAFT  
MINISTRY OF DEFENCE**

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**HON MINISTER OF DEFENCE:** Honourable Speaker, I lay upon the Table, Defence Policy, Fifth Draft by the Ministry of Defence.

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**HON SPEAKER:** Will the Honourable Minister table the Report? Honourable Ekandjo.

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**TABLING: ANNUAL REPORTS 2006/2007 AND 2007/2008:  
MINISTRY OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT**

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**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT:** Honourable Speaker, I

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**TABLING OF REPORTS  
HON MBUMBA / HON TWEYA**

lay upon the Table, the Annual Reports 2006/2007, 2007/2008 of the Ministry of Regional and Local Government, Housing and Rural Development.

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**HON SPEAKER:** Will the Honourable Minister table the Report? Honourable Mbumba.

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**TABLING: ANNUAL REPORTS 2006/2007 AND 2007/2008  
MINISTRY OF EDUCATION**

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**HON MINISTER OF EDUCATION:** Honourable Speaker, I lay upon the Table, Annual Reports of the Ministry of Education for the years 2006/2007 and 2007/2008.

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**HON SPEAKER:** Will the Honourable Minister table the Reports? Honourable Tweya.

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**TABLING: REPORTS OF AUDITOR-GENERAL**

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**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. Agronomic Board for the Financial Year ended 31 March 2009;

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**TABLING OF REPORTS  
HON KAAPANDA**

2. Government of Namibia for the Financial Year ended 31 March 2008;
3. National Youth Service for the Financial Years ended 31 March 2006, 2007 and 2008;
4. Namibia Press Agency for the Financial Year ended 31 March 2009;
5. Social Security Commission Employees Compensation Fund, Maternity Leave, Sick Leave and Death Benefit Fund and Development Fund for the Financial Year ended 28 February 2008;
6. Regional Council for the Kunene Region for the Financial Years ended 31 March 2006 and 2007;
7. Village Council of Bethanie for the Financial Year ended 31 March 2008;
8. Village Council of Oshikuku for the Financial Year ended 31 March 2008.

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**HON SPEAKER:** Will the Honourable Deputy Minister table the Reports? Honourable Kaapanda.

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**TABLING: ANNUAL REPORT, 2008:  
NAMIBIA POST LIMITED**

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**HON MINISTER OF INFORMATION AND COMMUNICATION  
TECHNOLOGY:** Mr Speaker, I lay upon the Table, the 2008 Annual Report, of Namibia Post Limited.

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**NOTICE OF MOTION  
RT HON N ANGULA**

**HON SPEAKER:** Will the Honourable Minister table the Report? Any further Reports and Papers? Any Notice of Questions? Any Notice of Motions? Prime Minister.

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**NOTICE OF MOTIONS**

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**RT HON PRIME MINISTER:** Honourable Speaker, I give Notice that tomorrow, Wednesday, the 7<sup>th</sup> of October 2009, in terms of Article 112(3) of the Constitution of Namibia, the Public Service Commission shall consist of a Chairperson and not less than three and no more than six other persons nominated by the President and appointed by the National Assembly by resolution.

Currently a vacancy exists with regard to the composition of the Public Service Commission and hence, in keeping with the provision of the Constitution, the President has nominated Ms Florence Zitha Munyungano as a member of the Public Service Commission. Ms Munyungano is a teacher by profession, like myself. She holds two degrees, namely a Bachelor of Arts and a Bachelor of Education Honours. She has 23 years experience in the teaching profession. With such experience in the Public Service of Namibia, I have no doubt that Ms Munyungano will equally serve the Public Service Commission with dedication and professionalism. I, therefore, have the honour to request this august House to appoint by resolution Ms Florence Zitha Munyungano as a member of the Public Service Commission. I so Move.

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**HON SPEAKER:** Will the Honourable Prime Minister table the Motion? Any further Notice of Motions? The Notice of Motion is the one by the Minister of Veterans Affairs. Does the Honourable Minister Move



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**MOTION ON QUORUM OF ASSEMBLY  
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the Motion? Secondment? Objections? Agreed to. Honourable Minister, you have the Floor.

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**MOTION ON QUORUM IN THE NATIONAL ASSEMBLY**

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**HON MINISTER OF VETERANS AFFAIRS:** Comrade Speaker, allow me to motivate my Motion regarding the quorum of the National Assembly. I also beg for your indulgence for the Members not to interrupt me during this presentation, because this is a serious matter.

Article 53 of the Namibian Constitution requires the presence of at least 37 Members of the National Assembly entitled to vote, other than the Speaker or the Presiding Member, to be present in the House in order to constitute a meeting of the National Assembly for the exercise of its powers and the performance of its functions.

Order 17(a) of the Standing Orders of the National Assembly adopts the abovementioned provision of the Constitution and requires a quorum of 37 Members of this august House before it resumes its sitting of business and during its deliberations of the day.

The problem with the requirement of a quorum, as stipulated in Article 53 of the Constitution and Order 17(a) of the Standing Orders of the National Assembly is that even if the National Assembly is debating an issue which is simple and straightforward and it does not need voting, that quorum must always be maintained. This requirement negatively affects the smaller Parties in the National Assembly in particular. For example, some Parties have only one Member in the Assembly. If such a Member is absent, that Party is hundred percent absent. If that Member is present, that Party is hundred percent present. Normally such representatives of the Parties that I have referred to have very senior personalities in their Parties. It is obvious that from time to time they may be needed, as a matter of imperative necessity, to attend to urgent matters of their Parties.

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One reality which maybe we do not seem to appreciate, and particularly the public out there, is the fact that sometimes big delegations of Members of Parliament leave the country for official trips abroad while the National Assembly is in session. Sometimes such delegations can be composed of 10 or more people. We cannot help but accept the reality that such missions are necessary and in most cases cannot be avoided, missions because when the international community organises or plans global events, Member countries' programmes are not taken into consideration. Every country's internal programme may at one point or the other coincide with a very important international programme or event.

Therefore, you will realise that when very important international events in which Namibia has to participate and play an important role are taking place at a time when the National Assembly is in session, then all the Members of Parliament are required to be in attendance. However, at the same time, Namibia cannot afford to ignore its international obligations, thus the Namibian Members of Parliament must travel abroad by all means. However travelling during the time when the Assembly is in session does not always mean that the Members of Parliament involved are behaving irresponsibly. They may be going on very important and unavoidable missions, which coincide with our own Parliamentary calendar. However, we are always required to be in the House.

In addition to the above, some Members of Parliament might have some personal problems during the Session, such as a death in the family or personal health problems that will force them not to be present in the House. Although it is always necessary to be in the House, it is also necessary to have a built-in flexibility whenever the need arises.

As far as the Ruling Party is concerned, let us also take into consideration that more than half of its Members of Parliament are at the same time Ministers or Deputy Ministers. When the Parliament is in session it does not mean that the work at the Ministries is reduced. The work of the Ministries covers the whole country and the Ministers and Deputy Ministers must live up to the expectations of the Nation and deliver on their mandate and responsibilities at all times, no matter whether the National Assembly is in session or not.

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HON DR TJIRIANGE**

Let me pause here and comment on the reporting on the events in this regard by our media. Our media is in the habit of using the phrase, “AWOL” – absent without leave – whenever referring to the absence of Members of Parliament in this House. This is deliberately or unknowingly misinterpreting the situation and the facts on the ground. I am not saying that one or two Members of Parliament will stay away without valid reasons, but to paint a picture as if whenever there is no quorum in the House, the MPs have gone “*awol*”, is not fair and to say the least, irresponsible utterances. The fact is that the present situation can never be avoided unless we do what I am proposing.

I really wish our media colleagues will study the situation as it is and report objectively, instead of using phrases which, in their view, will attract the attention of the readers and by doing so, enhance their popularity, yet tarnishing the good name of the Honourable Members of the Parliament.

I must hasten, however, to state that I am not advocating or propagating for laxity, laziness or irresponsibility, I am just trying to be realistic, reasonable and practical. Therefore, I am not suggesting that we do away with the requirement of the quorum altogether. There is a need for the requirement of a quorum in specific cases, such as where a decision or voting is to take place or as per provision of the Constitution, Standing Orders of the National Assembly and other laws. Therefore, I will suggest two options to this august House to be considered and I would like you to listen to these options very carefully.

Option 1: To have a requirement of a quorum of 37 only when there is voting and a decision to be taken and no requirement of quorum for General Debate.

Option 2: To have two different quorums, that is a lesser quorum for General Debate and business of the House, for example 15 Members or whatever number we may agree on and to maintain the quorum of 37 for decision-making and voting.

The difference between the two options is that in option 1 we do not

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require a quorum altogether for General Debate, save for decision-making, while in option 2, you need a quorum even for the General Debate, but of a lesser number of Members of Parliament, while maintaining the quorum of 37 Members for decision-taking.

I would, therefore, like to propose the following Amendments as per the options to facilitate these changes:

For option 1, Article 23 must be amended to read as follows: *“The presence of at least 37 Members of the National Assembly entitled to vote other than the Speaker or Presiding Member is necessary to constitute a quorum for exercising its voting and decision-making powers and functions.”*

If we go for the second option, then it must be amended as follows: *“The presence of at least 37 Members of the National Assembly entitled to vote other than the Speaker or the presiding Member is necessary for a quorum of a meeting of the National Assembly for the exercise of its voting powers, provided the presence of at least fifteen Members constitute a quorum for General Debate or deliberations not requiring a decision or taking of a vote.”*

Let me try to talk about the advantages and disadvantages of the two options.

Option 1 is problematic because it does not provide for the initial quorum of the National Assembly where it could be one or two Members, that is, this House could actually meet with one Member. In that sense this option could make the work of the National Assembly ridiculous.

The second option addresses the problem noted above by providing for a lesser quorum for the General Debate and deliberations and a larger quorum for voting. It is for this reason that I would suggest that the National Assembly considers the second option, elaborate on it and improve it as it deems necessary. By doing so we would have solved a problem where the National Assembly adjourns without doing any work just because there is no large number of Members of the National

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HON P MUSHELENGA**

Assembly to discuss issues. That has to take into account that according to the Namibian Constitution actually the composition of the National Assembly is 78 members, that is including the 6 Members nominated by the President. These 6 people are, by all intents and purposes, Members of the National Assembly. They equally debate and contribute to the work of the National Assembly though without voting right. Therefore, the situation whereby 36 Members with voting rights plus 6 Members without voting rights equals 42 Members were present and yet the House cannot deliberate because of one voting Member who is not there, makes the work of the House ridiculous.

It is against this background that Option 2 should be our working procedure in this House once we agree on this formula. There will be a need, accordingly, to amend Order 17(a) of the National Assembly Standing Orders to bring them into conformity with the amended Article 53 of the Namibian Constitution. I so Move, Honourable Members.

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**HON SPEAKER:** I thank the Honourable Minister for his innovative Motion, whatever its future fate might be. Honourable Mushelenga.

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**HON P MUSHELENGA:** Thank you, Honourable Speaker. I rise to contribute to the Motion by Honourable Minister Tjiriange regarding the required number of the quorum in this House as per the stipulation in the Namibian Constitution.

I think the Motion is in order given the experience of the problem of the quorum in this House. As the Minister rightly put it, it is not always so that this House does not meet the quorum because people are simply “awol” as reported. I know, for example, that last week there were many Members of this House who had gone on international missions and as the Minister said, when international organisation to which Namibia is a member set up their meetings, they do not have to consider calendars of individual Parliaments, otherwise they will not be able to satisfy more than a hundred countries.

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However, Honourable Speaker, I hope this Motion, if passed and once the Constitution is changed, will not be used by those Members who simply want to absent themselves from the House. Already we have a “*10-day syndrome*” in this House in the sense that when a Member is not here for 10 consecutive days, you will cease to be a Member if there are no valid reasons for you not to be here. There are some Members of the Opposition who have a “*10-day syndrome*” in this House. They absent themselves for 9 days and attend on the tenth day just to secure being Members of this House. This does not really auger well for people holding public offices, because one needs to be very accountable to the Namibian public. I hope when we have a lesser quorum, these Members are not going to treat this Amendment as a blessing in disguise to continue being absent.

Coming to Members who are on official missions, I still believe that there are really some times when we are still supposed to have a quorum in this House. The point is, even if we have thirty Members of this House who are on an official mission, ideally you are still supposed to have a quorum because 41 Members, excluding the presiding officer, are supposed to be here. What I have observed is that whenever we have more than 10 Members who are on an official mission, usually we do not have a quorum and the question is, where are those who are not on an official mission? Where are they?

Partly it is correct to say that some people are “*awol*”, because they have never informed the Whips of their Parties that they are not going to be here, but they are not in the House anyhow and that brings the problem that we do not have a quorum. (Intervention)

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**HON TJIHUIKO:** Honourable Speaker, may I ask the Honourable Member a question, please? Honourable Peya Mushelenga, are you aware that last week the House could not meet because of the fact that we did not have a quorum and it was expected from all the Chief Whips to be present so that they can beat their Members to come to the House? Are you aware that the Chief Whip and Deputy Whips of the SWAPO Party were not in the House?

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Secondly, are you aware that there was only one Chief Whip in the House and that is the NUDO Chief Whip?

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**HON P MUSHELENGA:** Honourable Speaker, there is a saying that says, *a statement that is an opposite of the truth will never be the truth however many times it is repeated*. There is no time that all the Whips of the Ruling Party travel at the same time and there was at least a Whip from the Ruling Party here last week. Honourable !Nawases-Taeyele was here and the other Whips were away on official missions. SWAPO Party ensures that all Whips do not travel at the same time.

As the Minister said, the problem is those one or two Whips. If there is only one Whip in a particular Party, he does not make arrangements to have an acting Whip when he goes away. That is where the problem arises.

Coming to the options raised by the Honourable Minister, I really support Option 2, at least to have a certain number required to be in the House, so that at least the Debates in the House are ongoing, because if we take Option 1 and only have two Members in this House, you will have important agenda items being concluded without enough contributions to such important topical issues.

In the Committees, for example, the required quorum is not like in the Whole House Committee. In the Committee you only need a third of the Committee Members to be present in order to start a meeting of the Committee. The only difference is that at least one of them should be a Member of the Opposition, but that provision can also be misused because the Opposition can deliberately stay away from a Committee meeting just to make sure the Committee cannot sit. That is even worse, because you may have more than fifteen Members present and just because the Opposition Members are not there, the Committee meeting cannot take place and it happened in this House. That is why I say the Opposition is a problem sometimes. I know you have election fever and when your misdeeds are being exposed in this House, you think of elections.

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HON VENAANI**

I said I support Option 2 and once this Motion is passed, I think we will be able to agree at least on a reasonable number of Members to be present. I thank you, Honourable Speaker.

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**HON SPEAKER:** I thank the Honourable Member. Honourable Venaani.

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**HON VENAANI:** Thank you very much. I do not want to take the tone of the previous speaker of trying to apportion blame on the issue of quorum, but let me hasten to state that this is a very important Motion raised by Honourable Tjiriange. It is one of the most fundamental Motions raised about the workings and mechanics of the National Assembly.

Honourable Speaker, this idea of a voting and a working quorum is a very welcome idea, that this Assembly needs to look at the workings of a working and voting quorum. However, Honourable Speaker, one issue that is amiss is the Minutes of the Constituent Assembly. When one interrogates the formulation and the presence of certain articles in the Constitution, one has to deeply understand the thoughts of the time of the founding mothers and fathers of our Constitution and I tried to look for those minutes pertaining to this issue and I could not really get hold of them and it is a very sad matter.

There is a need to understand why the decision was 37 for a quorum, but nevertheless, Honourable Tjiriange has raised the matter of quorum only while coupled to the matter of a quorum there is the matter of the system. Our decision-making system in this House is voting-based. Besides questions and tabling of Reports, all other matters that are deliberated in this House are subject to a voting process. Therefore, if you look at other political legislative systems in the world, you have a deliberative system where they deliberate and after a period of deliberations you have a voting day and then the House starts voting on all those issues that have been



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discussed by the House, whereas in our system we have to vote for a Bill to move from one reading towards the next reading. Also when a Motion is tabled in the House, we have to vote whether we agree that the Motion be passed. Therefore, we have to look at the system, the Standing Rules and Orders, so that if we want to amend the voting quorum of the House, we will also have to amend the working system of the House so that after deliberations we would have a particular day, for instance Thursday, which will be voting day and then you would require a certain number of people to vote on all those issues that were deliberated upon. However, with the current system it will be very difficult to do away with the quorum, because the system is based on a voting system and that issue needs to be deliberated upon.

The other issue that is quite fundamental is the principle of the separation of powers. The Constitution does not stop the appointing authority, which is the President, at what number, it has given a carte blanche discretion to the President to appoint as many Members of the Executive as he sees fit. That principle has created a situation where more Members of this House are Members of the Executive, hence having additional work outside the ambit of the House because they have to serve as Ministers, they have to open schools, they have to address workshops, they have to negotiate protocols all over the world. One cannot address the voting and working quorum without interrogating these discretionary powers and carte blanche that the Constitution gave to the appointing authority. Whereas there is no limitation on the appointing authority, the appointing authority must also apply a discretion to ensure that the workings and the mechanics of the principle of separation of powers are able to function. Currently the Legislature is overloaded with the Executive. (Intervention)

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**HON MINISTER OF PRESIDENTIAL AFFAIRS:** May I ask a question? Honourable Venaani, you mentioned the separation of powers. Would you support a system where a Member of the Legislature would be disqualified to be a Member of Executive, as it is done in other countries, so that Parliament would have its own functions and powers and the Executive separate functions and powers? Would you support such a

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system?

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**HON VENAANI:** If you listened to me, I would have answered that question. There is one thought that exists in this country and even for Members of this House on both sides of the divide, that because we have given this discretionary power to the President, can we not have a system where the President still appoints Cabinet Ministers from the Members of the Legislature, and yet have another pool of five or six additional Ministers outside the pool of Legislature? However, all has to be to the letter and spirit of this Constitution. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On a Point of Information. Honourable Venaani, on the other point you were right, but if you say that the power of the President is just to nominate people as Members of Parliament, it is not true. Honourable Namoloh was not a Member of Parliament. (Interjection)

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**HON VENAANI:** You are misinterpreting what I am saying.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** He was not, it was only those 6. (Interjection)

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**HON VENAANI:** You are ambushing my thoughts, sit down.

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HON VENAANI**

**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** No, that is why I say do not try to misread what is there. Answer the question I put to you or leave it unanswered.

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**HON VENAANI:** Honourable Speaker, I am talking about the thought that exists amongst all of us Legislators on both sides of the divide. There are Members of your Party and my Party too who are asking the same question as rightly put by Honourable Kawana, whether the President should not be given further powers to appoint Ministers outside the Legislature in line with the principle of separation of power. (Intervention)

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**HON DEPUTY MINISTER OF JUSTICE:** May I ask Honourable Venaani a question? Honourable Venaani, we could not make a quorum last week and I was here. The point is that most of the Members of the Legislature on the other side were not here, but the Members of the Executive were here. Therefore, what you are proposing does not make any sense. The Members of the Opposition were not present as usual. I know of people who come every ninth day to this Parliament. They are from the UDF and I will also cite some of them here. If we have to tell the truth, they never come to Parliament and I can name them if you want and shame them.

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**HON VENAANI:** We are discussing a very important fundamental issue. If you argue that the Members of the Executive were here, the counter-argument is that we have 46 Members of the Executive sitting in the Legislature and if 46 of you are always here, there should be a quorum every day and the problem is with you because of the pressure. (Interjections). You have a two-thirds majority, you must maintain the quorum.

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HON VENAANI**

I am very hesitant to reject this Motion, because it is a very important Motion, but I think it needs further technical study. We need to study the current voting system of this Parliament, because if we remain with this voting system as is, it will be very difficult to move away from the current quorum that is required in this House. However, we can amend the Standing Rules and Orders and have particular days where Members know that Tuesday is voting day and every Member of Parliament must come and vote.

One issue that is also lacking in this country is the accountability of the Legislator. I know in the American and Western systems, a Member of Parliament is held accountable on the voting pattern, how he has voted on a particular issue, but here Honourable Kazenambo only does what the Prime Minister told him to do, he only toes the line and I am talking about everybody here. I am talking about the principle, not politics.

The principle is that legislators here lack accountability, because if one colleague has read the Motion and says the party is going to vote this way, then everybody votes that way and that ought not be the case.

Honourable Speaker, I want to amend the proposal, that the Honourable Members should look at the Amendment of the Standing Rules and Orders and change the voting system of the House and to try to refer this Motion to a Technical Committee on the Standing Committee on Constitutional and Legal Affairs for further input before we amend the Constitution. However, I agree with what you are proposing. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On a Point of Information. The Honourable Member is not proposing an Amendment to this Motion. The last paragraph requests this august House to review the said Constitution as well as the Standing Rules and Orders. What Amendment do you want to bring in, because it does not mention the Constitution alone, it also includes the Standing Rules and Orders. Our quorum is not in the Standing Rules and Orders only, it is a constitutional provision. Therefore, you have no Amendment, Honourable Venaani.

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**HON VENAANI:** I know that the Honourable Member wants to be on national television. (Intervention)

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** On a Point of Information. Honourable Venaani, firstly let me say I support your proposal that this Motion should be referred to a Technical Committee for further input and having supported that, I want to expose your political manoeuvring by trying to steal a Motion from the owner in a very, very cunning way. That one must be exposed. Dr Tjiriange has appreciated everything that you are now trying to smartly accredit to yourself and the DTA. That must be exposed. This Motion cannot be linked to the issue of the DTA's obsession and the opposition parties about their fear of the presence of the Executive in this House. That is irrelevant, the issue can be taken to another platform and not to link it to this innocent Motion. However, I support your proposal that it be referred to a technical Committee.

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**HON SPEAKER:** On that point, the House shall rise for refreshments.

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**HOUSE ADJOURNS AT 15:40  
HOUSE RESUMES AT 16:12 PURSUANT TO ADJOURNMENT**

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**HON VENAANI:** Honourable Speaker, I was nearing conclusion by saying that I want a minor Amendment, that the Motion reads that "*this matter be referred to the Standing Committee on Constitutional and Legal Affairs for further scrutiny and report back to this House,*" so that we do not first start with the Amendment of the Constitution, but start by looking at all the other elements before we report back to this Honourable House.

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HON VILJOEN**

With those few remarks, I support the idea of a working quorum with the other factors I have raised. I end and I rest my case.

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**HON SPEAKER:** I thank the Honourable Member. Honourable Viljoen.

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**HON VILJOEN:** Honourable Speaker, what I do not understand is why it is necessary to push such an Amendment through at one minute to twelve. (Interjections). Those who attended school will remember that it is a proverb. There is no guarantee that when we have to vote on issues which require a quorum that people will not be away on missions, so it does not solve the problem.

Honourable Speaker, at this stage Parliament is not seen by Namibians a very effective body. We are playing Parliament-Parliament like the kids in the street. We as Parliament are sometimes the laughing stock. (Intervention)

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**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT:** May I ask the Honourable Member a question? My distant cousin, I have a concern. You intend to submit 72 names of candidates and your Chief said you are just struggling to get two seats. If you want to get two seats, why are you raising the hopes of the other 70? Why do you not only submit two names?

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**HON SPEAKER:** You are Out of Order. Honourable Viljoen, continue.

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**HON VILJOEN:** Honourable Speaker, my cousins ask more intelligent questions, not that type of question.

As I said, Honourable Speaker, we as Parliamentarians are sometimes the laughing stock... (Intervention)

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** On a Point of Order on a serious note. Honourable Viljoen is Out of Order, he is making a very serious allegation. I think what Honourable Viljoen is saying is an attack on the integrity of this institution. This is a constitutional institution, it does not need to be reduced and to be attacked without facts. Perhaps the individually elected Members who are in this House and who are participating in this institution may have problems here and there that need attention, but for Honourable Viljoen to try and attack the integrity and reputation of this House and Assembly in the manner that he is doing, is unacceptable.

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**HON SPEAKER:** The Speaker did not find it that way.

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**HON VILJOEN:** Honourable Speaker, I am busy defending the honour of this Honourable House, but it is true that we are sometimes the laughing stock when there is no quorum or when newspapers publish photos of us under the heading, "*The snoozing Honourables.*" Why do we want to lower the standard further? We were elected to work and not only to enjoy our benefits.

During the past 20 years the standard of many things in this country followed a descending line as far as standards are concerned. (Interjection)

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**HON MEMBER:** Whose standards?

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**HON VILJOEN:** I said we want to lower our standard by this Amendment and a quorum is a built-in discipline to ensure that Members attend the sessions of Parliament. One of the reasons why we did not have a quorum on three consecutive days was because we have agreed twice that Parliament should have closed two weeks ago. Members of the House were informed by the Whips about this decision and people went away to campaign. (Intervention)

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** On a Point of Information. It cannot go unchallenged that for the past 20 years the standards of many things have been going down. That statement does not hold water, in fact it does not tally with the observations and rating of international institutions.

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**HON SPEAKER:** Honourable Deputy Minister, you are Out of Order. The Honourable Member is speaking about Parliament.

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**HON VILJOEN:** Thank you, Honourable Speaker. Members were informed about the decision and consequently, we turned up at Parliamentary Committees, no quorum. We turned up at Sessions of the Houses, no quorum.

Last Wednesday we were informed that today we will decide on the way forward and Members came here with certain expectations to get clarity, but the uncertainty remains. My suggestion is that we give time for Members to consider the Amendment and to give more time for discussions by referring the Motion to a Committee, as suggested by my



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cousin, Honourable Venaani.

Therefore, I cannot support this Amendment, because it means lowering of standards and it is not in national interest. I thank you, Honourable Speaker.

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**HON SPEAKER:** As clarification for you, Honourable Viljoen, as long as there is business on the Order Paper and there is a quorum, it is the responsibility of the Speaker to read the Prayer and the Affirmation and to start the business of the House. The Order Paper has issues and we cannot adjourn until the House collectively decides that the time has come that we now adjourn. Therefore, we are perfectly in order in terms of conducting the business. No date has been agreed on for adjournment. Honourable Gurirab.

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**HON T GURIRAB:** Honourable Speaker, I will be brief, as usual. I believe that the matter which the Minister has brought to this House is an important one, partly because what this House is being asked is to amend the Constitution of our country and it is not every day we come here and do that. Therefore, it is not a light matter on which we are being asked to deliberate.

Honourable Speaker, it is common cause that the majority required in the Constitution, as the Minister has pointed out, is half the Members of this Chamber. Democracy is not only ruled by the people, but it is ruled by the majority of the people. It is reflective of the views of the majority of the people. In essence the Minister, despite what he has said, is basically bringing a proposal to this Honourable House, which proposal is that we reduce the working quorum of this Honourable House, but that we retain what is already in the Constitution, the 37 for purposes of voting. I am saying that democracy is that we work on majorities.

Of course, should the proposed change go through, we will also have to bring our Rules into conformity with the new constitutional Clause, but in

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terms of practice, any day any matter – except for questions perhaps – can be put to the vote. Therefore, I am not so sure whether what is being proposed will help us to transact the business of the House or whether it will create more chaos.

The Minister has mentioned a question of 15. At the moment we are working on a figure of 37 and 15 is even lower than half of the 37 and 25% of the elected Members of this Chamber. Therefore, there are two issues really: With what number of Members do we want to transact business of this House? Would it help or would it add to further confusion? Somebody puts the matter on the Floor up to vote and we have to stop the deliberations of the Chamber to scurry around to find additional Members because we want to vote.

I am not so sure whether our problems currently are necessarily the numbers, to muster the numbers for our deliberations or whether it is one of failure of Whipping, whether the Whips know if a session starts, that there are Members coming from his or her Party or maybe we may have a problem of discipline, we may have a problem of management, we may have a problem of Whipping, because as was proposed here earlier, if we know that ten, fifteen Members are travelling next week, that would appear to be a management or Whipping problem and if we know that in advance, we will postpone the Session of Parliament. Therefore, I do not know whether it has to do with a quorum or maybe it has to do with Whipping.

I agree with others that the matter needs further reflection and perhaps the best way is to refer this to a Committee of Parliament so that we can reach a common position on this, because it is a matter so serious for the transaction of our business and for democracy and we should not treat it lightly. I thank you, Honourable Speaker.

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**HON SPEAKER:** I thank the Honourable Member. Honourable Kavari.

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**HON KAVARI:** Thank you, Honourable Speaker. I just want to air my views in support of the Motion on the Table.

Concerning the number of persons that could be present, I would go with the second suggestion of at least having a number of Members present for discussions, but I think the number of 15 proposed by the Honourable Minister is very, very low and we could make it at least 25, which will give us close to 30% of the Members being present.

The other concern I have that I think would add value is the fact that our discussions are not online. We have a website for Parliament, but when travelling, you hardly get any information to inform yourself on what is happening in the House or what is happening in the country. You do not even find copies of Motions or papers which have been delivered or Bills that have been introduced in the House. That would really enhance the discussion in the sense that as soon as you come back, you have already prepared yourself in order to contribute to the discussions. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** I want to put a question to the Honourable Member. Honourable Member, you said that when you are not in this House, you do not find anything. You are twisting the truth as I do not think it is true that we do not find anything. I have just returned to Parliament today and I found all these documents here.

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**HON SPEAKER:** Honourable Deputy Minister, what the Honourable Member is saying is that she cannot find the working documents on the Parliamentary Website. I hope that the staff members are listening to what the Honourable Member is saying. You should be able, wherever you are, to click on the Parliamentary Website and find what is being discussed in the House.

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**HON KAVARI:** Thank you, Honourable Speaker, I know that it is not all of us who are computer literate. (Intervention)

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**HON MINISTER OF VETERANS AFFAIRS:** On a Point of Order. The gentleman of MAG who was speaking here, Honourable Viljoen, said that we should be present in the House. What if we vote now and he is not present?

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On a Point of Information. Honourable Kavari said not all of us are computer literate and I think she needs to withdraw that. Does the Honourable Member want to tell us that if we put this Order Paper on the website and she finds that there is no quorum, she will come back for the quorum? One has to indicate on the application for leave where one can be contacted, so how can you bring this here as if you are computer literate? This cannot help you to come and rescue the quorum.

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**HON KAVARI:** I would urge the Honourable Deputy Minister just to allow those who follow what I am saying the opportunity to listen and understand what I am saying. I understand where you are coming from, I understand that you would not understand. (Intervention)

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** On a Point of Order and a Point of Information. We are looking for an alternative possibility to make the business run because of the high requirement at the present moment. However, the information online will contribute to Members being absent, because when things are online we do not attend and that will worsen the situation. Even those 15 or 25 will not make it when it is online. Therefore, forget about the online because some of us are illiterate, as you have already said, so that we just come on the bench and not on the line.

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**HON KAVARI:** Honourable Speaker, the purpose of having a Website in this new, modern technological world is for you to be informed of what is happening in your Parliament wherever you are and if at all a website in Namibia, I am being told, is not necessary, then even having a Bill dealing with technology was not necessary, because it seems as a country we have not reached that stage. However, what I want to say is that if our Website is going to serve us well, our papers and Motions and discussions must be loaded on our website on a daily basis. (Intervention)

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**HON SPEAKER:** Let us leave the website for now, speak to the Motion.

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**HON KAVARI:** It is about the Motion that I want to say that we can do online. (Intervention)

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**HON SPEAKER:** You made that point, it is not there.

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**HON DEPUTY MINISTER OF FINANCE:** May I ask the Honourable Member a small question? Honourable Member, can you help us to make progress? We are talking about the Motion which speaks about the quorum and that is for us to be here to conduct the business. Can you help us? Is the quorum to be here in person to conduct business the same than to engage in the Website wherever you are? Is it the same thing?

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**HON SPEAKER:** We have said enough about the Website, it does not exist. Can we speak to the Motion now?

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**HON KAVARI:** Honourable Speaker, I am trying to speak to the Motion. The Motion is trying to reduce the number of Members in the House. If I know what is happening in the House wherever I am in the world, I would be able to contribute through my Colleague by sharing my views with my Colleague and those views are going to be shared in the House and they are going to enhance the discussions in the House. I do not necessarily need to be in the House in order to contribute to the discussions. (Intervention)

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**HON DR ANKAMA:** May I ask a question? Honourable Member, you have listened time and again and I know you, you do not need any hearing aids to hear and understand that the Motion is on the quorum, to enable the House to pass motions or to vote right here where we are sitting now, not online. Can you please address yourself to the Motion at hand?

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**HON SPEAKER:** Chief, you are repeating what the Speaker said.

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**HON KAVARI:** Honourable Speaker, what I am saying is that we are reducing the number of Members in the House. If we pass the Motion it will reduce the quorum and, therefore, allow people who are not necessarily present in the House to contribute to the discussions in the House through other means. That does not mean that it is adding to the lack of quorum, it is adding to the discussion, because reducing the number of Members necessary for a quorum obviously will reduce the number of contributions in the House. (Intervention)

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**HON SPEAKER:** Basically you are saying we do not need to reduce the quorum, just improve the web and Internet. You are repeating the point, but I am looking for “*therefore you support the Motion, you do not*

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*support the Motion, you support the first option or you are against.”*  
Your point is well-taken, but you keep on repeating it and I get lost. You have made your point that it will enhance the work of the House.

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**HON KAVARI:** Therefore, Honourable Speaker, I support the Motion, but I was just adding this contribution to enhance the discussions in the absence of more Members in the House and I also want to support the previous speakers who said that the Motion should be referred to the Committee on Constitutional and Legal Affairs for further inputs. I thank you.

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**HON SPEAKER:** Thank you, Honourable Member. Prime Minister.

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**RT HON PRIME MINISTER:** Thank you, Honourable Speaker. I know this Motion is a legacy Motion. I do not want to tamper with the legacy, I just want to draw the attention of the Members to certain things.

The Constitution of the Republic of Namibia is a very complicated one, because of the way it is drafted. Once you change one clause in it, you have to read the whole Constitution carefully to re-balance it.

The first point I want to make is that Parliament is seen as a representative institution, representing the voice of the voters and as such, when it makes decisions it should take into consideration that representation. The quorum in the Constitution is defined as 50% plus 1, in other words a simple majority. If you look at the 37 of 72, it is actually 51%. That is logic flowing from the representation. If you try to reduce it arbitrarily, you are diminishing the concept of representation and you have to be careful about that.

Secondly, if you look at the functions of Parliament in Article 63, most of

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those functions actually require you to vote, perhaps with the exception of (j) which is not quite defined. Most of those things will be contentious, Parties will have different positions on them and at one point or another while deliberating on them, you may have to vote. The only thing you do not need to vote on, is where a Member asks a question. That is the only thing I can think of. Even on that one, if the respondent declines to answer the question in itself is a major decision which can be debated by the Opposition on the basis that they are representing a certain section of the community and the community has an interest in the answer.

Therefore, if you are changing the decision-making mechanism, you are making a major change to the Constitution and you have to reformulate Article 63 in a very major way and I am not quite sure how we are going to do that. Therefore, this is a very complicated issue, it is not a simple issue of numbers. It is a fundamental issue based upon the principle of representation.

Having said that, there are certain things which were said by Honourable Members. Honourable Venaani was talking about the President given sweeping powers to appoint Ministers and it is not quite correct. (Interjection)

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**HON VENAANI:** Not “sweeping”, discretion.

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**RT HON PRIME MINISTER:** It is not quite correct, the Constitution only allows *the President to establish and dissolve such Government departments and ministries as the President may at any time consider to be necessary for expedient and good governance of Namibia*. What you are confusing is actually the mandate the electorate gives to a particular party. If the electorate decides to give SWAPO a two-thirds majority, everything else flows from there. (Intervention)

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**HON VENAANI:** May I ask the Right Honourable Prime Minister a question? Right Honourable Prime Minister, having quoted that Article on the discretion of the President to appoint, do you know that in the absence of a limit, that if a President of a country sees fit to appoint all 72 Members as Ministers, he can do that?

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**RT HON PRIME MINISTER:** Provided that the President gets a mandate from the electorate, for the electorate to elect all 72 members of the President's party and we will then be very happy if that should happen, because we know that our President will not make the Parliament a laughing stock by appointing 72 Ministers. That will never happen, that will not be in the interest of good governance of Namibia. (Intervention)

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**HON TJIHUIKO:** May I ask the Right Honourable Prime Minister a question, please? What Honourable Venaani actually meant is that in the most unlikely event that the President will be given that mandate. So, it is not that obvious. That will not happen that the President will be able to appoint 72 Members, because I think this time around he is going to appoint only 40.

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**RT HON PRIME MINISTER:** I happen to be one of the founders of the Constitution and we made sure that in the interest of the management of the Namibian diversity, the system of proportional representation should be part of our Constitution. That was simply in consideration of the management of the Namibian diversity. We could also have said we should adopt the principle of first-past-the-post, but we did not say that. (Interjections). We are talking about the National Assembly and that is where the Executive Members come from. That was in the very wisdom of the Majority Party in the Constituent Assembly to say this makes sense under the circumstances of our diversity, it has nothing to do with the will of the people. If we wanted the will of the people to prevail, we could have gone first-past-the-post and then to be a One-Party State like in the National Council. However, we were wise, we said we need everybody,

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even those who come here with the blessing of leftovers. Once they get the leftovers, they come here and start insulting everybody and they go to the high moral grounds and we allow that as that is part of the Namibian diversity. (Intervention)

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**HON MINISTER OF VETERANS AFFAIRS:** May I ask a question? On this historical background that you are talking about and the systems we have in the Constitution *vis-à-vis* the voting, during the Constituent Assembly elections that brought about the group that wrote the Constitution, some Members of the Opposition were saying that if we had the system of first-past-the-post, they could have won more seats and I do not want to mention the name, you know what I am talking about, and that is why they said the Second House should go that way, because they thought that by doing so they would capture the Second House. It is then when they got the shock of their lives when we won the Second House.

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**RT HON PRIME MINISTER:** Yes, what you are saying is a true reflection of history. The Second House was not in SWAPO's constitutional proposals which were used as the basis for drafting the eventual Constitution. The Second House was introduced by those who thought they will use the Second House to create a parallel Government in Namibia. (Intervention)

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**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** Honourable Prime Minister, I am really sorry to interrupt you. Honourable Members, when Dr Geingob was the Chair of the Constituent Assembly, he requested the Parties to submit their draft constitutions. All the Opposition Parties were for a Ceremonial President and an executive prime minister and two Chambers called the National Assembly or Parliament and the Senate. It was us who were for an Executive President and a single Chamber. The Opposition wanted a Second House because the DTA got the majority

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during the UNTAG elections and they were hoping that come the election for the Second House, the DTA would also have the majority like during the UNTAG time. From 1990 to 1992 we were ruling the country with a single Chamber and to their shock they only have two seats out of 26.

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**HON SPEAKER:** That is history, I do not want to get involved in that. I want the Prime Minister to continue making his point.

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**RT HON PRIME MINISTER:** I was talking about the complexity of our Constitution and of course, it has a history and the history is that for the sake of the Namibian diversity, the proportional representation electoral system was adopted. Then the Opposition thought it was not fair to them, they wanted first-past-the-post for the National Council with equal members from every Region, apparently the American system of the Senate. Do you know what one of them said? He said the elections were going quite well, they were only spoiled beyond Oshivelo and he wanted to redraw the borders of Namibia, so that the border will be at Oshivelo, so that it is not spoiled beyond Oshivelo. I was shocked by this statement, but that is history.

What I am saying is that I appreciate this legacy Motion and that Honourable Tjirionge wants to give us homework as he is retiring and I hope that the homework will be properly done, so that we do not mutilate the Constitution, because the reason why it is what it is, is deeper than we think. Thank you.

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**HON SPEAKER:** I thank you. Honourable Katali.

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**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:** Thank you, Comrade Speaker, Honourable Members. I would also like to add my voice to this very important Motion. I was just

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surprised by the Right Honourable Prime Minister because he managed to hear the question I was asking myself silently and answered it. That was the reason behind the number 37, why 37 and not 40 or any other number and we have heard now that it is a constitutional matter, it is a representative issue that may be problematic if we were to tamper with it and I am inclined to support his view.

The Motion came with two options and I think Comrade Tjiriange made it easy for us by not even asking us to discuss Option 1 because he feels it is not a good one. I was wondering why he brought it to the House while saying it is not a good one.

Be that as it may, the second option is the one that we now need to consider together with all other options that may come up, because the underlying factor is not really the change but to solve the problem. Maybe the problem may not only be solved by Option 2 that is now on the Table. There might be other options that the House may come up with.

In my view, I look at this as a management problem, that the Members of Parliament do not form a quorum on a specific day. Maybe we need to look at the management of the House in tandem with what Honourable Tjiriange has brought up. I may be boasting but it is true, I am hardly ever late for the sessions of the National Assembly and I think others can testify to that. When we come here, we sit around waiting for our Colleagues and even the Whips who are to administer the attendance of the Members do not really know what is going on, who is here, who is not in the country, etcetera.

Therefore, after listening to the Honourable Prime Minister, I have a proposal. I am not putting it forward, but I am just saying what I wanted to say, that maybe because we are not sure whether, if we reduce the quorum number, the Members will come to the House and meet that reduced number and then that will again require us to go back to the Constitution and change it. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** May I ask a question? Honourable Katali, you are one of the Members who are punctual. Are you aware that sometimes we need only one person to meet the quorum, but the person is just in the office here? Afterwards you see them just sitting in the restaurant. I feel the Whips must really whip and the Speaker is also mandated by the Constitution to report these people to the President, so that action can be taken. Are you aware of that?

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**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:** Yes, I think you intervened at the right moment, when you amplified the issue of management. As I was saying, even the Whips do not know who is available for the session and who is not available. If we could maybe improve on the system, so that at least the Whips check in advance. (Intervention)

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**RT HON PRIME MINISTER:** May I ask a question on the management? Comrade Katali, do you think that the management might improve if we introduce sitting allowances?

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**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:** Yes, it will definitely improve and I can even see the people who may improve if that is introduced. (Intervention)

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**HON NAMBAHU:** May I ask a question? Honourable Katali, seeing that management can improve with a sitting allowance, why can they not improve the whipping allowance?

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**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:** Yes, maybe the Whips are getting something better, but

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they are not whipping themselves. The sitting allowance is on an individual basis and it is not to say that if the Whip has not whipped, then the allowance is taken off. (Intervention)

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**HON TJIHUIKO:** May I ask the Honourable Deputy Minister a question? Honourable Deputy Minister, I agree with the idea of an allowance, but do you not think that instead of putting an allowance on a salary, we should just deduct it from the salaries of those not present? Every time that the person is not in, you take N\$200 from the salary, so that at the end of the day we get something we deserve, rather than putting something on top of the salary?

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**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:** I do not want to entertain those questions, but really, should somebody now start calculating how many days the person was absent and the salary, it will be shocking. What I am saying is that we need to look at all these issues to solve the problem of quorum. (Intervention)

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**HON MINISTER OF JUSTICE:** Thank you, Comrade Speaker. On a Point of Information. Last week when the House was faced with consecutive days of a lack of a quorum, some Members of Parliament started speaking out of frustration when we left here for tea. Somebody was saying *this is becoming too much, people are just after the travelling allowance, to such an extent that 9 Members of Parliament travel at the same time*. I am now trying to link this up with the question of whether to add on or to subtract from the salaries of Members of Parliament whenever they absent themselves. Maybe this is not an issue to be considered lightly.

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**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:** I cannot answer that, that was not my proposal. My

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proposal is that I would want to see that the Chief Whips on sitting days check with the Members at 09:00 in the morning that they are in Windhoek and they will make it to Parliament to ensure that there will be a quorum. If they find that we are not going to make a quorum today, we must know ahead in time and stay put, not come to Parliament, it has been postponed because there will be no quorum. (Intervention)

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**HON MINISTER OF GENDER EQUALITY AND CHILD**

**WELFARE:** On a Point of Information, Comrade Speaker. The Honourable Member is suggesting that the Chief Whips have to call every morning by 09:00. I started as an ordinary Member of Parliament in this House and that time there are Committee meetings and apart from that, it will be costly for the Chief Whip because he has a monthly call allowance.

It is a possibility, but it will be a heavier burden on the Chief Whip than for each Member to be responsible. Why should he call on you, why can you not discipline yourself? When you are not there, you have to fill in a form. We can do it the other way around, that when you know you will not attend, you can phone the Chief Whip by 09:00 and he can make the calculations accordingly. Let each one of us take the responsibility upon ourselves and then rather look into the sitting allowance. Then we do not need to rush for the travel allowance or go online.

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**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND**

**FORESTRY:** Comrade Speaker, my suggestion is a principle suggestion, it is not to go into the nitty-gritty of the cost of this or that and who should do it. I am just trying to improve on the problem we have. Other suggestions can be made to supplement or to cancel totally what I said, but I am just realising that I feel that this quorum issue is a management problem. (Intervention)

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**HON MINISTER OF SAFETY AND SECURITY:** Comrade Speaker,

I think that whenever a Member of this House is to be absent, you first need to get permission to be absent from the Whip of your Party. It is

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simple for the Whip to calculate how many members of his or her Party should be allowed to be absent at one point of the day and that will go also to the others. They will then be under an obligation, they cannot absent themselves. Once he knows that five Members are absent and he will be the sixth and there will be no quorum, he should then inform him that he cannot go. The Whips should just enforce that – full-stop. If he absents himself without that permission, then he has to be answerable.

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**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:** That still comes into the management issue. Therefore, if we agree that it is a management issue, then the nitty-gritty of ... (Intervention)

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**HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE:** On a Point of Information. Having been a Whip in this august House myself, I cannot agree more that the administration plays a very important role. In our days the Whip even had the power to call back Members who may be outside the country if there is a quorum needed for a particular day. Therefore, the Whip has the power to call Members and tell them they must be here or to negotiate with the other Whips and say it seems there will not be a quorum, it will be better to postpone the meeting timeously before the embarrassment at sitting time comes.

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**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:** Earlier on I wanted to propose that we remove this quorum issue from the Constitution, so that it can then be determined by the Rules of the House. If this one is not working, then we can easily change the Rules, rather than going back to the Constitution. But now that it was said that it is representation issue, I will chicken out on that proposal and somebody who is brave can put it forward.

The bottom-line of my contribution is that we should not only look at the options provided by Comrade Tjiriane, but that we also look at the



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**MOTION ON QUORUM OF ASSEMBLY  
HON MOONGO**

administration and management of the attendance of the House. There we may actually improve the situation.

Finally, there must be some kind of sanction, either verbally that “*we have seen you being absent for so many days, what is the problem and maybe you did not even file with the Whips or you are actually travelling too much.*” There must be some kind of caution to a Member for the Member to understand that what I am doing is maybe not right. Then all of us should just discipline ourselves and to attend regularly. Thank you, Comrade Speaker.

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**HON SPEAKER:** I thank the Honourable Member. Honourable Moongo.

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**HON MOONGO:** Honourable Speaker, my Colleague made a good proposal that the Motion be referred to a Committee, but on the other hand I am shocked that we have to discuss this Motion now. How many months do we have left before elections? Is this not torture? You are torturing Members and now you want to keep them here. I would like to appeal to my Colleague to amend the Motion by saying no sittings three months before elections. That is why half of you sneak out to go and campaign while the Opposition are kept here. We are beaten up. This is too much, you must stop this and three months before elections there must be no sittings. (Intervention)

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**RT HON PRIME MINISTER:** Is it allowed for an Honourable Member to treat this House like a Big Brother house?

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**HON MOONGO:** We know the tactics to kill a cat. Half of you sneak out, you campaign while you keep us here. Is that fair? This is torture! (Intervention)

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HON MOONGO**

**HON MINISTER OF VETERANS AFFAIRS:** On a Point of Order, I think we must be serious. There is no need to have these wild talks. Last week all of us around here, minus a few, were in this House while each Opposition Party had one person for the whole week. Most of us were here. Please, do not throw stones when you live in a glass house.

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**HON MOONGO:** I want to ask one question, how many SWAPO meetings are held this week, addressed by you? You came here today, but tomorrow you are in 6 Regions while you keep us here. I had a dream that you are defeated by RDP. You want to keep us here, but you are also going to be defeated. You catch us like this so that other kids can hit us. This is unfair, three months before any election there should be no sittings. I do not support the Motion.

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**HON DR AMUTENYA:** Thank you, Comrade Speaker. I want to be brief with my intervention.

As far as I am concerned, it is a fact that the deliberations of this House sometimes cannot continue because of lack of quorum. I was informed that deliberations of this House starts at 14:30. My observation, which I call a fact is that it never happened that way whatever the reasons are. If the reasons are in the fact that we have raised the bar such that we cannot meet what we have put as our standard, then let us revisit at it and bring some changes. If it will mean that for election purposes we keep it, let us do it. If we feel that certain changes are affecting the Constitution, rather than going piece by piece, why do we not look at all the issues that are affecting the Constitution and then do a constitutional review once and not do it piece by piece. Thank you very much.

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**HON SPEAKER:** Minister of Justice.

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**MOTION ON QUORUM OF ASSEMBLY  
HON IIVULA-ITHANA**

**HON MINISTER OF JUSTICE:** Thank you, Comrade Speaker. In the mix of ideas I would not start with what I normally do. The Motion is very important indeed, and I thank Honourable Tjiriange for the courage to bring it to the Floor of Parliament. I feel pity for my sister from CoD whom I thought would benefit from my intervention just for increasing her knowledge of Parliamentary terms.

The Right Honourable Prime Minister defined “*quorum*” in terms of the Constitution, but I want to define it in the normal way of talking about a quorum. The quorum in our sense in Parliament means the bar at which the proceedings of Parliament can proceed. Without it there will be no business of the House. The other meaning is assigned to how many Members can be there for a certain decision to be taken. Dr Tjiriange tried to address both and I do not really know whether from the practical experience of how we have been conducting ourselves we can think of bringing about constitutional Amendments just on account of our conduct. The Constitution will never change our conduct, unfortunately. We can reduce the bar, we can increase it, but if we continue to see Parliament as one of the activities that we can attend to when other things are in place, then obviously the *status quo* will continue. (Intervention)

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**HON TJIHUIKO:** Honourable Speaker, on a Point of Information. The people of Namibia had an opportunity to decide in 2004. In their wisdom they knew that in order for them to be properly represented, they will give enough power to one specific Political Party to take decisions with or without the involvement of the Opposition. If we have a mandate of the Namibian people who have given to the Ruling Party 55 voting Members sitting in this House and you are facing a situation of not having a quorum of 37, the failure is not of the Opposition, because the mandate has been given to the Ruling Party. Therefore, the failure is of the Ruling Party and the Secretary-General of the Ruling Party and the Minister of Justice should just stand up and tell the Nation that it is a mistake to give a two-thirds majority to one Party.

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**MOTION ON QUORUM OF ASSEMBLY  
HON IIVULA-ITHANA**

**HON MINISTER OF JUSTICE:** Comrade Speaker, you know, it is very difficult to convince a person who tells him or herself that he or she is deaf. You can talk and talk, explain, the person will tell you, “*I do not understand, I cannot hear you.*” I have noticed that some Members are like that by nature. The Right Honourable Prime Minister took time and went into the constitutional provisions that have made issues to be what they are.

When the results of the Omuthiya elections were announced, SWAPO would have taken all the seats and that left the SWAPO members angry and they are still angry. Why is it that every time our votes are given free of charge to some other Parties? We keep educating our members that the system of elections in our country is proportional representation where a system is put in place to make sure that there is always diversity representation. The Prime Minister said so, you heard him. You are not here by mistake, you are here, elected by the people of Namibia. This country is one constituency and for Honourable Tjiuiko to advance such a cheap political campaign strategy to gain some cheap political points is really uncalled for. The Namibian people will not recuse you from what is happening here, whether it is Honourable Viljoen who is here on the behest of the leftovers. (Interjection)

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**HON MOONGO:** You must go and address RDP, not us.

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**HON TJIHUIKO:** May I ask the Honourable Minister of Justice a question, please? Honourable Minister, now that the topic that you are trying to address is the Motion of the Honourable Minister of Veterans Affairs and it seems that the Minister of Justice and Secretary-General of the Ruling Party, for now, has now deviated and started talking about other issues, can that be justified that it is true that SWAPO is intolerant?

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HON IIVULA-ITHANA**

**HON MINISTER OF JUSTICE:** Deviation is a skill of politicians. You know how you are deviating from the real issue. You are responsible, you are accountable for whatever happens here. For you to stay at Okakarara while Parliament is meeting, thinking that SWAPO is going to represent you here is not fair. SWAPO cannot represent NUDO, neither all other Opposition Parties put together. We are here occupying our own positions as SWAPO Members. Having said so, let me proceed.

I get a sense that all of us have various issues which we are probably afraid to bring to the Floor of Parliament and we now want to confuse the Motion of the Honourable Member. (Intervention)

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** May I just ask a small question? Are you aware that what one Honourable Member has said here is really their culture, because the Opposition fight over parliamentary cheques? They get dismissed and they take one another to Court over cheques.

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**HON MINISTER OF JUSTICE:** Thank you very much. I have even forgotten that there was such an incident. Facts speak for themselves, I do not need anything, that is as clear as daylight.

I was saying the issue of the quorum should not be confused and enlarged to cover all other concerns that are not quite related. Voting on issues in this House is a system on its own that we as Parliament here can only allow issues that are in the interest of Parliament to be debated. If there are no checks and balances in whatever Motions, whatever issues, whatever questions we bring to Parliament, then this House may end up being a laughing stock, because some of the Motions that are advanced by certain Members may embarrass the House if those checks and balances are removed. Let us discuss the issue of quorum squarely in its own right and if it affects certain constitutional provisions, let it be. I am responding here to some of the statements made.

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## **ADJOURNMENT**

In the separation of powers the Executive is constitutionally drawn from Members of Parliament. That is a fact, we cannot change it. That is precisely why the President is given extra authorities to appoint six additional Members to Parliament to cater for the situation where he or she may not find the expertise that he or she wants to draw from the current 72 Members of Parliament. Therefore, the power to add 6 other Members.

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**HON SPEAKER:** It is a very important issue, perhaps you need more time to further elaborate on it. The House stands adjourned until automatic adjournment until 14:30 tomorrow afternoon.

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**HOUSE ADJOURNS AT 17:45 UNTIL 2009.10.07 AT 14:30**

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
WINDHOEK  
07 OCTOBER 2009**

The Assembly met pursuant to the adjournment.

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

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

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**TABLING: AIR NAMIBIA LTD :  
ANNUAL STATEMENTS, 2007**

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**HON DEPUTY MINISTER OF FINANCE:** Honourable Speaker, I lay upon the Table, Air Namibia Limited and its Subsidiary Group Annual Financial Statements for the year ended 31 March 2007.

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**TABLING: ROAD FUND ADMINISTRATION  
ANNUAL REPORT 2006/2007**

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**HON DEPUTY MINISTER OF FINANCE:** I lay upon the Table, Annual Report of the Road Fund Administration for the year 2006/07.

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**HON SPEAKER:** Will the Deputy Minister table the Reports? Any further Reports and Papers? Any Notice of Questions? Notice of Motions? Any Ministerial Statements? Honourable Mungunda.

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**MINISTERIAL STATEMENT  
HON MUNGUNDA**

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**MINISTERIAL STATEMENT:  
DAY OF THE NAMIBIAN CHILD**

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Comrade Speaker, Honourable Members of this august House, on 28 September 2009, Namibia celebrated a very important day in the lives of our Namibian children. During 2001, Cabinet declared 28 September as the Day of the Namibian Child.

At this juncture, I want to thank the SWAPO-led Government for taking the interest of the Namibian children seriously. It is an honour for the Namibian children to jointly celebrate this historical day from all corners of Namibia.

Comrade Speaker, Honourable Members of this august House, the Namibian Government prioritises the welfare, education and development of Namibian children through various programmes. The establishment of the Ministry of Gender Equality and Child Welfare provides a mandate for children's issues to be prioritised.

The Ruling Party also puts special emphasis on the welfare of children and the protection of the rights of children through its 2009 Manifesto and which is the continuous mandate and commitment of the national leadership that children are the pulse of its society. It clearly stipulates and I quote from the SWAPO Election Manifesto, 2009: (Interjection)

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**HON MEMBER:** Lip-service!

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**MINISTERIAL STATEMENT  
HON MUNGUNDA**

**HON MINISTER OF GENDER EQUALITY AND CHILD**

**WELFARE:** You will see that it is not lip-service. I quote from the SWAPO Election Manifesto 2009: *“The SWAPO Party remains committed to ensure that socio-economic development results in the improvement of the quality of life of the Namibian people. For that reason, the SWAPO Party Political Programme emphasises social upliftment of the people and the elimination of the inherited and deep-rooted social deficit. The SWAPO Party will strive towards the promotion of the people’s welfare, the provision of essential services, such as primary health care, housing, clean water, better sanitation, primary and secondary education, library services, sport, arts and culture and all other means of livelihood that our people have been denied for so long, especially those living in the Rural Areas.”*

Let me take you through the programmes for the upliftment of children in Namibia according to the strategic plan for child welfare.

**Strategic Objective 1: To ensure the care and protection of children.**

Let me take you through what it entails and what are the achievements so far concerning this objective.

A framework for protecting and promoting the well-being of all children is in place, ensuring that the rights of all OVCs are protected, respected and fulfilled.

Popularise the National Plan of Action on OVC and the National Policy for OVC.

Create a supportive and enabling environment for the protection of women and children.

What are the achievements which we have made according to this objective?

- 31 social workers have been trained in the Ministry of Gender Equality and Child Welfare on the Children’s Status Act;

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**MINISTERIAL STATEMENT  
HON MUNGUNDA**

- The Convention on the Rights of the Child Report has been completed and I will table it on the 13<sup>th</sup> of October 2009 in Cabinet;
- 49 Child-care Officers appointed in March 2003;
- Study on child trafficking and child labour conducted;
- Submission on human trafficking taken to Cabinet and endorsed;
- Gender-based violence and human trafficking had been launched in Oshikango by the Right Honourable Prime Minister, Nahas Angula, on 31 July 2009 and the campaign is continuing until the 16 Days of Activism, which will start on the 25<sup>th</sup> of November until the 10<sup>th</sup> of December 2009 and which is an annual event.

**Strategic Objective 2: To empower communities to take care of orphans and vulnerable children:**

The basic needs of all OVCs are met, including adult care and supervision, access to social services and psychosocial support.

Review and revise child welfare grants criteria and procedures to ensure that the extended family or persons caring for OVCs can access appropriate social assistance quickly and that the neediest OVCs are not excluded.

Ensure that minimum standards of care for residential child care facilities and shelters are in place.

The achievements in this regard:

- Impact assessment on grants study undertaken;
- Children put on grants (96,523 children last year in September 2008 and now we have 105,822 children)
- Minimum standards adopted and approved;

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**MINISTERIAL STATEMENT  
HON MUNGUNDA**

- Two new residential child-care facilities and shelters were registered and inspected;
- 24 Unregistered identified in ten Regions;
- 41 Child Welfare Directorate staff, residential Child-care facilities managers and caregivers were trained on the Residential Child-care Facility Handbook;
- 60 Children in three residential child-care facilities were informed and are aware of the Residential Child-care Facilities Standards;
- 9 Residential child-care facilities financed with grants to increase their capacity to care for OVCs;
- Residential child care facilities had been launched by myself in July 2009.

**Strategic Objective 3: To strengthen the implementation and coordination of services:**

A multi-sectoral and multi-disciplinary institutional framework coordinates and monitors the provision of services and programmes to OVCs and their caregivers.

Develop the capacity of the OVC, Permanent Task Force, which includes all stakeholders from Government, NGOs, CBOs, the churches and traditional leadership, to share good practices, plan and monitor the national programme, create awareness and involve all sectors. Rosalinda Namises is also part of the task force.

**Achievements:**

- Permanent Task Force and Annual Work Plan developed, implemented and monitored;

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**MINISTERIAL STATEMENT  
HON MUNGUNDA**

- Collaboratives held regular meetings and are functioning (at least one every 2 months);
- Thematic sub-Committees held regular meetings;
- Training workshops, targeting directorate staff in maintaining and evaluation and reporting was conducted
- 5,000 children participated in the Day of the Namibian Child last year all over the country;
- Annual work plan developed and progress reported in monthly meetings;
- Mid-term review of Annual Work Plan conducted;
- Indicators in the Maintaining and Evaluation Plan were reviewed;
- Two OVC Maintaining and Evaluation Sub-Committee meetings were held.

**Strategic Objective 4: To improve the effectiveness and efficiency of service delivery:**

Strengthen the capacity of the child welfare directorate to coordinate and deliver services to children both at national and regional levels.

Support the professional development and retention of human resources needed at regional and constituency level.

**Achievements:**

- Secured funding for and allocated twelve bursaries to students studying social work;

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**MINISTERIAL STATEMENT  
HON MUNGUNDA**

- Child-care officers will be trained in Cuba after proper agreements have been finalised;
- Secure internship stipends for ten fourth-year social worker students;
- Start to review child welfare directorate staff job descriptions;
- Trained senior staff in report-writing, supervisory skills and operational planning.

Before I conclude, Comrade Speaker, I have here Annexure A – Statistics of Achievements of Planned Activities from January to June. In January we had five activities and all 5 have been attended to and hundred percent success has been achieved.

In February 13 activities have been completed, which was 87%. In March we had 14 activities, 12 have been completed, which is 86%. In April we had 21, but we could only complete 12, which is 47% and in May, twenty-one and we completed 16, which is 76% and in June we completed 17, which is 89%. From January to June we had 95 activities in the Strategic Plan and we have completed 75, which is almost 80% of work done. When we talk about programmes and protocols, some people are saying we are only paying lip-service, but we are not, we are hard at work.

Successful implementation of programmes to end child sexual exploitation and child labour requires re-strategising on how to deploy our resources in order to strengthen the existing laws and policies to ensure that they respond to the needs of children. The Namibian Government continues to strengthen the capacity of law enforcement agencies through capacity-building and information development.

In the final analysis children are indeed leaders in their own right for today and the future. Some of them will end up in this august House. Therefore, the provision of an enabling environment is of paramount importance for children to grow and to be nurtured with love and care. As a Nation we cannot go wrong with the children and it is pleasing to note that the Namibian national leadership is committed to provide health care,

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**MINISTERIAL STATEMENT  
HON VILJOEN**

education, shelter, social security, safety and security and peace and stability to the children of Namibia.

On this note, Comrade Speaker, let me salute the SWAPO-led Government for its visionary leadership, which walks the talk. God bless the Namibian children. I thank you.

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

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**HON VILJOEN:** Honourable Speaker, I wish to thank the Honourable Minister for explaining to the Honourable House the contents of the SWAPO Party Manifesto in detail. It was the most boring speech of the year. I thank you.

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**HON SPEAKER:** Any further comments on the Minister's speech? The Notice of Motion is the one by the Honourable Prime Minister. Does the Prime Minister move the Motion? Who seconds? Any objection? Agreed to. The Prime Minister has the Floor.

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**APPOINTMENT OF MEMBER OF THE  
PUBLIC SERVICE COMMISSION**

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07 October 2009

**APPOINTMENT PUBLIC SERVICE COMMISSION  
RT HON N ANGULA / HON P MUSHELENGA**

**RT HON PRIME MINISTER:** Honourable Members, yesterday I moved a Motion, asking this House to appoint by resolution Ms Florence Zitha Munyungano as a member of the Public Service Commission. Her Curriculum Vitae was distributed yesterday and I believe the Honourable Members agree with me that she is eminently qualified to serve on that body. It is, therefore, my humble request that the House appoints by resolution Ms Munyungano to serve on this very important national body. I thank you.

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**HON P MUSHELENGA:** Honourable Speaker, Honourable Members, I rise to make my contribution to the Motion by the Right Honourable Prime Minister regarding the appointment of Mrs Florence Munyungano as a member of the Public Service Commission.

The Public Service Commission performs an important function as human resources practitioners of the Public Service. Accordingly, the Commission needs a variety of expertise in various sectors of the Public Service. Commissioners should comprehend the dynamics of the evolving patterns of the civil service world over.

There is a perception that the Public Service Commission operates on rigid policies, making the Public Service to lose young, rising technocrats to the private sector. As we sit in this august House, for three years vacancies of legal advisors at the National Assembly have not been filled due to old-fashioned and conservative ways of filling positions in the Public Service. Consequently, the work of the standing Committees of the National Assembly suffers as Parliament has to look outside its environment for legal advisors. This state of affairs is frustrating. It is beleaguering the way that Parliament is treated in the Namibian context when it comes to issues of staffing. It is high time to call a spade a spade. Parliament is a branch of Government and as such it cannot be treated like a Ministry and I repeat, Parliament is a branch of Government and as such we cannot be treated like a Ministry. The Public Service Commission and its staff should, therefore, attend to the issues that I alluded to earlier with the necessary expedience.

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**APPOINTMENT PUBLIC SERVICE COMMISSION  
HON P MUSHELENGA**

Ideally, the Parliament ought to be served by the Parliamentary Service Commission, as it happens in our neighbouring countries. This song has been sung for many years, inscribed in black and white as part of recommendations by any forum that discusses matters pertaining to the efficient functioning of the Parliament. All these end up on the shelves of offices, collecting dust. This means that taxpayers' money is wasted and Government time consumed to pay lip-service on issues while there is minimum commitment to implementation. Let us move at the right speed to do the right things for our institutions.

Coming to the appointment of Ms Munyangano, I must state that it augers well to increase the number of women in the Public Service Commission, as Ms Munyungano fills the position that occurred following the resignation of Mr Obed Emvula. Ms Munyangano's appointment should, however, not be seen as an Affirmative Action appointment for the sake of issue of gender equality. She is competent enough for the position. I am privileged to have known her for more than fifteen years. Our paths crossed when we spent three years as students of the same faculty in what was then Namibia's only institution of higher learning. Ms Munyungano is one of Namibia's progressive unsung heroines who has contributed immensely towards the social and political transformation of the poor and the poorest in one of the remotest parts of Namibia, the Katima Mulilo Rural Constituency.

While many of us continually enjoyed and thrilled from adequate amenities provided by urban environments, Ms Munyungano has spent most of her adult life educating and empowering illiterate and down-trodden rural women so as to bring them to speed with trends of the modern world. I am proud to state here that from these humble contributions, many of these rural women in the despicable environments that she touched in many ways, we see Ms Muunyungano's nomination for the proposed position as commissioner an opportunity for her to show her leadership talents with the rest of the Nation. She understands the plight of the civil servants teaching under difficult positions and I have no doubt that she will dutifully attend to their needs whenever the Commission is required to do so.



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**HON MOONGO**

As an ordinary high school teacher, Ms Muunyangano developed her leadership skills through being the Deputy Mayor of Katima Mulilo for a period of five years. During her tenure as Deputy Mayor she demonstrated immeasurable abilities to listen, tolerate, think and execute. She is composed and possesses sound leadership qualities. She is committed and dedicated to her work, indeed an industrious, reasonable and fair leader whose principles are rooted in equity and justice for all. She believes in staff development and personnel enhancement. It is for this reason that she pursued her further studies by correspondence while she was still teaching, resulting in her obtaining the Degree of Bachelor of Education with honours. With her experience, natural talents and academic exposure, Ms Munyungano will be equal to the task before her.

I urge Members of this august House, including Honourable Moongo, to support the appointment of Ms Florence Munyungano as a member of the Public Service Commission. She has what it takes to serve this Nation in that capacity. I thank you.

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**HON SPEAKER:**   Honourable Moongo.

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**HON MOONGO:** Thank you, Honourable Speaker. First of all, I would like to thank the Prime Minister who brought this appointment here and I hope she will uphold Article 18 of the Constitution on Fair Administration, so that administrative actions should be fair and reasonable to everybody. I also advise the other members to adhere to Article 18 and to act fairly and reasonably to every member of the society and not to discriminate because of political affiliation. With this, I support the Motion.

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**HON SPEAKER:**   I thank the Honourable Member.   Honourable Tjihuiko.

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07 October 2009   **APPOINTMENT PUBLIC SERVICE COMMISSION**  
**HON TJIHUIKO / HON NAMBAHU**

**HON TJIHUIKO:** Honourable Speaker, let me use this opportunity to thank the Prime Minister for quickly bringing in this Motion before we call it a day, because it is very important for the Public Service Commission to have a complete staff establishment.

Before I support, Honourable Speaker, I have been thinking about the functions and responsibilities of the Public Service Commission, because I remember that the other day we had a Motion in this very same House, brought in by Honourable Ankama, where all of us were complaining about highly qualified Namibians who are not being employed and all of us agreed, including Honourable Utoni Nujoma, that something must be done so that these young Namibians could also have equal opportunities to be employed. This is one of the functions of the Public Service Commission, to make sure that what has happened in the past will not happen again in an independent Namibia.

If we have a situation where qualified young Namibians, coming from universities, are not employed, it reminds me of the policy of yesteryears, where people have been employed because they are known and those who are qualified are not being employed and these are some of the things that the Public Service Commission should seriously look at, because that Motion was discussed in this House and I believe that it was also accepted that it needs to be looked at.

With these remarks, I support the Motion.

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**HON SPEAKER:** I thank the Honourable Member. Honourable Nambahu.

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**HON NAMBAHU:** Comrade Speaker, I also want to add a few words in support of the Motion.

On the previous occasion when the Prime Minister approached us to

07 October 2009 **APPOINTMENT PUBLIC SERVICE COMMISSION**  
**RT HON N ANGULA**

renew the term of office of the Public Service Commissioners, some of us were very vocal because we did not see the Curriculum Vitae of the members and this time it is really heartening to see the curriculum vitae of the colleague. We know the Public Service Commission is inclusive and really a reflection of our demographics and the various professions that are supposed to be screened by these people. In that context I am happy and only wish to say this is the way to go and I support the Motion.

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**HON SPEAKER:** I thank the Honourable Member. Any further contributions? Honourable Prime Minister.

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**RT HON PRIME MINISTER:** Comrade Speaker, I would only like to thank all the Honourable Members who took part and supported the Motion and I have no doubt that Ms Munyungano will deliver to satisfaction. Thank you.

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**HON SPEAKER:** I now put the Question, that the Motion be adopted. Any objection? Agreed to. The Secretary will read the First Order of the Day.

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**RESUMPTION OF SECOND READING:  
TOBACCO PRODUCTS CONTROL BILL**

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**SECRETARY:** Resumption of Debate on Second Reading – *Tobacco Products Control Bill*.

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**HON SPEAKER:** When this Debate was adjourned on Wednesday, 23 September 2009, the Question before the Assembly was a Motion by

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**TOBACCO PRODUCTS CONTROL BILL**  
**HON DR KAMWI**

the Honourable Minister of Health and Social Services, that the Bill be read a Second Time. The Minister adjourned the Debate for his reply and I now give the Floor to the Minister.

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** Thank you, Honourable Speaker, Honourable Members. I wish to thank the Honourable Members for maximum support to the Tobacco Products Control Bill. A total of 14 Honourable Members took the Floor. However, most of the issues raised were either in the Bill or were raised during the Debate on the Ratification of the WHO Framework Convention on Tobacco Control which was ratified by this august House on the 7<sup>th</sup> of November 2005.

*Honourable Venaani and Honourable Tjihuiko*, while supporting the Bill, were concerned about the economics related to tobacco products.

Comrade Speaker, I made it clear in my motivation to Parliament that the tobacco industry has been completely excluded in line with the WHO Framework Convention on Tobacco Control. Thus it is a closed chapter.

Similarly, the remarks by the *Right Honourable Prime Minister* on the Bill, suggesting it to be a Police bill was unfortunate, as this would mean contradicting ourselves. The WHO Framework on Tobacco Control was not only ratified by Namibia, but by SADC Member States, AU and Member States of the WHO.

Matters related to the protection of public health policies with respect to tobacco control from commercial and other vested interest of the tobacco industry were dealt with in Article 5(3) of the Convention. Meanwhile packaging and labelling of tobacco products were dealt with in Article 11 of the same Convention. Similarly tobacco advertising, promotion and sponsorship were dealt with in Article 13 of the WHO Framework Convention on Tobacco Control.

Issues related to awareness, dangers to second-hand smokers from chain

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**TOBACCO PRODUCTS CONTROL BILL**  
**HON DR KAMWI**

smokers were equally dealt with. However, smoking in public places in Namibia continued with increased second-hand smokers. That is our concern. Therefore, what remained, which we are now dealing with, is the provision for matters relating to the enforcement of the Act and to provide for matters incidental thereto.

The inspectors cited under Clause 30, read with Clause 31, may only enter, search and inspect a place, etcetera, having received information from a whistle-blower or, as the case may be, upon receipt of a warrant of search from a Magistrate or Judge of the High Court. There is nothing new in this.

**Honourable Petrus Ilonga** suggested an Amendment to Part 2, Clause 3(1)(d), suggesting the inclusion of one member representing NUNW. This is welcome and will be accommodated.

**Honourable Dr Tjiriange** raised a concern regarding Clause 20(2) to be deleted in its totality. We consulted on this matter and the advice is that it should not, but rather be read with Clause 18(1)(a) and (b).

On the definition raised by **Honourable Dr Iyambo** and all other related concerns raised are all taken care of in this Bill. For example, public conveyance and public place are all defined in the Bill on page 7.

Honourable Speaker, there had been some commercially related lobbying, amongst others the consideration of exclusion cubicles for smoking in certain places. We consulted with the WHO on this matter and we were advised accordingly by the experts from WHO in Geneva. They sent us a book entitled “*Protection from Exposure to Second-hand Tobacco Smoke – Policy Recommendations.*” According to WHO experts on the ground, increased ventilation and filtration, combined with designated smoking areas: “*Neither ventilation nor filtration alone or in combination can reduce exposure levels of tobacco smoke from indoor spaces to levels that are considered to be acceptable, even in terms of odour, much less health effects. While increasing the ventilation rate, thus reducing the concentration of indoor pollutants, including tobacco smoke ventilation rates more than hundred times above common standards would be*

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**TOBACCO PRODUCTS CONTROL BILL**  
**HON DR KAMWI**

*required just to control odour, which per se is not an indicator of the level of toxins in the air, because these levels may be high even without a strong odour of tobacco smoke. Even higher ventilation rates would be required to eliminate toxins, which is the only safe option for health. These ventilation levels are neither physically practical, nor economically feasible. In order to eliminate the toxins in SHS from the air, so many air exchanges would be required that it would be impractical, uncomfortable and unaffordable.”*

Honourable Speaker, Honourable Members, following this statement and advice from experts, I beg that exclusive cubicles for smoking in certain places should not be accommodated in the Bill. It would not auger well in the best interest of the health of the Namibian people. I thank you, Honourable Speaker.

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**HON SPEAKER:** I thank the Honourable Minister for his reply and I now put the Question, that the Motion be adopted. Any objection? Agreed to. The Secretary will read the Bill a Second Time.

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**SECRETARY:** *Tobacco Products Control Bill.*

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**RATIFICATION: PROTOCOL ON SCIENCE  
TECHNOLOGY AND INNOVATION**

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**HON SPEAKER:** When this Debate was adjourned on Wednesday, 23 September 2009, the Question before the Assembly was a Motion by the Honourable Deputy Minister of Education. The House adjourned in terms of Rule 90. Any further discussion? Does the Minister or Deputy Minister wish to reply?

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**RATIFICATION: PROTOCOL ON SCIENCE  
HON MBUMBA**

**HON MINISTER OF EDUCATION:** Honourable Speaker, it was amazing to hear Honourable Members saying whatever they wanted to say without addressing the issue contained in the Protocol on Science, Technology and Innovation and I am not going to answer those questions.

The purpose of this Protocol is to achieve sustainable and equitable socio-economic growth and development in the SADC Region and we realise that the only way to do that, is to introduce in our schools, institutions and workplaces science, technology and innovation. The future lies in that direction, not in long stories.

I am reading something which is very unique. It is on the origins of life, the origin of the universe, the origin of computing and the origin of the human mind. These are the science fields we are talking about, not propaganda, not anything else. I, therefore, request that this Protocol be adopted and I thank you for your attention.

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**HON SPEAKER:** I now put the Question, that the Motion be adopted. Any objection? Agreed to. The Secretary will read the Third Order of the Day.

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**RATIFICATION: SADC PROTOCOL ON  
GENDER AND DEVELOPMENT**

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**SECRETARY:** Resumption of Debate on the Ratification of the SADC Protocol on Gender and Development.

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**HON SPEAKER:** When this Debate was adjourned on Thursday, 24 September 2009, the Question before the Assembly was a Motion by the

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**HON NAMISES**

Honourable Minister of Gender Equality and Child Welfare. Honourable Tsudao Gurirab adjourned the Debate and he now has the Floor.

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**HON T GURIRAB:** Honourable Speaker, I have adjourned the Debate on behalf of my neighbour who wanted to make her second maiden speech.

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**HON NAMISES:** Thank you, Honourable Speaker, Honourable Members. This is my maiden speech and I hope I will be protected. I would like to take the Floor and discuss the Motion of Honourable Marlene Mungunda and it is unfortunate that she is not in the House. She has praised me and I hope that the new SWAPO Government would tolerate me when they come into power and make me the Minister of Gender Equality and Child Welfare.

I thank the Members for a warm welcome back, my thanks also go to the CoD Party who continues to strive and ensure the participation of women, however difficult it may be.

My maiden speech will mainly focus on the Motion. I will address issues of national concern and encourage agreements among the Members of this august House, but I think it is important to state the numerous laws, Policies and Party Manifestos that have already been passed and launched, but have not yet brought about the needed change in the lives of our people. Although they are talked about, they have not brought the needed change. Rather it is patchwork that has been done. I say so because poverty is on the increase, while anti-violence and intervention programmes exist only on paper. We launch campaigns and make statements of intent, but there is no practical action attached to it. Development programmes are mainly in the hands of Political Leaders, of which the great majority are men. Therefore, development is not geared towards women to ensure the change and transformation of family and, therefore, the society as a whole.



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**HON NAMISES**

To look at the SADC Protocol, the Honourable Minister mentioned the social workers and we are crying, because the number of social workers in this country is not adequate to address the issues of the communities, especially when it comes to psycho-social support. Otherwise, as was mentioned by her, the suicide rate in our country cannot continue like this. We have two hundred social workers for this country and Ohangwena Region has one social worker. What do we say about that?

When the BEE was introduced in this country, it was lucrative for the men and they have received most of the fruits of the BEE and as a result have made invisible women directors and shareholders of companies, not directly benefiting those women. As a result it has become a problem.

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**HON SPEAKER:** Before we rise for tea, I would have done that at the beginning but I was still satisfying myself and I am now satisfied with the outstanding matters. All the outstanding matters relating to lawmaking and management of the House having been disposed of, taking into consideration the pressing need for Political Parties to go out and campaign in addition to the concerns of Honourable Moongo about his own self-imprisonment in the House, it is my intention tomorrow afternoon to announce the adjournment of the House and on that occasion I will also inform the House when it will resume next year.

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**HOUSE ADJOURNS AT 15:40**  
**HOUSE RESUMES AT 16:20 PURSUANT TO ADJOURNMENT**

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**HON NAMISES:** Thank you, Honourable Speaker. I was at the point where I was saying that development programmes are mainly in the hands of the Political Leaders, of whom the greater majority are men and also that that development is used, for example, to promote their interests. When we look at the community development Committees, it is very highly politicised and we should not do that.

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HON NAMISES**

The OVC grants that the Honourable Minister was talking about are also creating lack of access for the majority of our children. We have a highly mal-nourished generation and the number of stunted children are increasing in our country. I am very concerned about what kind of brain power we will have when they grow up, because if you are stunted at early age, it creates a big problem and we need to ensure that access to the children's grants is speedily implemented.

Let me now turn to the SADC Gender Protocol. I wish to acknowledge the willingness of Government to participate in deliberations aimed at ensuring that women's inalienable human rights are protected and upheld. I appreciate that they accepted and signed the Protocol. This Protocol is a global first and places SADC at the cutting edge of innovative strategies to address the disempowerment and oppression of women.

I want to congratulate the women who found the Southern Africa Gender Protocol Alliance. They were women from 40 national and regional NGOs who fearlessly and tirelessly lobbied and advocated for the adoption, ratification and implementation of the SADC Gender Protocol. This, indeed, is a very strong women's alliance and is just what the Region needs. They should continue to build solidarity among women, dialogue with their Governments and monitor and evaluate the implementation of the Protocol.

The SADC Gender Protocol, Honourable Speaker, is pivotal if we want to bring about positive change in the structures and cultures of male domination. If properly implemented, it will promote empowerment as well as the creation of trust and cooperation. It values the active participation of all interested women, not just the articulate few who emanate and maintain patriarchy and we need to break that emulation of patriarchy as women who are able to articulate issues and be women and support our women. We must stop this story that men are always telling us that we do not support each other and we stand by them and say so. We need to break that chain of patriarchy.

It is also a consolidation of the various regional and international commitments to gender equality, strengthened capacity for effective

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HON NAMISES**

reporting on progress and provides an opportunity for Government to address new challenges as referred to in Article 34 of the Protocol.

Honourable Speaker, a very important aspect of the Protocol is the gender targets which all SADC countries must strive towards. I hope that we as a country will commit ourselves to achieving those targets, but please note, the commitments must be translated into tangible actions. I would like to emphasise that during the next 7 years that we are given by this SADC Protocol, the Ministry of Gender Equality and Child Welfare and all other Ministries must develop and implement gender mainstreaming strategies. If they already exist, they need to be reviewed in order to suit the SADC Gender Protocol that they are cognitive of various dynamics that influence women's positions in Namibian society. Be aware that gender inequality, poverty, violence, HIV/AIDS, the lack of access to quality psycho-social support services and harmful cultural and traditional practices continue to imprison the women and girls of our country.

An effective and equal civil society-Government partnership that responds to and promote women and girls' human rights and empowerment be launched. Gender responsive indicators and mechanisms that track the flow of aid towards programmes that focus on the achievements of gender equality be developed. There must be a strengthening of the capacity of gender equality advocates and the civil society organisation. By implore the political stances and decision-making processes must include poor women and men in order to ensure true ownership of the development agenda, not to use them but to include them.

Government and civil society organisation are facing a major challenge in the areas of gender analysis, programmes implementation as well as monitoring and evaluation. There are also unpredictable financial and other commitments for the promotion of gender equality, in particular. The decrease or non-allocation of funding and support to civil society and women organisation, in particular, is likely to negative affect that which we have already achieved and the implementation of the said Gender Protocol.

However, I believe that Namibians can ensure that by 2015, 50% of our

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decision-making positions in the public and private sectors are held by women if we do the following:

- Civil society must continue to play an active role in infusing democracy into Namibia's character;
- build the capacity of civil society actors and ensure that their organisations are representative of the democracy you seek;
- be relevant and advocate for active participation of all people;
- be a watchdog and hold individual organisation and Ministers accountable;
- monitor, evaluate and carry out gender analysis.

That is the only way we shall know what the discrepancies are. Unless we have analytical data, we will keep on saying that we are on the right path, whereas the gender discrepancies are increasing.

- The Private Sector should promote women's rights and gender equality through the adoption and implementation of gender responsive principles and employment policies;
- The country's economy may be run by men, but it is women who keep the community that contribute to the economy together and that is a fact.
- The media must please realise how much power they have in shaping people's mindsets and attitudes. It is true that mainstream media all over the world are guilty of reinforcing negative stereotypes of women and the Namibian media is no different, but you can change for sure. You can contribute to the building of a society that acknowledges and celebrates the power and wonder of women.
- All Members of Parliament must commit to establishing partnerships among themselves and the different parliamentary Committees in

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**HON MUNGUNDA**

order to ensure the effective implementation of the Protocol. Here I just want to say it is a pity that the House will rise tomorrow. I think the one thing that needs to be worked on is the Women's Caucus, so that we cross the barriers of partisanship and

- work together and form a strong alliance.

To the Political Parties my message is that the lack of full participation of women in politics and decision-making is a critical area of concern. The under-representation of women in political decision-making has an adverse effect on national development. Most Political Parties are not even close to achieving the SADC goal of 50/50 representation. You instead reduced the number of women on your Party lists. To me this is an indication that you are not committed to, or even interested in building a Namibia in which all citizens are equal and are treated with dignity and respect. Shame on you, all the Political Parties.

My sisters also need to raise their voices and free themselves from the "*fit for the purpose*". Reconnect with your inner strength, you are a daughter of Namibia and of Africa. You have strength, dignity, wealth and power. Use it and I am a living testimony of it.

Finally, I will leave you with a quote by Robert Ingersol and this a male speaking: "*There will never be a generation of great men until there has been a generation of free women.*" I thank you, Honourable Speaker.

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**HON SPEAKER:** Any further discussion? None. Does the Honourable Minister of Gender Equality and Child Welfare wish to reply?

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Thank you, Comrade Speaker, Sir. I would like to reply, but I will be very brief and I will not necessarily mention names. I really appreciate the contributions by all the Members who did support the

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HON MUNGUNDA**

Ratification of the SADC Protocol on Gender Development. It is for the good of the Nation because when you educate a woman, you educate a Nation.

Some of our Comrades were talking the 50/50 and some talked about propaganda and I was so disturbed by that word. Some of our own Comrades said we are making propaganda by ratifying and that we are campaigning. I do not know who is campaigning now. I was very disturbed by the fact that it came from my own Comrades and apart from that, all the machinery, such as the Legislature, Affirmative Action and Public Services, which were referred to are already in the 1997 Reviewed Gender Protocol. We are in 2009, we have all addressed these issues and we have reached 88% of the action, as I indicated with the children's programmes. Namibia will be the first country to ratify the SADC Gender Protocol and I thank my Heavenly Father for giving me the wisdom and putting me in that chair and guiding me. There is no one else whom I trust as I trust the living God, because I am serving a living God and with these few words, thank you very much for the support.

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**HON SPEAKER:** I now put the Question, that the Protocol be ratified. Any objection? Agreed to. The Secretary will read the Fourth Order of the Day.

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**CONSIDERATION: REPORT ON ROLE OF  
INSURANCE COMPANIES**

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**SECRETARY:** Consideration of the Report of the Standing Committee on the Role of Insurance Companies and whether they Serve the Needs of the Nation.

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**HON P MUSHELENGA**

**HON SPEAKER:**    Does Honourable Mushelenga Move that the Report be considered?

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**HON P MUSHELENGA:** I so Move, Honourable Speaker.

Honourable Speaker, Honourable Members, I stand before you to motivate the Report on the Motion on the Role of Insurance Companies in Namibia.

Honourable Speaker, Sir, before I present a brief summary of the Report, allow me to give you a synoptic background to the Motion on the Role of Insurance Companies in Namibia and an overview of how the Committee handled the Motion.

The Motion was referred to the Committee in July 2007 for further investigation, scrutiny and report back on the findings thereof. It called on the House to discuss issues pertaining to access to information, payment affordability and value for money and attitudes towards HIV/AIDS infected individuals. The main aim of the Motion was to look at the legal framework under which insurance companies operate with a view to institute legislative review, if need be.

After extensive discussions, the Committee during its meetings, resolved to embark on public hearings to solicit inputs from various communities nationwide. The hearings covered all 13 Regions of the country where meetings were held with the general public and stakeholders in the insurance industry. The consultations took place over a period of more than three weeks of which nearly a thousand people attended.

Honourable Speaker, permit me to summarise the details of the Report in relation to the findings and recommendations made by the Committee.

There was a general resentment among the public with regard to the way insurance service providers conduct their business. The public felt that

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access to information on policies is limited in many ways, that there is the use of fine print which results in clients signing contracts without thorough understanding of its content. It is not only a distraction but also a clear infringement of one's right of freedom of information.

Insurance agents and brokers were accused of employing cohesive and deceitful tactics to pressurise clients to sign contracts as means for them to earn a living, given the fact that their income largely depends on commissions derived from the number of clients they have signed up.

Unilateral premium increase by insurance providers suffices, with those mostly affected being people living in remote rural areas. Service providers have no offices in such areas and information, advising clients on such increases, is in most cases received late and sometimes not received at all. In most cases such practices lead to policy cancellations as a result of non-payment, whereby clients lose everything.

A lot of other issues, such as change of beneficiaries, car claims with emphasis of excess charge when claiming anything to qualify for cover, delays in processing of death claims and the exclusion of people infected by HIV/AIDS were also raised as some of the major concerns.

The Committee, upon completion of the public hearings, coupled with the information obtained from consultations held with NAMFISA and representatives of the Insurance Industry practitioners, made substantial recommendations aimed at addressing the findings in the Report to improve service delivery within the insurance fraternity. Among the recommendations made was for Insurance Companies to develop a Financial Service Charter and implement a comprehensive consumer education programme on financial planning. We know we have a Financial Charter by now, but we think it must specifically address issues pertaining to the Insurance Companies.

The Committee also recommended that the industry should develop consumer-friendly literature and it should do away with fine printing and investigate the possibility of using local languages where needed, because



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**HON KATALI**

some of the Namibians do not understand the official language.

Although the findings are by no means exhaustive, they do however present a general overview of the problems encountered with Insurance Companies.

Honourable Speaker, with those few remarks, I have the honour to invite this august House to consider this Report. I thank you.

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**HON SPEAKER:** I thank the Honourable Member. Any further discussion? Honourable Katali.

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**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:** Comrade Speaker, I would like to thank the Committee for the work that they have carried out. I have particular interest in their mandate and that is to take the message to the Insurance Companies with the view that the Insurance Companies will change their behaviour, as has been deliberated on in this House and also in the meetings that took place.

Although all these issues were taken to the Insurance Companies, I am very disappointed by their responses in the Report, that there is nothing as far as I can remember that they have undertaken to do, apart from the training and information dissemination that they are promising to give to the people of Namibia. Otherwise, all other policies that the people have complained about, in my understanding, remain unchanged and that is a very big concern. There has been no change in the policies and there are even no recommendations to change the legislation facilitating the Insurance Companies and their policies.

Therefore, my view is that the Insurance Companies have listened to what the people are complaining about and maybe it will be a lesson, that in the future the legislation should be reviewed, which was also the mandate of

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**HON KAZENAMBO**

the Committee, that there must be a review of the legislation governing the Insurance Companies. Maybe we will see that in future, but nothing is mentioned in the Report. Otherwise, I must thank the Committee and that was my brief contribution and disappointment that I have just outlined.

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**HON SPEAKER:** I thank the Honourable Deputy Minister. Honourable Kazenambo.

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

Comrade Speaker, I must also thank the Committee and at the same time register my disappointment and seek advice since I am a newcomer. I am at a loss as a citizen and as a legislator. We come up with policies, we debate them here, they are referred to Committees and brought back here and I am crying for advice from the senior, experienced Parliamentarians on both sides of the aisle as these issues we are debating in this House are really bread and butter issues. They are issues that affect people's lives, but it seems we debate them here, solicit opinions and then it is business as usual. That is why I am at a loss as a newcomer.

The point I am driving at, Comrade Speaker, is that my personal experience with Insurance Companies is bad and I will not name and shame them. Sometimes I wonder where citizens of this beautiful country seek recourse when they are at the receiving end of the service providers, be it Insurance Companies, Banks, Garages, Tombo sellers. What recourse do we have in place other than an individual taking his case to a Court of Law while not really having the financial means to take on these financial giants? Insurance Companies in this country are ripping off the citizens. As a small business person I cancelled commitments with a number of Insurance Companies. You have to pay every month, but when you claim, it is a non-issue to them. Most of them are based in South Africa, it is a long process, they do not care about you and many people

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**HON KAZENAMBO**

are experiencing this problem.

What I really want to know is what will happen to this issue after we have debated it. Even those who are in the know may choose not to tell me here, but they can advise me outside this House. We are at the receiving end across all the sectors of the economy. Not all of us can afford to go to Court and I want to know which Ministry is responsible for taking care of the consumers when they are at the receiving end of the service-providers. When I have a labour complaint, I can go to the Ministry of Labour, but when you are taken for granted by registered business people, where do you go?

Even in the construction business you would find Namibians telling you sad stories, that a builder built a house for them and now the house is falling apart. The business person will tell you to contact his lawyer. In the issue of human rights I can go to the Ombudsperson's Office, in other instances I can go to the Medical Board, but in the field of the Private Sector, where do we go as citizens? These Companies are the best criminals in this country and even the Anti-Corruption Commission should investigate. Many of these Companies are corrupt and this excuse that they are providing training is just an insult. I am appealing to the powers-that-be to guide us, because we are ripped off by shops and companies working in this country, providing sub-standard services. Even in the Steel Industry some criminals are establishing themselves in Okahandja, providing steel. You do not know how they entered this country and how they conduct business. I really express my disappointment with criminals who have registered themselves, operating as if they are legal, but per their actions and activities they are criminals who are robbing the citizens of this country and I have proof.

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**HON SPEAKER:** I thank the Honourable Deputy Minister. Right Honourable Prime Minister.

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**RT HON N ANGULA**

**RT HON PRIME MINISTER:**    Thank you, Honourable Speaker. The Insurance Industry of different types – life, health, property, etcetera – is not very open. When you deal with them, it is like entering a room filled with smoke, you are not quite sure what to expect. In my experience they are not transparent and you are not hundred percent sure what you have ensured yourself for. The only thing you are sure about is the death insurance, that this will be claimed when you are dead. Everything else is very problematic and the problem is the small print they put in there which stipulates conditions under which you can claim.

Then you have a chain of people involved, the brokers, the Insurance Company and the mother company in South Africa and you are paying a series of fees and at the end of the day you are not quite sure what you are left with. Unfortunately you cannot do without insurance, especially for vehicles.

Unfortunately I do not have the Report of the Committee, but my main concern is exact what Comrade Kazenambo was saying. Where do I go when I have a complaint? Is it NAMFISA? There is no Ombudsman for the insurance industry where one can go and make a claim. With some of them you are not even sure whether they exist, such as NASRIA, but when you buy a house, they make sure that you pay NASRIA and you do not get a report. There is another one called Momentum which took over from Southern Life which was dissolved a long time ago. Now you do not know what happened to your policy, whether the policy is still effective or it does not exist and it is a problem.

Every year you are paying a premium on your car, the car is depreciating and when something happens to your car, they will say the value was this ten years ago, it has been depreciating, but you have been paying on that price of the car. They do not advise you that your car is depreciating, they just let you pay and this is a form of stealing. I do not want to use the word “criminal” as the Honourable Member, but this business is not quite straight.

I do not know what the Committee has recommended, but my

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**RT HON N ANGULA**

recommendation is that there must be an Insurance Ombudsman where people with complaints could at least get an answer. As things are in Namibia, anybody can just stand up and say he is a broker. (Intervention)

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**HON DEPUTY MINISTER OF JUSTICE:** May I ask the Right Honourable Prime Minister a question. I think an Insurance Ombudsman will not work, because in the first place, they will appoint a colleague from the industry and the consumers will continue to suffer, unless you are suggesting that the public will be involved. With the Media Ombudsman they went and looked for their own Ombudsman and we are facing the same situation, no improvement. This is my dilemma.

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**RT HON PRIME MINISTER:** Yes, Comrade Nujoma, this is the dilemma of all of us, but the point I am making is that there must be somebody who can provide the necessary service in terms of expertise. What are my rights as a person paying insurance premiums? If you go to my account the end of the month, you will see that I am just paying, paying and I do not get reports. (Interjection)

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**HON MEMBER:** You can change the law.

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**RT HON PRIME MINISTER:** Which law? (Interjection). Long term or short term, there must be reports. (Interjection) Yes, take the Floor and explain since you are the Ombudsman. Really, this is the problem, it is not transparent, but the problem is that you cannot do without it. If you have a house, you have to insure it and its contents in case something happens. If you have a car, you must insure it and you have to insure your life. Sometimes you have to insure your health.

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**HON ESAU**

You cannot do without it, but we are just calling for transparency in the industry if that can be achieved. There must be an independent body. I am not quite sure whether NAMFISA is not a toothless bulldog. I do not hear them supervising these other problem, if at all they supervise. It is just a toothless bulldog lying somewhere and the public is suffering.

I feel this Committee should do a proper job and make recommendations so that we can change the law if need be. Thank you.

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**HON SPEAKER:**    Deputy Minister Esau.

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**HON DEPUTY MINISTER OF MINES AND ENERGY:** Thank you, Comrade Speaker, Honourable Members. I also want to register my support to the Report of the Parliamentary Standing Committee on Economics, Natural Resources and Public Administration.

I have perused through the recommendations of the Report and my conclusion is that this Report is trying to seek consumer or client protection of our Nation. That is the essence of the Report.

Comrade Speaker, since the heading of the Report is, “*the Role of Insurance Companies in the country*”, my concern is that this industry is a money-making industry – business as usual, as they say. When you open your eyes here in Independence Avenue, you see the new skyscrapers rising in our main street. I want to urge the Committee to look into how we can unlock the savings of this Industry to stimulate growth of our economy, because that is an opportunity where we can get the money out of the Industry and embark on industrial development. We can look at our projects which are gathering dust and get them off the shelves and implement them with the money which this industry is generating. This Industry, to my knowledge, is generating tons and tons of Namibian Dollars in terms of premiums and these dollars are going south.

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**HON ESAU**

I know that Regulation 28 says that 25% of the premiums generated by the industry should be reinvested in the economy and I think we should increase the threshold of that 25% to 50% or more in order for that money to be absorbed into our economy which is faced with unemployment, poverty, etcetera. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** May I ask the Honourable Member a question? Comrade Esau, are you aware that the first response by this industry will be that the Namibian market is too small, but if you do not expand that market by investments, it will remain small. The other countries' economies were not always as big as they are. We always say that 35% will flood the market, but how can we flood the market if we do not have money? I want you to make a proposal that we make it 50%.

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**HON DEPUTY MINISTER OF MINES AND ENERGY:** I concur that the industry is always saying that our capacity to absorb the tons of money is very small, but Namibia is a country of opportunities – opportunities in the primary sector, that is mining and agriculture, opportunities in the secondary section, that is manufacturing and we can even manufacture glass from our sand dunes and also opportunities in the tertiary sector, such as tourism. (Intervention)

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**HON TJIHUIKO:** May I ask the Honourable Deputy Minister a question? The Honourable Deputy Minister Ilonga asked why we do not expand our small market. What is the Honourable Deputy Minister trying to say? If the market is two million people we have in Namibia, how do you expand that two million? Is that perhaps the strategy of bringing in more Chinese to expand the market?

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**HON ESAU**

Secondly, Honourable Deputy Minister, you are talking about the opportunities in mining and Industries. That was the responsibility of the Ministry of Trade and Industry under the leadership of Honourable Hamutenya and yourself. Is that perhaps just an election campaign or do you really mean what you are saying?

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**HON DEPUTY MINISTER OF MINES AND ENERGY:** We were together, I know him very well, he was one of them who was involved in the expansion of the market in terms of concluding bilateral and multilateral agreements with other countries and it seems he has totally failed to implement the visions of the Ministers. You know about SACU, you know SADC, you know what is happening at WTO and all those. You know there are opportunities. You have participated in trade promotion missions, but it seems you have failed.

Comrade Speaker, on the question of the role of insurance companies I want to reiterate the point that we have to unlock the savings in order to address our developmental challenges which we are faced with. Let us create jobs. (Intervention)

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**HON DEPUTY MINISTER OF JUSTICE:** On a Point of Information. The former Director of the Ministry of Trade and Industry thinks narrowly and his head is in the sand like that of an ostrich. We have a SADC market of over 400 million people. We can unlock our potential here and invest in other countries. What is wrong with that? Others are investing here. We have the DRC, the we have the Congo and all these countries, we have a tremendous amount of potential. Honourable Tjihiuko, do not think in terms of two million, we have to think beyond our own borders. That is what SADC integration means, we have to focus on new areas. Let us get the 50%, but that does not mean it has to be invested only in Namibia. That is how you failed as a Deputy Director. You left your job and now you are in politics.

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**HON NAMBAHU**

**HON DEPUTY MINISTER OF MINES AND ENERGY:** Comrade Speaker, we should think out of the box. Let us try to address the issues facing us. With these few remarks, I rest my case and I thank you.

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**HON SPEAKER:** Comrade Nambahu.

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**HON NAMBAHU:** Honourable Speaker, I want to bring to light some of the issues that were highlighted during the hearings. The question posed by Honourable Kazenambo is one some of us have been posing time and again: What is the legal status of the Reports that come to Parliament? After all the debates, after all the recommendations that are captured in here, what becomes of them afterwards? It is something that we really have to think about, because of these industries become aware that we do not have a programme after the hearings and the tabling of the Reports... (Intervention)

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**HON TJIHUIKO:** On a Point of Information. The status of the Reports once they are approved in this House is that obviously there is a responsible Ministry which is supposed to implement the recommendations. That specific Ministry ought not to be told who are the ones to do this, they ought to know that that is the function of their Ministry, therefore it is my responsibility to make sure that it is being implemented. The problem why we have these Motions coming to the House, go out to consult and then come back and approve the Reports and then it ends here, is because of lack of political commitment by those who are supposed to implement these programmes and those who are failing the people are the responsible Ministries. That is the answer, Honourable Member.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** May I ask Comrade Nambahu a question? Comrade Nambahu, you are a Member of this Committee as well as Honourable Tjihuiko. Why did he not put that question as a proposal, to be part of the recommendations by saying, we have done our work, let us recommend that the Line Ministry takes the matter further. It must be reflected here.

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**HON NAMBAHU:** I think that is a good recommendation. What I was trying to say is, can the Parliament not reflect and come up with a Rule which says there should be no parliamentary abuse as we have just been subjected to by the question of the Honourable Member. I think that was parliamentary abuse for campaign purposes.

The point is that when you are in a hearing, like in Mariental, you find the people complaining and the brokers were telling us there is an Association of Brokers in this country. Why do they not advertise what kind of things they insure, where their offices are? No one knows the physical address of that association. Why should it be hidden? Yet they display placards all over, inviting you to come and be insured and the billboards are telling you that if you are not insured, something must be wrong with you. (Intervention)

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**RT HON PRIME MINISTER:** May I ask a question? Honourable Nambahu, are you aware that in the whole southern Africa, the most profitable country in terms of banking, insurance and even retail is Namibia? Are you aware of that? What about this story of a small economy? How can a small economy be so profitable?

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**HON NAMBAHU:** I concur with that statement. Why is it only small when you are investing, but when you are taking out, that market is not

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small? We must be asking ourselves, is it because it is unregulated, is it because you can repatriate all your funds without anyone noticing? Are they not maybe indirectly saying that we are – for lack of a better word – “*moegoes?*” We should ask ourselves why we are being placed in that category and ask ourselves whether there is something we can do. Is NAMFISA properly structured? Does it have the proper departments with specialised units? If we, the Parliamentarians, do not know what to do, what about the poor people out there? (Intervention)

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** On a Point of Information. Comrade Nambahu, the issue that you are touching on, namely regulation, is a very important one which needs to be revisited by Parliament and all relevant stakeholders. This economy is one of the unregulated economies, it is a free-for-all. We are surviving by sheer luck. Anybody can come here and dump any product. This economy is an unregulated one. NAMFISA is there, but do they enforce it? (Interjection). It is not a question of leadership, you are part of the leadership, it is *laissez-faire*.

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**HON SPEAKER:** Deputy Minister, who regulates the economy of this country, who allows this to happen? Is it a free-for-all that everybody can come here? Is it allowed that they violate laws and regulations in the Republic of Namibia?

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** To quantify what I am saying as it may be taken as an overloaded and a general statement that I am making, we have statutory bodies, such as NAMFISA and others in various sectors of this economy, but if you compare our market structure and the market regulations, you will find

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there is a lack of monitoring and inspection.

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**HON NAMBAHU:** The point is really, what becomes of the recommendations in here? Obviously we do not have a “*Ministry of Insurance Companies*”... (Interjections). I think we can just leave the campaign for somewhere else. (Intervention)

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**HON TJIHUIKO:** Honourable Speaker, may I ask the Honourable Member a question, please? Honourable Nambahu, you are saying that we do not have a Ministry of Insurance. What are you therefore trying to tell me and through me, the public out there, is that for each and every topic we must have a Ministry? We must have a Ministry of Insurance and we must also have a Ministry of Sugar, we should have a Ministry of Bananas or what do you mean?

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**HON NAMBAHU:** Honourable Member, any Ministry should know what to take out of here, but this one falls under NAMFISA and we are asking whether NAMFISA has the necessary means to deal with this? (Intervention)

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**RT HON PRIME MINISTER:** On a Point of Information. The institutions to regulate are there and let me give an example: The Ministry of Finance makes regulations that insurance companies should invest 35% in the economy. They study the situation to see how to beat this regulation. They put up a Stock Exchange which is dual listing. Then they use the conduit of dual listing Stock Exchange, their money is invested here but in fact it is invested in South Africa through dual listing. Therefore, this thing is continuing. You can make a policy on land, they will find another way of selling the land, by declaring themselves bankrupt. The problem is that it is dishonesty in these Industries.

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They always come up with something to beat your regulations and it appears to be legal while it is actually a dishonest exercise. This is the problem we have.

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**HON NAMBAHU:** Even if you follow on Internet what is happening to the victims of Hurricane Katrina in the United States, the insurance industry is coming up with the same story. That is why you are hearing people now coming up with proposals of having a bankruptcy Court within the United Nations system, so that these people do not just declare themselves bankrupt here and run over there and you are unable to reach them, so that these regulations and all these others things actually become global, because they are actually cheating the system here and they are multinational. Sometimes you are able to spot them here, but then they become active somewhere else. It is not a small thing, Honourable Tjihuiko, it is sophisticated listings on the stock exchange.

The point is, all the recommendations in here should be studied and followed-up. The Honourable Member is a Member of the Committee but he failed to make his own contribution and he is campaigning through my speech. (Intervention)

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**HON TJIHUIKO:** Honourable Speaker, I am not speaking on the Motion, I am just trying to get clarity. The confusion that I see and the problem that I am now learning is simply because of listening to one senior Minister and a Deputy Minister talking about the same thing. The Deputy Minister is saying that there are specific problems that they have identified but where they cannot do anything. The Prime Minister is saying there is a dual system, there are close corporations, all these things have been identified and we have been talking about these things in this House. The problem is that those who were supposed to take action are coming to this House and are complaining together with the Opposition who are not in a position to do anything. That is the problem.

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**HON NAMBAHU:** Comrade Speaker, I will not address that. In conclusion, the point I am trying to make is that we should really study this Report and come up with a mechanism. In Cabinet we have that Cabinet Action Letter, the action that is going to be taken on a given Report and to be followed up and probably a draft bill is drafted out of that. I thank you.

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**HON SPEAKER:** Honourable Gurirab.

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**HON T GURIRAB:** Thank you, Honourable Speaker. I rise to speak in support of our Report. Listening to the Honourable Colleagues, we came across in our contributions as if we are clueless, we are impotent, we cannot do anything about this Industry. Honourable Speaker, I agree that there are problems in the Insurance Industry, the main one being transparency; that you do not exactly know what you are paying for and we need to address that and we need not reinvent the wheel, there are international best practices. People have cited countries like Australia and we should look for best practices.

Many of the players in the local market are from South Africa, but already the regulatory environment in South Africa has moved far ahead of ours. Therefore, we do not have to reinvent the wheel, we simply need to look at what others are doing differently and better than us and copy them.  
(Intervention)

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**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:** On a Point of Order. Honourable Tsudao Gurirab is a Member of the Committee and these are the recommendations that should have been in the Report. We wanted those recommendations because we have already debated this issue here and in the public hearings.

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However, the Report lacks those important recommendations that would take the issue forward.

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**HON T GURIRAB:** I appreciate the point being raised by the Deputy Minister, it is an important point, that the Report needs strengthening in that respect. However, the point I wish to make is that insurance is voluntary, unlike tax. We have to pay tax, but insurance cover is voluntary, it is optional. You can drive your car without insurance, apart from the third party insurance. (Intervention)

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**HON DEPUTY MINISTER OF JUSTICE:** May I ask Honourable Gurirab a question? You started very well, but then you said there are best practices and you are a Member of the Committee. What prevented you from making those recommendations on the best practices in Australia? What were you doing? Then the Report must go back and then you come with those recommendations rather than wasting our time here.

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**HON T GURIRAB:** Honourable Speaker, my cousin was sleeping when I was answering my friend here. I was saying that I agree that in that respect the Report is weak and needs strengthening. (Intervention)

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**RT HON PRIME MINISTER:** May I ask Honourable Gurirab a question? Honourable Tsudao Gurirab, is it true that besides being Mr Immanuel Gurirab, you are also Mr Inertia Gurirab?

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**HON T GURIRAB:** My full name is Immanuel Tsudao Gurirab Dausab. (Intervention)

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**HON T GURIRAB**

**HON MINISTER OF PRESIDENTIAL AFFAIRS:** May I ask the Honourable Members a question? Honourable Gurirab, yesterday when I scrutinised your party's list for the National Assembly, I saw the name of your President. Does it mean you have already conceded defeat on the presidency?

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**HON T GURIRAB:** Honourable Speaker, as I was saying, we need to educate and inform the public, because insurance is an important service, but at the same time, the Insurance Industry is not exact Mother Theresa. (Intervention)

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**HON DEPUTY MINISTER OF MINES AND ENERGY:** May I ask Honourable Gurirab a question? Honourable Tsudao, you are doing quite well, I think the recommendations in this Report are also very good, but are you aware of the fact that the SWAPO Party Government is busy drafting the Consumer Protection Law, which is under discussion at this moment? Are you aware of that?

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**HON T GURIRAB:** It is good, I will support that law when it comes here. However, the point I wanted to make – and I say this partly because of the issues raised on the Floor of this House – we have a regulatory environment, we have the Bank of Namibia regulating the deposit-taking Financial Institutions. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** May I ask Honourable Gurirab a question? Honourable Gurirab, I noticed that you did not sign this Report and, therefore, I want to ask the Speaker whether the Report cannot be referred back to the Committee, because those good recommendations you are making now were supposed to be contained in the Report. Then we can consider them



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and approve the Report. Honourable Speaker, I want to know whether this Report cannot be referred back to the Committee so that Honourable Gurirab can make those good recommendations and also sign the Report.

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**HON T GURIRAB:** Honourable Speaker, I think we have the responsibility to education. We have the Bank of Namibia to protect those who are placing their money in the Financial Institutions. We ostensibly also created NAMFISA to regulate the remainder of the financial sector industry. They also have a responsibility to protect us. The same that I was saying when the Reverend Kaapanda brought his Bill on communications, if NAMFISA has deficiencies and weaknesses, we must bring it back here and strengthen it, but for now we have a regulatory environment, it is a sensible decision to have taken. If it is weak we will strengthen it, but let us help to educate the public. (Intervention)

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** May I ask the Honourable Gurirab a question? From an Economist's point of view on market management, can a regulatory policy be successful if it is not monitored and evaluated and does it not need supportive instruments? Are those the deficiencies that you are talking about?

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**HON T GURIRAB:** Of course, Honourable Speaker. Recently, for those who are reading newspapers, there was a story about Nigerian banks where the regulator has moved in, the Reserve Bank has moved in and closed commercial banks. That is the role of the regulator, to see that the proper things are done. That is why you have NAMFISA to police, that is why we have the Bank of Namibia.

Honourable Speaker, the Secretary-General reads the SMS pages in the *Namibian* and I read them as well. One of the SMSs in yesterday's

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newspaper was in response to an earlier SMS. It seems there are three Civil Servants, one being the principal of a school and the other two are Civil Servants and these people are asking for donations because they need operations which will cost in excess of half-a-million. Two or three years ago I had a similar operation, it cost a lot of money, but because I am better informed than these Civil Servants, I have additional cover. I have Prosperity which pays for my hospitalisation and operation costs. That is what this person was saying in response, so we must educate people that they do that. (Interjection). Yes, Complimed, I do not know how many of you have it. You should take it out, it costs N\$300, and help educate others also to do it. (Intervention)

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**RT HON PRIME MINISTER:**    How do you help to educate a person on the additional cover who is above 60 years old?

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**HON T GURIRAB:** Honourable Speaker, our regulator which we have created, NAMFISA, can do it in the printed media and over the radio. (Intervention)

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**HON TJIHUIKO:** Honourable Gurirab, your contribution is very much educative, but you mentioned something about SMSs. Are you aware that there was an SMS that some Honourable Member of this House has apparently said that the whites are killing blacks with alcohol? Have you read that one?

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**HON T GURIRAB:** Honourable Speaker, I have seen that one too, but there will be no cover for that one.

The point I want to make is that, let us not come across as Parliament and as Government as if our hands are cut off, let us continue to do the work,

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**HON !NARUSEB**

let us learn from others, let us copy from international best practices and strengthen what is being done here. Make the Industry transparent.

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**HON NAMBAHU:** May I ask a tiny question? The Honourable Member Tjihuiko, being a Member of the Committee, if that is the role he plays in the Committee, is he really fruitful and useful in the Committee if that is a reflection of what he does in the Committee?

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**HON T GURIRAB:** Honourable Speaker, with those contributions, I support our Report. It needs strengthening, that this is an industry that we must continue to monitor and make transparent and our role is to continue to teach the public about the importance of being covered. I thank you.

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**HON SPEAKER:** Honourable !Naruseb.

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**HON MINISTER OF LANDS AND RESETTLEMENT:** Thank you, Comrade Speaker. I did not intend to participate in this Debate, but the contribution by Comrade Esau prompted me, as is said in Afrikaans, “*om ‘n stuiwer in die arm beurs te gooi.*”

I am taking you back, Honourable Speaker, to the title of the Report. It reads, “*The Role of Insurance Companies and whether they serve the needs of the Nation.*”

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**HON SPEAKER:** The House will now rise under automatic adjournment until tomorrow afternoon.

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**HOUSE ADJOURNS AT 17:45 UNTIL 2009.10.08 AT 14:30**

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
08 OCTOBER 2009  
WINDHOEK**

The Assembly met pursuant to the adjournment.

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

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**HON SPEAKER:** Any Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Notice of Questions? Notice of Motions? Ministerial Statements? Minister of Environment and Tourism.

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**MINISTERIAL STATEMENT**

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Thank you, Honourable Speaker, Honourable Members. A number of elephants have been causing problems for people living in Otamanzi, Tsandi and the Onesi area in Omusati Region since 6 October. Yesterday they caused one fatality which was reported to our Ministry this morning and we want to send our condolences to the family.

Comrade Speaker, the problem arose, especially this time of the season, when the elephants and the people are struggling for water as the water points have dried up in some areas. In this specific case the situation in which we find ourselves is that we have a problem whereby the solar panels installed at water points, normally used by elephants, were stolen five months ago and were replaced immediately. However, the same panels were stolen less than a month ago and that is why that particular water point can no longer provide the necessary water to the elephants and they are now forced to use the community water points and they destroy the fences as well as the water points.

We are, therefore, appealing to the community to respect the

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**MINISTERIAL STATEMENT  
HON NANDI-NDAITWAH**

infrastructures and not to destroy them, especially the water points, because by doing so we are increasing the human-wildlife conflict.

At the same time, Comrade Speaker, it has been reported to our Ministry that now that the elephants are in the community and as much as we have sent our officials to the area to assist the community in driving away the elephants, it has been noted that, because many members of the communities have never physically seen elephants, they are attracted. For example, at one point our officials found 30 members of the community surrounding an elephant, trying to chase it away. We are, therefore, appealing to members of the community to please keep away from the elephants and to allow our officials to handle the situation. I thank you.

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**HON SPEAKER:** I thank the Honourable Minister for the information. The elephants have to live with us, but because of their size it is in everybody's interest to stay out of their way as the consequences can be serious.

I want to inform the Honourable Members that the NBC has made efforts to install a facility here to help the Honourable Members and particularly the National Assembly and its adjacent offices to pay our licences. I am told that NBC has already collected a good amount through this initiative. The Secretary will read the First Order of the Day.

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**RECONSIDERATION OF QUORUM  
OF THE HOUSE**

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**SECRETARY:** Resumption of Debate on Reconsideration of the Quorum of the House.

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**MOTION ON QUORUM OF THE HOUSE**  
**HON NASHANDI**

**HON SPEAKER:** When the House adjourned on Tuesday, 06 October 2009, the Question before the Assembly was a Motion by the Honourable Minister of Veterans Affairs. Any further discussion? Honourable Nashandi.

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**HON NASHANDI:** Comrade Speaker, I rise to participate in the discussion in the House. The question is; where do we go from here? Of course, Mr Speaker, we go home. However, listening to what the Minister of Veterans Affairs, Dr Tjiriange, has said and also the explanation by the Prime Minister, Comrade Nahas Angula, I wish to say that perhaps the emphasis should be on the coordination among the chairpersons of various Standing Committees to work out the working calendar. If, for example, the Committee on Economics sends 6 people on a mission during the month of October that will interfere with the quorum, if possible only to send only three. The SWAPO Chief Whip should liase with the Office of the Prime Minister and give his opinion if too many Members of the Executive were to be out at the same time that would also put the quorum in jeopardy.

Of course, we are aware that sometimes the Head of State does delegate either the Prime Minister or any other Minister to represent him even at the level of a summit. For instance, the Permanent Secretary in the Ministry of Education can as well be delegated to attend the UNESCO Conference or the Permanent Secretary can also attend the ILO. Obviously, we have many able Heads of Missions abroad who can represent the Government in all spheres where necessary. All that I am saying is aimed at saving the quorum so that the Sessions can proceed unhindered.

Finally, I am appealing to the House to shelve the Motion and see how we can improve the attendance of the Members of this House without resorting to the taking of any decision. I rest my case.

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**MOTION ON QUORUM OF THE HOUSE  
HON TJIHUIKO**

**HON SPEAKER:** I thank the Honourable Member. Honourable Tjihuiko.

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**HON TJIHUIKO:** Thank you very much, Honourable Speaker. The Motion on the Table is very important in the sense that it challenges us as lawmakers who have been elected to represent the people in this House and because of our failure to do that, we are now trying to look at ways for us to justify our absence from our responsibility. That is the first point.

Secondly, what guarantee do we have that if we reduce the quorum from 37 to 10, we are going to make the 10? Ten is a number just like the 37. Even if you reduce it to 10, there is no guarantee that you are going to be able to form a quorum and I am saying this because we are supposed to start our Sessions at 14:30 and it has become our habit that we always start at 15:00. Tomorrow we will say that nobody is starting at 14:30, let us move the time to 13:30. It will not help. The problem is with us and we should address the problem accordingly.

I do not support the idea that because of our lack of seriousness as elected representatives of the people we now need to change the Constitution and the Rules of the House to fit our failures and from our side, I do not think we will be able to support that. (Intervention)

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** On a Point of Order, Honourable Speaker. I know that Honourable Tjihuiko can belabour an issue without saying anything. Honourable Tjihuiko, you are repeating yourself without saying anything. Can you come with concrete proposals, that yes, either we keep the 37 because if we reduce it to 15, the situation will be the same. Propose measures which should be applied by Political Parties. Come up with concrete proposals without condemning.

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**MOTION ON QUORUM OF THE HOUSE  
HON TJIHUIKO**

**HON TJIHUIKO:** Honourable Speaker, I am not going to answer somebody who wants to be on television, but does not pay his television licence. He must first pay his television licence if he expects me to answer him.

Honourable Speaker, I am seriously looking at a third option. I do not think we should look at the two options that the Honourable Minister has proposed, let us look at a third option. The third option is that we should ask the Namibian Nation to look at our situation. The problem that we have is that giving too much power to one Party will create problems. (Intervention)

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**RT HON PRIME MINISTER:** May I ask Honourable Tjihuiko a question? Honourable Tjihuiko, do you realise that today the quorum was saved by one person? Do you also realise that today one Party is 99.9% absent?

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**HON TJIHUIKO:** Honourable Speaker, we have 17 Members on this side and on that side you have 55 Members. You do not need us to form a quorum. You have been given a mandate to rule with or without us. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On a Point of Order. I have no right to call Honourable Tjihuiko Out of Order, but Honourable Tjihuiko, a leader as you are in this House, the National Assembly is not set for one Party. If that is the case, honestly speaking, just say we must amend the Constitution and amend it for you to be there and we do away with proportional representation. Even before 27 November you will see that there will be no lack of quorum. The Opposition are the ones who cause a lack of quorum because they want to achieve a certain agenda. My dear, you said we are elected to represent the Namibian Nation, it is not only SWAPO who were elected to represent them. If that is the case, we will definitely



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**MOTION ON QUORUM OF THE HOUSE  
HON TJIHUIKO**

have no problem, we will carry on, just like we had no problem when you walked out. You do not have to tell us today to do it, we always used to do it.

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**HON SPEAKER:** Since we are more than one Party, there are different views and we must listen to all of them.

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**HON TJIHUIKO:** I am trying to motivate the third option and the Colleagues can take notes, take the Floor and address the third option.

As I have already said, the problem is the question of our seriousness towards the work of the House and I think the reason why we are facing this problem is because we do not have a system that would enable us as lawmakers to have a balance in the House. That is a challenge that the Namibian people have and they need to look at this, that ***absolute power corrupts absolutely***. That is one of the things that we should seriously consider, that we need to have a balance in the House in order for us to be able to say, *“walk out, Honourable Kaura, the system will continue.”* That is very important.

Secondly, Honourable Speaker, I have a serious problem with the proposal to have a voting day, because in order for you to make up your mind to vote correctly, you need to have heard what the people have discussed. You need to have participated in the process in order for you to be able to know the reasons why you should support or not support. If you have a system where we cannot now even form a quorum with 37 and now you allow one day of voting and we reduce it to 25, it means that there will be only 25 people sitting in the House and on voting day the rest will come and how are they going to vote? Unless they will be told by the caucuses that, *yes, I agree the Motion by Honourable Tjihuiko is the best one, but you are going to vote as I am telling you.* That is not proper, that is not democracy, we are not representing the people. We were supposed to be here and we should be here.

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**MOTION ON QUORUM OF THE HOUSE  
HON TJIHUIKO**

The question of changing the Constitution is not on. Let us take our responsibility and let us be serious. Being at home and only coming to vote on that specific day does not make sense. (Intervention)

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**HON DEPUTY MINISTER OF JUSTICE:** May I ask Honourable Tjihuiko a question? How many times has the Member of the UDF, Honourable Tjombe, attended Parliamentary Sessions? I want to know because it appears that some Members of Parliament only come on the 9<sup>th</sup> day. We should also realise, Honourable Tjihuiko, that the Executive have multiple tasks and it is incumbent upon the backbenchers to be here, but most of the time you are not here. You should be accountable. Most of you are earning salaries without working and that is serious. You are always talking about holding SWAPO accountable, but what about yourselves?

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**HON TJIHUIKO:** I think that is the first time for the Honourable Deputy Minister to agree with me. That is what I am saying, that if you have a system where somebody stays at home for nine days, attend one day and again stay away for nine days, then that system is wrong and it cannot be justified.

Once I remarked that the best system will be that if you stay away for one day, it must be deducted from your salary. You should not expect to be paid when staying at home. When the Trade Unions take illegal action, they are punished for taking that illegal action. For you to be at home is taking unpaid leave and it must be deducted. For the backbenchers it can be N\$400 and for the Executive N\$1,000. I am serious about this because you should not expect to be paid while you are sitting at home. (Intervention)

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**MOTION ON QUORUM OF THE HOUSE  
HON TJIHUIKO**

**RT HON PRIME MINISTER:** May I ask Honourable Tjihuiko a question? Honourable Tjihuiko, would you agree with me that the Secretariat of Parliament should compile a check list before elections of those who were absent and never filled in a leave form?

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**HON TJIHUIKO:** The system that we need to develop should be human-friendly. We should not come up with a system just for the sake of punishing people, but we must develop a system in which everybody is accountable towards what is expected of him/her. You see somebody sitting in the House, fast asleep the whole day and I understand that the television people have been prohibited to show that person. What does that mean? The television should be given the freedom of showing everything that happens in this House. Those who are reading newspapers and those who are asleep are like somebody who is at home. What difference does it make if somebody comes here every day to come and doze off the whole day? The second option is that the staff should also check those who are sleeping and it should also be deducted from their salaries because they are not working. This is not a bedroom, this is a Parliament.

In conclusion, Honourable Speaker, I think the Prime Minister was correct by saying that the moment we change... (Intervention)

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**HON P MUSHELENGA:** May I ask the Honourable Member a question? It has been reported that some Members may not be sleeping in the Chamber, but they leave the Chamber to go and sleep in their offices. Should the staff also check on those?

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**HON TJIHUIKO:** Honourable Speaker, I will not try to answer that one, because I know that the Honourable Member who has not paid his television licence is trying to be on television. Please, do not show him.

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HON NAMBAHU**

Everybody who appears on television must have paid their television licences. (Intervention)

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** May I ask the Honourable Member a question? Are you aware that it has been scientifically proven that it may appear as if some people are sleeping, but they are deep in thought or concentrating?

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**HON TJIHUIKO:** I agreed with the Right Honourable Prime Minister when he said that by changing the Article in the Constitution, we would need to change a number of other Articles in the Constitution. Therefore, it will affect others too. For us to change the Constitution to fit our laziness is not on. This Motion should be shelved until perhaps next year. It can perhaps be referred to the Committee and the Committee should go and ask people whether they want these people to be paid or whether they want these people to work and only on that basis that the electorate should come back and say those who do not want to work, can go home. However, for us to change the Constitution to fit us is wrong. With those few remarks I support the idea of referring the Motion to the Committee.

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**HON SPEAKER:** I thank you. Honourable Nambahu.

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**HON NAMBAHU:** Comrade Speaker, I just want to reflect on some of the points made during the Debate on this Motion.

The Honourable Prime Minister highlighted some issues relating to the numbers and I found that very educative, because many of us did not know what is the meaning of the numbers. One would probably want to

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**HON NAMBAHU**

be informed further by the founding mothers and fathers of the Constitution what necessitated to have 72 Members and not 62 or 32 or 92, whether that corresponds to the Namibian reality of that time, now or in the future. I am saying that because some issues were raised here, which I found unfortunate, relating to the travelling for S&T. I really feel offended, honestly speaking, if I am sent by the Speaker to go and attend a certain conference and it is said that my only motivation for going there is S& T. You are there, representing Namibia and you are away from your parental responsibilities, asking other people to take care of your kids and your family and thinking that you are obeying certain instructions from your principals, yet someone says you are out there because of S&T. I feel this issue warrants a serious discussion, either in the Parties or in the caucus because it raises some issues that I do not find comfortable addressing in public.

If there is a certain conference on ARVs and I am not competent, I will say Honourable Doctor Amutenya has to go because of his expertise and while he is there doing his level best, it is said he is there because of S&T. Then how honourable are we? Some people used to tell us those days that we are ashamed of uniform. If what I am doing is what is said I am to be doing, I must be ashamed of the word "*honourable*."

Maybe it is time that we write a job description of a politician, so that we know what tasks have to be carried out and we do not end up having people not contributing much to earn their salary and those who are doing it get confused with those that are not serious with their work.

We should probably not go to the Amendment of the Constitution, but the motivation of the Motion invites to reflect seriously and do a post mortem of what it is that we are doing here, so that even in the future we know. Some of our guests who have sat here have referred to Debates as being of low standard. Sometimes when you look at the Debates at home, you become ashamed and these are the things we have to do a post mortem on so that we know exactly where we have to improve and refine ourselves.

With that, I support the suggestion that the Motion be shelved and to be re-tabled so that we discuss it and that we really reflect on the work that

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**MOTION ON QUORUM OF THE HOUSE  
HON SHIFETA**

we are doing. Thank you.

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**HON SPEAKER:** I thank the Honourable Member. Honourable Shifeta.

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**HON DEPUTY MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE:** Thank you, Honourable Speaker. I only wish to touch on a few issues. The Motion has raised two questions. One is whether, if we reduce the quorum to 15, for instances, we would have the guarantee that after that we will be able to have at least 15 Members present in this House. Secondly is the question of representation that Members have mentioned here. There is no doubt that it would definitely depreciate the value of representation in the House, because you will end up discussing very serious matters with only 20% of Members present in the House.

I feel that the problem of the lack of quorum in this House is a question of coordination and commitment, coordination between Whips and also the commitment of Members. Here we are, we nearly did not have a quorum, but luckily we had one person turning up and we have Members coming 14:50 while others have been here waiting. That is what we are doing, knowing that it is wrong and sometimes I do not know how we face our children at home. If your child asks you, "*I always see that you did not turn up for work*", what do you say? If the child tomorrow does not attend class, will you be able to reprimand the child? These are issues that we really have to look at as it is really demoralising if you are on time. If you are a minute late, you have a guilty conscience, but there are some Members who are late with 20 minutes. (Intervention)

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HON SHIFETA**

**RT HON PRIME MINISTER:** Honourable Shifeta, may I ask you a question? Would you agree with me that we should propose that Comrade Peter Ilonga should be the timekeeper?

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

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**HON DEPUTY MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE:** Comrade Speaker, in conclusion, I want to emphasise the point of coordination between our Whips. I feel that will definitely mitigate the situation. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** May I ask a question? Comrade Shifeta, are you aware that we had a similar situation in the year 2004, but after we whipped, that situation went back to normal and for the whole year we never lost a quorum. Is that what you are aiming at?

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**HON DEPUTY MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE:** Yes, you are reading my mind, I want all the Whips to coordinate, so that we can all the time have 40 voting Members present. The Whips must also by all means try to inform people that we might run out of a quorum, so that there is always a warning. We have to avoid situations whereby some Members turned up and there is no quorum. It is really demoralising and it is a question of lack of commitment and coordination by the Whips.

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**HON KAURA**

Members of the Executive have business outside Windhoek and outside the country and most of the time it is that side of the House where you have lack of representation in the House. Some people come here and go out and sleep in the offices. Perhaps it is time to introduce an accommodation fee because people come and sleep here in the House. I rest my case.

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**HON SPEAKER:** Thank you. Honourable Kaura.

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**HON KAURA:** Honourable Speaker, I think the quorum was arrived on to maintain the dignity of the House and it has maintained the dignity of this House for the last 19 years in our young Republic and I think it has maintained that dynamic tension and it has made us responsible to make sure that we come to this House to address the issues that are relevant to the lives and well-being of the people of Namibia. It has maintained that dynamic tension where an Honourable Member knows that if he stays absent for 10 days, he is going to lose his position in this House. If we are Members and now an Honourable Member can stay away even for a whole Session without facing any consequences, how are we going to maintain the dignity of this House.

Therefore, I think the quorum has served us well for the last 19 years, it has maintained the dignity of this House and let us not tamper with it, let us keep it as it is. There is nothing serious that has happened to warrant changing the quorum and I think we have arrived at this decision at the beginning of our democracy to make sure that we will be answerable to the people of Namibia and we will be held accountable. Maybe we can refer it to a Committee, but I feel, if it were my own view, we would rather drop the issue and continue with the quorum as we have done the last 19 years. Thank you very much.

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**MOTION ON QUORUM OF THE HOUSE  
HON KAZENAMBO**

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

Honourable Speaker, there are three branches of the Government according to the Constitution of the Republic of Namibia, that is the Judiciary, the Executive and the Legislature and the issue of the quorum concerns the third arm of Government, which is the Legislature and how it is constituted to conduct its activities.

Perhaps from the beginning I agreed with those who said it must be referred to a Committee, but my contribution on this issue, with all the interferences and disturbances that are coming from the usual direction, is that the dignity of this House, as Honourable Kaura has just mentioned, needs to be seriously considered. This House should not be lowered in any way. Some people call it a laughing stock and if it is true that the House has been turned into a laughing stock, there should be serious monitoring, serious scrutiny to come up with appropriate remedial actions, because this is a very important arm of the Government as per the Constitution of our Republic.

With regard to the attendance to the Assembly's duties, firstly it does not need to be the duty of the Whips alone to whip is. It is a requirement but first and foremost, we, the elected Members of Parliament across the divide should know that we have told the Namibian people that we want to come and serve them through this branch of Government. It should be incumbent upon us to understand that. We must not treat Parliament as another job, we should know that if we are not attending Parliament, we are cheating on the oath we have taken, we are betraying those we have told to elect us to come to Parliament to represent them. That understanding should be there. Some of us, myself included, are not good at arriving at this place. I come five minutes late and I need self-criticism, self-analysis.

My point is that if our Courts, for example, as another arm of Government, if Judges will not turn up at Courts or arrive late at Court proceedings, what administration of justice are we going to have? If we as parliamentarians arrive late or do not turn up for parliamentary proceedings... (Intervention)

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**MOTION ON QUORUM OF THE HOUSE**  
**HON KAZENAMBO**

**HON TJIHUIKO:** May I ask the Honourable Deputy Minister a question, please? Honourable Deputy Minister, I am sorry to ask this question, but you were saying that you have this habit of coming late to the House. That can also be translated that you are also coming late to your office at your Ministry and all the appointments that have been arranged in your name. How do you as a Deputy Minister feel about coming late to the House, going late to your office, going late everywhere?

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

Honourable Speaker, it is one of those bad habits that should not be entertained at any place of work and if I am guilty of that, as I said, a mechanism needs to be built in so that it would not help me to say I am late. Yes, here I am one of those who sometimes come late, but whether it is being done by me or done by another person, irrespective of who is doing it, it is not a good thing, it is not in line with good governance, it is not in line with the functions of any organisation. Whether it is done by Kazenambo or done by another person, a mechanism to stop that needs to be put in place and all of us need to respect the institution in which we are serving.

I was saying that if lawyers and judges would arrive at Courts very late, if teachers would arrive at school very late, if Ministers would arrive at Cabinet meetings very late or not turn up, then there is inefficiency, there is a problem in governance. That is the understanding which we need to develop, that we have not only promised the Namibian people that we are coming to represent them here, only to be elected and when we come here, some people say that Kazenambo is too talkative. I think I was elected to come and talk, to come and contribute. We need to take stock of what we are doing and I agree with those who are saying that the dignity of this House needs to be maintained, the function of this House needs to be respected and we need to be guided by the Constitution and there should be remedial actions.

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**HON NAMISES**

In conclusion I am suggesting that the Political Parties represented in this House across the divide should take serious stock that we have been experiencing a lack of quorum. It must be discussed at their platforms because it does not auger well for lawmaking, it does not auger well for serving the interests of the people who have elected us to come here.

With regard to the issue of the Executive, I do not see that this issue can dominate anything as such, because when a Minister is away and there is a scheduled Cabinet meeting, then the Deputy Minister attends. The same seriousness that is attached to attending Cabinet meetings should be attached to Minister and Deputy Minister attending Parliament. Minister and Deputy Minister, who are part of the Executive, should make sure that their travels abroad should not affect this important arm of Government and the same is applicable to Political Parties in deploying their officials. Any party will first take stock of where are they travelling, if Parliament is on, who is going to be where, because our travelling may affect the quorum. That seriousness needs to be attached by all of us to this House because it should not be a job taken for granted. We have told the Namibian people that we are coming to represent them here and this is an important arm of Government. What is important for other institutions should also be important here. By virtue of having certain privileges, it does not mean that there should be no management. The whole system is now collapsing, let us admit it. With these words, I rest my case.

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**HON SPEAKER:** Thank you. Any further discussion? Honourable Namises.

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**HON NAMISES:** I did not want to speak on this, but I also want to raise a few issues. I thought the issue of quorum was solved while I was away, but it seems it is still haunting us. The timing of our Sessions is very good for people. We come here three half days only and only start in the afternoon and leave at 17:45. I thought that was one of the good ways especially for people who have families and especially the women who have to take care of the children.

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**HON NAMISES**

I am also concerned about the culture of “*African time*”, that this culture is maybe the one causing the problem. Therefore, I would agree with those people who said maybe we can shelve the Motion because the enthusiasm of some of the Members may have dwindled over the years and maybe that is why people do not feel the excitement to come to the House anymore.

Also the programmes that they are engaged in also maybe had an impact on them, that they are not prioritising. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On a Point of Information. Honourable Namises just came three days ago and SWAPO went to look for you for us to have a quorum today. If SWAPO did not go and look for you, you would not have been there. (Intervention)

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**HON NAMISES:** I have been here before Honourable Nujoma, so I count more years than you. I think SWAPO has left me behind, I was brought here by CoD and not by SWAPO. If it were not for CoD, I would not be here and I have never wavered, I stand firm in my beliefs and principles. You have wavered, why does the development index shows us that we have the poorest people. (Intervention)

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**HON MINISTER OF EDUCATION:** On a Point of Order. Honourable Speaker, the Honourable Member of Parliament says that somehow we are at the bottom of the index. Which index is she talking about? Has she been reading newspapers this week, that we are either number two or number three or which index is she talking about? Can she explain to us which index she is referring to so that we can go and read it too? (Interjection)

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**HON NAMISES:** The income inequality.

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**HON NAMISES**

**HON MINISTER OF EDUCATION:** But that is a different thing.

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**HON NAMISES:** Maybe it is the language, but that is what I am talking about. Basically what I wanted to say is that it would be good if an assessment is done amongst the Members to raise their individual opinions why this is happening and what they would suggest that we maintain the quorum.

One can think it is the timing, but I think there are maybe underlying factors that the Members are not raising and feel uncomfortable with whilst they are busy during the week and not prioritising their programmes. I agree that the Committee or a small team can do a more in-depth study of the quorum, but I feel that whilst we are waiting for that, those of us who want to come back are back next January. It would be good to change the culture of “*African time*” syndrome and be on time for the quorum.

I, for one, can tell the House that there is a sick child of mine at the hospital and I was not late deliberately... (Interjection)

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**HON MEMBER:** You delayed us.

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**HON NAMISES:** I did not delay you. Do not come here and talk to me like that. You have been in *Informanté*, so watch out. (Intervention)

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**HON P MUSHELENGA:** On behalf of the Minister of Veterans Affairs, I would like to adjourn the Debate until February 2010.

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**TOBACCO PRODUCTS CONTROL BILL  
COMMITTEE STAGE**

**HON SPEAKER:** Any objection? Agreed to. The Secretary will read the Second Order of the Day.

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**COMMITTEE STAGE:  
TOBACCO PRODUCTS CONTROL BILL:**

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**SECRETARY:** Committee Stage – *Tobacco Products Control Bill*.

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**HON SPEAKER:** Does the Honourable Minister of Health and Social Services Move that the Assembly now goes into Committee? Any objection? Who seconds? Agreed to. The Deputy Chairperson of the Whole House Committee will take the Chair.

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**ASSEMBLY IN COMMITTEE:**

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**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** The Committee has to consider the *Tobacco Products Control Bill*.

Clauses 1 and 2 put and agreed to.

Clause 3 put.

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**HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES:** Thank you, Honourable Deputy Chairperson of the Whole House Committee. I Move that in Clause 3, to insert after Sub-clause (f) the following:

“(g) one member representing the NUNW.”

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**TOBACCO PRODUCTS CONTROL BILL  
COMMITTEE STAGE**

I so Move and I thank you.

Amendment put.

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**HON T GURIRAB:** Honourable Deputy Chairperson, I support the Amendment being proposed, I only have an issue with the language. There is always a problem with being very specific, that every time you want to do something, you have to come here for an Amendment. What I am trying to say is that I have a problem with the wording. I thought what we want to do here is to make it possible for organised labour to be represented and not so much NUNW. For good lawmaking I would have proposed that you say, “*one representative of organised labour.*” We should make it in general and I have a problem with making reference to a specific organisation.

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**HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES:** I think for the first time the Honourable Member has made sense and the point is well-taken.

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**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** Any further discussions?

Clause 3, as Amended, agreed to.

Remaining Clauses and the Title put and agreed to.

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**ASSEMBLY RESUMED:**

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Bill reported with Amendment.

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**TOBACCO PRODUCTS CONTROL BILL  
COMMITTEE STAGE**

**THIRD READING:  
TOBACCO PRODUCTS CONTROL BILL:**

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**HON SPEAKER:** Does the Honourable Deputy Minister Move that the Bill be read a Third Time? Any objection? Who seconds? Agreed to. Does the Honourable Minister wish to say something?

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**HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES:** I thank the Honourable Members for their support for the health of our Nation.

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**HON SPEAKER:** I now put the Question, that the Bill be now read a Third Time. Any objections? Agreed to. The Secretary will read the Bill a Third Time.

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**SECRETARY:** *Tobacco Products Control Bill.*

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**CONSIDERATION: REPORT ON ROLE OF  
INSURANCE COMPANIES**

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**SECRETARY:** Consideration of the Report of the Standing Committee on the Role of Insurance Companies and whether they serve the Needs of the Nation.

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08 October 2009

**REPORT ON FISHING AND MINING SECTORS  
HON P MUSHELENGA**

**HON SPEAKER:** When the House adjourned in terms of Rule 90 yesterday, the Question before the Assembly was a Motion by Honourable Mushelenga. Any further discussion? None. Does Honourable Mushelenga wish to reply?

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**HON P MUSHELENGA:** Thank you very much, Honourable Speaker. I want to thank all the Honourable Members who contributed to the Debate. Of course, the Committee took a consultative process, but it did not end there and that is why the Report came to this Honourable House for Honourable Members to add flesh to it, especially the Prime Minister who suggested that perhaps we need an Ombudsman for the insurance Industry.

What Honourable Nambahu has said about what happens to the Report after here is very important. The idea is that the Line Ministry would take the comments once the Report is adopted and we will officially forward the Report to the line Ministry for further action. Thank you very much, Honourable Speaker.

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**HON SPEAKER:** I now put the Question, that the Report be adopted. Any objection? Agreed to. The Secretary will read the Fourth Order of the Day.

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**CONSIDERATION: REPORT ON VISITS TO  
MINING, FISHING AND AGRICULTURAL SECTORS**

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**SECRETARY:** Consideration of Report of the Standing Committee on the Familiarisation Visits to the Mining, Fishing and Agricultural Sectors in the Karas and Erongo Regions.

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08 October 2009     **REPORT ON FISHING AND MINING SECTORS**  
**HON P MUSHELENGA**

**HON SPEAKER:** Does Honourable Mushelenga Move that the Report be considered?

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**HON P MUSHELENGA:** I so Move, Honourable Speaker.

Honourable Speaker, it is my greatest honour and pleasure to be granted this opportunity to motivate the Report on the familiarisation visits to the mining and agricultural sectors in the Karas and Erongo Regions of Namibia.

The Standing Committee on Economics, Natural Resources and Public Administration wishes to express its profound gratitude to the National Assembly for being given the opportunity, mandate, support and resources to undertake the familiarisation visits. I trust that the Honourable Minister of Finance will continue with her generosity in the future to allocate enough funds to the Committees.

Honourable Speaker, allow me to give a bit of background on how the idea of the visits was conceived. Unlike in most cases when Committees' Missions come as a response to Motions introduced in this House, the familiarisation trip to the Fishing and Mining Sector was an initiative of the Committee at its meeting held on the 4<sup>th</sup> of March 2008. The Committee discussed at length the prevailing economic conditions in the Mining Sector, with special focus on the small minders, taking into account the environment under which they operate, business opportunities available to market their products and assistance received from the Government.

From the fishing sector concerns were raised with regard to employment opportunities created by the Namibian fish in Spain versus the state of unemployment in Namibia. The Committee was further interested in finding out the success of the fish farms and assessing the benefits accruing to the communities.

It is on the basis of the above discussions that the Committee resolved to

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**HON P MUSHELENGA**

take familiarisation visits to the Erongo and Karas Regions, the mining and fishing Regions of Namibia. During the visits the Committee had several meetings with Regional Governors, the Small Miners Association and a number of fishing companies at Walvis Bay with the assistance of the Ministry of Fisheries and Marine Resources. A number of complaints and issues were raised at these meetings. In the fishing industry concerns raised were mostly on issues of low salaries, litigation of fishery cases, as prosecutors are not giving these cases due attention.

Another aspect raised was that the Ministry of Fisheries and Marine Resources should look into the possibility of funding the Namibian Maritime and Fishing Institute in order to increase its capacity of training and extend its training facilities.

In the mining sector the Committee learned about problems of limited assistance by the Ministry of Trade and Industry and the Ministry of Mines and Energy to alleviate the plight of the small miners, as most of them are still using old-fashioned equipment detrimental to their safety and health.

There was also a concern regarding the ownership of our mining resources. While the Government has 50% stake in NAMDEB, other equally important mining establishments, such as Rössing, continue to be largely owned by foreign investors. It is the submission of the Committee to this House that Namibia should be afforded an opportunity to acquire significant ownership of our mining resources, just as it happens in the Fishing Industry, for example.

Honourable Speaker, Honourable Members, the Report contains detailed information on the visits, issues raised by various stakeholders and recommendations by the Committee to the relevant Ministries. I take cognisance of the fact that it has been a while since the Committee paid the visits and the situation may have changed on the ground. Interventions in the form of information by the concerned Ministries will be appreciated during the discussions in the House. I urge this august House to interrogate the Report and have informed discussions on the issues contained therein. I thank you, Honourable Speaker.

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**REPORT ON FISHING AND MINING SECTORS  
RT HON N ANGULA**

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**HON SPEAKER:** I thank Honourable Mushelenga. Any further discussion? Honourable Prime Minister.

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**RT HON PRIME MINISTER:** Firstly I want to thank Honourable Mushelenga for tabling this Report in the House. This is a very, very important Report because it deals with issues of bread and butter.

I am happy that the Committee noted the serious problem of ownership in especially the mining sector. Most of the mines in Erongo, Karas and elsewhere are owned exclusively by foreign interests and I am encouraged by the initiative being taken by the Ministry of Mines and Energy to change this situation. Namibian resources are a common heritage of the Namibian people and as such, the Namibian people have every right to exploitation of their resources. Therefore, I would like to encourage the Ministry of Mines and Energy to make sure that the Epangelo Corporation is functional and for any mining licence to be given, the Epangelo Corporation should have 51% in any such venture.

Right now we have an untenable situation whereby people are applying for EPLs and once they get an EPL, some sell them without any exploration. Some go to foreign stock exchanges after exploration and sell whatever they have found without Government even knowing. The case of Trekkopje is an illustrative one, whereby those who were given the exploration licences went ahead and sold the deposits without Government knowing. We only discovered that there is a new ownership and these kinds of things should stop. It is intolerable and it is a violation of the goodwill of the Namibian people.

The other issue I want to highlight is the new resources which are being discovered in these Regions. I am informed that almost the entire one thousand kilometres shore of Namibia is rich in phosphate. Phosphate is a critical product for chemical industrial use and I hope that the Minister will make sure that the entire continental shelf of Namibia should not be

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**HON NAMBAHU**

parcelled out to foreign interests looking for phosphate. That phosphate is a common heritage of the Namibian people, first and foremost, and therefore, it should belong on behalf of the Namibians to Epangelo Corporation.

The second issue is mari-culture which has the potential of creating thousands of jobs and we have to take this very seriously. With our long coastline we want to see that at every 30 kilometres there is a mari-culture activity taking place – growing onions, perhaps fruit and other things – so that there is a new economy we can develop and I hope that the Committee will ensure that this particular industry receives the attention it deserves in order to create jobs and also to add to our GDP.

Having said that, I want to encourage the Committee to make sure that this Report is widely distributed and shared. Thank you.

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**HON SPEAKER:**     Any further discussion? Honourable Nambahu.

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**HON NAMBAHU:** I also just want to congratulate my Colleagues in the Committee for this new initiative, whereby after a law has been passed, the Committee undertake missions to go and find out on the ground how those laws are implemented or investigating matters on their own without anyone lodging a complaint with them. This trend should continue and we should assess the institutions that we are overseeing.

Having said that and being one of the people who participated in the familiarisation visits, I want to highlight two issues. The first is the issue of ownership. The ownership is going to be taken over by Namibians partaking in the ventures and I am not being critical of those of us who are participating, but I feel we should take the participation to another level. There is this black economic empowerment and sometimes you think that when you are participating by receiving dividends, you are doing a favour to the country. I feel the participation should even be at the level of

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**HON NGHIMTINA**

ownership and participating in the operations, so that one day you are able to transfer the skills and know-how after the venture has been exhausted. If you only limit yourself to receiving the dividends, what are you going to show for your participation after the mine has been closed? We can tell our kids that we participated, but what can we show for it? In terms of skills transfer there is nothing.

These are the things that I want us as Namibians to reflect on and actually to demand that participation to be two-fold – ownership and operations, so that we are actually left with the skills to be able to one day take over and have meaningful participation in the process. With these remarks, I support the Report.

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**HON SPEAKER:**     Minister of Mines and Energy.

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**HON MINISTER OF MINES AND ENERGY:**     Thank you, Honourable Speaker. I support the Report of the Parliamentary Committee on Economics and Natural Resources and I want to share two issues with the House on ownership with which we have a major problem.

We have moved towards Black Economic Empowerment, but most of the time activities are taking place without the Ministry's knowledge. Somebody sells his rights to another one and later on you read in the newspapers that somebody was robbed or something like that. However, the major issue I want to raise is that we need to support our people financially so that they can keep their mineral rights. It is very difficult when an ordinary person who has mineral rights is asked for collateral by the banks and then he looks for someone who can buy the mineral rights. What I am proposing is that Namibia probably needs to think about having a Minerals Bank from where our people can borrow money easily without too many conditions so that they can develop the resource.

I also support Honourable Nambahu that being given mineral rights does

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not mean that you only need to receive money and run away. You have a responsibility to develop the resource in order to employ a lot of people and assist the GDP of the country. This is the major reason why people should be assisted.

The Prime Minister mentioned the issue of Trekkopje, which is a major issue to us. To say a licence cannot be transferred is probably not the right way, but we as a Government need to determine transfer fees, either to say 10% of the value of the resource so that our country could also benefit.

The transfer fee should be determined as a percentage rather than saying N\$2,000 or something like that, because I think the resources at Trekkopje were US\$ 1 billion worth and Government did not get anything whatsoever. We are looking into this issue and if we say 10% of the value of the product, then the Namibian Nation will benefit from that. I support the Report.

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**HON SPEAKER:**     Thank you. Honourable Gurirab.

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**HON T GURIRAB:** I rise to speak in support of the Report of our Committee. I have only two observations to make. One is that the mining, fishing and agriculture sectors combined form the largest contributors to employment and GDP. Agriculture is the largest employer and mining is the single largest contributor to our GDP and also to the country's fiscus.

The Report also points out the marginal contribution and involvement of Namibians. I hear some Colleagues talking about Black Economic Empowerment and it is not surprising that we find these practices which the Colleagues say are unacceptable. It will exist because we do not have a framework and hopefully we will soon put a policy framework into place so that we have a regulated Black Economic Empowerment, if that is what you want to call it, but the Prime Minister calls it TESEF.

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For the Namibians to participate and benefit from particularly mining and also the others, one of the areas where we continue to be weak as a country and why we cannot benefit to the extent we wish to, is again absence of skills. I heard the Minister talking about capital and that is also an area where we need to have innovative measures of how we should participate as Namibians, but we need to address the area of skills, for Namibians to participate both as owners and managers and also as workers, because ultimately we want to improve the living standards and welfare of the people. Therefore, skills are critical in all these sectors across the board – mining, fishing and agriculture. For the most part our people are labourers, they are not in management, they are not owners and those are the areas we need to address.

With these few observations, I support the Report.

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**HON SPEAKER:** Honourable Nujoma.

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**HON DEPUTY MINISTER OF JUSTICE:** I rise to support the Report of the Parliamentary Committee on Economics, Natural Resources and Public Administration.

When looking at the Report, I wondered why the tourism sector was not included in the Report, since all these sectors are major contributors to the fiscus and to employment in the country. I was wondering whether the delegation also had an opportunity to look at the whole Orange River area, starting from Upington all the way to the sea, whether there exists a potential to setup some projects. If you look at Aussenkehr and all those, these are very impressive sites. We talk a lot about the unemployment of our people in the Karas Region and maybe we could allocate certain plots to the communities there to grow vegetables along the Orange River. On the other side of the river there is a lot of economic activities, but on this side of the river it is barren, there is nothing going on. I think it is important that we start looking at those sectors.



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I know the Nama people are *boerbok* growers, but we can also support the Nama people in the Karas Region. (Interjection)

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**HON VILJOEN:** *Moenie krap waar dit nie jeuk nie.*

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**HON DEPUTY MINISTER OF JUSTICE:** Honourable Viljoen, *moenie jeuk waar dit nie krap nie.* (Laughter). They can be turned into *boerbok* growers. I am thinking of fodder. All of us need fodder, we import it at exorbitant prices. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** May I ask a question? Honourable Nujoma, you are talking about fodder, but are you aware that before you enter Mariental there used to be a heap of fodder that looked like a church? Is it still there?

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**HON DEPUTY MINISTER OF JUSTICE:** Yes, we have to think about a Green Scheme for the South. (Intervention)

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Honourable Speaker, may I ask the “*Son of the Nation*” a question? “*Son of the Nation*”, I am the “*cousin of the Nation*”, he is the “*Son of the Nation*”, can you tell me where is Comrade !Naruseb, your neighbour there, because yesterday he said, “*hy wil ‘n stuiwer in die armbeurs gooi en ek het gedink hy gooi hom vandag, maar hy gooi hom nie en jy jeuk waar dit nie krap nie.*” (Laughter).

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**HON DEPUTY MINISTER OF JUSTICE:** My brother is not here, so there is no *jeuk waar dit nie krap nie*. (Intervention)

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**HON HOFFMAN:** On a Point of Information. Honourable Nujoma, the information I want to share with you is that the Nama-speaking people were a hardworking people, the people who used to grow their own food. For your information, one of my grandfathers was even called an *akkerboer* and maybe somebody can help me and translate that into English. They were planting their own vegetables and fruit. The hardworking Nama people even dug their own pits for water. It is just because of the Christians coming and taking over where it is being seen today that the Nama-speaking people are not doing things for themselves. That is the information that I would like to share with you and the House.

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**HON DEPUTY MINISTER OF JUSTICE:** In conclusion, it is in that spirit that I raised the issue of trying to develop a Green Scheme for the South. It is in that spirit, Honourable Ida Hoffman, that the Nama people were hardworking, they used to produce food for themselves and we have to rekindle that spirit and allocate some hectares so that the people can grow their own food and a surplus for export.

Lastly I want to say that the issue of ownership and partnership is very important, but we need to look at the ownership structure, participation and support to Black Economic Empowerment. Most of the Black Economic Empowerment projects have failed because there was no financial support whatsoever. People were granted loans, but there were no operational loans.

Finally, I was just admiring Honourable Bayer when she was hitting the hammer and I am happy that she was not directing it at Honourable Viljoen. I thank you.

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HON P MUSHELENGA**

**HON P MUSHELENGA:** I want to thank the Honourable Members for their support of the Report and just re-emphasise what the Prime Minister mentioned, that what the Committee is really trying to do in the mining sector is to recommend indigenisation of the economy so that it goes into the hands of the Namibian people. That is a very important point.

On the questions raised by Honourable Nujoma, it is true that there are agricultural projects in Aussenkehr and I must say that the time the Committee went there, it was low season for the production of grapes and there was not much the Committee could look at.

There are not much tourism activities in the areas that the Committee visited, but the Committee takes note of your comments and will include it in its programme next year. I thank you.

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**HON SPEAKER:** I thank the Honourable Member. The remaining items will remain on the Order Paper until we resume, they will not lapse. I now give the Floor to the Official Opposition, the CoD, to say a few words.

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**CONCLUDING REMARKS**

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**HON T GURIRAB:** Honourable Speaker, this Parliament's life does not end now, the current Parliament's life ends in March next year, but as we close this session, we have 19 years of lawmaking behind us. We have been crafting and making laws for the good governance of our country and we have a proud record of doing that. The current Parliament ends next year, which will also mark the 20<sup>th</sup> year of Independence of our country and at which occasion we will also inaugurate the Fifth Parliament of our country and to have that Fifth Parliament we have a bridge to cross. I am talking about the upcoming elections in November.

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I was looking at the party lists and I saw that most of us have put ourselves up for elections, except one or two and I would like to wish all of you good luck in the elections. From our side we plan to go for 120%, but we wish all of you all the best in the elections.

Let us keep the hammers at home, let us have an election which is free of violence. Where our members and supporters engage in violence, let us collectively as leaders speak against it and not pretend that it does not happen, because the final, ultimate responsibility is ours where our members engage in violence. All parties which will participate in the elections have subscribed to the code of conduct and I think that should be the ultimate document which guides us over the next couple of weeks as we move to elections.

From our side, Honourable Speaker, we intend to conduct an election campaign which is violence-free, which will offer Namibians options about how we intend to govern this country in the interest of the collectivity. Beyond elections we will have Christmas and move into the New Year. Since this is the last time we meet as Parliament, I would wish all of you and your families a festive Christmas season. It will allow all of you an opportunity to take a rest and come back. I hope all of you get elected and come back next year refreshed for the debates of next year.

My Colleague over there was talking about the three organs of the State, but the primary organ, the one which represents all the people of the country, is this organ. The former schools inspector, Honourable Viljoen, was correct the other day that we must uphold the dignity and proper place of Parliament in the conduct of the affairs of the State. I wish you all the best in the election campaign, take a restive December and come back fresh for the debates of the next Parliament.

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**HON SPEAKER:** I thank you. Honourable Kaura.

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**CONCLUDING REMARKS**  
**HON KAURA /HON //GAROËB / HON TJIHUIKO**

**HON KAURA:** Thank you, Honourable Speaker. If you laugh like that you will not be invited to my inauguration next year. (Laughter). I wish you the best during this campaign and have a nice rest during December and I see you next year, February. Thank you.

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**HON SPEAKER:** Honourable Chief //Garoëb.

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**HON //GAROËB:** Honourable Speaker, may I start by thanking you for steering this House, sometimes on very stormy waters, but you managed to bring us to today. It also goes for the Deputy Speaker and the entire staff of this House. We sincerely hope that most of us will come back after the elections. We have grown to know each other and we sincerely hope that we are mature enough in this House and this being the case, we hope that most of the Honourable Members will come back. If not, let fate take its course, but in the meantime, even for those who are going out to take up one or other job but mostly doing farming, all the best. I thank you.

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**HON SPEAKER:** Honourable Tjihuiko.

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**HON TJIHUIKO:** Thank you very much, Honourable Speaker. Allow me, Honourable Speaker, to use this opportunity to thank everybody for the mature and professional manner in which we have conducted ourselves in this House, the spirit that we have shown, that we are leaders and apart from coming from different Political Parties, that when it comes to national issues we stood together and we handled those issues maturely and professionally.

Let me congratulate in advance the winner of elections. I hope that the wish of the Namibian people will be respected and all of us are going to

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move in the same direction. We should seriously know that misbehaving during the election will put the future of our kids in jeopardy. Therefore, in everything that we are doing, we should remember that we are not only doing it for us, but we are doing it for the generations to come. Namibia, the Land of the Brave, is bigger than individual Political Parties. Therefore, let us work together for the goodness of our beautiful country. I thank you very much.

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**HON SPEAKER:** I thank you. Last but not least from the Opposition side, Honourable Viljoen.

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**HON VILJOEN:** Honourable Speaker, I have a message for every Honourable Member and I want to do it in my own way. Therefore, I ask one of your precious time with your eyes closed.

*Our Heavenly Father, we pray to you through Jesus Christ, our Redeemer, thank you that we may yet again face the end of another year. We pray that you should help us, help us that everything before, during and after the elections would be in peace, that we would allow our fellow human-beings that which we would allow for ourselves. May this process be to your glory. Please bless our dear country and all its people, remind us every day to confess Your name, You are the one who brought Governments into existence, expecting of us to respect and obey their laws. Help us go govern like You want us to. Please protect each and everyone of us, allowing us a safe return next year. We praise Your name. Amen.*

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**HON SPEAKER:** Thank you very much, we appreciate that. You cannot go wrong with such a beautiful prayer. The Leader of the Government Business, Right Honourable Prime Minister.

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RT HON N ANGULA**

**RT HON PRIME MINISTER:** Thank you, most Honourable Theo-Ben Gurirab, the Speaker of this House. I would like to sincerely congratulate and commend the Speaker, Deputy Speaker and the staff of Parliament for steering the Fourth Session of our National Assembly very competently and very skilfully. Through your guidance and leadership we have been able to pass laws, to debate crucial issues and in most cases, to come to consensus. We thank you for your wisdom and that of your Deputy Speaker.

I would also like to thank my Colleagues from the Opposition for having been very understanding and cooperative and, in most cases, effectively participating and enriching the debate. Together we have put another stone on the strong foundation of this Nation. What we need to do next is to further consolidate the foundation of this Nation so that we continue to celebrate peace, stability and mutual understanding among our people.

There are those who are advocating a new beginning, we have already begun, we should just continue the journey. There are those advocating change, we have put up a strong foundation, we do not need any change, we just need to reinforce the foundation and in that way we shall be able to make progress, rather than every time trying to start again or trying to change things which are already in good shape.

I would like to thank my Colleagues of SWAPO for having been understanding to my own weaknesses. When you are at my age and you are leading young people, sometimes it is not easy, but you have been very helpful and very understanding.

As we go back to our employer, the people of this Republic, to seek for another mandate, I want to assure the Colleagues of the Opposition that SWAPO will not give you an opportunity to withdraw from the elections, as some of you want. We will not afford you that opportunity. We want to make sure that you participate in the elections and the verdict of the people should be the only test. We should go out there, genuinely prepared to go to the ballot boxes, not in a situation whereby you are trying to find reasons for withdrawing from elections. SWAPO is a very honest, very respectable, very transparent organisation and it does not

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need to do those types of things you are suggesting. It is below its dignity. We go out there to the people and say, “*people of Namibia, we have together built a foundation of peace and stability and unity in diversity, give us another mandate to consolidate and reinforce this foundation.*” That is all we are going to do and the people will understand.

I would also like to wish you a peaceful, rainy and productive season, so that when you come back next time we would also have contributed to the building of the economy. The economy is the foundation, you cannot preach democracy on empty stomachs, it will not work. Therefore, we have to go out there and produce.

There is one tricky issue we are going to be faced with. On the 28<sup>th</sup> of November the people of Namibia would have given a new mandate to those they are going to elect. We will now have a dichotomy if we reconvene this House before the new elected people have been sworn in, because the mandate would have been transferred to those who have been elected on the 28<sup>th</sup> November. Let me leave that with you as food for thought, but at the same time to confirm that this is the foundation of the Nation, because this is the House which adopted the Constitution, the Constitution on which we founded this Nation. Therefore, the will of the people should at all times be respected by all of us.

On that note, let us go to the people and ask for their mandate peacefully and in mutual understanding, so that when we come back next time, we will have a genuine mandate from the people. I thank you.

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**HON SPEAKER:** You have been a dedicated and alert Leader of the Government Business in the House. We thank you for that. Unless you are away on unavoidable official assignments, you make it your business to be here in the House. That is noticeable and we respect you for that.

On the last point which you sort of left hanging, it is not the best example but it is the one I know best. The Americans go to elections in November of the previous year, they inaugurate their President on the 20<sup>th</sup> of January



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the following year. We are not that much off.

Honourable Members, we are done now, not as elected representatives but with sitting days of this Honourable House. Our Prime Minister, Leader of the Government Business in the National Assembly and leaders of Political Parties have aired their views on matters on their mind, including relating to public interest and their hopes for better days for their parties when the House resumes next year. Of course, this being election year, the mood and the expectations are about winning and losing. That will be known when ballots are tallied and outcome becomes public. The post-election culture is often known to be nasty and disruptive. Unlike sports, politics is traumatic and the impact of losing stays longer. That is so because celebration and agony clash.

My plea from this chair as Speaker – and I will be Speaker until successor is elected – is for all of us to uphold the supremacy of the people, the sanctity of the Constitution, importance of national unity and the policy of national reconciliation and the ideal of free, fair and credible elections. That is according to the letter and spirit of our Constitution.

Africa, by selfish acts of leaders, has of late earned itself a stinking reputation. It matters not who you are, where you are or how good you and your country might be, if you are an African, it is a shame on everyone of us. Our people deserve better. I, therefore, pray, hope and trust that 2009 Presidential and National Assembly elections will indeed be peaceful, without violence from whatever quarter, truly competitive and to all Namibians' and all Africans' pride for a change.

I have been in this House since 1990, but this Session of our National Assembly has proved disruptive and rendered a disservice to Parliamentary democracy and accountability. No explanation, no excuse or no reason is good enough to do justice to injustice and we have subjected this House of our people to disgrace. All those responsible must sleep over this disgrace. When we return, let us put an end to this. I have no views on the issue of quorum.

I conclude by thanking all of you, dear Colleagues, for support and

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consideration to me, to my Deputy and the staff in helping us to carry out our duties. The House stands adjourned until Tuesday, 9 February 2010 at 14:30 at the same place. You all know that 9 February is the Constitution Day. We will come back with that in mind. Good luck and God speed.

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**HOUSE ADJOURNS AT 17:55 UNTIL 2010.02.09 AT 14:30**