

LIST OF MEMBERS OF THE NATIONAL ASSEMBLY

SPEAKER

Dr T-B Gurirab (Mr)

DEPUTY SPEAKER AND CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE

Prof Loide Kasingo (Ms)

THE CABINET

MINISTERS

(21 March 2010 – Elected in terms of Article 133 of the Constitution)

Dr G H Geingob (Mr)	<i>(Prime Minister)</i>
Mr M Hausiku	<i>(Deputy Prime Minister)</i>
Mr N Angula	<i>(Defence)</i>
Ms P Iivula-Ithana	<i>(Home Affairs and Immigration)</i>
Mr I Ngatjizeko	<i>(Safety and Security)</i>
Ms N Nandi-Ndaitwah	<i>(Foreign Affairs)</i>
Dr A Kawana (Mr)	<i>(Presidential Affairs & Attorney-General)</i>
Ms S Kuugongelwa-Amadhila	<i>(Finance)</i>
Mr J Ekandjo	<i>(Youth, National Service, Sport and Culture)</i>
Mr U Nujoma	<i>(Justice)</i>
Mr E Nghimtina	<i>(Works and Transport)</i>
Dr D Namwandi (Mr)	<i>(Education)</i>
Ms D Sioka	<i>(Labour & Social Welfare)</i>
Mr J Mutorwa	<i>(Agriculture, Water & Forestry)</i>
Mr J Kaapanda	<i>(Information & Communication Technology)</i>
Mr U Herunga	<i>(Environment and Tourism)</i>
Dr N Iyambo (Mr)	<i>(Veterans Affairs)</i>
Mr A !Naruseb	<i>(Lands & Resettlement)</i>

Dr R Kamwi (Mr)	<i>(Health and Social Services)</i>
Ms R Nghidinwa	<i>(Gender Equality and Child Welfare)</i>
Mr C Namoloh	<i>(Regional and Local Government, Housing and Rural Development)</i>
Mr B Esau	<i>(Fisheries and Marine Resources)</i>
Mr I Katali	<i>(Mines and Energy)</i>
Mr C Schlettwein	<i>(Trade and Industry)</i>

DEPUTY MINISTERS

(21 March 2010 – Elected in terms of Article 133 of the Constitution)

Ms P Haingura	<i>(Health and Social Services)</i>
Ms A Muharukua	<i>(Gender Equality and Child Welfare)</i>
Mr A Muheua	<i>(Labour and Social Welfare)</i>
Ms L Lucas	<i>(Agriculture, Water & Forestry)</i>
Mr P Iilonga	<i>(Defence)</i>
Mr E Utoni	<i>(Safety and Security)</i>
Mr T Nambahu	<i>(Justice)</i>
Mr T Tweya	<i>(Trade and Industry)</i>
Dr S C Ankama (Mr)	<i>(Fisheries and Marine Resources)</i>
Mr P Mushelenga	<i>(Foreign Affairs)</i>
Mr P Shifeta	<i>(Environment and Tourism)</i>
Ms J Kavetuna	<i>(Youth, National Service, Sport & Culture)</i>
Mr W Isaacks	<i>(Mines and Energy)</i>
Mr S Simataa	<i>(Information and Communication Technology)</i>
Dr E Kaiyamo (Mr)	<i>(Home Affairs and Immigration)</i>
Mr K Nguvauva	<i>(Works and Transport)</i>
Ms P Beukes	<i>(Regional and Local Government, Housing and Rural Development)</i>
Vacant	<i>(Finance)</i>
Ms S Makgone	<i>(Education)</i>

SECRETARY

Mr. J Jacobs

DEPUTY SECRETARY

Mr F S Harker

DEPUTY MINISTERS IN THE NATIONAL COUNCIL

Mr K Ngauva	<i>(Works and Transport)</i>
Mr T Diergaard	<i>(Lands and Resettlement)</i>
Ms H Nicanor	<i>(Veterans)</i>

LIST OF MEMBERS AND PARTIES WHICH THEY REPRESENT

ALL PEOPLE'S PARTY (APP)

Mr I Shixwameni	<i>(Chief Whip and Party Leader)</i>
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CONGRESS OF DEMOCRATS (COD)

Mr B Ulenga	<i>(Chief Whip and Party Leader)</i>
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DTA OF NAMIBIA

Mr K Kaura	<i>(Party Leader)</i>
Mr P Moongo	<i>(Chief Whip)</i>

NATIONAL UNITY DEMOCRATIC ORGANISATION OF NAMIBIA (NUDO)

Mr K Riruako	<i>(Party Leader)</i>
Mr A Tjihuiko	<i>(Chief Whip)</i>

RALLY FOR DEMOCRACY AND PROGRESS (RDP)

Mr S Bezuidenhout	
Mr Hidipo Hamutenya	<i>(Party Leader)</i>
Ms A Limbo	
Mr H Lucks	
Mr P Naholo	
Mr K Nehova	
Mr J Nyamu	<i>(Chief Whip)</i>
Mr A Von Wietersheim	

REPUBLICAN PARTY

Ms C //Gowases

(Chief Whip)

SWANU

Mr U Maamberua

(Chief Whip and Party Leader)

SWAPO OF NAMIBIA

Ms S Kuugongelwa – Amadhila

(Minister)

Mr B Amathila

Dr M Amweelo (Mr)

(Deputy Chief Whip)

Mr N Angula

(Minister)

Dr H Geingob (Mr)

(Prime Minister)

Dr S C Ankama (Mr)

(Deputy Minister)

Ms P Beukes

(Deputy Minister)

Mr E Dingara

Mr J Ekandjo

(Minister)

Mr B Esau

(Minister)

Dr T-B Gurirab (Mr)

(Speaker)

Ms P Haingura

(Deputy Minister)

Mr M Hausiku

(Deputy Prime Minister)

Mr U Herunga

(Minister)

Mr P Iilonga

(Deputy Minister)

Mr W Isaacks

(Deputy Minister)

Ms P Iivula-Ithana

(Minister)

Dr N Iyambo (Mr)

(Minister)

Mr J Kaapanda

(Minister)

Dr E Kaiyamo (Mr)

(Deputy Minister)

Dr R Kamwi (Mr)

(Minister)

Mr P Kapia

Prof L Kasingo (Ms)

(Deputy Speaker)

Mr I Katali

(Minister)

Ms J Kavetuna

(Deputy Minister)

Dr A Kawana (Mr)

(Minister)

Mr K Kazenambo

Ms L Lucas

(Deputy Minister)

Ms S Makgone

(Deputy Minister)

Ms A Manombe-Ncube

Mr N Mbumba	
Ms A Muharukua	<i>(Deputy Minister)</i>
Mr A Muheua	<i>(Deputy Minister)</i>
Mr P Mushelenga	<i>(Deputy Minister)</i>
Mr J Mutorwa	<i>(Minister)</i>
Ms T Mushelenga	
Mr B Mwaningange	
Mr T Nambahu	<i>(Deputy Minister)</i>
Mr C Namoloh	<i>(Minister)</i>
Dr D Namwandi (Mr)	<i>(Minister)</i>
Mr A !Naruseb	<i>(Minister)</i>
Ms E !Nawases-Taeyele	<i>(Assistant Whip)</i>
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>(Minister)</i>
Mr P Shifeta	<i>(Deputy Minister)</i>
Ms D Sioka	<i>(Minister)</i>
Mr T Tweya	<i>(Deputy Minister)</i>
Dr B. Ndjoze-Ojo (Ms)	
Mr E Utoni	<i>(Deputy Minister)</i>
Mr P Van der Walt	
Ms L Witbooi	

UNITED DEMOCRATIC FRONT (UDF)

Mr J //Garoëb	<i>(Party Leader)</i>
Mr S Tjongarero	<i>(Chief Whip)</i>

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

Ms M Jankowski	
Prof. P Katjavivi (Mr)	<i>(Chief Whip and Deputy Chairperson of the Whole House Committee)</i>
Mr C Schleittwein	<i>(Deputy Minister)</i>
Mr S Simataa	<i>(Deputy Minister)</i>
Ms S Swartz	
Ms A Tjongarero	

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
08 APRIL 2014**

The Assembly met pursuant to the adjournment.

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

HON SPEAKER: Good afternoon Honourable Members. We start with the Business of the House.

Any Petitions? Reports of Standing or Select Committees? Honourable !Nawases-Taeyele?

**TABLING: REPORT ON PUBLIC HEARINGS - PETITION
BY NAMIBIA TRANSPORT AND TAXI UNION (NTTU)**

HON !NAWASES-TAEYELE: Thank you, Honourable Speaker. I lay upon the Table, the Report on Public Hearings - Petition by Namibia Transport and Taxi Union (NTTU), by the Parliamentary Standing Committee on Constitutional and Legal Affairs for Discussion. I so Move, Honourable Speaker.

HON SPEAKER: Can the Honourable Member please table the Report? Further Reports of Select or Standing Committees? Other Reports and Papers? Honourable Minister of Gender, Children and all those things.

**TABLING: REPORT AND RECOMMENDATIONS
ON THE CONFERENCE ON WOMEN IN POLITICS
AND DECISION MAKING IN NAMIBIA**

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**TABLING OF REPORTS
HON NGHIDINWA**

HON MINISTER OF GENDER, EQUALITY AND CHILD

WELFARE: Thank you very much, Honourable Speaker, Sir. I rise to present the report on the **Conference on Women in Politics and Decision-Making in Namibia**, which was organised by the Ministry of Gender Equality and Child Welfare, from the 22nd up to the 24th of November 2013, at Walvis Bay, in the Erongo Region.

The Conference was conducted as part of the strategy towards achieving a 50/50 gender representation in decision-making. The Conference enabled participants to understand the SADC Protocol on Gender and Development at Party level, to ensure that the Protocol is understood and implemented accordingly and it was centred amongst the following objectives:

- To discuss the implementation of the SADC Protocol on Gender and Development;
- To promote a platform for sharing experiences on advancing gender equality in Political Parties, Parliament and Leadership in general;
- To equip women in leadership and decision-making with requisite skills in assertiveness, advocacy, lobbying, networking and self-management necessary for self and collective advancement; and
- To facilitate a platform for women in leadership to network and to mutually support each other for collective women empowerment in Namibia such as through a mentorship process among others.

Although Political Parties were sensitised enough at different platforms by the Ministry for the purposes of consolidating and harmonising different ideas on the experiences, the Conference was ideally to reach out to all registered politicians at different levels of authorities like Parliament, Regional Councillors, Local Authorities and Political Parties, to remind them on the target of the SADC Protocol on Gender and Development before the 2014 National Elections.

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**TABLING OF REPORTS
HON NGHIDINWA**

Honourable Speaker, Honourable Members, the Namibian Government is committed to the principle of gender equality. Article 10 of the Namibian Constitution stipulates that, and I quote - *“All persons shall be equal before the Law and no persons may be discriminated against on the grounds of sex, race, colour, ethnic origin, religion, creed, social or economic status.”*

Apart from Vision 2030 and the National Development Plan, the National Gender Policy, which was adopted by Parliament in 1997 and the Revised Namibia National Gender Policy 2010 up to 2020, has so far remained a guiding tool for gender mainstreaming at all levels in the country.

To compliment the above, Namibia ratified various regional and international instruments, some of which are the United Nations Convention on the Eliminations of All Forms of Discrimination Against Women (CEDAW), which was adopted by the United Nations General Assembly on the 18th of December 1979. Since the United Nations agreed to it, Namibia agreed to the Convention in 1992.

This conference signified a big step towards the actualisation of the commitment of the Government of the Republic of Namibia towards its participation and ratification of the various International Conventions, such as:

- The Beijing platform for Action
- Millennium Development Goals;
- African Charter on Human and Peoples’ Rights on the Rights of Women in Africa;
- SADC Protocol on Gender and Development, which was signed by Heads of State in 2008, including His Excellency Comrade Hifikepunye Pohamba, the President of the Republic of Namibia and Namibia is one of the countries that ratified the Protocol in 2009, which calls for 50/50 gender representation by 2015;

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**TABLING OF REPORTS
HON NGHIDINWA**

- The Commonwealth Plan of Action for Gender Equality and many others.

All these are strategies to promote gender equality and women empowerment.

Honourable Speaker, Honourable Members, according to the Namibian Population and Housing Census of 2011, 51% of the Namibian Population are women. Despite the fact that women are in the majority, they are still poorly represented at all State elected structures even though Namibia has a progress Law on Affirmative Action which positively discriminates in favour of women in appointments. Since Independence no progress has been noted regarding gender equality in the country.

For example, the promotion of women in the National Assembly was 30% during the 2005 National Elections in Parliament and it dropped to 25% during the 2009 National Elections. As a result, the Ministry felt it necessary to hold a **Conference on Women in Politics and Decision-Making in Namibia** for politicians irrespective of their political affiliation to deliberate on the significance of achieving gender equality and women empowerment in Namibia. This was one of the successful conferences because it was well attended by 184 participants of which 129 were female and 55 were male. Participants were drawn from the Women Parliamentarian Caucus or registered Political Parties in Namibia, Members of Parliament, Regional Governors, Regional and Local Authorities Councillors.

During the Conference various influential speakers, including some Members of Parliament from Tanzania and Zimbabwe were invited to address the Conference.

In conclusion, I would like to appreciate the contribution from our developmental partner such as; UN Women, UNDP, Spanish Cooperation, SADC Gender Secretariat, SADC Parliamentary Forum and the IDEA International, who made financial contributions towards the hosting of this pertinent Conference.

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**NOTICE OF QUESTIONS
HON VON WIETERSHEIM**

The recommendations are attached to the Report. Your support is highly appreciated and will have a positive impact on the lives of Namibian women. I thank you, Comrade Speaker.

HON SPEAKER: Thank you. Any other Reports and Papers? Notice of Questions? You have the Floor, Honourable Von Wietersheim.

NOTICE OF QUESTIONS

QUESTION 17:

HON VON WIETERSHEIM: Thank you, Honourable Speaker. I give Notice that on Thursday, the 17th of April 2014, I shall ask the Honourable Minister of Regional and Local Government, Housing and Rural Development the following:

1. Is the Honourable Minister aware of the numerous letters and petitions that the residents of Area 7 in Lüderitz have addressed to the Lüderitz Town Council and even to the ECN or has this ever been brought to his attention?
2. From as long ago as 2004 to 2006, I have got a relocation letter of March 2006. Informal settlers were relocated to Area 7 where they were supposed to stay for approximately six months before being allocated plots, which were to be serviced by the Municipality in the interim. The residence of Area 7 desperately wish to know, Honourable Minister, when are they going to be allocated permanent place?
3. The lease agreements referred to in the relocation letters were never

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**NOTICE OF MOTIONS
HON DR KAMWI**

signed as apparently the temporary settlement is on NAMDEB Land, nevertheless, the residents are receiving Municipal invoices on a regular basis for site rentals and if payments are in arrears their electricity is cut off. The community wants to know; is the payment for land for which no lease agreement exists, or is it for electricity?

4. To make matters worse, the Lüderitz Town Council cut the power to the whole community and without informing them in advance, thereby applying collective punishment to all. Is that acceptable to you Honourable Minister, and how are the kids going to study without electricity or even watch TV?
5. The residents own electricity boxes bought with their own funds, now that the electricity is cut, they demand that the electricity boxes are taken back and the owners be refunded until such time that they are finally relocated and every one of them demands to know, when will that happen, Honourable Minister?

HON SPEAKER: Honourable Member, please table the Question. Notice of Motions? Honourable Minister of Health.

NOTICE OF MOTIONS

HON MINISTER OF HEALTH AND SOCIAL SERVICES: Thank you, Honourable Speaker. Honourable Members, I give Notice that tomorrow, the 9th of April 2014, I shall Move that leave be given to introduce a Bill to provide a framework for structured uniformed, Public and Environmental Health System in Namibia and to provide for incidental matters. I so Move, Honourable Speaker.

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**NOTICE OF MOTIONS
HON HERUNGA**

HON SPEAKER: Can the Honourable Minister table the Motion?

HON MINISTER OF HEALTH AND SOCIAL SERVICES: I further give Notice that tomorrow, the 9th of April 2014, I shall Move that leave be given to introduce a Bill to provide a framework for a structured Uniform Health System within Namibian, to consolidate the Laws relating to State Hospitals and State Health Services and to regulate the conduct of State Hospitals and State Health Services and to provide for matters incidental thereto. I so Move, Honourable Speaker, Sir.

HON SPEAKER: Honourable Minister, please table the Motion. Honourable Minister of Environment and Tourism, I give you the Floor.

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you very much, Honourable Speaker. I give Notice that on Thursday, the 10th of April 2014, I shall Move that this Assembly accedes to the Nagoya Protocol on access to Genetic Resources and a fair and equitable sharing of benefits arising from the utilisation to the Convention on Biological Diversity. I so Move, Honourable Minister.

HON SPEAKER: Can Honourable Minister please table the Motion? Any Ministerial Statements? Honourable Minister of Health. The Minister of Health and Social Services wishes to share some information with the House.

MINISTERIAL STATEMENT

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**MINISTERIAL STATEMENT
HON DR KAMWI**

HON MINISTER OF HEALTH AND SOCIAL SERVICES: Thank you, Honourable Speaker. Honourable Members, I rise to make a Ministerial Statement on Vector Borne Diseases.

Yesterday the World Health Organisation (WHO) commemorated the World Health Day dedicating this year's celebration of the founding of the WHO to Vector-borne diseases. For Namibia, this could not have come at a more opportune time than now.

Namibia had the rare honour of having been invited by Dr Margaret Chan, the Director-General of the WHO in addressing the international community on the impact of Vector Borne Disease globally.

Vectors are small organisms that carry serious diseases. Common vectors include mosquitoes, sand flies and ticks amongst others. WITH JUST 1 BITE, they can transmit diseases such as Malaria, Dengue, Leishmaniasis, Lyme Disease, yellow Fever, Japanese Encephalitis and Human African Trypanosomiasis among others. The common name is sleeping sickness.

The diseases which are spread by vectors kill a million people every year and more than half of the world's population is at risk.

The burden of vector-borne diseases is highest in Africa. For example, Malaria continues to cause morbidity and mortality, exacting huge tolls on economic development across the continent. On the other hand, Dengue outbreaks have been reported in all Regions, with suspected endemicity in over 30 countries, and all four dengue viruses are in circulation. The challenges of neglected vector-borne diseases such as Leishmaniasis, yellow fever, Human African Trypanosomiasis and Chikungunya remain.
(Laughter)

HON SPEAKER: That is Damara.

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**MINISTERIAL STATEMENT
HON DR KAMWI**

HON MINISTER OF HEALTH AND SOCIAL SERVICES:

However, there is positive news. When well funded and implemented, as is the case in Namibia, it is clear that vector control works. Onchocerciasis has been eliminated from vast areas of Africa with the use of insecticide spraying and mass drug administration. Major inroads are being made against malaria throughout Africa on the back of effective vector control and Namibia is taking the lead.

Honourable Speaker, Honourable Members, Namibia herself has made good progress in the control of vector-borne diseases, which include Human African Trypanosomiasis, Plague and malaria. Progress in malaria has been achieved through the persistent and continued use of Indoor Residual Spraying (IRS) as our mainstay of vector control and, supplemented by deployment of Long Lasting Insecticidal Nets (LLINs) particularly, for pregnant women and under 5 year old children. These two powerful tools are driving us towards elimination - and will help us to eventually eradicate the disease. We have also invested in a careful and gradual introduction of larviciding in some of the formerly highly malarious urban and peri-urban areas that border Angola. We are committed to continual monitoring of the impact of our approaches.

Honourable Speaker, Honourable Members, whilst together with the DG, WHO and experts on the subject addressed the international community yesterday in Geneva, I was and remain optimistic that one day Namibia will be declared a free Malarious Country. However, the recent development emanating from Kavango East and West had made me to be cautious on this subject. We still have a long way to go before such a declaration can be made.

Our surveillance system has indicated an upsurge in Malaria cases i.e. from the Out-Patient Department (OPD), In-Patient Department (IPD) and death in the two Regions of Kavango East and West, compared to the same period in 2012 and 2013. We have recorded confirmed Malaria cases and deaths this time around. I am sad to report that a total of 3,470 Outpatient Malaria cases, of which 275 are imported cases are all confirmed by Rapid Diagnostic Testing (RDT) with a total of 8 deaths of

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**MINISTERIAL STATEMENT
HON DR KAMWI**

which 4 are imported. The pick of this imported cases were identified in Andara District.

Honourable Speaker, all identified potential breeding sites in affected villages were identified as *Anopheles Larva* representing 99%. It is also sad to note that a high number of these species were found in unsprayed structures. Upon our enquiry, the revelation are such that most of the structures where vectors were found, were not sprayed and/or the owners refused their huts and houses to be sprayed while some were absent. Unfortunately, most of the Malaria cases came from these unsprayed houses.

Indeed *anopheles gambiae complex* was found in most of these unsprayed structures of all the affected villages. Similarly, the affected communities were not using any of the personal protection measures (LLINs) or any mosquito repellents.

Regarding the cases from our northern neighbour, I would like to inform that unfortunately there are no vector control measures carried out. Therefore, it is incumbent upon Namibia to see to it that we take measures to keep ourselves protected whether in Namibia or when we travel to endemic countries.

The following simple measures can protect ourselves and our families:

1. When travelling to countries reporting yellow fever and Japanese encephalitis, please get vaccinated before you leave.
2. In case of Malaria please install window screens, wear light-coloured long-sleeved and trousers, sleep under insecticide treated bed nets, and get rid of stagnant water from places where mosquitoes breed, such as in old containers, flower pots and used tyres.

Finally, Vector Borne Diseases are one of the greatest contributors to Human suffering and deaths. They have continued to increase, with some spreading at an alarming space. You may wish to know that even here in

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**MINISTERIAL STATEMENT
HON DR KAMWI**

Windhoek, we have detected that the *Aedes mosquito* is around, even in some of the offices but it is fortunately not yet a vector in Namibia.

The silent expansion of Mosquito vector and their abilities to develop resistance to insecticide threatens the gains made. The Ministry of Health and Social Services together with our development partners, will do our best to bring this situation to normality. I, however, want to caution that for this to be realised it calls upon all the communities in Malarious Regions to adhere to our call, i.e. during spraying seasons please see to it that all doors are open for spraying man and women to do what they know better.

This should continue without reservations until such time that who knows, the WHO would, one day, declare the countries bordering Namibia free of Malaria. Thank you for your kind attention.

HON SPEAKER: Honourable Minister, thank you very much for the information.

The Secretary will read the First Order of the Day.

**RESUMPTION OF DEBATE ON GENDER-BASED VIOLENCE
EXEMPLIFIED IN RECENT KILLING OF WOMEN**

SECRETARY: Resumption of Debate on Gender-Based Violence Exemplified in Recent Killing of Women.

HON SPEAKER: When the Debate was adjourned on Tuesday the 11th

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**GENEDER-BASED VIOLENCE
HON ULENGA / HON PROF KATJAVIVI**

of March 2014, the question before the Assembly was a Motion by Honourable Ulenga. The Debate was concluded, does the Honourable Member, therefore, wish to reply?

HON ULENGA: Thank you, Honourable Speaker. I am more or less ready to reply, however, I was informed that there were still a few Members who would like to pool out a few things (interjections).

I am putting down what I was informed, I am not necessarily proposing that, but if that is not the case, I am ready. A few Members should come and speak to the Speaker as well. I understand that this also includes the Honourable Chief Whip of the Ruling Party.

I thank you and I am ready to reply Honourable Speaker.

HON SPEAKER: Honourable Katjavivi.

HON PROF KATJAVIVI: Thank you very much, Honourable Speaker, it is very kind of you to recognise me.

Honourable Speaker, Honourable Members, I would like to add my voice to those of the Honourable Members who have spoken on this Motion on Gender-Based Violence highlighting the recent killings of women.

Honourable Speaker, Honourable Members, this House had an opportunity of dealing with Gender-Based Violence through a number of Motions presented to this House.

I recall the Motion that the Honourable Dr. Theo-Ben Gurirab, the

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**GENEDER-BASED VIOLENCE
HON PROF KATJAVIVI**

Speaker, tabled on the 21st February 2013, as an Unopposed Motion on behalf of this House. The Speaker's Motion represented, in my view, an expression of great concern of wide-spread violence against women and children in the country.

The Motion that the Speaker presented, represented the collective consensus expression of the entire House.

This Motion provided this House with comprehensive information on various forms of GBV as well as pinpointing what steps could be implemented to combat the vice of GBV.

From the information that has been gathered by research institutions, and in particular, the work done by the Legal Assistance Centre (LAC), we have recognised that there is a need to strengthen all measures including:

- The National Plan of Action on GBV, as well as;
- Ensuring proper coordination amongst all stakeholders.

Above all, there is equally an urgent need to revisit the role of the Women and Child Protection Unit with the view of strengthening it both in terms of personnel and capacity.

It must be noted that the Women and Child Protection Unit is the first call where, victims of GBV seek redress and comfort against the ills done unto them. Unfortunately, it has been felt that when many people go there with needs, the first impression they receive does not inspire confidence.

Honourable Speaker, Honourable Members, this House also received a Motion from Honourable Pendukeni Iivula-Ithana, on the 2nd of July 2013, related to GBV.

Again the Honourable Member outlined the significant impact of GBV on Namibian Society, particularly on Women and Children.

Consequently, both Motions were adopted by this House.

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**GENEDER-BASED VIOLENCE
HON MANOMBE-NCUBE**

Honourable Speaker, Honourable Members, I submit to this House that Gender-based Violence has reached a proportion in our society that requires revisiting our legal system so that we can take corrective measures so as not to send the wrong message to the perpetrators of violence against women and children. I thank you, Honourable Speaker.

HON SPEAKER: Honourable Member, thank you indeed. With that Honourable Ncube.

HON MANOMBE-NCUBE: Comrade Speaker, thank you for granting me the opportunity to join the Debate on this topical issue of Gender-Based Violence.

Under normal circumstances, I would have held my peace and let the Debate go on, but in this case I felt as a mother and woman who has been provoked on different occasions, and so I would like to make my contributions to this august House.

Comrade Speaker, Gender-Based Violence is the worst assault on our attainment of Independence and self determination. It is a scotch targeted at women like me and innocent children. One wonders what has happened to our own sons who have become beasts turning homes into places of bloodshed and insecurity. Where did we go wrong as a Nation that today we slaughter women (interjection). Yes some men, of course yes. Where did we go wrong as a Nation that today we slaughter women and children like animals?

Comrade Speaker, Namibia has the highest cases of GBV ranging from rape and the so-called passion killings but the most common cases of GBV are emotional violence which is not easily detected and reported. Most Namibian women are in abusive relationships, which suffocate their voices and creativity relegating them to minors who must just tow the line

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**GENEDER-BASED VIOLENCE
HON MANOMBE-NCUBE**

irrespective of their views which might be different to their loved partners. This causes them not to find reliable friends to confide in. They simply suffer in silence. The sad part is there is no place of safety where these sisters of ours and mothers can flee. Their cases cannot be reported to the authorities since there is no physical evidence to validate their claim.

Honourable Members, it is a matter of time before they join the statistics of those who fall prey to this barbaric act of violence. We need to swiftly act as Lawmakers and find solutions to the challenges facing society today or history will forever condemn us.

The media reports on a daily basis cases related to gender based violence and I think it is so because the Nation has an inherent expectation on us as leaders to provide leadership and rescue the country from lawlessness and anarchy. In January this year, the Court presided over sixteen cases and six of them were GBV nature, five rape, one murder of a partner constituting an average of 38% of all cases or more that are Gender-Based Violence related. This is alarming and scary to live in what is supposed to be a peace loving country.

Comrade Speaker, I have no doubt that our Government is doing a lot in addressing the problem but it is clear that our lot is not good enough we need to shift the gear to close the gaps in legal instruments, deficit in infrastructure and economic conditions that could be used as an excuse for the escalating levels of violence.

The Ministry of Safety and Security is now responsible for fifteen Woman and Child Protection Units across the country but according to the latest review of poverty and inequality in Namibia published by the Central Bureau of Statistics, the average distance from a household classified as poor to a Police Station is 24.1 kilometres. It goes without saying that for every step of progress made there seem to be challenges, hurdles and failures in the system. What more with progress Laws in place such as the *Combating of Rape Act* and the *Combating of Domestic Violence Act* but alas high levels of violence continue un-raffled.

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**GENEDER-BASED VIOLENCE
HON MANOMBE-NCUBE**

It is clear that our policing system also is overwhelmed and the Courts are so stressed to the limit, cases are prolonged leading to withdrawal of such cases by the victim in sympathy with perpetrators and we know what happens further in most cases. As a Nation we must explicitly say no to these heinous crimes of GBV and pronounce ourselves clearly that we disregard any disrespect for women and children.

Enough is enough and I, therefore, take the liberty Comrade Speaker, as a concerned citizen to propose that men who commit Gender-Based Violence be it rape, so-called passion killing, assault with intent to do grievous bodily harm be rightly chemically castrated. I know many people are not going to like that, Honourable Speaker, but that is a suggestion (interjection). Can I be protected Honourable Speaker?

HON SPEAKER: Yes, you are fully protected, but you know it is a bit *(incomplete)*.

HON MANOMBE-NCUBE: Because this will reduce the libido, therefore, reducing sexual fantasies perhaps they will learn a lesson. It goes without saying that there are women who commit GBV too, I am very much balanced, must be denied, there must also be measures applied, which are legally appropriate to learn a lesson, especially those who are committing crimes such as baby dumping so we can see what is there to do with women. These individuals are, but monsters that do not protect the rights to others to live nor do they have respect for life. Society must deny them these rights or fantasies that they can enjoy.

Henceforth, we must be a Nation that does not condone anarchies to wreck havoc in our society undermining the values and tenets we wage the liberation struggle for. We must equally encourage, even force our girls and sons not to stay long in cohabitating relationships. They must get married instead of enjoying the privileges of marriage without subscribing

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to the ideals and values of marriage. This cohabitation brings about problems in the long run and contributes to the senseless killings.

Comrade Speaker, let me challenge Psychologists and Socio-Psychologists to inform me whether it is true that the behaviour of an individual leading to the commission of crimes such as murder or gruesome killing, does not reveal a person who is already suicidal. As a democratic State governed by the Rule of Law, I believe there is too much sensitivity to protect the rights of the perpetrators of crime and not think of the devastating emotional trauma and the scars they have inflicted on society when they were committing the crime. These double standards must stop. We must stop allowing criminals to cover their identity while attending their court hearings, if they are innocent enough, why do they cover their faces with newspapers and cloths? These things must be really stopped.

Comrade Speaker, let me end my contribution by supporting the call by His Excellency, Comrade Hifikepunye Pohamba, the President of the Republic of Namibia in amplifying the need to review all obsolete Laws and establish measures of improving the administration of justice to close all the loopholes that are being exploited in the Justice System by perpetrators.

We must also develop the necessary infrastructure for victims of violence such as shelters or hospices where these women and their children can find refuge while services such as counselling and other therapie can assist them to understand their levels of abuse and make informed choices. I trust that this august House will work with speed and make bold decisive resolutions to save our mothers, sisters and children from *some* of these possessed insensitive men. Thank you, Honourable Speaker.

HON SPEAKER: Thank you, Honourable. Honourable Minister of Foreign Affairs.

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HON MINISTER OF FOREIGN AFFAIRS: Thank you, Comrade Speaker, Honourable Members. I thank those who asked for the extension of the Debate, which I had to miss at some point.

Comrade Speaker, it is really unfortunate that we are finding ourselves in a situation whereby some Members of our society find it so easy to take lives, either themselves or the lives of others. In other words, we are finding ourselves in a situation where death is no longer something that is feared. I am saying death is no longer something which is feared because you cannot imagine a person after having killed another person, going all the way to even dismember the dead body, by taking off some of the limbs and that is what takes us now to ask, where have we gone wrong and what should we do as a Nation, of course, to a certain extend? This is not an excuse for us not to do what is expected. Such incidences are not only reported in Namibia so we can ask ourselves where we have gone wrong as citizens of the world.

Coming back to Namibia Comrade Speaker, I fully agree with men, if not all, who are calling on us to look into our Laws and see how we can close the gaps. It is a necessity so that our Laws can be used to curb this Gender-Based Violence we are now experiencing in our country.

At the same time, Comrade Speaker, I also believe that Laws cannot work in a vacuum, there must be other supporting mechanisms that will enable us to implement those Laws. At the same time, we do not just look to punish but what is important is to prevent because as the saying goes - *prevention is better than cure*.

I know that at one point there were suggestions and I think some work has already been done, however, they need to be published. One of the suggestions was to ask those who are already convicted of this type of murder for one to do a research on them so as to understand whether there are similar characteristics as well as similar upbringing and background so that we will be able to identify how we can prevent such behaviours in our communities. If such studies are not completed or are not done yet, I still feel they need to be done and information to be shared

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so that we see how we can assist in addition to the Laws that we are putting in place.

Comrade Speaker, our Constitution tells us that the family is the basic unit of our society and when we talk about the family, being an African, we are also talking about the community in which we find ourselves to be part of our families. Family support and community support has always been helpful. Unfortunately, now you find that such support has been taken over by technology where we even experience in our own houses that you can be sitting as a family but one or two of your kids, even if they are sitting there, they are just into their gadgets - the cell phones, communicating with others, which means you are not able to impart anything on that particular child because he is not with you.

Therefore, Comrade Speaker, as we are reinforcing our Laws, we also need to see how we can encourage personal contacts and talking as part of empowerment of our society. Face to face communications still remain essential, that is why in the world of technology, where you can have teleconferencing, there are still conferences where you go on left and right because you need that human feelings in order to understand one another.

Therefore, Comrade Speaker, it will be very helpful and I understand it to be a slow process, to find out how we can increase the engagement of our people in order to keep them busy, one way or the other. It is very unfortunate that the communication is breaking down to the extent that people do not know how to communicate in relationships but instead resort to violence.

It is unfortunate that today, when the young people engage in relationships, they should know that ending a relationship from the other one would mean you are signing your death sentence. This is because we do not dedicate sufficient time to discussions like we used to do traditionally - telling stories around the fire because that is how we have come to learn how to communicate and how to handle conflicts.

Therefore, Comrade Speaker, I believe the Ministry of Youth might try to think out of the box and see what mechanisms can put in place in order

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to keep our young people busy, innovative and for them not to only think of relationships as the only thing they can do best in their lives.

Comrade Speaker, I submit that as we are improving our Laws, as families, communities and as a Nation we need to improve on communication and to see how best we can teach our young people to deal with conflicts when they occur in their relationships and even in their day to day lives at their offices. I so submit, Comrade Speaker. I thank you.

HON SPEAKER: Thank you very much, Honourable Minister. Honourable Nujoma.

HON MINISTER OF JUSTICE: Thank you, Comrade Speaker. I really did not want to say anything on this important Motion but there seems to be a continuous reference to the Laws and I agree but I just want to remind the Honourable Members that this House has passed two important landmark legislations. One is the *Combating of Domestic Violence Act* and the *Combating of Rape Act*.

These Laws are very comprehensive, they deal with issues such as bail. They deal with how Prosecutors should handle these cases of Gender-Based Violence, so in my view these pieces of legislation are landmarks. We have set the example on this continent and that is why the people are still learning from us as to how to deal with these complex cases of Gender-Based Violence.

However, what I want to say here is that we will look at the Laws and if there are any gaps identified, we will fill them as far as the Ministry of Justice is concerned. I have also mentioned during the Budget Debate that the Courts have consistently passed severe sentences in cases of murder, rape and so on, ranging from thirty (30) years to sixty (60) years.

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Just yesterday, Judge Cheda sentenced one of the murderers, a gentleman called Ditshabue and even said - *you killed her in such a cowardly and cruel manner. You murdered your wife, you murdered your girlfriend so I will punish you to sixty years imprisonment.* Therefore, the Law is there. There is no gaps in the Law, we have to deal with our own people and to teach them from childhood that you need to respect each other as brothers and sisters, your neighbours, your uncles, your community, your country and the world. This is what we need to do.

Comrade Speaker, just as an addition to explain that the Laws are being put in practise. Comrade Manombe-Ncube, do your social work and we will take care of the Law. Thank you very much.

HON SPEAKER: Thank you very much, Honourable Minister. Is that it? Honourable Nambahu.

HON SHIXWAMENI: The Minister has spoken.

HON DEPUTY MINISTER OF JUSTICE: Thank you, Comrade Speaker, I also want to support my Minister here (intervention).

HON SPEAKER: As a reminder, you have already taken the Floor on this Motion. You have spoken on this one.

HON DEPUTY MINISTER OF JUSTICE: On this one?

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HON SPEAKER: Yes, on this one, have you not contributed earlier?

HON DEPUTY MINISTER OF JUSTICE: I do not remember but it is fine.

HON SPEAKER: If you did not, you can continue.

HON DEPUTY MINISTER OF JUSTICE: It is a long time, I do not know. Can I?

HON SPEAKER: You are saying you have spoken already.

HON SPEAKER: Unless you absolutely disagree with everybody who has spoken so far. You already had the Floor, you made your contribution, it is recorded, yes.

Is there anybody who has not made a contribution present here? If not, I call on the Mover of the Motion, Honourable Ulenga to reply.

HON ULENGA: Thank you, Honourable Speaker. I think after the speakers of today, I can say a few things. One is that we stand a risk of throwing things a spanner in the wheels. At the beginning of the Debate, there was a clear indication of the direction we were taking.

With the steps which were announced by the President in mind, the

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Deputy Prime Minister made a proposal right at the beginning of the Debate and he was proposing that (intervention).

HON SPEAKER: Let us listen to Honourable Ulenka.

HON ULENGA: The House worked out its strategy with the view of working together, which came from the Executive so that when the day comes, the whole Nation comes together and the National Assembly has a clear position on how we should go to work, dealing with this situation. I think that should be where we should mainly stand. Of course, there are also many other necessary things that so many people have mentioned even today.

The *Minister of Justice for Justice*, for example, who just concluded now, is clearly saying that there is limitation to Law. The problem does not seem to be there, the problem seems to be with moral education earlier in our lives because you can punish people when they have already committed the crimes but the crimes continue unabated because there seems to be another thing lacking. It is not that the Laws are not severe enough. It does not mean that the Laws are enough but there is something lacking in addition to what the Laws are supposed to bring.

Honourable Speaker, I am actually just supposed to summarise what the Debate was and to emphasise on what seems to be that the House agreed upon. The *Deputy Prime Minister* says that this matter needs to be resolved completely, we must look at the short, medium and long terms so that the whole problem of Gender-Based Violence, whatever you want to call it, is completely eliminated.

However, I think we must also remember, like one of the Ministers said that this is just not a problem limited to Namibia, it is a worldwide issue. I think it is also from that point of view that we must look at it. The

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Minister of Foreign Affairs is talking about the way parents are forced to give up on the education of their children because there is an interference that comes from outside. If you do not deal with the current state of development, the technological development, then there is no way that parents can have a meaningful intervention in the upbringing of their children because there is already another teacher who has taken over. Like *Honourable Dr Chief Ankama* also pointed out, I think there is one issue which stands out, the lack of moral education. We must have the view of what is right and wrong on these matter and what controls the behaviour of people.

Honourable Speaker, definitely issues such as the death sentence, castration, whether it is physical, chemical whatever, all these are just expression of frustrations from the side of the Members. There is no way that that kind of thing can be effective.

However, I am attracted to what the *Defence Minister* is talking about, borrowing from the Customary Law. I think it is effective, it has been effective in the Tribal Societies, where families were made to pay. If people are told that - *if you kill, all your pension and everything that you own, even what you could leave to your kids are taken away to pay to the victims*, that could somehow have a deterrent effect on the behaviour of these criminals.

Let me not go too far, I will come back to the proposal that seems to be on the table that this issue be given to a limited number of people who constitute a Committee, in this case I think we are talking about the Committee on Human Resources and other things, which would then work together with other bodies including the Executive so that the Conference, especially the National Conference, which is proposed, to happen in May or perhaps at a later date so that when that happens there is a clear contribution that comes from the National Assembly that also sums up the stand of the National Assembly that emanated from this Debate.

Honourable Speaker with that proposal or with that Motion, namely that the matter be left in the hands of the Standing Committee which will work

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towards the preparation of a National Conference, that is also proposed by the Head of State, I would like to submit. I so Move. Thank you.

HON SPEAKER: Is that the consensus of the House? I now put the question that the Motion be adopted. Any objection? None. Agreed to.

The Secretary will read the Second Order of the Day.

**CONSIDERATION OF REPORT ON THE
FOURTH ORDINARY SESSION ANNIVERSARY
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SECRETARY: Consideration of Report on the Fourth Ordinary Session Anniversary of the Pan African Parliament

HON SPEAKER: Does Honourable !Nawases-Taeyele, Move that the Report be considered?

HON !NAWASES-TAEYELE: I so Move, Honourable Speaker.

HON SPEAKER: You have the Floor, Honourable !Nawases-Taeyele.

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HON !NAWASES-TAEYELE: Thank you, Honourable Speaker. Honourable Speaker, Honourable Members, the Pan African Parliament had its Fourth Session of the Third Parliament from the 10th to the 19th of March 2014, in Midrand, Johannesburg.

The Plenary discussed the proposed Budget of the African Union and noted with great concern the low execution of the African Union Budget by the various organs and that more than 66% of the Operational Budget is financed by five countries with very little input from the rest of the Member States.

A special Session on the Women Dialogue, led by the Women's Caucus of the Pan African Parliament, was held at the Pan African Parliament with a view to reflect on the role of the Pan African Parliament in ensuring that women are in decision-making and leadership at all levels.

During the Plenary, the Members of Parliament reaffirmed that the majority of the world's people are women and that a major factor for this is the discrimination they face solely because they are female and that this discrimination has significant consequences for women and girls, and often limits their opportunities in life.

As the Pan African Parliament celebrated its 10th anniversary, it has put aside a special theme for this caucus whereby debating upon it, reflects on the role of Parliament, specifically, with regard to:

- Youth and Unemployment;
- Youth and Education and Skills Acquisition;
- Youth and Peace and Security;
- Youth and Political Participation; and
- Youth and Health in Africa as some of the key themes for the Debate.

Honourable Speaker, Honourable Members, the Pan African Parliament also held a Dialogue Session with the Civil Society.

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The following Resolutions were adopted:

1. **Resolved** to Pay Tribute to the Former President of South Africa His Excellency Nelson Madiba Mandela for his humanitarian contributions;
2. **Noted** the concern of Civil Society Organizations on the transformation of PAP from a Consultative to a Legislative Body and resolved to liaise with national NGO's to petition for a continental legislative body that will be submitted to the Heads of State and Governments in Malabo, Equatorial Guinea, during the June/July 2014, AU Summit, amongst others; and
3. That MP's must play a leading role in the implementation of the African Union Agenda 2063 Strategic Plan ensuring the participation of the African citizens to achieve the vision;

The following Recommendations were adopted:

1. That, all Member States must include a Budget Line on their contribution dues to the AU which must be debated and adopted in National Parliaments, amongst others;
2. Recommendations emanating from the Women Dialogue:
 - a. Call upon Member States to ensure that the agreed Maputo Protocol relating to the African Charter on Human and Peoples Rights on the Rights of Women and the Solemn Declaration on Gender Equality in Africa are implemented;
 - b. Maternal Health/Women's Sexual and Reproductive Health and rights are included in national priorities, and
 - c. Call Upon Member States to Strengthen women's participation in initiatives to fight Gender-Based Violence and take all the

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necessary measures and support reforms to protect women, girls and children from Gender-Based Violence, amongst others;

3. Recommendations emanating from the Dialogue on Youth - All Member States of the African Union must ratify, internalise and effectively implement the African Charter on Youth in their respective countries, amongst others.

Honourable Speaker, that was shortly my Motivation for the Report I tabled last week and I thank you.

HON SPEAKER: Thank you, Honourable Member. Any further discussion of this Report? Honourable Minister of Defence.

HON MINISTER OF DEFENCE: Thank you, Honourable Speaker. I firstly want to thank Honourable !Nawases-Taeyele for tabling this very important Report.

The reason why Africa is backward, is weak, is poor and is suffering from all sorts of diseases stretching from Ebola to the others that were mentioned by the Honourable Minister of Health here, which I never heard of is because Africa is divided. This is the basic reason. We are divided and I see that nationalism is taking over from PAN Africanism in many of our countries and also many of our decisions.

I, therefore, believe that the continental institutions need to be strengthened and one of such institutions is the PAN African Parliament. We are told here that the basic challenge facing the PAN African Parliament is actually resources and finances. We establish institutions and we do not fund them because of our nationalism. We only think about

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our countries from where we get the passports but the destiny of Africa lies in the hands of all the Africans wherever they may be.

Institutions like the PAN African Parliament have a great potential to develop a common culture of governance, especially, because of the challenge of Africa. If we could promote common governance values for all the African countries, I am quite sure we are edging closer to establish institutions within our regions, within our continent which will guide our values as Africans. Now if you have the PAN African Parliament that does not feature anywhere in our Budgets then you do not expect it to be anything else but a talking shop. When one African Leader is faced with a problem at home he/she will fly there and make a statement like one Head of State did with the current PAN African Parliament. That does not help much because the PAN African Parliament just becomes a defensive mechanism.

It is supposed to be a proactive mechanism suggesting progressive Laws, I see here that you were talking about Model Law on Medical Products Regulations and Harmonisation in Africa. We also want a Model Law on Investment, a Model Law on Extractive Industries and Model Laws on a range of things with which we are faced with so that these Laws can converge and form a body of Laws. Just like the United Nations has the Law of the Sea, Drug Laws, Weapons of Mass Destruction, we have our specific problems in Africa, especially in relation to others.

Just imagine when you talk about Extractive Industries, if you look at Namibia, we tried to be a mining country ourselves, do those mines really belong to us? No, they do not belong to us! People come here dig holes and take out minerals and they never declare profits until the minerals are exhausted. They pay you peanuts, something called rent, it is just like accommodating someone in your house who pays you rental. We are not getting the value of our minerals and we can only get that if we work as a body, like for opencast mining, the Extractive Laws in Africa should be the same so that people do not jump from one country to another as they are doing now. The vivid great index is to entice us to do things in their

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favour. Indexes on various kinds of things. You are being absorbed by these indexes and want to be a good person so that apparently, investment will come automatically. It will never happen! It will come at your price. I can tell you when I look at the holes being dug in Namibia here and I look at the Budget in terms of revenue, I am really disappointed. Therefore, we expect the PAN African Parliament to have these Model Laws, which eventually can be taken up to the African Union and so Resolutions are taken to domesticate all these Laws over our countries. I think that will be the best contribution the PAN African Parliament can make.

In order to enable the PAN African Parliament to do that, either we create a Budget Line in our National Budgets - **Contribution to African Parliament** as a Vote or something like that. If you do not want to do that, let us have a special tax, especially on minerals. After all the minerals are a common heritage of all the Africans. We accidentally find ourselves in Namibia, others accidentally find themselves in Cameroon while others accidentally find themselves in Tanzania, that is an accident of history. We could have been anywhere in Africa, I, therefore, believe that the resources of Africa are a common heritage of all the Africans and I, therefore, propose that there must be a tax on minerals to fund the African Union, to fund the African Parliament, to fund the African standby Force and to fund the African Rapid Deployment Force, so that we have the institutions to defend us.

HON DINGARA: May I ask a small question to my Senior Minister? Thank you. If you look at the world from the information that I have, there are two Parliaments maybe in the whole world and that is the Parliament of the East African Community and the EU Parliament that are allowed to make Laws, which are Legislative Assemblies.

When it comes to my understanding of a Parliament, the first responsibility of Parliament is supposed to be lawmaking and I

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understand that the PAN African Parliament does not have that power or authority to make Laws for Africa. It similarly applies the SADC Parliamentary Forum, it does not have the authority to make Laws for the SADC Region.

Honourable Nahas, in your view, what could be the challenges that lead to our existing Parliaments, not to having the right to make Laws for the Member Organisations that they represent? I know that you have the experience of the world and I am interested to know; why can we, for example not give the PAN African Parliament the right to make important Laws like the ones that you were enumerating?

I just need to hear from you and probably obtain your view because amounts to a Parliament which is *not useful*, I do not want to say it is *useless* but it amounts to a Parliament with less – I do not know but I think you understand what I want to say. Thank you.

HON MINISTER OF DEFENCE: Thank you, Honourable Dingara. Just two small corrections; if you want to call me *Nahas*, just say - *Comrade Nahas* and if you want to call me Honourable, then *Honourable Angula*. Those are corrections I want to advise you on.

Secondly, Parliaments have three pillars of responsibility:

1. Making Laws;
2. Oversight Function; and
3. Being the Moral Conscience of the Community.

That is why we have Motions and other things here. Those are the three pillars of Parliaments. Now, I said earlier that we have become victims of nationalism. Nationalism expresses itself in Sovereignty. We want to guard our so-called Sovereignty. We want to be seen to be sovereign something, I do not want to say to be a sovereign Head of State, but to be

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a Sovereign State, therefore we lose the sight of a bigger picture. That Americans fought a civil war there to unite America is because they knew that if America is the United States of America, they will dominate the world and they are doing it. Now with your recantation, there is no way but you have to start from somewhere. I think the PAN African Parliament, having seen the political obstacles of giving authority to overcome this sovereignty question, have started with Model Laws. These Model Laws can be passed by Africa Parliaments, be taken to the African Union and then we see which African Head of State is going to vote them down. However, if they adopt them, we are forced to domesticate them. I think the starting is not bad to overcome these political obstacles of nationalism, sovereignty and all those kinds of things.

What I am saying is that Africa does not have lack of resources. Just put up a small tax on diamonds, small tax on uranium, a small tax of say, 0.01 percent on all these resources in every country and you will get billions to fund African projects but for whatever reasons we give concessions, so-called incentives to investors to exploit us but we do not want to give incentives to African Institutions to grow and sustain themselves.

I, therefore, thank Honourable Taeyele for tabling this Report. You have my support and I hope that we as Africans, will see our weaknesses in our division. Thank you.

HON SPEAKER: Can I make a contribution to this? The present PAN African Parliament does not have the competence that we would like it to have. That was the dream at the beginning that it would have legislative capacity/authority, it does not have that. The Members of the PAN African Parliament at present, are Members of the Constituent National Parliaments. We have the Members from Namibia that are among those that are sitting against the wall facing me. The Deputy Speaker is a Member, the Chief Whip is a Member and there are three other Members, so whatever we would want the PAN African Parliament to do by way of

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proposal, say from Namibia, it has to be taken by our Members of this current National Assembly to the PAN African Parliament. They could go and negotiate there, and if that is palatable to the other Members from other countries, Members of the National Parliaments of the Constituent countries, then maybe it would fly there. From there it would either be taken back, if that kind of a proposal was made by Namibia, that delegation comes back and motivates our National Assembly, then maybe we could begin to propose something. However, at the present time it does not have the competency that we are giving it. I have not been there for a long time but that is my understanding. Honourable Nujoma.

HON MINISTER OF JUSTICE: Thank you very much, Comrade Speaker. I would like also to thank Comrade !Nawases-Taeyele for this important Report.

I just have a small comment with regard to the legislative function which is being proposed and I agree with Comrade Angola or Honourable Nahas.

HON MEMBER: Comrade Nahas or Honourable Angola! (*Laughter*)

HON MINISTER OF JUSTICE: Oh, I have it the other way round. Yes, I agree with what he said about this important body. With the legislative function, the current proposal that the Parliaments should start making Model Laws is fine but the problem we have with our institutions as Comrade Nahas said, is that we do not fund these institutions so these institutions become victims of foreign domination. We do not have the money and as a result things are pushed through there. We, for example, have the SADC Tribunal now, we have just realised that we have created a monster. These are the comments of Heads of State saying we have

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created a monster, which is about to tear us apart - to devour us or eat us up.

The Heads of State were saying we have created this monster, what do we do? Precisely because we do not fund our institutions. Therefore, the proposal that we should introduce these kinds of taxes, we have so many countries in Africa that are producing oil, uranium and so on, we can make it, if we are really committed and if we are true PAN Africanists. However, at this stage, to allow this body to become a legislative body, I think we will face problems. We already have problems of not developing equally, we have the inequality challenges and other countries still do not have Laws on their statutes. We therefore, need to take it step by step as the Continental Heads have decided to first create Regional Blocs and develop them till we reach there. My fear is that, and I have been debating with my Colleague - she will now jump up, I think I was provoking her. There she is on the feet!

HON SPEAKER: You will all have an opportunity because I put you on the spot, so you will have an opportunity to explain so why do you not allow him to continue?

HON MINISTER OF JUSTICE: Yes, Comrade Speaker. I was saying that the challenge is the funding. We can start with Model Laws, just to give you an example now, the Honourable Prime Minister was in Brussels on the EPAs. We were negotiating on the EPAs, some have chickened out already while some of our own brothers and sisters are just sitting on the fence watching, which way it is going. This is the problem with Africans, we are not PAN Africanists, we are not united and as a result the institutions we are creating are being hijacked and work against our own interests. This is my problem with the PAN African Parliament.

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All the best intentions are hijacked and utilised by some other people. The point in case is the example of EPAs that I just mentioned now. Namibia is struggling alone, trying to negotiate while they are sitting on the fence watching what will happen. In the end maybe Namibia succeeds. If they succeed well and good, they have done a good job for us. It is an issue of our commitment to patriotism. However, if we can fund these institutions, I will be in total agreement. That is my contributions, Comrade Speaker.

HON SPEAKER: I am looking for a green light. Yes, Honourable Ulenka.

HON ULENGA: Thank you, Honourable Speaker. I will start off by thanking the Member who submitted this Report or these Reports to Parliament, Honourable Taeyele.

Honourable Speaker, I am a little cautious because I think this is really a vast subject that concerns PAP, the African Union and the whole issue, subject, the reality and the dreams of Africa.

Let me just start off by deploring the sense of lip service that you find everywhere concerning the ideals of African Unity, PAN African Authorities such as the PAN African Parliament and other ideals or goals of bodies.

HON SPEAKER: There are some private discussions, can you listen to Honourable Ulenka.

HON ULENGA: That builds the common action and common goals for

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Africans. In our country, whenever we sing our National Anthem, we also sing the African Anthem. One just asks oneself, why do we do it? Why do we sing that Anthem and why do we hoist that flag? I actually think it was a very fundamental and symbolic act to start with. It is not enough in itself but I think it was a good start. It becomes a commitment of course when it comes to action and I think these are the same questions that the Honourable Minister of Defence is asking.

I asked my little niece one day, when it was close to the 16th of June last year - the Day of the African Child. She was fifteen then. Since she was so much about *the Day of the African Child*, I asked her - *did the teacher tell you about the Day of the African Child*, its origin and why it is remembered or why do you have to remember it at school? Of course the teacher did not tell them. Maybe the teacher did not even know but also there is actually some carefulness amongst ourselves, who on the one hand are giving the symbolic value of the Day of the African Child but on the other, knowing that the Day of the African Child reflects upon a revolt by children against the authority, we are a little bit careful to tell kids that – *this was when kids like you, people of your age stood up and revolted against some subjects they did not like at school.*

There is this sense of giving with one hand and taking away with the other when we deal with issues concerning the PAN African Parliament and other issues concerning the African Union.

Honourable Speaker, I, therefore, think that this paying of lip service should be addressed. I definitely agree with putting money aside but Africa is giving so much away. Everywhere you look, even the money that is taken out of Africa in so many ways, even through the so-called aid that comes to Africa. We still have to come to grips with that.

Let us just be straightforward, the imperialists hand have intervened long ago and has created ways that are so preventive of Common African Union. Look at the so-called Anglophone and Francophone, can you imagine Africans terming themselves, and referring to themselves as being

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Anglophone, Lusophone and Francophone and then some of these issues even become a problem in debates and in meetings between Africans because the Francophone and the Anglophone happen not to come to terms on certain issues.

One other issue that I really think, has a sense of washing our hands (intervention).

HON SPEAKER: Honourable Minister of Defence.

HON MINISTER OF DEFENCE: May I ask Honourable Ulenga a small question?

Honourable Ulenga, have you gone through our Budget? The Budget that we just approved here; how many organisations are created in the name of the Commonwealth, that we are funding? Just go through that Budget and see. These are Organisations created deliberately by people in Britain so that they can milk the so-called Members of the Commonwealth. Go through that Budget, you will see them.

HON SPEAKER: Honourable Ulenga.

HON ULENGA: Thank you, Honourable Speaker. I was just about to make that point when I said that there is a hand of imperialism, you know exactly, it is such an open issue. This so-called friendship that we have and relationship that we have with other countries that are not African takes precedence, we consider that as being primary, as being number one

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so you will find that in some countries or in some cultures, a woman will have two friends. She has got a spouse and she has got a boyfriend, in some cultures. I am talking about a factual situation (interjection). Sorry, perhaps you do not like the example but it is there. You will know that this guy will have so much a hand on the woman that the woman does not have a chance of getting married to her spouse. This boyfriend is just taking the woman this way, that way and so on, while he is not committed to the future of the woman or committed to building a family, no, he is just a boyfriend who comes whenever he wants. Those of you who are familiar with this culture will know what I am talking about. Unfortunately I could not think an example of a culture that would perhaps bind all of us to understanding what I exactly mean.

What I mean to say is that, there is this interfering commitment that comes from the outside that will break us from working together with each other. Why should the relationship between the Central African Republic and France be so important than the relationship between her and her neighbours, for example? Or for Lusophone countries, why should the relationship between Portugal and a certain country be more important than that country and its neighbours.

We must, therefore, look again and recommit ourselves to the issues of really working together on the African Union for peaceful development and for benefitting from the resources and wealth that Africa can produce. We should cooperate with each other on this issue. Nationalism is just a starting point, we must just be able to step over into a PAN African Nationalism.

Honourable Angola, sovereignty can be enlarged, we can talk about a PAN African sovereignty. We fought against, for example, being swallowed by South Africa for more than fifty years. We now seek to create a more cooperative Union, so that we can be real equals in one unit. This is how it goes. Let us not fear moving ahead onto a more inclusive oneness identity. Let us not just sing about it on the National Anthem and talk about it at high Conferences but not putting it into action. I

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completely support the idea of creating, from the national level, something that goes towards funding, creating more effective control by the Africans themselves or PAN African Parliaments, the African Union and the Continent of Africa. I thank you.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:

Thank you, Comrade Speaker for giving me the Floor to make a small, humble contribution to the Debate on this Report.

I would like to start off by commending Honourable Taeyele and her Colleagues who were responsible for compiling this Report and for tabling it in this august House.

In the same vein, the Honourable Members of the Namibian Parliament who are our representatives in the PAN African Parliament are also commended for the work that they are doing to convey the voices of Namibia and Namibian citizens in that institution.

I have decided to take the Floor to specifically concentrate on Resolution 3.2 on Page 5 and it goes up to Page 6. This one emanates from the discussions that were held by Members of the PAN African Parliament and the leadership of the Civil Society, the Media and stakeholders during the African Cultural Day.

There are four Resolutions there: Resolution Number 1, is the Transformation of the PAN African Parliament into a legislative body. My neighbour at my back here, has adequately addressed that particular matter and the contradictions that sometimes manifest in some of the activities in which we are involved as Africans and as African Leaders, good intentions but that at the end of the day just make us laughing stocks in the eyes of other people.

What is it that we are saying here? We are saying that when the Civil

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Society, the Media and other stakeholders that are enumerated on this page, voice their concerns the decision that was taken is now to launch a campaign to assemble signatures. I do not know where that document is but I looked at Paragraph 2 there - *the PAN African Parliament Resolves to ensure that campaigns for Treaty Ratifications and domestications are prioritised particularly; the African Charter on democracy, elections and governance*. If you read that with the previous Resolution, the intention is here when the Heads of State assemble in Malabo for the Summit, here comes a petition.

Maybe there is nothing wrong in principle but when you go deeper considering the shortcomings that we want to address with the PAN African Parliament - the PAN African Parliament is a creation of the African Union, i.e. the same Leaders that we will present with the petition are the same Leaders that created the African Union and that is where my fundamental question is. Probably the responsible Members here may help me. When this issue came up, I thought it would have been best course of action for leadership of the PAN African Parliament to take, if they have not done that already - to take up the issue with the leadership of the African Union and say - *you have created this institution and this institution is so handicapped, what is it that we must do?* Of course, if that was done and probably the reaction was negative, maybe then we can be given those facts but my worry is when that petition will be presented in Malabo, I am sure there will be some people who will be spectators, just clapping their hands and saying - *look at them, they create the institution, their people are against them, here is the petition, they are being confronted*. I, therefore, think that is the dilemma as the Minister of Defence and my Neighbour here, the Minister of Justice have also said. Sometimes we have brilliant ideas, we put them into motion, we do not execute them and we do not fund them but then at the end of the day, we end up quarrelling amongst each other and I do not think that is in the best interest of Africa, Comrade Speaker.

Talking about for example, the campaign for Treaty Ratification, I just checked Article 63(e) of the Namibian Constitution. That particular

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Article clearly articulates that it is the duty of this body, the Parliament of the Republic of Namibia, specifically the National Assembly that has the functions and powers to agree to ratification of or accession to international agreements, which have been negotiated and signed in terms of Article 32 of the Namibian Constitution. What does this mean? For me, it means that, between the Legislative Arm, which has the duty to Ratify and the Executive Arm of the Namibian State, which has the duty to negotiate these Treaties, there must be a constant kind of dialogue. This body must find out from the different Ministries of the Government and say - *what are the Treaties that have already been negotiated and must now come to Parliament*. We definitely do not need a campaign for this. I am sure by so doing, the Treaties will come here, we ratify as we normally do - the Minister of Environment and Tourism today already tabled the Nagoya Treaty. However, my concern is, why can we not as Africans have an idea, come together, discuss and solve the problem and move forward?

I also just wanted to know - Resolution Number 3; to Prioritise Support to the Advisory Board on Corruption Members, I do not understand this, maybe somebody can help me, what exactly is it? *Resolves to Prioritise Support to the Advisory Board on Corruption Members*, what is this decision, what are we expected to do? Can we just be informed?

Lastly, - *Resolved to Establish a Network of PAN African Parliament MPs in the African Peer Review Mechanism to Ensure that Issues of Oversight are Addressed in the Process*. I do not have a problem but I am not so sure maybe the Minister of Foreign Affairs could assist me, I do not know whether Namibia is an active Member in the Peer Review Mechanism and if we are not, then that is a contradiction and again there is that issue that I am saying, that sometimes we have good ideas but lack proper coordination and then we give contradictory responses.

Comrade Speaker, otherwise the principles are unity, PAN Africanism and working together but unless and until Africa resolves and say that - if we put up an institution, we must also be prepared to fund that institution

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unless we do it, as my Neighbour has said here, we are not going to move anywhere. Even you scrutinise the Budget of the African Union, I think a large percentage of that Budget is coming from elsewhere and now when somebody funds you and that person tells you what to do and you stand up and say - *this is interference*, I do not think it is true. If you are given the money to fund your Budget and then the person who funds the Budget tells you, you must now go and do a, b, c and d, you are in a very weak position not to do that. Thank you, Comrade Speaker.

HON SPEAKER: Thank you, good contribution. Comrade Billy Mwaningange.

HON MWANINGANGE: Thank you very much, Comrade Speaker, Honourable Members. Comrade Taeyele, I would like to congratulate you for presenting this Report before the House.

I just want to make a simple contribution on this continental institution which is the Parliament, but I may also be critical like the previous speakers in this respect.

First of all, I went through the Resolutions as they were resolved. They are excellent and are very encouraging. However, if I start to look at the history of Africa, Africa united through its institutions and bodies created for that, starting from the OAU or before that, can we go back to the great idea of the Great African Leaders who started, Kwame Nkrumah, Julius Nyerere and others, name them till you come to the Kaundas and so on. When some of us, especially the a Parliament of Namibia, discuss this Report we looked back where Namibia came from to gain its Independence - it was Africa which was united. Looking at the PAN African Parliament as a legislation body, I am seeing some of weaknesses.

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Firstly, does the PAN African Parliament really make audience with the continental mother body, that is, AU to look into the following issues; most importantly, Political, Economic, Defence and Security and Cultural aspects? I know it is in its Resolutions that they do a, b and c but the coordination with the other regional continental arms, I would put them as arms, even though they are also Parliaments.

Like East Africa Legislative Assembly (EALA) is a Parliament. It does something very important but it also has some challenges and shortcomings, however it moves some steps forward. SADC-PF: SADC-PF is really at an advanced stage to make Southern Africa realise a fully fledged Parliament for Southern Africa. We the East African and West Parliaments and as well as other bodies within those sub-continental institutions.

I am now asking myself, especially about the Resolution on Economy and so on, does it seek the audience of, for example, the AU Summit of Heads of State? Currently, it is very necessary to be closer like an arm of the Continental Parliament like the Namibian Parliament is one pillar of the State that coordinates Cabinet and so on. In my opinion, it is very necessary and of paramount importance that this Parliament should not only be a meeting place for various Parliamentarians, if it does not look at the issues that I have mentioned: Political, Economic, Security, Cultural and other things.

Sometimes I get disappointed and feel frustrated when I see the current crises that are happening in Africa, starting from the unwanted uprising in Africa. Does the PAN African Parliament get together with the AU, the body which is dealing with peace and security on the continent? Like Southern Africa where we saw that some countries were starting politically motivated coups, we sent our Leaders there to observe and talk - we saw that happening in the Great Lakes, in Madagascar and so on. However, there are some unsolved conflicts in Africa while it has its Parliaments with very powerful Resolutions. I believe the ideas are great

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but the action is not matching the importance of this.

Therefore, Honourable Speaker, when we are discussing issues of the PAN African Parliament at our Parliaments, we have to look far and deeper how we will be able to contribute to this institution to work in unison and closer to the entire continental body, that is, the AU, in order to tackle some of these problems. These were just the general observations I made when I went through this Report. Otherwise the Report is very informative and educative both politically and economically, as well as otherwise, like Comrade Angula put it.

It brings us to the point where we can see if we are doing a, b, c and d as we were questioning on how to make it financially and politically strong. Unless it is financially strong, it should be politically and economically strong. On this note, I thank you Honourable Speaker and I support this Report. Thank you very much.

HON SPEAKER: Thank you. Minister of Foreign Affairs.

HON MINISTER OF FOREIGN AFFAIRS: Thank you, Comrade Speaker. Comrade Speaker, I also thank Comrade Taeyele for the Report and all the Honourable Members who are Members of the PAN African Parliament.

The discussion of this Report just takes me to the request that I have made to this Parliament that we need to find time for us to discuss the Africa Agenda 2063 so that we can make our input on how we want to see Africa from now and particularly in 2063. I hope Comrade Speaker that opportunity will be made available because by discussing this document which we have distributed to Parliament, we would also want Namibia to enrich it and as a Government, we will have to find a way how that

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enrichment can come in. I just want to remind ourselves that this should be done before the Malabo Summit, which is finally going to adopt this document.

Comrade Speaker, coming back to the Parliament, of course, I may not add much to what the Honourable Members have said because the problem we are having is that we do create institutions simply because we are seeing institutions in other areas and in the process we lose out to the extent that we do not gain any benefits.

Comrade Speaker, you have rightly said it, an example has been given here of the East African Parliament as well as the European Parliament and we know that those Parliamentarians are completely independent and they are elected completely differently when they are to serve in those Parliaments and that they have drawn their power from different institutions, which I can say is the general public of those regions and hence, they cannot be compared with the Parliaments like the PAN African Parliament or the SADC Parliament because those ones are just branches of the National Parliaments. I think those are some of the things that need to be looked into before we establish institutions for the purposes we want to establish them.

Comrade Speaker, the issue of not being able to fund our own Programmes has clearly come out almost from everybody who spoke and that is the real situation at hand. We all know it and unfortunately, we seem to be doing nothing to the extent that the institutions that we are creating are not our institutions because we are not able to fund them. They therefore, belong to those who are funding them and they serve them so that is why we have to find a way how we can create our own institutions which we can call our own.

The AU has set up different teams trying to work out modalities on how we can fund our own Programmes. As Comrade Mutorwa has mentioned, and it is recorded and it is known by almost everybody - it is true that 95% of our AU Programmes are funded from outside.

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How do you then expect to be effective when you have such Programmes funded from outside and they are selective. You will find much of the Programmes are related to peace, why to peace? I think we can make our own decisions. We know that peace is a pre-requisite for development and there is no doubt about it but who is disturbing peace and who benefits when there is no peace? It is a very big challenge.

These are some of the things that we can inform ourselves on further during the Debate that is going to deal with the African 2063 Agenda. The AU has tried to find out mechanisms of funding AU Programmes and one of them, Comrade Minister of Defence, is the issue of levying African resources. There were lots of proposals which came from the Obasanjo Commission and they are known, they are published. Some are talking about levying our air transportation tickets and so on, but because of the division in Member States the last recommendation is that each Member State should now indicate which product in your country you can impose African levy on so that that money goes straight to the AU in order to fund our own Programmes. So now it is thrown to the Member States where we have proposals of what we can impose levies on. Those who can use those ones, can do so but the decision is that every African country should introduce an African levy - you can introduce it on diamonds, on uranium or airlines but the decision is that every country must have it. However, unfortunately, because of our division and sovereignty that Comrade Angola was talking about, it is taking longer for Member States to indicate what percentage, for instance, they are going to levy on diamonds and when the funds will reach the AU.

It will be very important if Namibia can identify that and start the ball rolling, in any case we are always talking so high about our Constitution which we feel has paved the way for many other Constitutions that came after. Therefore, if we can start with it, we will be able to pave the way but the decision is (intervention)

HON SPEAKER: Honourable Minister of Defence.

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HON MINISTER OF DEFENCE: May I ask the Honourable Minister of Foreign Affairs a question? Yes, Honourable Minister of Foreign Affairs, you are saying that there is a Resolution of the African Union asking Member States to indicate which minerals they want to impose a levy on and as a Minister of Foreign Affairs, you tabled this Report here for information not even for Debate and as a Minister of Foreign Affairs I thought you will have made a Cabinet submission, making a proposal to the Cabinet give you guidance.

HON SPEAKER: Honourable Minister?

HON MINISTER OF FOREIGN AFFAIRS: Thank you, Comrade Speaker. I would not want to share with Parliament and the public what I have shared with the Cabinet, but I have an obligation to inform the Parliament as to what decisions were taken at AU level which I know are of public nature, including the one that I am mentioning now.

Comrade Speaker, that is the situation, a Report is available and those who follow the website of the AU will be able to obtain that information but as for what I am throwing to Members of Parliaments for them to know (intervention)

HON SPEAKER: Honourable Bezuidenhout.

HON BEZUIDENHOUT: Thank you very much, Honourable Speaker. Sorry, Honourable Minister of Foreign Affairs, you keep on mentioning our divisions in Africa, you keep on mentioning many challenges that

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keep us from being united. You do not have to mention names, but according to your own estimate from your experience, what is the percentage of African countries that are truly free to take a decision on their own and not go and consult their donors before they can take decisions? For example, on what levy to raise where because those very same investors in those African countries come from these very same foreign countries which can say - *you cannot make the things more expensive for us, please remember that you owe 40% of your Budget to us.* I just want to find out what is the percentage of African countries that are truly free to take sovereign and independent decisions without any interference, just an estimation based on your experience? Thank you.

HON MINISTER OF FOREIGN AFFAIRS: Thank you, Honourable Speaker. I have to say that each African country has a sovereign right to take a decision. As to what extent they can make use of it, is demonstrated in the fact like said, it is recorded that 95% of our Programme Budget is funded from outside and that is why discussions and Debates continue to impress upon ourselves so that we become independent, take our own decisions and make use of the African resources in the best interest of the African people. (intervention)

HON SPEAKER: Honourable Bezuidenhout.

HON TJIHUIKO: Honourable Speaker, I did not want to take the Floor because I was actually hoping to come in later, but I am just looking for some information because I do not want to misunderstand the Minister. I am not sure whether the Minister said that Cabinet has expressed itself on certain issues but that was not to be shared with Parliament and public. If I am right that that is what the Minister said, then I would have said

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that that puts us, Members of Parliament here and in South Africa who are at PAP, unable to articulate the Namibian Government's position because we do not know what Cabinet has decided. It would have been better if we could have been informed in confidence, not everything but just to know the position of Cabinet so that when one is sitting there, you know that this is the position of our Government rather than talking about something that is not in line with what Cabinet has decided. I am just thinking out loud on that.

HON SPEAKER: The Minister did not say that, it is good that you asked for further elaboration because this could create misunderstanding. Yes, Honourable Minister..

HON MINISTER OF FOREIGN AFFAIRS: Thank you, Honourable Speaker. I did not say what you are trying to put in my mouth, but what I can tell you is that the Namibian Government does support the idea of strengthening the institution of the AU and its capacity in order to fund both the Operational Budget and Programmes of our Continent, particularly if you look at Agenda 2063, it is looking at the time when we say in 2063 Africa should really be a Continent which has a dominant influence in the international arena. So, when you are going to defend the position of the Government of Namibia and the position of the people of Namibia is that we would want to see the AU institution strengthened and we would want to see the AU funding its own Programmes as well as its Operational Budget. That is what we are saying and that is the position.

Comrade Speaker, finally, I really feel that we need that day to discuss Agenda 2063 and then make our input so that we can help steer Africa in the direction towards the realisation of Agenda 2063. I rest my case.

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HON SPEAKER: Before you sit down, Honourable Minister, I do not know whether I was in the Chair when you tabled this Report. Did it come in the form of a Motion?

HON MINISTER OF FOREIGN AFFAIRS: Which Report Comrade Speaker? Which Report?

HON SPEAKER: No, the Agenda 2063.

HON MINISTER OF FOREIGN AFFAIRS: The Report we are discussing is the Report of Parliament.

HON SPEAKER: No, the Report that you would want us to discuss (intervention).

HON MINISTER OF FOREIGN AFFAIRS: The Agenda 2063?

HON SPEAKER: Yes.

HON MINISTER OF FOREIGN AFFAIRS: The Agenda 2063, I will be bringing to Parliament after a Cabinet decision because when I came

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from the Summit, I made a Cabinet submission and Cabinet authorised that we come and discuss this document so that we can make our input because the Cabinet decision says the Minister of Foreign Affairs should make wider consultations in Namibia to enable Namibia make an input on Agenda 2063, so that is the decision.

HON SPEAKER: However, I am advising you to do the same but bring it in the form of a Motion. Table it in the form of a Motion and then we have to start there instead of just circulating it. Bring it in the form of a Motion to the House.

HON MINISTER OF FOREIGN AFFAIRS: It is different because the discussion was a Session. The discussion was a Session where we had technical people and everybody explained. But now if you want it in the form of a Motion, I will bring it as a Motion. Thank you, Comrade Speaker.

HON SPEAKER: That is right. Honourable Becky Ojo.

HON DR NDJOZE-OJO: Thank you, Honourable Speaker and Honourable Members for the opportunity to contribute to my Sister's Report.

I rise to commend you and your team for the Report you brought before the House and I just want to thank you for bringing that and also for the work that the third President of PAP is doing in Johannesburg. I had a privilege to have attended one of the PAN African Parliaments in

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Johannesburg and it is a magnificent building I saw and I was like - *who paid for this?* It is South Africa, Big Brother pays for it. Maybe it is high time we have African countries contributing out of their own Budgets for some buildings like that and all we needed to do is maybe to do what Honourable Angula has proposed and since it is already on the cards as per the documents before us as submitted by the Minister of Foreign Affairs, I think we have to be first as Namibia.

Namibia has had a way of learning from being the last colony and I feel that as a last colony, Namibia could observe the mistakes of the past and try to make a way for the future. One of those things that we learnt from was PAN Africanism because we rode on the back of the PAN Africanism and as a Founding Member of the PAN Africa Parliament, (intervention) yes I am going to speak to the Report that is how people speak. Thank you. (Intervention)

HON SPEAKER: Honourable Minister of Defence.

HON MINISTER OF DEFENCE: Yes, I would like to ask the Honourable Member a question. This is a topic close to my heart because I spent my youth in other African countries and they supported us, educated us and they accommodated us.

Would you suggest that Namibia should give a Fish Quota to the African Union? (*Laughter*)

HON DR NDJOZE-OJO: Like I said, we could be very creative.

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HON SPEAKER: I made my Fish Quota.

HON DR NDJOZE-OJO: Yes, that is another way, we are looking at creative ways on how to fund our African Programmes.

HON SPEAKER: You have the Floor, Honourable Member.

HON DR NDJOZE-OJO: Yes, I am waiting for the House to be quiet. Yes, because I am responding to a very Senior Minister, he asked me a question and I had expected that, at least, there would be some quiet. Thank you.

Yes, that is another way of being creative. I do not know whether it will be a Fish Quota or a Diamond Quota or whatever it is, we are saying we have to look for creative ways of providing funding to PAP because PAP is an Organ of the AU. It is not an independent Parliament like it was suggested already, I do not have to repeat that but it is part of the African Union. And the African Union, as we have just heard, is having 95% of its Programmes being sponsored by the pipers and *whoever pays the piper dictates the tune*. I do not think we should be surprised by what is happening there and I think that the African Union is taking cognisance of that and has tried to come up with this document. I hope that alongside this, there will be that creativity that is needed.

I also wanted to speak to PAN Africanism that is represented by the PAN African Parliament as a historical fact. It is very historical, it is 114 years. The first PAN African Congress took place in London in 1900 and it was organised by a Lawyer, Henry Sylvester Williams from Trinidad and Tobago. He called all the African people and from that Conference in

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London, is where the whole PAN African ideas spread out to engulf Garvey to take it into entrepreneurship and so on. It is a long history and it seems to have died somewhere along the way.

HON SPEAKER: No, it is alive.

HON DR NDJOZE-OJO: It seems to have died so what we have done through the PAN African centre of Namibia is that we set up as a very unique creation in Africa which we should have recreated and replicated in Africa, we seem to have let it go and I think we should still revive that because it is a spirit of consciousness, it is not something that you just wake up and say - *I am going to be a PAN African today*, it is something you should feel within yourself, it is a consciousness.

If Ghana in 1957 sat and said - *Oh we are free let the Africans remain there*, but he said that - *the Independence of Ghana does not mean anything to us unless the African Continent is free* and I think that ignited and spread the fire within us and the rest of Africa to say – *yes, if Ghana could support us with that motivation*. So it is a spirit, they did not give us guns or anything, maybe one gun that the President took from Ghana to Egypt and so on, that is history there, but it was the fire that was burnt within us.

I think it is time for us now as Namibia that has ridden on the back of PAN Africanism, that has made Honourable Nahas Angula a Senegalese at one time, carrying a Senegalese passport, for example, as part of PAN Africanism. It is very important that we should come back to the table and feel this fire within us and ignite within us the ability to belong to Africa.

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Now, to come to the Report, I have attended PAP and I was concerned about the capacity – we need to strengthen capacity. It is like, it was my first experience and I was like; *what are we actually doing here*, lots of ideas were put on the Table. People were talking about a lot of things. Maybe a Report is going to come to this House at one time or the other or the recommendations and all the proposals. However, the way this Parliament work back to us and we work back to it, to enable to facilitate the AU to take action, the kinds of linkages that I saw are the ones that we need re-established.

An institution is just as good as its Members and if we want a very good PAP, we should have a very good membership. I am not saying and I am not inferring that the membership is not, but it needs strengthening so it will have the teeth to bite into the plans of what PAP is trying to do.

To conclude, I want to emphasise that Namibia is creative, it has the capacity to set up new things like PACON. Let it also be first to remind Africa that we could also contribute, whatever it is maybe the Fish Quota or the Diamond Quota, I do not know what it will be, but let us be the first rather than to wait for Africa because as a youth of Africa, the youth have got wonderful ideas. The old people are getting tired like we are, we are a youthful Nation that should guide the old Africa to say - *can we revive within ourselves this new spirit, to move African ideas and African institutions forward?* I support the Report and I thank you.

HON MOONGO: Thank you, Honourable Speaker. First of all, I would like to thank the Committee. They did their best but I would also like to register my disappointment because some of us joined politics since we were very young and we have been singing all along for Africa to be united and for Africa to be free.

It is now already 24 years after Namibia obtained its Independence but no good steps were taken in the right direction yet. Are you now speaking, as

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I know, about being one Africa like the others and those of us who have been singing? Are you only talking, like you said, people change well-intended conferences into talking shop?

Some of the Heads of State already ratified the Rules and International Treaties before engaging Parliaments in their respective countries. If we are already divided at home, how could the Heads of State sign these Treaties and just expect us to endorse them. Like it is already the norm of doing things here, we are talking again, however, I want us to take practical action to eradicate problems because we are aware of the root causes of the problems that are at the core of Africa's disunity. The fact that we are not united also explains why we experience a lack of money. Let us, therefore, find a remedy now rather than just continue talking like we have been talking since joining politics, some of us when we were very young.

Let us propose workable Amendments for the Member States. Let us also put Rules in place that compels those few joining Members States to follow. We must have control in such a way that Members commit themselves to respecting and understanding the philosophy of Africanism before joining the PAN African Parliament. If a Member fails three times or four times to honour her contribution towards the Budget, she would be punished or something to that effect. This is one way of enforcing control measures that ensure that Member States fulfil their obligations. Let us thus first have control over ourselves and then allow this House to propose Amendments which will help improve the success of the PAN African Parliament instead of only talking, like you want your Leaders to go and talk at these International Conferences and come back divided.

Are you the same Africans who talk differently? Like the previous Honourable Members proposed, you talk differently here and when you attend a Conference, you talk differently again. Let us come up with proper Rules and Amendments from here, that are practical to implement. Let us all be united from State President to Cabinet and Parliament on the proposal we make at home. We need to first sweep our home clean. That

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will enable us to have a better SADC Parliamentary Forum as well as a better East African Parliament and others. However, we should start at home, that is, from here in Namibia. Having said this, I think the Committee is doing well. Thank you.

HON SPEAKER: Thank you. Honourable Iilonga.

HON DEPUTY MINISTER OF DEFENCE: Thank you, Comrade Speaker. I rise to support the Report of the Fourth Session of PAN African Parliament. Firstly, thank you, Comrade Evelyn !Nawases-Taeyele for tabling this very important Report.

When one looks at this document and Agenda 2063, one thinks that these two should be discussed because they almost have the same content. Page 6 of the Report, that Comrade Mutorwa already elaborated on, I do not really want to delve deeper, what is important is that if we were to ratify anything, we do not need to be petitioned. That is one.

It is also clear that the PAN African Parliament is a Parliament of a Union, which is an African Union. What we need to do is just to make sure that if the problem is funding, let the Parliaments of the different countries that are Member of the African Union come up with a real formula as the Honourable Minister of Foreign Affairs already alluded to, so that we start looking at how we can really go about funding our own Programmes.

If one has regard to Page 6 of the Reports - **Resolution 1:** *Liaise with the National Umbrella...*, we know exactly that the NGOs in our Africa are also not supportive unlike the NGOs in Europe and those worlds because even if you find one country in Europe saying - *we will impose sanctions against one country in Africa*, you will never hear their NGOs or Trade Unions saying that – *no, we cannot accept for our Government to*

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impose sanctions against that country because our fellow workers or our fellow NGO is going to suffer. No, they just stand together that is why we also really want to use this platform to rally behind our Media and our Unions because they are also in here so that they support their Governments, the same way their fellow Unions and NGOs support their Government too.

Coming to the issue of NEPAD; it is also one of the bodies which is also already derailed from its intended establishment and it is not supposed to be parallel to the AU. NEPAD is supposed to be the economic development arm of the African Union but currently it has again become another NGO, therefore, you are left with nothing. So those are some of the issues that our Members address when you go to represent us at these platforms. Comrade Ministers of Foreign Affairs, these are just some of the suggestions that should help us push so that NEPAD is not parallel to the African Union but to serve as a development arm of the African economy. This will enable us to have lesser problems.

Even if we now acquire funds to finance our Programmes, we need to have a vehicle that leads the way to, for example, creating a Model Law on Manufacturing - NEPAD should be spearheading this. That is one area that we need to concentrate on.

Comrade Nahas Angula stated that we can have National Sovereignty that lead the path towards African Sovereignty. Gaddafi is no more here, he was killed because of propagating PAN Africanism and no one even said anything. We are frightened so if you start, you may also follow in the same footsteps. With that, I support the Report.

HON SPEAKER: Thank you. Honourable Nambahu.

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HON DEPUTY MINISTER OF JUSTICE: Thank you very much, Comrade Speaker. I also want to congratulate the Committee for this Report and make some few remarks and I hope that the Honourable Members actually listen when proposals are made.

Comrade Speaker, in your contribution you made a remark to the effect that the PAN African Parliament is going to be what we want it to be and I do not know whether that argument was picked up by the various speakers. If that was picked up, then I think we need to argue and elaborate on this in a manner that if the Parliament has some shortcomings, it will still grow or it will be work in progress. Therefore, we still have an opportunity to make it what it should be. I will accordingly propose that our Parliament sends our representatives there – should organise a Session to send off our representatives and discuss what the agenda should be that they should take there. I do not want to be a complaining specialist - just to come here and complain and complain again, whom am complaining to?

We should, therefore, just organise a Session ourselves where the official take the minutes of these discussions and we debate those minutes in that Session because when you put them in a Hansard like this, it just like it is a grave. All the recommendations made, go in here and they are forgotten in here. We have to pick them up and prepare agenda items for the next Session when we are sending out our Parliamentarians. I would really want us to follow on each and every case so that we can come up with proposed Laws that Namibia should go and table because for the most parts, when we go to these International Fora, the agenda is already set by other people and we do not put anything on the agenda, I have seen it.

We go there, join and discuss the agenda put and advanced by other people without any contribution from ourselves and sometimes that is a shortcoming and then we continue complaining. I really want to propose an innovative approach to dealing with this issue.

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Why are Africans unable to pay their dues? I think it is an issue that needs to be investigated, it is not just a matter of hearing - *I am unable to pay my dues* and that is it. You are unable to pay your dues at SADC, you are at SADC-PF, at the AU and all over, however, people come and complain that they want to make African mechanisms effective and sometimes it is the shortcomings that Comrade Nahas Angula was talking about - we are poor and are just taken to be poor without investigating the mechanisms as to why we are poor. Why is it that we accept it when we are criticised by outsiders but as Africans, if you go and criticise another country then you are in problems? Maybe we can even further break it down to a level where, for example, our Heads of State engage each other where Head of State A talks to Head of State B as to why there are certain shortcomings.

We have this sovereignty that we do not want to talk about other people's problems because we will be interfering in their internal affairs but when it comes to other people from outside the Continent, they even come and make reviews of our systems. Yes, we hear that the *World Something* and the *What Institutions* was here and they rated us like what and so on, which is acceptable but for another African country to come here and say these are your shortcomings or your country being asked to go to another country and say - *this is a criticism a comradely spirit for you improve here*, that will not be acceptable. I think this just explains the concept of *do touch it, report it*, that we know, "*ino shipopya shiropota!*" You can maybe report it somewhere else. We will not be going anywhere as African citizens if we continue like that.

Then the minutes of the meeting this is what I talked about, if the minutes of these discussions can be tabled somewhere, we go through it, discuss it and revisit proposals that were made here. When these people come and abuse our systems, they only come and exploit the vacuums that are there, the lacunas. If you create a mechanism and you do not have the necessary funding, obviously they will come in and provide funds and then attach strings.

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When you do not have your own NGO they come and create their own NGO to fill that void which comes with its own agenda. When you are unable to fund your own NGO, they will bring in money and that also comes with its own agenda attached from somewhere else.

Remember someone somewhere said, - *some countries will no more blow bridges, they will no more create contrasts but will have mechanisms and money to facilitate others to bring down bridges on their behalf.* And that is done through certain organisations and if we are unable to see that then we are in front of a forest but yet we cannot see any tree. There are also other African Parliaments, in fact, there is one here just nearby, Latin America, which create awareness for people to believe in that a Bolivarian country which is called Latin America as a bigger country.

How many Africans actually believe that Africa is their country? That mentality is not there, apart from the other things that Comrade Ndjoze-Ojo was talking about of reviving that more than just doing that in Parliament, work outside has to take place, sensitising people to really become PAN Africanists to buy in their idea and actually bring forward the agenda that our Parliamentarians as representatives should be discussing in the PAN African Parliament when they go there. That way, they will not be sitting there for themselves, but actually advance the agenda of the countries where they come from. With these many remarks, I rest my case and thank you very much.

HON SPEAKER: Before I ask the Deputy Prime Minister to adjourn the House until tomorrow, I want to let you walk out with the knowledge that the only African Organisation created by Africans, thanks to the sources of inspiration, Sylvester Williams, later W.E.B. DuBois, the only organisation that was created that we own until we dissolved it is the OAU. The rest of them are organisations that were directed to make African Organisations. Sorry, Honourable Deputy Prime Minister, you tell us what to do and when to come back.

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ADJOURNMENT
HON HAUSIKU

HON DEPUTY PRIME MINISTER: Comrade Speaker, I Move that the House adjourns until tomorrow, 14:30. I so Move.

HON SPEAKER: Agreed.

HOUSE ADJOURNS AT 17:45 UNTIL 2014.04.09 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
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The Assembly met pursuant to the adjournment.

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

HON SPEAKER: We commence with the Business of the House as scheduled for today. We will make some adjustments as we proceed. I shall see to it that all of you follow.

With that said, any Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Honourable Amweelo?

**TABLING: REPORT OF THE 19TH
SESSION OF THE UNITED NATIONS FRAMEWORK
CONVENTION ON CLIMATE CHANGE CONFERENCE**

HON DR AMWEELO: Thank you very much, Honourable Speaker. I lay upon the Table, the Report of the 19th Session of the United Nations Framework Convention on Climate Change Conference, held in Warsaw, Poland, from the 11th to the 22nd of November 2013. I so Move, Honourable Speaker.

HON SPEAKER: Can the Honourable Member please table the Report? Any further Reports and Papers? Notice of Questions? Notice of Motions? Honourable !Nawases-Taeyele.

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**AMENDMENT TO MOTION
HON !NAWASES-TAEYELE**

**AMENDMENT TO THE RECOMMENDATIONS
IN THE REPORT ON THE TAXI PETITION**

HON !NAWASES-TAEYELE: Honourable Speaker, I Move that the Recommendations in the Report on the Taxi Petition that I tabled yesterday, the 8th of April 2014, be replaced with the amended recommendations to be attached to the Report. I so Move, Honourable Speaker.

HON SPEAKER: Will the Honourable Member please table the Amendments. Chief Whip.

LEAVE OF ABSENCE

HON PROF KATJAVIVI: Thank you, Honourable Speaker. I Move without Notice that Leave of Absence due to Official Business be granted to the Honourable Prime Minister, Dr Hage Geingob until the 15th of April 2014 and to the Honourable Minister of Finance, Saarah Kuugongelwa-Amadhila until the 14th of April 2014. I so Move, Honourable Speaker.

HON SPEAKER: Will the Honourable Member please table the Motion? We are looking forward to their return with goodies. Any further Notice of Motions? I see the Minister of Foreign Affairs wishes to address the House.

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**NOTICE OF MOTIONS
HON NANDI-NDAITWAH**

HON MINISTER OF FOREIGN AFFAIRS: Thank you, Honourable Speaker. I give Notice that on Tuesday, the 15th of April 2014, I shall Move that this Assembly *pursues* and *discusses* the African Union Agenda 2063, background note August 2013 and a tabled shared strategic framework for inclusive growth and sustainable development. I so Move, Honourable Speaker.

HON SPEAKER: Will the Honourable Minister table the Motion. Any further Notice of Motions? None. Minister of Foreign Affairs still but on a different note.

MINISTERIAL ANNOUNCEMENT

HON MINISTER OF FOREIGN AFFAIRS: Honourable Speaker, Honourable Members, it is with deepest sorrow and sympathy that I inform this Honourable House about the passing on of Comrade Ambassador Andrew Itamba, Namibia's Ambassador to Egypt. Ambassador Itamba passed on yesterday in the Rhino Park Hospital. Further announcements will be made later.

May I Move without Notice that this Assembly stands and observes a Minute of Silence in memory of His Excellency Ambassador Itamba. I so Move, Honourable Speaker.

HOUSE OBSERVES A MINUTE OF SILENCE

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**MINISTERIAL STATEMENTMENTS
HON DR IYAMBO**

HON SPEAKER: May His Soul Rest in Peace. Ministerial Statements?

MINISTERIAL STATEMENT

HON MINISTER OF VETERANS AFFAIRS: Thank you very much, Honourable Speaker. Honourable Members, I rise to make a short Statement to give a clarification to a question that was asked by Honourable Peya Mushelenga during the Budget Debate on Vote 31.

I informed him that I will elaborate on his question later on the Floor of this House and that is what I am going to do.

The issue is the altering date of birth by some Members of SWAPO while in exile. The issue of altering or changing of dates of birth by Namibians who were in exile under the care of SWAPO as a Liberation Movement can be attributed to three factors:

- Firstly, changing the date of birth because a person did not know when he or she was born.
- Secondly, many children joined the Liberation Struggle at a tender age and unaccompanied by parents and only dependant on their sisters, brothers, friends or fellow villagers.
- Thirdly, and this is the most important thing. They did so for better education.

Honourable Speaker, Honourable Members, we all know that Namibians were deprived of better education by the then Apartheid South African Regime. SWAPO, as was entrusted with the mandate by the United Nations to be the sole and authentic representative of the Namibian people, had a responsibility to make sure that Namibians received quality education worldwide. In this regard scholarships were solicited from peace loving Nations. Since most Namibian youth did not complete their

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secondary education and they were above the required entry age in some of the schools, SWAPO was left with no option but to reduce their ages in order to facilitate entries into institutions because the objective was to obtain education, which Namibians could not get in their own country.

Honourable Speaker, Honourable Members, after Independence people who had their birth dates changed, were required to go back to their congregations or Headmen and rectify their dates of birth. In fact, many of them have been issued with identification cards before they left the country and only needed to approach Civic Offices to collect their cards after Independence.

Honourable Speaker, Honourable Members, it must be pointed out here that not all institutions required a particular age for one to be admitted to their schools. For example, Cuba did not have any age restrictions as long as the person was able and capable to learn. If there are those Namibians who were in exile and were required to change their dates of birth for educational purposes, they are free to approach their Congregations confirming the actual dates of birth and age. They are also required to provide proof of educational records from those institutions.

Finally, if they are employed, they should provide proof from their employers that they have also changed their dates of birth with their employers. This is very important, not only to the Ministry of Veterans Affairs, but also to other Government Institutions to avoid double payment and also to curb against people having two identification documents. That is really the crux of the matter. It can be done, it is not impossible for those who feel being discriminated because their age was changed as recommended by SWAPO then in exile.

I would also like to stress one point very briefly: **Alleged Koevoet Benefitting from the Veterans' Programme**; this question was posed by Honourable Shixwameni. Here, I can only request Honourable Members of this House and the public at large to provide information of the alleged Koevoet to my office or to the Ministry because Section 39 of the *Veterans Act* of 2008, is explicit and clear in addressing the issue of the people who are eligible to get veteran status and I have already said

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during the Debate that Honourable Shixwameni will contact me during the recess and we can take it up from there. But should there be any other Honourable Members who have information of the kind of people that are alleged to be paid by the Ministry we are ready to rectify that situation immediately. I thank you, Honourable Speaker.

HON SPEAKER: Thank you. Honourable Bernard Esau.

HON MINISTER OF FISHERIES AND MARINE RESOURCES:
Thank you very much, Honourable Speaker, Honourable Members. Over the past two decades, the Ministry of Fisheries and Marine Resources has strived to ensure the recovery of Namibia's living Marine Resources which were over exploited before our country's Independence and fulfil its vision to be a leading fishing Nation with a prosperous Aquaculture Industry.

To sustainably manage these resources and promote the conservation of our marine ecosystem, my Ministry implemented a prudent management and conservation measure as embedded in our Marine Resources Laws as well as Regulations. In so doing, my Ministry has enabled a thriving Fishing Industry, which currently is the second foreign earner in terms of income for our economy.

The fisheries resources are conservable and varies and include fish harvested at all water depths along our entire coast. We have species that live near the bottom, the demersal species which, include hake, monk and deep-sea crab. We have species living in the mid and surface layers of our ocean such as horse mackerel and sardines. We even have resources living very close inshore such as rock lobster and farmed mariculture species such as oysters and mussels. We have species living far offshore such as the tuna and sword fish.

All these are harvested into high protein valuable products that are sold all

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over the world, in Africa, in the European Union, in China, Japan, the United States of America as well as Russia, just to name a few. However, in order to maintain a supply of fishery products and sustain the economy of this Fishery Industry, the marine ecosystem must be in balance and as the custodians of the marine environment, it is my Ministry's responsibility to ensure that it is not disturbed in a detrimental manner.

In recent years there has been great interest in mining for industrial minerals, in particular, phosphates which is abandoned on our sea beds. While my Ministry recognised the potential that this Industry has towards contributing to our national economy and job creation, it is equally cognisance of the threat such activities might cause to our already established Fishing Industry - that phosphate mining.

HON MEMBER: It might cost.

HON MINISTER OF FISHERIES AND MARINE RESOURCES: It is what you are saying, but that is what I am stating. Adverse impacts on the ocean are not immediately obvious and they are very difficult to measure before it is too late. It is for these reasons that the Ministry wants to follow a precautionary approach and institute proper studies as this type of mining has not been tried anywhere else in the world.

In September last year, our Cabinet has decided to put a Moratorium on Industrial Mining Activities to enable the Ministry to conduct a strategic environment assessment. The Ministry remains resolute in its commitments to ensure that proper scientific investigations are carried out that will allow our Government to make an informed decision about the future of phosphate mining in our country and has thus not changed its position regarding this matter.

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The substantial body of information that will be collected during the moratorium period will provide an indication as to whether the marine ecosystem will be impacted by such mining in a manner that would harm the living resource base and our fisheries resources. In other words, the information will guide us as to whether the Marine Phosphate and Fishing Industries can co-exist.

The Ministry has contracted an independent company from Norway called SINTEF, to carry out the scoping study for the strategic environmental assessment and build the capacity of Namibians in this area. Following a stakeholder's information sharing meeting that was held in December last year, an Inter-Ministerial Steering Committee was established to identify and facilitate the environmental assessment procedures.

The Ministry has also set up a Secretariat at our Research Institute at Swakopmund, which will be the liaison heart of this very project. The Ministry of Fisheries and Marine Resources is resolute in its position with regards to the Moratorium and it is determined to protect the Namibian living marine resources and conserve the marine ecosystem as per its mandate.

The Ministry is concerned that the removal of the soft sediment along with all the living animals and the suspension of fine sediment into the seawater may impact the functioning of the marine ecosystem negatively.

The Ministry is further concerned that any contamination or suspended particles from mining activities may have adverse effects on the fish larvae and their development stages and we thus need to investigate the breeding and nursing areas, breeding patterns of the commercially important species in relation to the mining activities, as well as the current dynamics.

Furthermore, the Ministry is concerned that unwanted contaminations, especially from the sediment may enter into the seawater as mining increases and gradually enter the food web and compromise our adherence to the strict food safety rules for the export of fish products and the quality

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of Namibia's fish products. Shipping bulk wet sediment to land-based processing sites poses risks to the marine environment associated with loading, transport, processing, especially the waste produced in the sea, importantly if fertilizer factories are planned. Therefore, such risks need to be carefully studied.

Importantly, present day baselines must be established and all studies must be carried out over a few years to establish seasonal patterns, for example, in fish breeding and variably between years because an upwelling system such as the Benguela is highly dynamic and this must be accounted for in the assessments.

These are just a few of the many concerns to which my Ministry wishes to seek answers before endorsing Marine Phosphate Mining. I thank you for your attention.

HON SPEAKER: Thank you very much, Honourable Minister. It is a message that we would like to hear but it is a message that also goes far beyond the boundaries of Namibia. You keep us updated as and when necessary.

With that said and having taken note of all the wishes of those who want to take the Floor, we now proceed.

The Notice of the Motion is the one of the Honourable Minister of Health and Social Services. Does the Honourable Minister Move that the Bill be now introduced?

Stick to one microphone and do it like a doctor, not a Freedom Fighter.
(Laughter)

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

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**FIRST READING - NATIONAL HEALTH BILL
HON DR KAMWI**

HON SPEAKER: Thank you. Who seconds? Any objections? None. Agreed to. Will the Honourable Minister table the Bill?

The Secretary will read the Bill a First Time.

FIRST READING - NATIONAL HEALTH BILL [B.9 – 2014]

SECRETARY: *National Health Bill [B.9 – 2014].*

HON SPEAKER: Does the Honourable Minister Move that the Bill be now read the Second Time?

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

HON SPEAKER: Any objections? Who seconds? Agreed to. You have the Floor Honourable Minister.

SECOND READING - NATIONAL HEALTH BILL [B.9 – 2014]

HON MINISTER OF HEALTH AND SOCIAL SERVICE: Thank you.

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**SECOND READING - NATIONAL HEALTH BILL
HON DR KAMWI**

Honourable Speaker, Sir, Honourable Members, the *Public Health Act*, 1919 (Act 36 of 1919), had been repealed and it is in dire need of revision. It is intended to divide the Act in two pieces of legislation namely, the *National Health Bill* and the *Public and Environmental Health Bill*.

The *National Health Bill* endeavours to provide a framework for a structured uniform Health System within Namibia and to regulate the conduct of State Hospitals and State Health Services in Namibia. The long title of the Bill contains the purposes thereof, namely:

- a) To provide a framework for a structured uniform Health System within Namibia;
- b) To consolidate and amend the Laws relating to State Hospitals and State Health Services and to regulate the conduct of State Hospitals and State Health Services; and
- c) To provide for matters incidental thereof.

Honourable Speaker, Sir, **Clause 1** contains the definitions thereof, whereas **Clause 2** contains the objects of the Act. **Clause 3** states who is responsible for health in Namibia. **Clause 4** establishes a National Health Advisory Committee and further provides for the powers and functions of the Advisory Committee; its composition, the Term of Office of members thereof, vacation of office by a member, the holding of meetings, the defrayment of expenses thereof and the payment of allowances to members.

Clause 5, establishes a Regional Health Board for every Region and Local Authority areas in the Region and further provides for the functions of a Regional Health Board; its composition, the Term of Office of members thereof, vacation of office by a Member, the holding of meetings, the defrayment of expenses thereof and the payment of allowance to members.

Clause 6 established a District Health Board for the area of every District

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SECOND READING - NATIONAL HEALTH BILL
HON DR KAMWI

Health Office and further provides for the functions of a District Health Board; its composition, the Term of Office of members thereof, vacation of office by a member, the holding of meeting, the defrayment of expenses thereof and the payment of allowances to members.

Whereas *Clause 7* provides for the establishment by the Minister of a Regional Health Office for each Region and further provides who administers, manages and controls a Regional Health Office.

Clause 8 provides for the establishment by the Minister of one or more District Health Offices for each Region and further provides who administers, manages and controls a District Health Office. The Minister must also establish by, notice in the Gazette an area specified in the notice as the area of every District Health Office concerned.

Clause 9 provides the Permanent Secretary as ex officio, the Chief Health Officer of the Ministry and also provides that it is the duty of the Government of Namibia to ensure that such staff members must in terms of the *Public Service Act* be appointed in the Ministry as may be necessary for the purposes of this Act.

Clause 10 provides for someone to act as a Local Authority outside Local Authority areas and Sub-clause 1 states that in respect of areas in a Region outside Local Authority areas and settlement areas the Chairperson of a Regional Council acting under the instructions of the Chief Health Officer, is regarded for the purposes of this Act as Local Authority for that area and that Chairperson may exercise, subject to Sub-clause 2, any powers which a Local Authority may exercise in terms of this Act.

Clause 11 provides that every Local Authority may appoint and must appoint, when required by the Minister, with the written approval of the Minister, an Environmental Health Practitioner as Head of Health Services of the Local Authority.

Clause 12 provides for the duties of Health Services.

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**SECOND READING - NATIONAL HEALTH BILL
HON DR KAMWI**

Clause 13 states that District Health Officers are heads of Health Services in respect of areas in a Region outside Local Authority areas or Local Authorities areas, where no Head of Health Services has been appointed.

Clause 14 provides that every Local Authority may appoint and must appoint, when required by the Minister, after consultation with the Minister, one or more Environmental Health Practitioners to assist, subject to the supervision of the Medical Officer of Health in carrying out this Act and any other Law governing Public and Environmental Health within its areas.

Clause 15 provides for the removal from office of a Head of Health Services and Environmental Health Practitioners.

Clause 16 provides what must happen when a Local Authority fails to appoint a Head of Health Services and an Environmental Health Practitioner.

Clause 17 provides for combined appointments and states that nothing in this Act or any other Law contained, is construed as precluding any person from holding at the same time an appointment as:

- a) A Head of Health Services who is a staff member and a Head of Health Services for one or more Local Authorities;
- b) A Head of Health Services for two or more Local Authorities;
- c) An Environmental Health Practitioner who is a staff member and an Environmental Health Practitioner for one or more Local Authorities or an Environmental Health Practitioner for two or more Local Authorities.

Clause 18 deals with defaulting Local Authorities and provides, that if upon any report of the Chief Health Officer, it appears to the Minister that the public health of any area within a Local Authority area is endangered by the failure or refusal on the part of any Local Authority:

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HON DR KAMWI

- a) To exercise the powers or to perform the duties devolving upon it under any law or;
- b) To take the lawful and necessary steps to obtain powers to deal through regulations with that danger, the Minister may cause an enquiry to be held in that regard with the Local Authority.

Clause 19 provides for the establishment and closure of State Hospitals and State Health Services.

Clause 20 provides for the taking over by the Minister of a Private Hospital as a State Hospital.

Clause 21 provides for the taking over of a private Health Service as State Health Service.

Clause 22 states that State Hospitals and State Health Services fall under the responsibility of the Minister and it also provides for the leasing out to Private Health Practitioners for the purposes of conducting a private practice or to any other person for any other business purposes any available rooms or other space in a State Hospital or a State Health Service which is not required for use by the State or for public purposes.

Clause 23 provides that the Minister must appoint in respect of every State Hospital a Health Practitioner employed as a staff member who has been practising for not less than five years as a Superintendent of the Hospital and it also prescribes the duties and functions of the Superintendent.

Clause 24 provides for the establishment of Hospital Services.

Clause 25 provides that subject to such conditions as the Minister may prescribe, he/she may, out of moneys appropriated by Law for such purposes, establish or provide amenities and services which he or she may deem necessary or useful for the convenience of and the use by the staff or patients of a State Hospital.

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Clause 26 states that subject to such conditions as the Minister may determine, he or she make available to any health or other institutions supplies of any medicine, medical substance, preparation or hospital equipment and apparatus at a State Hospital or a State Health Service.

Clause 27 provides for the inspection of State Hospitals and State Health Services by the Permanent Secretary or an inspection designated under Clause 27.

Clause 28 regulates the designation and duties of Inspectors of State Hospitals and State Health Services.

Clause 29 regulates access to a State Hospital or a State Health Service and states in Sub-clause 1 that, subject to this Act and to such hospital rules as may be made as contemplated in Clause 22 (2)(b), every person in Namibia has access to a State Hospital or a State Health Service and is entitled to:

- a) Receive treatment or other medical care; and
- b) Benefit from any of the Health Services established there under this Act.

Clause 30 regulates the admissions of in-patients to a State Hospital.

Clause 31 provides for the assignment of a ward, section and bed on admission of a person to a State Hospital as an in-patient.

Clause 32 regulates the transfer of State patients to other hospitals.

Clause 33 provides for the accommodation of a person accompanying patient and states that the Superintendent:

- a) May permit any person accompanying a patient, to stay in the State Hospital and to be accommodated with that patient in the hospital subject to such conditions as the Minister may prescribe; and

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b) May at any time, order a person to leave the hospital.

Clause 34 states that except in the case of an emergency, a patient in a State Hospital who receives free treatment or who is a State patient may not engage a private Health Practitioner without the prior written approval of the Superintendent.

Clause 35 provides that subject to Sub-clauses 6 and 7 Private Health Practitioners may not practise in a State Hospital or a State Health Service without the written authorisation of the Minister.

Clause 36 provides for the classification of patients at State Hospitals as either a State patient or as a private patient.

Clause 37 provides that the Minister may prescribe:

a) Tariffs of fees to be paid for:

- i. The treatment of patients at a State Hospital or a State Health Service; and
- ii. For any other service which may be rendered for items supplied there; and

b) The Conditions upon which a patient may receive free treatment at a State Hospital or a State Health Service.

Clause 38 provides that the Minister may enter into an agreement with any Government, Organisation, Company or Person wherein the Government, Organisation, Company or Person undertakes to pay for the treatment or Health Services rendered to any person by a State Hospital or a State Health Service at such tariff of fees and subject to such other conditions as may be agreed upon by the parties in such agreement.

Clause 39 deals with the payment for transportation and treatment of certain patients in emergency cases.

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Clause 40 provides for the annual election of State Hospital Committees by the Health Practitioners practising at a State Hospital and other staff employed at the hospital, as well as for its functions, meetings and the manner of election of members of a State Hospital Committee.

Clause 41 deals with returns to be submitted by State Hospital and State Health Services to the Minister.

Clause 42 provides for exemption from the provisions of the Act and state that, notwithstanding anything provided to the contrary in this Act, the Minister may exempt whenever he/she deems it expedient by notice in the Gazette, any State Hospital or a State Health Service from all or any of the provisions of this Act.

Clause 43 deals with exemptions and states that the *Pharmacy Act* does not apply to a pharmacy established under Clause 19(2).

Clause 44 provides for research in diseases, mental illnesses and other medical conditions and states that the Minister may:

- a) May commission or authorise the conduct of research in any State Hospital into any matter relating to the occurrence, cause, prevention, diagnosis or treatment of any disease, mental illness or other medical conditions in human beings;
- b) Made by means of grants or otherwise at such research whether in a State Hospital or not.

Clause 45 provides for the delegation of powers and the assignments of duties or functions by the Minister and the Permanent Secretary.

Clause 46 deals with the making of regulations by the Minister.

Clause 47 indemnifies the Minister, the Permanent Secretary, any staff member, any member of the Advisory Committee or any member of a

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Regional Health Board or a District Health Board is not liable in respect of:

- a) Anything done or omitted to be done in good faith in the exercise of a power or the performance of a duty or function under this Act or;
- b) Anything that may result from anything done or omitted under paragraph (a).

Whereas *Clause 48* provides for the repeal of Laws and also contains transitional provisions.

Clause 49 contains the Short Title and also provides for the commencement of the Act.

I so Move, for the consideration of the House. Thank you.

HON SPEAKER: Thank you, Honourable Minister. Any further discussions? Yes, Honourable Shixwameni, you have the Floor. Honourable Shixwameni continue.

HON SHIXWAMENI: Thank you, Honourable Speaker. One, before I adjourn, I have a serious dilemma, I thought that the Assembly is adjourning next week Thursday, the 24th of April 2014, now this Bill has (intervention).

HON MEMBER: It is a week after.

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HON SHIXWAMENI: Is it a week after? Then, I would like to adjourn Debate on this Bill to Wednesday next week.

HON SPEAKER: Anybody who wants to take the Floor now or tomorrow? Honourable Dr Kawana?

HON MINISTER OF PRESIDENTIAL AFFAIRS AND ATTORNEY-GENERAL: Honourable Speaker, because we are likely to rise on the 24th, may I beg the indulgence of the House to contribute to the Bill.

Firstly, I need to commend the Honourable Minister and his team and to congratulate them for the Budget that they received, it will go a long way to address the problems or challenges that are faced by the Public Health Sector.

I am specifically rising on an issue which is very familiar to the Honourable Minister and this is the issue of Referral Hospitals.

In the Zambezi Region we are inundated with requests to address the situation of referral to Rundu State Hospital because the distance is exactly 524 kilometres and if a family member wants to go and visit the sick relative, it means travelling 1,048 kilometres and this is really causing a lot of hardships to the people, the residents, our citizens in the Zambezi Region.

The other aspect, I think is the norm that is set by the Ministry of Health stating that - we need X number of people, maybe 35,000, before we can build a clinic. There must be an exception to that. For example, the people of Impalila Island, currently when our citizens are sick in terms of admission to some of those facilities, they either have to go to the Republic of Botswana or the Republic of Zambia. Also there in the South

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because of historical reasons, including genocide; some of our citizens need to travel hundreds of kilometres before they can find any shop. I think those exceptional circumstances, Comrade Minister, should be taken into account.

I would also like to appeal to the Ministry to introduce what we call periodic health services. In other countries they have what they call Flying Doctors, why do also we not introduce the same in Namibia, which will make the Health Sector much cheaper because we have limited resources to build hospitals, health centres and clinics at all the Districts or Constituencies but if you have these Flying Doctors or Periodic Medical Services, they can just go around. Each area is given a time frame, say, every Wednesday they congregate at a certain place where they get medical facilities and assistance either through nurses or medical doctors.

I think this situation is very important, Comrade Minister, and it will go a long way to improve the services of our Public Health Sector.

With these few remarks, Honourable Speaker, I support *Public and Environmental Health Bill*. I thank you.

HON SPEAKER: Thank you Minister. Any further discussions? Minister of Defence.

HON MINISTER OF DEFENCE: Thank you, Honourable Speaker. I also support the Bill but I have serious reservations on Articles 58 and 59. (interjection) excuse me? Which is which?

HON SPEAKER: The *National Health Bill*.

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HON MINISTER OF DEFENCE: Environmental Health Bill?

HON SPEAKER: No, the *National Health Bill*.

HON MINISTER OF DEFENCE: Oh, I am talking about the *Environmental Health Bill*.

HON SPEAKER: We will get to that one. The one we are now discussing is the *National Health Bill*. Any further discussion? Honourable KK Kazenambo.

HON KAZENAMBO: Thank you, Comrade Speaker. Firstly, I rise to wholeheartedly support the *National Health Bill*.

I want to comment on Page 3, **Access and Admission to and Treatment in State Hospitals and State Health Services** - *Access to State Hospital and State Health Service*:

Comrade Speaker, Comrade Members, the issue of access to health services remains a serious concern. I know that the Ministry of Health and Social Services is one of the prioritised Ministries just like the Ministry of Education, they have been receiving a big chunk of money from Government and Government has been investing in the specific Ministry.

I sometimes read with great sympathy when I read the names of my two Brothers in the SMSs almost every day and I know how it feels because I have been subjected to the same grind, so I know how it feels but I wish My Brothers strength and I know that they will remain strong and they

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are strong because this issue is not a personal issue and should not be treated as such although sometimes when you read between the lines you get the feeling that people are trying to personalise issues, unfortunately.

Comrade Minister, on the issue of access to health, as far as I am concerned Government can pump money as it has been doing with Public Health Institutions, building physical buildings, purchasing equipment, building state of the art facilities like the, what is it called again?

HON MINISTER OF HEALTH AND SOCIAL SERVICES: Cardiac Health Facility.

HON KAZENAMBO: Cardiac Health Facility and so on and so forth, but the issue of human resources is a great concern. It is an issue that needs to be addressed. I know we are training nurses, we have got a medical school here and so on, but it needs to go beyond that because we need to have an attitude or a culture of caring. If you trace health provision to the time it originated, it was all about caring - caring for someone and if you do not have this caring culture, empathy and sympathy for other fellow human beings who are in need of assistance, you can have the best equipment that we have, you can have the best facilities that you have, but that will not translate into the culture of caring.

Comrade Speaker, you visit some of our facilities, equipped with state of the art, modern equipment that you happen to find in developed countries and some are not even there while we have them here, but then you look at the person who is attending to another person and I know how pressed these fellow Comrades who are working in these Sectors are, but if we are to build this Nation as we are busy building it, please let us not fail to highlight our shortcomings even as human beings. Please where we need to face one another, to look each other in the eyes and tell each other the

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truth, let us call a spade a spade. Sometimes some of our colleagues who work in these Sectors, and as it is a culture of caring, leaves much to be desired because you know the attitude of our people in many of our institutions, both private and public. The attitude is that, once I am employed somewhere, I am no longer a servant, I am a boss and this attitude starts from the cleaner up to wherever, God knows in Heaven.

We need to develop an attitude (interjection) yes, you can add, it is allowed, *they are careless* but it is there. Let us have an attitude of caring because you will come right there and find a person who is in pain but you can see this colleague is on the cell phone and you can see the person displaying to you that *imba opumbi ungurira oopoyetu - you can go to whoever*. In other words, *you can go to whoever, this is where I work, this is home and I am in power. You can either tolerate me or do whatever you want.*

The time that I experience that, unfortunately poor Minister Kamwi is not there, but the next person will be like - *Comrade Kamwi visit clinic what and what, visit hospital so and so, visit school this and this*, and one wonders - *but we observe these things*. When you experience this, those of us who are not like others start looking around and say to yourself - *I either leave or I do not know*.

Colleagues, let us develop a culture of caring, caring for other people and I do not know where that medicine is going to come from, where that Budget is going to come from, for one... (intervention) That is exactly the culture of non-caring! (*Laughter*)

HON SPEAKER: Honourable Tjihuiko, you are welcome.

HON TJIHUIKO: Honourable Speaker, I think the remarks that the Honourable Member has just made must be withdrawn. I am still waiting

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for the withdrawal.

Honourable Speaker, may I ask the Honourable Member a question? Thank you. Honourable Kazenambo, I know that you are doing well on the issue of caring. My question is, why is it that people are looking for the Minister while there are structures in place at the level of hospitals?

Do you not think that maybe the problem is not the attitude of people but the problem could be that we may have the wrong people at management level at wrong places? People who were supposed to have assisted the Minister in the administration of a specific hospital, rather than the workers. Do you not think that perhaps the problem is with the management of specific structures as opposed to the workers?

HON SPEAKER: I just want to get the grammar, wrong people at the wrong places, is that what you said?

HON !NAWASES-TAEYELE: Wrong people at the right places.

HON KAZENAMBO: Can I answer?

HON SPEAKER: I just want to get the English correct. Is that what you said?

HON TJIHUIKO: I am just struggling with the language there but I think what she said is the right one (*laughter*)

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HON SPEAKER: Honourable Kazenambo.

HON KAZENAMBO: Yes, thank you very much Comrade, no, no you used to be a Comrade when you were SWANU.

Yes, thank you Honourable Tjihuiko or Comrade Tjihuiko for your question. It is a very critical question, I cannot answer it, but then I will attempt. Comrade, the question of caring *vis a vis* who in the line of care should be accountable boils down to the structure. You know the problem here is, unfortunately I have repeated it in this House and will keep repeating it. Everything here is politicised and because everything is politicised, the main target becomes the politician who is at that specific institution. Therefore, because our colleagues in the media are also interested in politics, it is no longer developmental journalism, it is political journalism that boils down to yellow and other sensational journalism.

Now because the journalism is not developmental in approach, it is mainly sensational and yellow, driven by market maximisation of competition. It thus lacks the developmental aspect and the attitude leading to many, not all of them, in the media hoping to celebrate the day when they would see each Minister being shown the door. And I keep wondering, whom are they going to report on after all the Ministers have been fired like Kazenambo because everything circles around the Minister - blackmailing the Ministers and show them they are incompetent while other people are relaxing and sleeping on duty. That is your answer, Comrade Tjihuiko.

The issue is accountability. You will never hear our media writing about a Director of a certain institution, how incompetent he is, you will never hear them writing about the Manager or Permanent Secretary doing what or grilling and investigating their performances but every page you see is about the Minister as if institutions are only composed of Ministers. The colleagues from the media must also start investigating the whole system,

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including the issue of care and empathy.

I am about to conclude, so that I can give others a chance. If you go to certain health institutions you will honestly find people in queues. Sometimes I sympathise with those hardworking doctors and so on because they are always there. There are hardworking doctors and hardworking managers. However, the truth of the matter is that there are Permanent Secretaries, Under Secretaries, Managers, Directors and so on responsible for manning these institutions; can we hear about them being exposed on the basis of their competencies, caring and so on because they are equally paid like the Ministers, Deputy Ministers and Members of Parliament, from Media in Namibia?

As I am concluding on the caring culture, I do not know where the medicine is going to come from, I do not know where the Budget is going to come from but we should develop a culture of caring. Our society was founded on the principle of justice, solidarity and freedom and without care, I do not think that justice and solidarity (intervention) we are not fighting for trees.

HON SPEAKER: Honourble Peter Naholo.

HON KAZENAMBO: He wants to go and fight for our tree.

HON SPEAKER: Yes?

HON NAHOLO: Thank you, Honourable Speaker. Through you, I would like to ask Comrade Kazenambo a small question. I need some assistance, I just want to understand, through you, whether the Honourable Minister of Health has confidence in the management of

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his staff members all over the country and if he does, why should he run around the country to do the work that should be done by the management and supervisors at each and every health establishment? Thank you.

HON KAZENAMBO: This is exactly what I was saying a few minutes ago and as long as we are going to develop this country on selective morality, my Friend, the ship will sink and all of us will go down with it. Comrade Naholo, we are playing chameleon politics here, when we are here, we will double talk - *the Minister is interfering with the management, the Minister is interfering with the work of what*. You are a politician and I have never heard anything from the RDP, any politician from SWAPO or from any Party saying as a politician that - *I have taken issue with clinic a, b, c and I have found this and that*, or - *I visited school a, b and c* or - *company a, b and c and these are the flows*, no! We will hide it and we pinpoint the poor Minister.

I know and I cannot reveal things that used to happen but if you receive a call that – *this and that is happening at Havana* because the newspapers wrote *Havana* there or a school in *Omatjete*, you will rush there to go and verify but nobody will report that, no. You will not go to the manager and say that - *I am a Politician Naholo, a Member of RDP and a Member of Parliament, I have detected this issue and I checked out the manager of this place, why is such and such happening at Omugulu this way?*

No, you will wait there in Windhoek, either contact the newspaper or raise questions here in the House of Parliament while you know the problem. But you are a National Leader and you will not raise it, and because of all these people know that they are in comfort zones, it is Ministers who will come and answer for their mess so people are comfortable. I am saying that each of us must be accountable for our roles. Our roles please, whether you are a cleaner, whether you are a doctor who is admitting to something. You will even find that some of the nurses are bullied by their

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fellow nurses not to attend to duties, asked – *are you a good person or what or do you want to be promoted?* and told - *we are paid the same salary, I will not attend to it!* Again it is a question of being paid and not a question of consciousness and care. With this I support the Bill for Access to *State Hospital or State Health Services*, let us improve it.

HON SPEAKER: Thank you. Minister of Defence.

HON MINISTER OF DEFENCE: Thank you, Honourable Speaker. I have the right Bill now - the *National Health Bill*. I, in principle do support the Bill, provided that my concerns are addressed. The Minister under this Bill gives himself a wide range powers, the power to allow doctors to practise in Government Hospital, the power to reject applications (intervention).

HON SPEAKER: What page are you on?

HON MINISTER OF DEFENCE: The power to prescribe.

HON SPEAKER: Minister which page are you on?

HON MINISTER OF DEFENCE: No, I am not talking about any page, I am talking about a Clause. Clause 46.

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HON SPEAKER: Oh, Clause. Yes?

HON MINISTER OF DEFENCE: *Clause 46*, gives the Minister the power to allow somebody to practise at the hospital. Clause 46(3) gives the power to the Minister to reject applications.

Clause 48, gives the Minister the power to prescribe fees. It goes on. There are many Clauses which gives the Minister the power even to delegate like *Clause 56*.

Then he come to *Clause 58* and that is where my problem is - *indemnity*. *Clause 58* reads – “*The Minister, the Permanent Secretary, any staff member, any member of the Advisory Committee or any Member of a Regional Health Board or a District Board is not liable in respect of:*

- a) *anything done or omitted to be in good faith in the exercise of or the performance of any duty or function under this Act or*
- b) *anything that may result or anything done or omitted under paragraph a.”*

Now you give yourself all these powers, but you do not want to be responsible for your actions. I have a problem with it unless you qualify this indemnity - that an action was taken in a reasonable manner. You cannot just say you take an action and then you have no responsibilities after that. Perhaps order some medicine and somebody dies in hospital and you say - *I am not responsible* but you gave yourself that power? I think this indemnity should be amended so that there is at least a certain level of responsibility on the part of these people.

It says *any staff member*. Oh, My Friend, you start with the Minister and then the Permanent Secretary, who is responsible now? who is responsible and you even go to say *anything done or omitted*, by omission meaning, if there is something you have not done and somebody dies, you

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are not responsible. Therefore, my support to this Bill is conditional that this Clause be amended so that there is some accountability. Thank you

HON SPEAKER: Thank you. Honourable Swartz.

HON SWARTZ: Thank you, Comrade Speaker. Honourable Members, I only want to emphasise on what the previous Member, Honourable Kazenambo, has said about always blaming the Ministers.

However, for me, all of us have worked under other people as well. Hospitals do have different divisions, like for Primary Health Care, ARV and all that. If these people who are supervising in those divisions do not take the lead to run those divisions, the blame will come to the Minister.

The next thing that I also want to emphasise on is the attitude of nurses; all of us know the Ministry of Labour does have a department where we can send our children so that their aptitude can be tested in order to know which career they can follow so that we have the right people at the hospitals to treat our people.

The other thing that I also want to touch is the pressure on the District Hospitals in some of our Regions. Some of the Regions are too vast and the pressure is too much on District Hospitals, so I will suggest that we should have more health centres in the future to ease the burden on our District Hospitals.

Our Katutura Hospital on Page 22; if I look at the maintenance, service and repairs and everything, I think that hospital must be demolished because every time you go there, a certain division is being repaired. If you go now to Katutura Hospital and look at the X-ray Division it looks very pleasing, it is beautiful but most parts of the hospital are falling apart.

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We must, therefore, look into the future and come up with plans for a new hospital in order to avoid using too much money on repairing and maintaining old pipes and all these types of things.

The cleaning services is also a problem in some of our hospitals. People work without supervisors or I do not know what is going on there, you will find some busy selling things. All they do is signing in that they are at work and then spend the rest of the time selling their own private items or even go and drive a taxi. So everyone does whatever they like. This contributes to the burden the hospital faces already since cleaning is part and parcel of the different divisions in the hospital.

I think, this is one area that we need to look into and that is why I rose. Otherwise, I support the Bill. Thank you.

HON SPEAKER: Thank you. Honourable Moongo.

HON MOONGO: Thank you, Honourable Speaker. I would like to thank the Minister for tabling the Bill even if it is too late because there are only few days before we go on recess. We did not have enough time to peruse everything, however hospitals provide a national service and are used by our people every time, so it is important that we go through this Bill.

I want to say something concerning persistent outcry of nurses who are continuously quitting State Hospitals to join the private practice. We did pose some questions and I wonder if the Minister perhaps did not realise that it is not a good thing to spend State resources training someone whom you end up losing because of lack of improved conditions of services and improve tax and benefits.

This life is about competition, therefore, people are looking where there are better salaries. Why do you change and offer improved salary

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packages to the nurses and other health workers in order to attract competent staff and retain experienced staff members instead of losing them to the Private Sector all the time? Again, while I am on that point, I also want to appeal to the nurses not to only consider the money side without taking good care of patients as they are required by the health profession.

The lack of staff is also a contributing factor because you will find that there are very few nurses who have to take care of many patients and this leads to exhaustion, taking into consideration everything that they have to carry out as nurses. Some patients would be in a state where they are unable to help themselves, some cannot turn on their own and have to endure the experience of sleeping in the same position for long hours because nurses cannot attend to everyone in the ward.

I would, therefore, like to appeal to the Minister to adjust the benefits and the salaries of nurses in order to boost their morale which in will turn increase their sense of responsibility since they will be highly motivated.

We are pressing for the workers who deal with Malaria all the time, of course, we are happy that Malaria was given a salute since it is decreasing drastically because of the good job of those workers (intervention).

HON SPEAKER: Honourable Deputy Minister of Gender Equality and Child Welfare.

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: I have a question. Honourable Moongo you are talking about better salaries, I want you to inform the public out there, how much money you get and what the behaviour of your Party is misleading the Nation out there? Why are you doing those things while you get a lot of money? Thank you.

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HON SPEAKER: Honourable Moongo continue.

HON MOONGO: Anyway, I do not want to involve in petty politics. When we talk about health issues, we have to be serious because these concern the life of our people. People are dying because sometimes there is a lack of electricity and sometimes they have to face one or two weeks without water in the hospital. We know of the money issue. The reason we are for is to take money from the contingency funds and add where possible to take care of these things.

I was saying that we would only like to salute the workers who deal with Malaria because it is on the decrease, thanks to the vigilance of these workers.

Therefore, something needs to be done in terms of adjusting their packages. Imagine a woman who has a family to take care of only works for four months in a year. I was also in that Directorate in 1966 and it is still the same today. Why is there such a high turnover of workers? The Minister is well educated, I like him, but he is forced to see where his people are heading to. He is unable to see because he only sees backwards. Today I want him to understand and to take the system that we used in 1966 when I was in the Hospital Directorate and change that to 40 years into the future. The Minister is heading backwards. Please, Honourable Minister, you always salute your staff and you are happy when you are congratulated by the international organisations because of the duty of their performance but when it comes to adjusting their salaries and benefits it is a zero.

Again, there was an outcry from the nurses about their S & Ts that was overdue. I want to know if it has been paid now or is it the issue which is causing the nurses to leave the State health institutions for the Private Sector? I am happy with the overall improvement of hospitals, I went to Oshakati Hospital and I am happy, I also went to Eenhana Hospital as well as various hospitals. I also checked the Onandjokwe Hospital and

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found it is still in its old situation. Will you please improve those District Hospitals as you have done to the Intermediary Hospitals?

Having said this, I think he is doing better but please do not go backwards, look ahead of you and move forward so that we salute you with smiling faces. We do not want to smile at you with a *snake smile*. Thank you very much. (*Laughter*)

HON SPEAKER: Thank you. Honourable Tjihuiko.

HON TJIHUIKO: *Forward ever backwards never.*

HON MEMBER: Stop smiling like a snake.

HON TJIHUIKO: I am not smiling like a snake. Honourable Speaker, thank you very much.

Let me start by saying that I do not want to go back to what the other Colleagues have said. I support what the Honourable Minister of Defence said hundred per cent and my support for the Bill will depend on exactly what the Honourable Minister has said.

Honourable Speaker, I have got one or two things that I wanted to touch on. The first thing is the question of attitude and I really want to touch on this one because I think have a little bit of a different view on the attitude of specific nurses.

When you look at the conditions of our hospitals at the present moment, I

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must admit that a lot has been done. Let us admit that a lot has been done. Everything cannot be done overnight obviously, but wherever you go you notice that a lot of investments have gone into the hospitals. Much still need to be done but I think we should admit that for quite a number of hospitals that I visited, like the Oshakati, Okakarara and Katutura Hospitals, one can see the difference. The Government and the Minister deserve to be commended on that.

On the question of the attitude of the nurses, there is one thing that I have been thinking about. I always try to look at myself and ask - *what is it that I am doing when I go to the hospitals, what is my attitude towards the nurses?* Are we the public always perfect in our approach towards the nurses and are they the bad ones that are always responding to our requests negatively? Those are the questions that I have been putting to myself.

Let me give you an example. If you go to the Katutura Hospital during visiting hours, you will find visitors making noise in the hospital corridors and lifts. These very same people who have families in the Katutura Hospital also have families at Rhino Park Hospital. From Katutura they drive to Rhino Park Hospital. Would you observe the same behaviour from these same people when they get to Rhino Park Hospital? Obviously, not.

The attitude of the nurses at Rhino Park Hospital will be different from that of the nurses at Katutura Hospital because of the way we behave when we are in our own environment. The question that I have been asking myself is; who should improve or change his/her behaviour between the general public and the nurses?

Honourable Speaker, I am talking about somebody who started at 07:00 up to 19:00 and you expect this person to maintain the same attitude under those circumstances, the nursing staff being treated with disrespect by the general public? I think the improvement from the nurses should also be accompanied by our improvement.

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HON KAZENAMBO: On a Point of Information. Comrade Tjihuiko, again on the issue of attitude, *it takes two to tango* and definitely we are talking about some. It is also some members of the public who go there with no attitude and come across some attitude and some nurses who are there also approach with attitude. So when we talk we should always use the word some.

Definitely it is a question of the environment and caring, as we are saying. The environment from where we come from and supervision, when we are at Rhino Park you will know very well that you cannot make noise there, you will be chucked out of that hospital by the security guards who are standing there. They will tell you - *Kazenambo lower your voice* but in Katutura I will raise my voice because there is nobody and it is not the Minister and it is also not the poor nurse.

Let us thus say that you are correct and you are doing well but all of us must have respect for the environment. I am also going to sit down, I am not making a speech.

The environment is sometimes also demoralising. I may be sitting there as a nurse and my colleague is allowed to go and sell her recharge vouchers and so on, and the supervisor does not address this issue or I can be faced with a situation where I cannot report my Comrade who disappeared to take care of her private business. Whom do you think will report his/her colleague? This poor nurse will sit there and the journalist will not investigate and here you cannot be fired as Comrade Nghimtina was saying that people should be fired if they are not performing to the required standards. However, the journalist will focus on the Minister not on the nurse who disappears from her duties (intervention).

HON TJIHUIKO: *KK* I agree with you, as you rightly said, *it takes two to tango*. However, the point that I am trying to drive home is that we should also change our attitudes. I believe that every human being reacts to a situation in front of you, so I appeal to us and the public that we

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should also show a bit of respect to our fellow human beings because that will help us to develop a good relationship between the two parties. That is one thing that I personally think we all need to change. Not everybody is the same, we are not alike, but there are those of us who have a tendency of thinking that if I walk into a place everybody must dance. In most cases we are also at fault. Yes, indeed the nurses must change but we should also bring our part. That is my first point. (Intervention)

HON SPEAKER: Honourable Naholo.

HON NAHOLO: Yes, thank you Honourable Speaker. On a Point of Information, talking about attitudes, I think we need to put ourselves in the shoes of the health staff members, the nurses. We must try to understand whether they are happy, first of all. Are they happy with their conditions of service? Are they motivated? Because if people are not happy in general, if they are not being motivated, if they are not happy with their income and all the conditions of work, how do you expect these people to perform accordingly? That is a very important element that we need to look at. People need to be motivated at work. There is a need to be well looked after by the employers. Do not just expect people to perform if they are not being taken care of in terms of their benefits, in terms of salary, in terms of (intervention).

HON MEMBER: Overtime payment!

HON NAHOLO: Sorry?

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HON MEMBER: Overtime.

HON NAHOLO: Honourable Speaker?

HON SPEAKER: Continue.

HON NAHOLO: There is a dialogue in the House but (intervention).

HON SPEAKER: No, no everything is in order.

HON NAHOLO: The Honourable Minister of Gender was also a nurse and I do not think she was very happy all the time at work. I am telling you our nurses have got problems even to come to work. Is there any transport for them? Look at our Taxi Industry, people are suffering to catch a taxi, nowadays, in Windhoek and I am only referring to Windhoek. We are coming from the rainy season, you will find people standing outside there waiting for taxis to go to work so people are suffering, people have got problems but the employer must first of all address their problems. The employer must make an effort ensure that this people are very happy at work. Let us not just continue to condemn our nurses. We must also look after them. That is very important. You must motivate the nurses before you condemn them. Thank you, Honourable Speaker.

HON SPEAKER: Thank you.

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HON TJIHUIKO: That was not the question. That was a comment. Thank you very much, Colleague.

Honourable Minister, the second last point that I wanted to touch on is, I believe that we need to improve the management of our hospitals, that is, the staff who have the responsibility to manage the hospitals. It is where we need to concentrate because this structures have been put there to make sure that the administration of hospital at all levels has been taken care of. I do not believe that it is the responsibility of the Minister, Permanent Secretary or Deputy Minister.

Otherwise, we could have had Ministers at all the hospitals. I think this is the level where we lack some creativity and proper supervision. That is the level that is actually giving us more problems than anything else. We need to bring in some kind of new innovative ideas to improve the management of hospitals at that level. In conclusion Honourable, (intervention).

HON SPEAKER: You can conclude. Yes, Honourable Mwaningange.

HON MWANINGANGE: Honourable Speaker, I have a problem that is now a general concern on this Bill and this is in respect of the contributors.

Honourable Speaker, in order for us to follow their contributions let Honourable Member please, at least refer to something in the Bill before us here, so that we will be able to know where how we are contributing the Bill.

Otherwise, the general Debate of blaming left and right does not help us. We know there are some challenges, those challenges will be addressed if we improve this Bill before us. That is why it is here.

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HON SPEAKER: Good point.

HON TJIHUIKO: Honourable Speaker, we are talking about the Bill.

HON SPEAKER: Continue.

HON TJIHUIKO: In conclusion, Honourable Speaker, I just wanted to say that, having referred to the management, we need to look at the conditions of service of our nurses, our Police Officers and our soldiers. This ought to be special units in Government that needs to be given special attention when it comes to conditions of service, their salaries, their places of accommodation and their transport. These are the people that we need to give special attention to.

We should not always be critical on the roles of human errors that are coming out of this Sector but we should also look at the type of services that they are providing. If it has not been because of these Sectors, we would not have been in the position we are today.

Honourable Minister, I believe that these are some of the areas that we should also look at - the conditions of service of our nurses and hospital staff will definitely bring about a difference. With that and the condition that I have put already, I support the Bill.

HON SPEAKER: Thank you. Honourable Ilonga.,

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HON DEPUTY MINISTER OF DEFENCE: Thank you Comrade Speaker.

I rise to support *National Health Bill*. So much has been said; I will start with *Clause 34*, which is going to be read together with *Clauses 45* and *46*. From there I am going to end with *Clause 35*.

Clause 34 Page 22, is dealing with the **Appointment of a Superintendent**. Comrade Minister, I want to read this *Clause* together with *Clauses 45* and *46* which deal with the power of the Minister to authorise somebody who is not a full time employee of the State under *Clause 46* – to practise in the State Hospital.

I wanted to advise or suggest that instead of allowing those private doctors to practise in a State Hospital for their benefit own, I need some Amendment there. For them to have their consultation room at the State Hospital, and I said this during my contribution to the Budget Debate, we need to audit our doctors in this country, if we want to properly deal with the shortage.

When we establish the kind of doctors we have in Namibia, and know, for example how many dentists and all various specialists in various disciplines, the Minister can now use the powers vested in him by this Law to allow these doctors to have consultation time and to treat patients at the State Hospitals, not only when a full time State medical practitioner is unable to carry out certain treatments and request the private doctor to do that.

I think if we do that, we are not going to have a big shortage of doctors. We just need to schedule timetables to afford various doctors some timeslot on a daily basis. That is going to help us in a way instead of us just saying we will authorise them to practise and they get their money. If we do that the shortage will still be there because if in the event where we do not have a critical patient who needs to be attended to by a private doctor other than full time practitioners, we will not be able to attract doctors from outside the State Hospital and thus will not be able to address the

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shortage dilemma that we are faced with. (Intervention)

HON SPEAKER: Yes, Honourable !Nawases-Taeyele.

HON !NAWASES-TAYELE: Thank you, Honourable Speaker. I am terribly sorry to interrupt My Senior Comrade.

I just wanted to understand you clearer. From the speculation and rumours that I am also getting, is it true that we have private doctors that are being contracted by the Government that will steal time, that is how I will term it, and spend more time in their private consultation rooms than the time they are supposed be treating State patients at the State Hospitals?

As a result, these patients would be attended to by junior doctors or people that are on training and this increases our casualties when either wrong medication is given to the patient or you the patient does not receive the right treatment. Could you perhaps elaborate on whether this has been confirmed to be the case? Thank you.

HON SPEAKER: Yes?

HON DEPUTY MINISTER OF DEFENCE: Thank you very much. On whether I can confirm, I will not be able to confirm because I do not work at the Ministry of Health to be in a position to provide this information. However, what is important for us now is to be able to regulate them. If we can regulate them, then the rumours you are referring to, Comrade Taeyele, will not be there because they are given specific time

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that is monitored by the Superintendent instead of the Minister giving authorisation.

I also want to have caveat or a string attached to that - *those who do not want to help in the State Hospital should also not benefit from the Government Medical Aid* because they benefit greatly from this. Therefore, the Government Medical Aid will only benefit those help the Government and in so doing also help their mothers, fathers, sisters and brothers. This is the caring part that the previous speakers were talking about, our doctors must also be caring doctors.

Comrades, I, therefore, want you to have a look *Clause 34* and read with *Clauses 45 and 46* so that instead of allowing them to practise and benefit, to also make them do practical work with the Government.

Lastly, on *Clause 35*; that deals with - **The Establishment of Hospital Services**: Comrade Minister, I will be a happy old man, if you reactivate our biggest laundry in Namibia because this is going to save us from spending millions for this services that we can do. I always used to say that the colonial regime was also having good things that we were supposed to maintain while throwing away the bad ones.

My point was on laundry services and we could also look at the preparation of food like our hospitals used to do in the olden days. You would never find a patient who was without food. Comrade Minister, those are some of the services you need to consider. So when you are going to restructure please ensure that the big laundry services are returned to operation.

With that, I offer my full support to our *National Health Bill*.

HON SPEAKER: Thank you. Comrade Dingara.

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HON DINGARA: Thank you very much, Honourable Speaker. I want to make a small contribution in supporting the *National Health Bill*.

When Dr Kawana was talking, he touched some of my points and since he was the first one to speak, let me just say I want to support him as follows: On determining whether to establish a new hospital or not, let me first read *Clause 30* on Page 20 of the Bill the Minister – **“Establishment and Closure of State Hospitals and State Health Services.”**

Now, Sub-clause 1(b) states that- *the Minister may prescribe the categories into which State Hospitals are classified*. I think to me, that one is a very important Clause because I did not see the old Act in this regard. I am not sure about this and I am speaking under correction, however, it was good news to hear that Keetmanshoop was upgraded to Referral Hospital. That is very good because if that happens, it will help reduce the distance to Windhoek as Windhoek probably has the only Referral Hospitals, that is the Katutura and Windhoek Central Hospitals, that are closer to the Southern Border of Namibia. .

The distance between Keetmanshoop, which has one of the biggest hospitals in the south, and Windhoek, is not different from the distance between Katima Mulilo Hospital and Rundu Hospital. It is exactly the same. If there is any difference, it could probably be less than 5 kilometres. The same reasons that Dr Kawana was advancing. I think it will be better if we upgrade Keetmanshoop, Katima Mulilo Hospitals and, even include Opuwo because it is in a very remote area, to Referral Hospitals. My understanding is that Katima Mulilo Hospital is, for example, in terms of the Ministry structure, at the same like Aandara Hospital, Nyangana Hospital and many other smaller hospitals, so it will be good to upgrade Katima Mulilo Hospital to Referral Hospital.

Apart from Katima Mulilo itself, there are no bigger Health Centres where a large number people can be admitted in the Zambezi Region. Therefore, instead of building small Health Centres it will be better to build a big one in Zambezi Region that could, together with the smaller existing centres, support the Katima Mulilo Hospital to be a Referral Hospital.

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With that I just wanted to emphasise that, when we pass this Bill, the Minister does not need to struggle anymore because he can make use of this Clause to determine the levels of various hospitals. That problem would thus be something of the past. I, would, therefore, want that the Bill be passed here without amending that Clause.

Comrade Speaker, the other thing that I wanted to say is close to the point that Honourable Nahas Angula was making. When you look at *Clause 2* on Page 7 - **Responsibility for Health** – “*The Minister is responsible for the administration of this Act and the initiation, formulation, implementation, monitoring, evaluating and development of policies required for optimal service delivery or performance and to protect, promote, improve and maintain the health of the population.*”

That Sub-section to *Clause 2* together with *Clause 33* on Page 21 - **Minister to be Responsible for State Hospitals and State Health Services** – “*Every State Hospital and State health services fall under the responsibility and control of the Minister.*” That one together with *Clause 58*, which was raised by Nahas need harmonisation.

HON MEMBER: Honourable Angula!

HON DINGARA: I am sorry, by Honourable Angula. What did I say? I propose that the Ministry re-examine those Clauses and to ensure that there is harmonisation because we know that the Ministry has really been trying its best and the Ministry was paying lot of money to lawsuits and claims made against it for the loss of lives or damages.

It is better to pay than to say no - *one would be responsible* and - *no one would be accountable* because you create more damage. I am proposing to the Ministry to review those three Clauses and see if there can be no harmonisation because it looks as if they are in contradiction as they are

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now. Thank you very much and I support the Bill.

HON SPEAKER: Thank you. Honourable Nicky Iyambo.

HON MINISTER OF VETERANS AFFAIRS: Thank you very much, Comrade Speaker.

Comrade Speaker, the arrival of the *National Health Bill* in this House is a very important step that the Ministry has taken because for too long, we have been operating under the old, archaic *South African National Health Act*. Finally, we have our own. I want to congratulate the Honourable Minister and his staff for the effort they have made to ensure that this Bill is now finally before this House.

This is such an important Bill that unfortunately arrived at the time when the Parliament is going into recess within two weeks or so from now and that leaves us insufficient time to thoroughly scrutinise it. I went through it and it makes a very sound and professional reading. There are only few things that I want to make reference to:

On Page 20, *Clause 30 - Establishment and closure of state hospitals and state health services*, under (c) it says – “*the Minister may declare, by notice in the Gazette, any institution or facility to be a State Hospital for the purposes of this Act.*”

The emphasis here is on *any institution*. I hope that will be done after investigation. It is not simply that *any* will lead to an authorisation, but *after a thorough investigation has been carried out*. If that is so, then I will have no problem.

Under Sub-section 4(b) where it says – “*the Minister may prescribe the categories into which State Health Services are classified,*” Comrade

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Minister, I remember that we have some facilities in our country that have been established by the active involvement of the local communities and the Government or the State was called upon thereafter to provide the services, whether these are clinics or schools or any other but because no investigation was done, some of these facilities were later on found not to be suitable to operate either as a school or clinic and therefore, closed. It is, for example, unheard of to establish a clinic at a place where there is no water. It simply does not make sense at all. The community may of course have all the aspiration to do so but I believe as professionals, we must also stand ready to advise the community better, than simply to accede their own aspirations.

On *Clause 34 - Appointment of Superintendent*, - *“The Minister must appoint in respect of every state hospital a health practitioner employed as a staff member, who has been practising for not less than five years, to be the superintendent of the hospital.”* This is well and good but we all know that medical people are not really good administrators because doctors were trained to treat patients and not to administer the facilities but into today’s world it exist that doctors can also be trained to be administrators. I only want to emphasise that some of the problems that you see in the hospitals today are clearly because the colleagues who are manning those institutions are not administrators. That is the biggest problem that you have. Hence, you find that there is disorder when it comes to personnel and all kinds of things. I only want to say that, when Superintendents of hospitals are appointed, they must undergo courses of administration and management. Otherwise, it is not going to help at all.

Then we go to *Clause 35 - Establishment of Hospital Services*; Honourable Minister, the demographic setting of our country is such that institutions are established in areas where the demographic setting may not have been favourable for those institutions to be established there but we know why it was done.

It was because of the setting up of the country. For argument sake, the health facilities are all concentrated in Windhoek but originally the

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vast population was not in Windhoek. I remember that at the beginning of our Independence, there was an effort made to establish one of the biggest hospitals in the northern area so that you will then cut the traffic of transporting patients to Windhoek. I can even state that because the large population is concentrated in the north, a lot of deaths occurred there due insufficient medical facilities and equipments in those hospitals as compared to Windhoek. Therefore, patients are transferred to Windhoek and, of course, the distance that the other Colleagues have mentioned earlier, must also be taken note of. Some of the contributing factors are; hospitals that are poorly equipped, facilities that are not available, no accommodation or accommodation not being up to the required standard. Of course, no doctors want to be there. As a result, the traffic of patients to other areas that are established (intervention)

HON KAZENAMBO: I am sorry to interrupt, but I think that I am brave enough to do it.

HON MINISTER OF VETERANS AFFAIRS: Yes, please just go ahead.

HON KAZENAMBO: Comrade Speaker, like I am saying, I am sorry to do this but I am brave, anyway, enough to do it.

As my Senior Minister and Leader was talking and as I am listening to the issues that he is touching on concerning this *National Health Bill*, I am starting to wonder, because as he is talking, it is becoming even more serious when you listen to what he is saying. Is it going to be harmful or is it not doable, if in light of the timing, if proper time could be allocated? I do not know how I want to say this, but as the issues are becoming apparent, and given the time factor – because we have been

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passing Laws in this House and we would just cry about them tomorrow.

What I am saying is that, I am rising, firstly out of ignorance, but bravely as issues are raised and more so that he has raised an issue of the time factor for the introduction of the Bill. I am wondering whether it appropriate for us to just continue - when a Bill of this nature is tabled here and there are situations like this, I do not know, but I think everybody understands what I want to say.

I am saying this with difficulty, firstly, because the person who is on the Floor is my Senior and secondly, because I do not know. I would not want to be portrayed like I am blocking the Bill, no. It is not my intention but it is more about the criticality. I do not know, I am in a dilemma.

HON SPEAKER: Yes, Honourable Minister continue.

HON MINISTER OF VETERANS AFFAIRS: Thank you very much. Of course, the Bill has already been tabled. We can discuss and make our inputs, we will debate it and the Minister will take note of those critical issues that he considers to be very pertinent and then we see at the end of the day what we can do, whether Amendments can perhaps be brought at a later stage. However, for now, let us leave it to the Minister to see how he feels about it, but it is a very important Bill as a matter of fact.

On Page 23, Clause (intervention) but I have not said anything yet.

HON SPEAKER: Let us please make progress.

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HON DEPUTY MINISTER OF FISHERIES AND MARINE RESOURCES: Just before you go to your next point.

Comrade Minister, thank you for allowing me to ask you a question. I was listening attentively to your argument and I felt that you maybe wanted to say something. Now that we have a lot of these facilities concentrated in areas like Windhoek and other major cities, are you implying that we really need to go out there and expand our supply or our provisional hospitals and clinics in the outlying areas? Is that what you are advancing perhaps because we have those outlying areas that are so remote and very far from where health facilities are located? Please just answer that before you go to the next point.

HON MINISTER OF VETERANS AFFAIRS: Yes, before I go to the next point, what I have in mind is this, because of the population concentration, if you were to make Oshakati Hospital, for argument sake, as big as the Central Hospital in Windhoek - with the facilities equal to the ones in the Windhoek Central Hospital, perhaps even much more, then you will not have the population from the north coming to Windhoek at all. It is just as simple as that. It is only that we have those facilities already. We can have some of them upgraded in order to be able to carry the requirement of the patients and avoid traffic.

Can you imagine an ordinary villager who has perhaps never been in town, who falls ill because illness does not discriminate, coming to the Hospital in Oshakati or wherever, even in Katima Mulilo or anywhere and it is established that his/her particular condition can only be treated in Windhoek. The person is put on a plane or in a bus, brought to Windhoek, completely lost, has never been here before, families cannot even accompany him/her, nothing. Worst of all, this person does not speak languages that we speak in these buildings. The person is completely lost. I just thought that these are some of the things that we may have to consider at least to limit the distances of our people and concentrate on areas where services need to be provided.

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I also think that that power to upgrade and establish new hospitals is with the Minister. Of course, we must understand that all these will need financial resources. On your first question Comrade Kazenambo, I think the Bill is not going to lapse, it can continue, I think so. There is nothing short of that. I think that will cover your concern and the Minister can take care of that.

On *Clause 38 - Inspection of State Hospitals and State Health Services*, the Minister started off by saying – *“The Permanent Secretary or an inspector designated under Section 39, may at all reasonable times inspect any State hospital or a State health service, for the purpose of ascertaining whether this Act is being complied with or for such other purpose as the Permanent Secretary may determine.”* I just remembered that during the *Appropriation Bill Debate*, the Minister was asked a question, I cannot remember by which Honourable Member - why he is seen at the hospitals early in the morning, checking whether the nurses arrive on time. (Interjection)

HON MEMBER: It was Honourable Tjihuiko.

HON MINISTER OF VETERANS AFFAIRS: Yes, Honourable Tjihuiko. And the Minister responded saying his visits actually resulted into the improvement of people reporting for duty early enough.

This is fair enough, if the person lives very far away but we are speaking of people who are living in the same town and the towns are not big. Consider Rundu, if a nurse or a doctor lives in and work at the Rundu State Hospital, why do you have to come to work one hour after you are supposed to officially report for duty, what is the reason? And the Minister said that his visits resulted into the improvement of punctuality as the people were arriving earlier for work. He saw the improvement. My reasoning here is, why did he not include himself because in this

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Clause, he starts with – “*Permanent Secretary an inspector designated...*” because next time we are going to ask you questions again, Honourable Minister, because in the Bill you say, only the Permanent Secretary and other people must inspect, but why you are also inspecting? Maybe you will have to include yourself to make it easier. Therefore, I suggest that you start with *the Minister*.

On Page 25 - **Access to State Hospitals or State Health Facilities**, Honourable Minister, I do not know whether you have to limit yourself only to State facilities here. In America, if you are not covered and you are brought to the hospital, even during an emergency, they will not touch you because you are not covered. They will not touch you.

I will not be surprised if it could even happen in our private hospitals here, you are taken there from a car accident and they say - *no, take the person to Katutura Hospital*. If you arrive at the Roman Catholic Hospital because it is the nearest or MediClinic, people look at you and they say - *please put the patient back in the ambulance and take him/her to Katutura Hospital*. To me, that is criminal, honestly speaking. It is medical criminal negligence. It happens here! Can we not include Private Hospitals in that Clause so that at least in the case of emergency, you cannot simply transfer a patient because that patient is not covered?

I am sure if it is a State patient, the Ministry of Health, he even told us here some years back that there is even a Fund that has been established to help treat critical medical conditions of State patients for those who cannot afford to pay. They are even flown to South Africa. We could perhaps insert a Sub-clause that says - *in the case of emergency our private hospital must treat the patient, stabilise the condition and then the patient can only be send thereafter* but then we can say *that bill should be forwarded to the State for settlement* because it will save the lives of our people. Otherwise, what it is defeating the purpose? On that basis, I would argue that Private Hospital must be included in there.

On *Clause 43*, Comrade Minister - **Transfer of State Patients to Other Hospitals**, maybe I have to say it publicly, although I have been doing it

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privately, rightly so within my mandate. The *Veterans Act* states that - people who have veteran status can be treated in State Hospitals free of charge, but if they have medical conditions that cannot be treated in State Hospitals, they can be referred to Private Hospitals, provided that the health personnel in State Hospital will inform the Ministry of Veterans Affairs that - *we have a patient here, who is a veteran and we properly considered that his/her condition can be treated at the Roman Catholic Hospital or wherever, because of the facilities. Would you like to take over the payment of this patient?* We will gladly do it but the practice has now become that, and maybe it is human, veterans want to be treated in Private Hospitals and not in State Hospitals, this is a condition which makes it difficult for us.

The Minister in this Bill somewhere, is describing how to give permission for a patient to be transferred from a State Hospital to another State Hospital with that permission. However, here we have a situation where people are demanding, they are not treated well, the nurses are rude and doctors do not come. It creates a problem because it is as if we are going to create facilities only for veterans. That should not be the case but *facilities for all Namibians*.

I want to say that, so that my veterans compatriots should understand that - yes, we are willing to have them being treated in Private Hospitals but provided it is done procedurally. I am just alerting my people on that and that doctors should not be put under undue pressure to do so.

Clause 47, Classification of Patients at State Hospital, Comrade Minister, I know that we have State patients and sometimes private patients who are admitted in State Hospital but under a private category. I think I heard you correctly, a week or so ago when you were in the northern part of Namibia saying that - let us treat Angolan citizens, and normally in our health definition, everybody who is a foreigner is treated as private.

Now, I am saying, considering our having been in Angola, having been taking care of by Angolans, having enjoyed the medical facilities in Angola, even at their Military Hospital, most of the Namibians who got ill

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there were taken to the Angolan Medical Hospital, to enjoy the best medical services that the country could offer, but here we have a classification where we say if it is a foreigner, you are automatically classified as a private person and, therefore, you should pay different rates than what the Namibian State patients are paying.

Honourable Minister, is there no way that we can treat, particularly the would-be State patients from Angola - just to have the same status as Namibians, considering what Angola has gone through because of us? (Intervention)

HON SPEAKER: Honourable Naholo.

HON NAHOLO: Honourable Speaker, thank you very much. It is on a Point of Information. Yes, I know that we lived in Angola and we were assisted by Angolans while we were there as Freedom Fighters but I am afraid, the Honourable Minister is making a dangerous proposal or even giving some dangerous advice to the Honourable Minister of Health, to allow the Angolan citizens to be treated here, not as private patients but to be treated like they are Namibians.

I am looking at the Angolan population being maybe twenty times larger than our population. Is our economy capable to cater for the Angolan population to be treated here? Look at our economy. That is the point of departure. Thank you very much.

HON SPEAKER: Honourable Minister?

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HON MINISTER OF VETERANS AFFAIRS: Thank you very much. If you followed what I said carefully, I am referring to the Angolan State patients and not private patients. And mostly these are the people in the southern part of Angola who are concentrated alongside our border there. Those are the people that I am referring to. Is that clear now? That is what I meant, the people along the borders there.

Those who are already State patients, and as a matter of fact, the Minister may even come and reply and say they are already doing that. I am not implying that it must be included in the Bill. That is not what I am saying, this must not be part of the Bill but it is part of a relationship between Namibia and Angola - a Bilateral Agreement. That is what I really meant. Thank you. I am glad that you understand that. Let us move fast.

HON SPEAKER: *Ngatukavire, ngatukavire (let us ride on)!* Please continue.

HON MINISTER OF VETERANS AFFAIRS: Honourable Minister under *Clause 53*, you are saying – “*Notwithstanding anything provided to the contrary in this Act, the Minister may exempt, whenever he or she considers it expedient, by notice in the Gazette, any State Hospital or a State Health Service from all or any of the provisions of this Act.*” I have a problem with the sentiment of the Clause for *any State Hospital or any State Health Service* to be exempted from the condition of the application of this Act. How should that facility operate as a health facility if it is to be exempted from this Act? This is the way I understand this, maybe you can look at it first and what is it.

Next is *Clause 55, Research in into the Diseases, Mental illnesses and Other Medical Conditions*, Honourable Minister, this is a wonderful provision. In Namibia, we have health conditions that are peculiar to Namibians but hardly do we make an effort to eradicate or to remedy

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those conditions professionally. You know the heart condition of children. Namibia has one of the heart condition problems in children and I am sure there are environmental factors that are contributing to those heart conditions affecting our children.

One must establish the link between the environmental factors, between the nutritional status of the mothers and the formation of the babies up to the time that they are born. We must find out what those causes are so that we can remedy some of these. I will only applaud you and say this is a Clause that must be strengthened and perhaps you must impress upon your doctors, nurses and all other health professionals to engage in research so that we can eliminate some of the diseases. Some of the diseases are easy to eliminate if we take a concerted action. So there are some that we can eliminate.

I, therefore, do not know why you say - *the Minister may commission or authorise the conduct of a research*. If it was possible, I would like the Minister to say - *the Minister shall*. Maybe the Committee Stage can make provision for that, but that is my concern.

On *Clause 56*, you say – “*the Minister may in writing delegate any power conferred on the Minister by this Act,*” this power is to be transferred to the Permanent Secretary or *any staff member*. Now, *any staff member*, that is the health hierarchy and it cannot be somewhere, you must determine how far it goes.

Otherwise, the last comment that I will make is on *Clause 58 - Indemnity*, and I am sorry that Honourable Nahas is not here but to my recollection, if my memory serves me well, this is a standard provision in this *Medical Bill*. There is nothing to be afraid of, as long as that refers to what is being done in good faith. That is the underlining line, *as long as it is done in good faith*, you need to be exempted.

With those remarks, Honourable Speaker, thank you very much.
(Applause)

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HON NGHIDINWA

HON SPEAKER: Thank you. Honourable Ekandjo you missed a wonderful presentation by your neighbour there, but I will tell you (*laughter*) Honourable Minister, Nghidinwa.

HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE: Thank you very much, Honourable Speaker.

I rise to support the *National Health Bill* and I have some few observations on Page 20, *Sub-clause 4(a)* – “*Prescribe the categories into State Health Services are classified.*” When I went through the Bill, I did not see many of the Health Services classified, I thought the classification should be the health facilities like health centres, clinics and the criteria thereof.

Then again, on Page 23 - **Designation and Duties of Inspectors of State Hospitals and State Health Services**, where it says - “*The Permanent Secretary may designate one or more staff members in the Ministry to be inspectors of state hospitals and state health services under this Act and must furnish each inspector with a certificate of appointment which must be produced on demand in the performance of the inspector’s duties.*”

I just wanted to know from which category of health staff member is that, is that health professionals or health inspectors? Because when you look at their duties and whom they are going to inspect, some of them are heads of health facilities and so on, who are those people?

On Page 25, *Clause 41 - Admission of In-patients to State Hospital*, I am doubting the question that I asked first but if it will come in the regulations, it means that the admissions of in-patients to the State Hospital, includes other health facilities like health centres and it would be stated there in that regulation, otherwise, not enough information is provided as to who those patients that are going to be admitted in health facilities like health centres and clinics are and for how long because that information is needed.

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HON KATALI

Why I am saying this is because when you drive from Rundu to Okongo, you can even have the information engraved on the road signboards. Sometimes a place is a health centre but it is shown as clinic. Then in case of emergency, that driver will drive further thinking that this is just a clinic and - *I cannot take my patient there because of this condition*. That is why I wanted that classification to be clear in order to inform the Nation what category of health facility this is.

Then lastly, in addition to what the Honourable Dr Nicky Iyambo mentioned on the responsibilities of this Bill towards the private hospital, what about the Church Hospital, how does this Bill approach those because there are those that fall under the private hospitals category, the Roman Catholic, the Lutheran or whatever else is out there? How will the Bill address their relations? (Intervention) Oh, are others subsidised by the Government? Okay. Thank you very much. I support the Bill.

HON SPEAKER: Thank you. Honourable Katali.

HON MINISTER OF MINES AND ENERGY: Thank you, Honourable Speaker.

Honourable Speaker, I would like to thank the Honourable Minister of Health and Social Services and the Ministry for crafting this *National Health Bill*. It is a very important Bill and equally I would like to thank Honourable Kawana for his bravery because he made it possible for us to also contribute. I am saying *his bravery* because he started contributing to the Bill even before the Bill landed on the Table and that allowed us to have a chance to look through it objectively and be able to contribute.

Lastly, I would also like to thank Honourable Dr Nicky Iyambo who equally got a chance to look into the Bill and was able to read the Bill, whole of it, in a very short period of time and thus took some of the questions that we had. Thank you, Uncle.

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HON KATALI**

Comrade Speaker, my intervention is on Page 39, I think it is just a repetition to say Honourable Minister, you are doing well in visiting clinics and hospitals and, therefore, in *Clause 31(9)*, please do not exclude yourself. Otherwise, people will ask - *under which Act are you doing this?* Include yourself there, if you are not included elsewhere.

On Page 26 - **Transfer of State Patients to Other Hospitals**, Comrade Minister, I think this is a very good piece of legislation that a patient who has been taken from somewhere to elsewhere, after treatment, the State must be responsible for the return of that patient, according to *Clause 43(4)*. However, when it comes to *Clause 43 (5)*, you give the permission to a family member. If somebody came from elsewhere to Windhoek and then the person happens to die in the hospital, although the State has the responsibility and obligation to take the patient back, a family member can actually ask for that body to be given to him or her and take over the responsibility from there. That flexibility is very much welcome.

However, the only issue is that it is the Minister that has to give authorisation for that body to be handed over. Considering now Keetmanshoop, !Nami#nus, or somewhere in Kavango West or Kavango East and it must be the Minister to authorise that, could this not be maybe the responsibility of the Superintendent at the hospital? (Interjection) I am aware of the delegation, but I think we do not need to put things just there for the sake of putting them there while we know we are going to delegate. I think it is better to just do it right away because you know it may not be manageable otherwise.

Clause 43(5) also states that the body should be claimed within 14 days. I have seen situations where the body can be there longer than the prescribed 14 days; what will happen if the time that has been put here lapses? Maybe we should consider the limitations to the days. Otherwise, it may haunt us.

The last one, as I said Honourable Iyambo took almost everything, is on Page 30 and that is the **Payment for Transportation and Treatment of Emergency Cases**, I think this is another piece of legislation to be made

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because it so happens that you may end up going to a hospital in an emergency, but there is no money and if you cannot pay, you cannot be treated or provided with transportation but then my worry is with the private hospitals: If, for example, you end up going to a private hospital, I experienced a situation where I was outside the country and a family member happened to get involved in an accident, he was flown into Windhoek and went to Medi-Clinic. They were requesting an amount of N\$10,000.00 and it was twelve (00:00) midnight. The banks were closed and we do not keep that amount of money on our person, even if we have that, neither do we keep that much money in the house. It was a problem.

Can this Bill be extended to private hospitals to say - if there is an undertaking by a private person by way of a commitment to settle the bill on behalf of the patient by saying - *I do have the money but I do not have it now, can you please admit and treat the patient?* This could equally apply to the transportation, if it is private transportation or ambulance that may want to be paid immediately when it is not reasonably possible. Can this Law and, particularly this Clause not also apply to private hospitals so that they can allow patients to be treated and the payment to be made at a later stage?

Here it says it is the responsibility of the Minister to pay. Again, Honourable Minister, I know you can delegate this but why can you not just put it where it belongs? Who should authorise these payments, to pay for somebody who will reimburse the Ministry? In fact, I would say the *Ministry* and then within the Ministry a relevant official can then be identified, who should authorise the payments to the private hospital and then the person who is responsible for the bill can then reimburse the Ministry later on, as it is stated here, rather than my Colleague placing everything on his shoulders.

I think the Accounting Officer could be the right person to have this responsibility rather than the Minister.

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HON KATALI**

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

Honourable Katali, you made a very good argument there but just on the last part when you were about to conclude, you mentioned that this responsibility should be given to a specific person within the Ministry, however, from my personal point of view, I would say that the Minister would be the right person because in many instances you will find that people who are given such responsibilities usually either abuse the power not to want to, or doing it more than just enough. Maybe we should allow it to remain with the Minister and then the Minister can then delegate or can authorise someone to do so on his/her request to avoid a lot of unnecessary situations. Thank you.

HON SPEAKER: Honourable Katali.

HON MINISTER OF MINES AND ENERGY: Comrade Ankama, I was looking at the practicality of this issue. You can say yes, the Minister may delegate but why do you want the Minister to delegate when you actually know that the Minister will not be able to do it, however, you are giving him/her the responsibility.

The Minister might be elsewhere in Geneva. How will the Minister then authorise this? It is practically not going to be the Minister and, therefore, let us just put it where it belongs right away.

Otherwise, Honourable Speaker, Honourable Minister, I support the Bill.

HON SPEAKER: Thank you. Honourable Tjongarero.

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HON A TJONGARERO / HON MWANINGANGE**

HON TJONGARERO: Thank you very much, Honourable Speaker, I would also like to congratulate the Minister for the *National Health Bill*.

I only have one question on Page 27 - **Accommodation of Persons Accompanying a Patient**. All I want to know is, are we referring to when a patient is transferred to a Referral Hospital or are we referring to a breastfeeding mother accompanying her baby, or is this general? If it is general, how will we do it? Are our hospitals not going to be full?

Is it not maybe better to have a separate place where these people accompanying patients can be accommodated instead of in the hospitals? We also know about some viruses and other diseases that people can pick up from hospitals whilst accompanying somebody else, without coming sick in the hospital.

I only need to have some clarification here, whether this accommodation applies to a situation where a patient is referred to a Referrals Hospital, where he/she does not have relatives, or if it is in the case of a breastfeeding mother who obviously has to provide for the nutritional needs of the baby or does it refer to accommodation general and if it just accommodation in general, can we not make some other plans for accommodating these people? Thank you very much and I support the Bill.

HON SPEAKER: We actually hit the time. I will let you speak for two minutes then I will adjourn. You may continue. Honourable Mwaningange.

HON MWANINGANGE: Thank you very much, Honourable Speaker.

My contribution is very brief. It is on *Clause 33*, Page 21, and it is close to what Honourable Nghidinwa was asking. There are subsidised

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HON DR GURIRAB**

hospitals in this country. If there is no separate Act on that, then I would think that it needs to be included in this one because all in all, this Bill refers to State Hospitals. Thank you very much, Honourable Speaker.

HON SPEAKER: On that happy note, the House stands adjourned until tomorrow, at 14:30. This is an automatic adjournment.

HOUSE ADJOURNS AT 17:45 UNTIL 2014.04.10 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
10 APRIL 2014**

The Assembly met pursuant to the adjournment.

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

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HON SPEAKER: Honourable Members, you know this but I want to remind you as we start the Business of the House in earnest. We shall rise on the 24th of this month, April 2014, which gives us enough time to dispose of things that are urgent, that we must attend to. That is one.

Two, the anxiety that some of you entertain, that somehow when we do recess on that day I mentioned, the 24th of April 2014, that everything as scheduled for consideration by the House would lapse. This is a recess, everything will stand on Papers as it is. The former Minister of Health mentioned it but I want to reinforce what he said, nothing will lapse. When we come back we will maybe change the date but start the Business as scheduled for consideration by the House. Is that clear? Nothing will lapse and we have enough time to dispose of important things that we need to attend to before we go on recess.

That said, any Petitions? Reports of Standing or Select Committees?

**TABLING: REPORT ON THE FIFTH ANNUAL
WOMEN IN LEADERSHIP AND POLITICS CONFERENCE**

HON MANOMBE-NCUBE: Honourable Speaker, I lay upon the Table the Report of the Parliamentary Standing Committee on Gender Equality

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HON PROF KASINGO**

and Family affairs on the Fifth Annual Women in Leadership and Politics Conference held in Johannesburg, South Africa the 30th to the 31st of October 2013 for note taking and reading the content of the report and internalise it and consequently implement it. Thank you, Honourable Speaker. I Move so.

HON SPEAKER: Thank you. Can Honourable Minister table the Report? Any other Reports of Standing or Select Committees? Deputy Speaker.

**TABLING: REPORT ON THE DECLARATION OF EUROPEAN
PARLIAMENT AND PAN AFRICAN PARLIAMENTARY
SUMMIT TO THE FOURTH AFRICA – EU SUMMIT**

HON DEPUTY SPEAKER: Thank you, Honourable Speaker. I would also like to lay upon the Table, the Report containing the Declaration of European Parliament and the PAN African Parliament for the Summit of Heads of State which took place in Brussels, Belgium, from the 31st to the 1st of April 2014. However, before I do that, allow me to share some of the issues we discussed during that Declaration.

HON SPEAKER: Briefly, if you are going to circulate the document we will read it, but briefly highlight.

HON DEPUTY SPEAKER: I will highlight as we have adopted the practice that if you lay upon the Table a Report for note taking, you have to highlight some of those items.

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HON PROF KASINGO**

HON SPEAKER: Do that, yes.

HON DEPUTY SPEAKER: Yes, thank you so much. We discussed peace and security and we also discussed the macro-economic governance. Under macro-economic governance we put emphasis on the fair and effective taxation systems should be established and enforced to ensure sustainable State revenue for the provision of the effective services to all citizens. The principle should be respected that companies pay their taxes in the country where they operate and generate their profits. That ambitious efforts must be made in both Europe and Africa to combat tax evasion, tax avoidance and illicit financial flows, which currently cost African countries billions of dollars every year.

Under economic development and trade we have discussed among others; the importance of Intra-African Trade and also adding value to the African products so that they can create employment and also the importance of transferring of skills and technology in Africa to create jobs.

Under social issues we discussed among others; the challenge facing, particularly the African Continent, the need to use different types of technologies for electricity, food and water. The two Parliaments also emphasised that they should monitor the commitment and implementation of the Millennium Development Goals and Post-2015 framework.

It was also discussed and emphasised that in Africa the policymakers, the Leaders should end the practise of, for example, child, early and forced marriage in some parts of the African Continent and also female genital mutilations. One issue under social issues which took more of our time is the protection or the denial of minority rights. Our European counterparts felt that the minority right of lesbians and gays should be protected because in Europe it is an issue. (Interjections) just listen to what I am trying to say please.

However, we did not agree to it because the African Parliamentarians

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HON A TJONGARERO**

were arguing that although it is in Europe in Africa we face a lot of challenges like; poverty, provision of housing, etcetera. We have also impressed upon the other Colleagues saying that these things should not be linked to the development aid and so at the end of the day we could not agree and that is why you will find that in the Report on this particular issue it is mentioned that there had been divergence of views.

With this few highlights, I have the honour to table the Report and please take your time to read through it.

HON SPEAKER: Yes, you are doing what I was going to ask you to do, to table it. Thank you. Any further Reports and Papers? Honourable Tjongarero.

**TABLING: REPORT ON THE MOTION
ON ALCOHOL ABUSE IN NAMIBIA**

HON A TJONGARERO: Honourable Speaker, I lay upon the Table, the Report of the Parliamentary Standing Committee on Human Resources, Social and Economic Development on the Motion on Alcohol Abuse in Namibia for discussion. I so Move, Honourable Speaker.

HON SPEAKER: Can Honourable Table the Report. Honourable Maamberua.

TABLING: REPORT ON THE SADCOPAC OFFICE BEARERS

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HON A MAAMBERUA**

HON MAAMBERUA: Thank you, Honourable Speaker. Honourable Speaker, I lay upon the Table the Report of the Parliamentary Standing Committee on Public Account on the SADCOPAC Office Bearers Governing Council and SADCOPAC/EAAPAC Annual Project Review Meetings held in Johannesburg, South Africa from the 1st to the 5th February 2014.. I so Move, Honourable Speaker.

HON SPEAKER: Honourable Member, table the Report. Any other Reports of Standing or Select Committees? Other Reports and Papers? Any Ministerial Statements? I suppose you qualify as a former Minister.
(*Laughter*)

ANNOUNCEMENT

HON AMATHILA: Comrade Speaker, Honourable Colleagues, Members of the House, let me personally thank you for facilitating my making this Statement.

I think its importance is possibly not very much me being a Minister rather than on the appeal that I would like to make to the Honourable Members for the Conference that we are trying to organise here from Parliament and this is more on information sharing.

Comrade Speaker, just before I came into the House, somebody looked at my shirt and said that this was a Chinese shirt and I tried to say - *no, no it maybe a Chinese design but it is not a Chinese shirt*. This reminded me, in 1961, I did not understand some of these ideological expression of *red people* and *blue people*. So, the news came to Walvis Bay that the *Reds* were in the Port - now that is what the Newspaper reported. I literally thought there will be red people so I rushed to the Port to see these red

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people. There was such a big gathering at the Port and I lifted my head to see the red people, however, everything that I could see was not red, only a railway Policeman came and tapped me on the shirt and called me to follow him. This guy's name was Buckley. I followed him to the Railways Police Station and he wanted to know why I had a red cardigan on, on that particular day. I realised that my cardigan was red and I did not actually take note of that. He said I had a red cardigan on because I wanted to identify myself with the red people. Now that was the cause for beating me up because I was a red.

Now Honourable Colleagues this is just a red shirt (*Laughter*)

HON SPEAKER: I have one too, nicer than this. (*Laughter*)

HON AMATHILA: I thought I like to share this on behalf of my Colleagues and all Members of Parliament. To inform you of the Conference that we are organising for Members of Parliament on ***Renewable Energy*** here in Parliament. This is a Conference which is meant to add to the information and knowledge that we have on Renewable Energy and this is my appeal to all the Honourable Members that if you can make it, please honour us with your presence because this is a Conference that could make a difference to many of our people who walk the streets of our towns, live in our villages without a straightforward course as to where to go to next time.

Comrade Speaker, when the President visited us last year in the House, in his State of the Nation Address that was on the 3rd of April 2013, His Excellency President Pohamba said the following and I quote: "*Namibia must take advantage of the development in the Renewable Energy Sector to promote security of power supply in the country.*" He further called upon us to harness our abundant sunlight for the development of our country and find solutions to inadequate supply of electricity.

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The statement by the President should actually encourage us that there is a problem and unless we in Parliament take the lead in identifying the problems and set the tone, our country will definitely go into problems because of the lack of electricity.

The Parliamentary Standing Committee on Economics, Natural Resources and Public Administration believes that for the country's potential in the Renewable Energy Sources to be exploited more aggressively, investment and market conditions have to be made more attractive with targeted incentives to attract investment in the Electricity Supply Sector. In so doing, this development should not leave the Namibians to participate in generating electricity for themselves.

Furthermore, that persisting barriers to the development of Renewable Energy electricity and the low level of competition in the electricity market, imply that there is a need for a policy intervention. The Standing Committee undertook a Study Visit to the Federal Republic of Germany from the 13th to the 20th of October 2012, after a visit to Ruacana, Tsumkwe and other electricity generating plants to acquire better understanding in the development, usage and management of Renewable Energy in Germany.

During the visit, the delegation learnt that Germany is a leading player in the implementation of Renewable Energy, especially with regards to legislative framework. While in Germany, the delegation visited various projects and met a number of potential political decision makers, development institutions and environmental experts with a view to gain a better understanding of Germany's experience with the Development of Renewable Energy.

After the visit, the Committee tabled its Report in this august House which was subsequently adopted. One of the key recommendations from this Report was for the National Assembly to organise a one day information session on Renewable Energy Sources and how Namibia can be assisted in becoming a producer of Renewable Energy.

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The Standing Committee under the auspices of the Parliament of Namibia will therefore convene a one and half day Conference on Renewable Energy Sources in Namibia, the first of its kind in the history of Namibia, for all the Members of Parliament as lawmaker.

The main objectives of this Conference will be to afford us as lawmakers an opportunity to share information on various Renewable Energy Sources, their potential as well as how Namibia can capitalise on them. The Committee participants will include all Members of Parliament, the general public as well as special invited guests from various institutions and the Committee has also invited experts, both local and international, in the field of Renewable Energy to come and share experiences on the various topics with regard to Renewable Energy Sources during the Conference.

We will also have Exhibition Stands in the Parliament courtyard from various institutions and organisations dealing with Renewable Energy Sources. As such, Members as well as visitors will have the opportunity to visit and interact with the exhibitors during the duration of the Conference. After the Conference a comprehensive Report will be compiled with viable and achievable resolutions and recommendations to be presented and discussed in this House.

I, therefore, invite the Honourable Members of this august House to this Conference, starting on Monday the 14th of April 2014. The hosting of this Conference has been made possible with the kind assistance of the Konrad Adenauer Foundation, the European Parliamentary Support Programme and USAID.

Just to give you the type of expertise and people that we are going to have, I will try to share with you the programme of this particular Conference, and before I do so, a book has been circulated to all the Honourable Members to acquaint yourselves with the topic. The book is titled, ***“Namibia Energy Future,”*** this is the book and it is on your tables. It was produced by a Namibian and he is an expert on this particular topic – ***Renewable Energies*** and we are hoping that by perusing this particular

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book you will be acquainted with the issues at hand.

The Honourable Speaker has agreed to do the welcoming remarks on Monday, to welcome all those who are going to participate. He has also agreed that this is a people centred activity, therefore, we should have hold this in the Chamber. That will be Monday morning up to Tuesday before noon. We are expecting something about 300 participants who are coming to listen to the Debate and who may possibly, from time to time, give us their experiences, their dreams and wishes, so thank you very much Comrade Speaker for making this facility available.

The next person after the Speaker will be myself. I am expected to give you an overview and objectives of the Conference and that will be followed by our Honourable Minister of Mines and Energy, Honourable Isak Katali who will also give an overview of the Ministry's perspective on this very topic. Thereafter, we are expecting to have remarks by a country representative of the Konrad Adenauer Foundation which partly sponsored the costs of this workshop and we are also expecting the Permanent Secretary in the Ministry of Mines and Energy, Kahijoro Kahuure to give us the Policy Environment and Legal Framework on the topic of Energy. We are not going to discuss all forms of energy rather than to concentrate on the Renewable Energy.

The Renewable Energy that we are referring to in Namibia are Solar Energy, Wind Energy and Biomass. The Wave Energy is not yet well developed for us to tackle it. So, these are the topics that we are going to cover over those two days.

We will be having a tea break, and after the tea break Mr O'Brian Hekandjo from NamPower will address us and share with us the NamPower Electricity Supply Master Plan for us to understand what NamPower has in plan for the development of our electricity. All knowledgeable people feel that if we do not move fast to find additional electricity for our country, we are going to run into serious problems in the next two years. I am told that South Africa has legislated powers to the Cabinet in order to be able to intervene should the sources of energy to

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South Africa be threatened, so we have to be very grateful that South Africa has carried us for all these years, but we have to develop our own capacities rather than depending on outside solidarity.

The next speaker will be Siseho Chibeya Simasiku who will be talking to us, he is from the (intervention).

HON SPEAKER: We know him!

HON AMATHILA: Oh, you know him?

HON SPEAKER: Yes, I know him (*laughter*)

HON AMATHILA: Okay, thank you. He will be addressing us on the Independent Power Producer Framework - the current status, success stories and challenges experienced. After that we will be listening to Dr Detlof Von Oertzen, he is the author of a book that I just indicated to you. I think he is an authority on the area and he will pointed out to us what Namibia can and Namibia cannot.

We will be having discussions of all the presentations thereafter and have lunch break. After which we will be having another presentation on ***Renewable Energy Feed-in-Law the Germany Experience***, I am not so sure if this is possible, it looks like this gentleman will not grace us with his presence but there will be an expert from the United States by the name of Tony Iskarpotyoti who will give us the ***Renewable Energy Feed-in Tariffs and Associated Regulations for the Namibian Electricity Sector***. I had a chance to listen to this gentleman and he is really

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somebody worth listening to, he is very good on the topic.

Then we will be having a discussion on the issue. I have forgotten to say that the 300 participants will be hosted here in Parliament. We hope that they will be fitted over there, we will put up screens so that they can also follow the discussions on the Floor of the House.

Next we will be listening to Honourable Sisa Njikelana, he is the Chairperson of the South African Parliament Portfolio Committee on Energy and I think it is very important that we know what South Africa is doing. South Africa, from whom we are sourcing most of our electricity, has done a lot of work in the area of Renewable Energy and I think it will be very useful to listen to what they are doing in South Africa to equip themselves to avoid a blackout in the country. That is now the experience of our neighbouring country.

Then shortly thereafter we will be listening to Professor Elmissiry from NEPAD, he is also going to give us a ***Regional Perspective on the Issue of Renewable Energy*** and that will be the end of Day One. The following day (intervention).

HON SPEAKER: I think it is enough, Honourable Amathila, we are going to have the programme.

HON AMATHILA: Is it enough?

HON SPEAKER: We are going to have the programme.

HON AMATHILA: You have got a programme?

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HON AMATHILA**

HON SPEAKER: We are going to have the programme.

HON AMATHILA: Very good, so if you are going to get the programme, please we attach on your behalf so much importance on this particular programme. We think this is a tool that we have, Namibia has so much abundance of Renewable Energy potential. Poverty in areas like in the South could easily be tackled if we develop this Renewable Energy, especially from the sun. Biomass could provide a very good solution even the question of unemployment (intervention).

HON SPEAKER: Honourable Amathila, I must interrupt you, we are going to listen to all these things there. Just convince us to be there.

HON AMATHILA: No, this is just a general appeal, I do not want the Honourable Members to miss this occasion, that is perhaps why I am emphasising.

HON SPEAKER: Yes, I think we will be there.

HON AMATHILA: Thank you very much and please, you are all welcome to this Conference.

HON SPEAKER: Thank you. Today being Thursday, we will entertain those who have questions. Question 1 is addressed to the Prime Minister by Honourable Moongo. Do you put the question?

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HON MOONGO
HON HAUSIKU**

HON MOONGO: I put the question.

HON SPEAKER: Does the Prime Minister or Deputy Prime Minister wish to reply?

RESPONSE TO QUESTIONS

HON DEPUTY PRIME MINISTER: Comrade Speaker, I think the Honourable Member who put the question heard the Prime Minister telling him he will be answering this question personally when he comes back.

HON SPEAKER: I remember that.

HON DEPUTY PRIME MINISTER: I still remember that.

HON SPEAKER: Yes, I do too. Question 2, same Member again to the Prime Minister. Question 3 by Honourable Von Wietersheim addressed to the Prime Minister. He will respond to it when he comes back, he said so. Question 4 is by Honourable Von Wietersheim addressed to the Minister of Regional and Local Government, Housing and Rural Development. Honourable Deputy Minister, you have got the question.

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**RESPONSE TO QUESTIONS BY
HON MAAMBERUA
HON BEUKES**

QUESTION 4:

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

Thank you very much. Unfortunately, I will ask the indulgence of the House to postpone it till next week because I saw the question for my first time yesterday, I was not aware of the question. My Minister is not in, not for an apology for that but by the 17th of April 2014, we will be able to answer to all these questions as well as the ones that we received on Monday. Thank you, Honourable Speaker.

HON SPEAKER: Question 5 is to the same Minister so same applies, I take it?

**HON DEPUTY MINISTER OF REGIONAL AND LOCAL
GOVERNMENT, HOUSING AND RURAL DEVELOPMENT:** That is it, exactly.

HON SPEAKER: Question 6 is by Honourable Maamberua. Does the Honourable Member put the question?

HON MEMBER: Yes, I put the question.

HON SPEAKER: Does the Minister wish to reply? Honourable Mines and Energy.

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HON MAAMBERUA
HON KATALI**

QUESTION 06:

HON MINISTER OF MINES AND ENERGY: Thank you, Honourable Speaker.

Honourable Speaker, Honourable Members, I would like to thank Honourable Maamberua for his question and I am going to respond as follows:

The place Okongwe has been electrified through solar system connection already, back in 2011. The solar power was provided at the clinic, the school, the staff accommodation and to 110 households, back in 2011.

I visited the area and I have seen it myself. However, I observed and was informed that the solar system at the school and the clinic was not sufficient to connect to all the electrical equipment that they have. For example, at the school when they want to run the photocopier, they have to switch off all other equipment.

After getting in touch with the Regional Council and informing them about this problem, in 2012 they have identified Okongwe as a recipient for Rural Electrification or one of the recipients for Rural Electrification allocation in their Region and the Ministry has budgeted and allocated N\$5,6 million to electrify Okongwe on the grid.

This has coincided with the policy of the Ministry so much so that we temporarily suspended the electrification to the households for five years until such time that we have finished with the priority that is for Rural Electrification and, that is, for schools, the clinics, churches and other Government institutions in rural areas.

However, that policy did not come with a total suspension because we allocate N\$2 million to each and every Region. That N\$2 million can be used for any other connection, other than the schools, clinics and Government identified priorities. Therefore, it is up to the Regional

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HON MAAMBERUA
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Council if they so wish, to electrify any other locality other than what the policy's priority is indicating with the money that was availed to them.

It is, therefore, not true that the households in Okongwe do not have electricity, each one of them has electricity in the form of Renewable Energy that Honourable Ben Amathila mentioned a while ago that we are going to have a Workshop on. I must also indicate to the Honourable Member that the connection to households that has been suspended is because of the priority of the Government currently.

When I made the investigations then before I went to Cabinet to ask for this authorisation, there were 167 schools in the whole country without electricity and if we had followed the phase and the model that was there then, it would still take us between more than forty years and we would still be without having completely electrified schools in Namibia. We at the Ministry, therefore, felt that that cannot be allowed. With the money that we have, that is the Budget, coupled with contractors and consultants that are available we can only go up to this capacity of electrification. We do not have the capacity to do more than we are doing and this can be attested by the tenders that we allocated.

Some of these tenders that we put out for the public may probably not be tendered for. Those who are submitting tenders sometimes submit for more than four localities or regions and they end up not delivering. That is why I have been saying even during the Budget Speech that I am very much dissatisfied with the contractors because they are not delivering. These are the only people we have and, therefore, we are building capacity and we have made a lot progress indeed, amidst the many challenges we are facing.

When it comes to the question, what is in there, for the Dâures Constituency, we have a Master Plan and Dâures Constituency does not have any school without electricity for your information. Therefore, as I said earlier, whatever the Regional Council identify as their priority for connection in their localities, they are free to do so and as always they

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HON MAAMBERUA
HON MAAMBERUA**

will bring these priorities to us and we fund or we give them the money that they are seeking. Thank you, Honourable Speaker.

HON SPEAKER: Thank you, Honourable Minister. Any follow-up?

HON MAAMBERUA: Thank you very much, Honourable Speaker. I should also thank the Minister for attempting to answer my question. I think Honourable Muheua is probably coming from a place closer to that Okongwe Area.

I was in Okongwe only two months ago and obviously, the solar electricity or electrification that the Minister is referring to - the 110 households, in fact, there might be 110 houses in Okongwe but definitely not 110 households (interjections).

HON SPEAKER: Where do I get the voice from? Honourable Maamberua has the Floor, all of us should listen to him.

HON MAAMBERUA: Yes, Can you please pay attention? The solar system that is there is actually not working, perhaps only in very few houses, maybe in ten house. Some of them have been installed at the Auction Kraals, so that system is not functional, Honourable Minister.

In fact, there is grid electricity in Okongwe, the school and clinic are connected to that grid, but that is electricity, not the solar that you are talking about and that is the grid electricity that the residence are asking to

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HON KATALI**

be extended to their households even some of the shops have normal electricity.

The second question says; would the Minister provide the Rural Electrification Plan for the Dâures Constituency with your answer? I thought we were talking about a Plan to be provided with the answer, I still beg the Honourable Minister to provide a Master Plan, with this answer, for the Dâures Constituency if he has one. Maybe you have it and you just forgot to extend it.

Maybe the next step for me would be to visit the Honourable Minister in his office because this is a very serious issue and this answer has left me cold. Thank you.

HON SPEAKER: Thank you. Question 7 is by the same Honourable Member and it is addressed to the Minister of Information and Communication Technology.

HON MINISTER OF MINES AND ENERGY: I thought you wanted me to answer to Honourable Maamberua's follow-up question.

HON SPEAKER: Yes, you can if you want to Minister.

HON MINISTER OF MINES AND ENERGY: Yes, Honourable Maamberua, I thought you were a good listener. You are now telling me that Okongwe has a grid and I have just informed you that N\$5,6 million was allocated by the Ministry, which I am running, to electrify Okongwe.

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HON MAAMBERUA
HON KATALI**

Now you are saying this as if I do not know. I know, I was there and I am also informing you that 110 houses were, (intervention).

HON MAAMBERUA: Households.

HON MINISTER OF MINES AND ENERGY: Well, what is the difference between households and houses?

They were provided with solar systems and it is their own systems that they need to maintain. Now if a battery, for example, gets flat or the bulb is not working, it is no longer the Ministry that should come in to repair these, but it should be the owners' responsibility to replace the batteries or bulbs if they are not functioning.

You are welcome to my office and I can show you everything that you may want to see. Thank you, Honourable Member.

HON SPEAKER: Chief Whip you were not here, we are answering questions. Today is Thursday.

HON MOONGO: I did not get my answers.

HON SPEAKER: Yes, but we are answering questions at this stage. Question 7 is by the same person, Honourable Maamberua. Does the Honourable Member put the Question? I do not see the Minister of

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HON DR KAMWI**

Information and Communication Technology. Is his Deputy here?

We can move on. Question 8 by Honourable Maamberua, addressed to the Minister of Health and Social Services.

Does Honourable Maamberua put the question?

HON MAAMBERUA: Yes, I put the question.

HON SPEAKER: Does the Honourable Minister wish to reply?

QUESTION 8:

HON MINISTER OF HEALTH AND SOCIAL SERVICES: Thank you, Honourable Speaker.

Honourable Members, first of all, I would like to thank Honourable Maamberua for his keen interest in the health of Namibians. Regarding his three questions;

1. Is the Minister aware that Otjimbingwe is such a poor place that travelling from Otjimbingwe to the nearest town Karibib is costly for the majority of the residents there?

Yes, I am aware, Sir – simple.

2. Is the Minister also aware that there is no mortuary at Otjimbingwe, the nearest one is at Karibib, which is about 60 kilometres away?

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HON DR KAMWI**

The answer is: Yes, indeed I am aware of that.

3. In light of this, would the Ministry consider putting up a mortuary to assist the people with these vital services?

It is our desire that, if resources were in place, to indeed provide all such places which are far from the nearest facilities with such services. We would construct such mortuaries but believe you me, we are faced with a challenge relating to competing priorities. It is more an issue of resources than the desire to do so. Thank you very much, indeed.

HON SPEAKER: Question 9 is by the same Honourable Member, Honourable Maamberua, to the Minister or Regional and Local Government.

Does the Honourable Maamberua put the question?

HON MAAMBERUA: Yes, I put the question.

HON SPEAKER: It was put to the Ministry of Regional and Local Government, Housing and Rural Development. I think the Minister is not here, unless the Deputy Minister has a mandate to respond.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: The same applies to Questions 4 and 5.

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HON SPEAKER: Question 11 is by Honourable Ulenga to the Minister of Education.

Does the Honourable Member put the question?

HON ULENGA: I do put the question, Honourable Speaker.

HON SPEAKER: Does the Minister of Education wish to reply?

QUESTION 11:

HON MINISTER OF EDUCATION: Thank you very much, Honourable Speaker. I want to respond to these questions as follows:

Honourable Members, I am inclined to believe that Honourable Ulenga is referring to the fact that the parents should be punished if they do not send their children to school. I think that is what he means by punitive measures. What is inbuilt in the Namibian Constitution, is the development of responsible citizens. This means that when we bring children into the world we have to understand that they need to be loved, cared for, protected, have access to education and ensuring that all their rights as children are respected at all times.

In this regard, the Ministry of Education is making provisions for reasonable facilities, human resources, learning and teaching materials to ensure schools are attractive environments for children to go and learn. That is the responsibility of the Government.

The Government has introduced universal primary education, hence, the

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abolishment of the so-called School Development Fund, to all Government Primary Schools, to ensure that children are not hindered from accessing education because of fees. It is the view of the Ministry that punitive measures will not solve the situation but what is being stressed is that everybody, Members of Parliament, Traditional Leaders and Regional Councils should see to it that learners attend school.

Therefore, what is critical is the responsibility and the commitment of parents and the community to ensure that children are registered and remain in school as per our *Education Act*. All stakeholders should also play their part in enforcing the rules of the Government and preach the importance of education at all times.

The Honourable Member continues to ask whether I am prepared to admit that Article 20 of the Constitution is partially enforced, and I have the following to answer: The Government has made financial provisions to cater for the constitutional requirements by removing all fees that will form obstacles to accessing education. It is our view that by introducing UPE, we have fully met the provision of Article 20 of our Constitution.

The Honourable Member continues to ask another question, the last one; when I intent to bring the necessary Amendment to the *Education Act*, 2001 (Act 16 of 2001) so as to make Article 20 a reality.

Honourable Members, yes, the *Education Act* is in the process of being reviewed, the working group is formed and then ground work has been done, wider consultations with regional participants will be done as well. My staff members have already consulted with the Government Legal Drafters to advice us on this very important matter. I rest my case on that, Honourable Speaker.

HON SPEAKER: Thank you, Minister. Honourable Ulenga, do you have another question?

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HON ULENGA: Honourable Speaker, let me express my gratitude to the Minister for partially or albeit partially dealing with the question.

HON SPEAKER: Do you have another question to the same Minister?

HON ULENGA: I assure the Minister that these were genuine questions put to the Minister by trying to create a way or an opportunity for the Minister to deal with this particular issue and not with general Amendments.

I am really talking about the fact when it is the duty of everybody, it is really the duty of nobody. When everybody is assumed to be doing it, nobody really does it, and therefore, this is what I was asking about; who exactly is responsible, by Law, to keep the children in schools as per the Universal Primary Education (UPE)?

HON SPEAKER: You can pose another question to the same Minister where you can point out that you were not satisfied with the Minister's answer too.

HON ULENGA: The Minister seems to be worried about other things.

HON SPEAKER: Can you just underline what you are not satisfied with?

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HON ULENGA: Yes, I wanted the Minister to deal specifically with the people who are responsible because the whole citizenry cannot be responsible for Law and Order, for example. Even though we are teaching our kids to be Law abiding citizens, we cannot say everybody must look after Law and Order, the Police are doing it.

HON SPEAKER: Can we do it this way, I am going to put the next question by you, which is Question 12 to the same Minister. Do you put the question?

HON ULENGA: I do put the question.

HON SPEAKER: The Minister will take into consideration what the Honourable Member just said. Honourable Minister?

QUESTION 12:

HON MINISTER OF EDUCATION: Thank you very much, Comrade Speaker.

I want to repeat what I said and I want to say it very loud and clear that it is the responsibility of each and every citizen of this country to ensure that Namibian children are in school. We are not going to use Law Enforcement Agencies to keep your child in school, you must make it a point yourself that a child is in school because the Government has provided resources to make sure that those children are taught. Teachers are provided, infrastructure is provided and it is also our duty - that is why

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we are always saying *education is a shared responsibility*. Thank you very much, Honourable Speaker.

HON SPEAKER: Thank you. Next question is Question 13 by Honourable Tjihuiko. Does the Honourable put the question?

HON TJIHUIKIO: I put the question, Honourable Speaker.

HON SPEAKER: Does the Minister of Agriculture, Water and Forestry wish to reply?

QUESTION 13:

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:
Thank you, Comrade Speaker.

In responding to this question, Comrade Speaker, permit me to first state that natural events or calamities do not discriminate. The drought affects the poor, the rich and everybody. Therefore, the livestock marketing incentive scheme that Government has put in place is meant for all farmers who were affected by the drought, not only the poor black farmers.

An initial amount of N\$48,000, 000.00 was allocated to this Programme. During October 2013, the Ministry of Agriculture, Water and Forestry requested an additional N\$14,200,000.00 to respond to that particular situation. I have a breakdown of all the Regions, the claims that were

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received from each and every Region, the amount paid, the number of claims received that are still to be processed and paid.

I must also add that this question was put or asked in February and the information here is as it was at the end of January, so today, the 10th of April 2014, some of this information should have definitely changed. However, suffice to say that, at the end of January a total of 8,243 claims were received and processed. An amount of N\$56 million was paid out.

Comrade Speaker, again at the end of January 2014, 3,714 claims were processed and were awaiting payment. I must stress again, and definitely when we resume our activities, I think we will be in a position to give the final Report on this particular matter. That was question number 13(1).

Question 13(2), the response thereto is as follows: Again, as it was at the end of January 2014, a total of 324 boreholes were drilled, 108 installed, 216 rehabilitated at a total cost of N\$130 million. In addition, a total amount of N\$76 million is committed for materials purchased for the in-house rehabilitation and installation. Surely, Comrade Speaker, this particular exercise of drilling boreholes was characterised by a lot of challenges. Some of those challenges were; the water quality analysis that normally precedes the installation of boreholes is done outside the Ministry, thus not under the direct control of the Ministry and sometimes it does cause delays. We have to await the results of the water quality before you install.

Honourable Members, suppliers all over the country were also overwhelmed by the quantity of materials that were ordered and water supply equipment that was needed, which mostly has to be imported from outside Namibia, again causing some delays. It is also important to note that the materials and water supply equipment suppliers, during the month of December/January we were on recess, and again another cause of delays. However, I have a table here also that clearly indicates the number of boreholes that were drilled and installed in the different Regions of our country, which I will circulate to Honourable Tjihuiko and to the other Honourable Members, just to give the information as to

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what was done. Thank you, Comrade Speaker.

HON SPEAKER: Thank you. Comrade Tjihuiko.

HON TJIHUIKO: Thank you very much, Honourable Speaker. Thank you very much, Honourable Minister for the good information that you have provided. *Information is power* and as long as the Honourable Minister provides information to the people, they will be happy.

I am very happy with the information that you provided. I just want to advise the Honourable Minister that on the issue of the livestock scheme, keep on informing the public because there are a number of people who have not received anything and who are still in the dark. As long as you keep informing them, I think it would be a good thing. Thank you very much, Honourable Speaker.

HON SPEAKER: Thank you. Question 14 by the same Honourable Member. Honourable Tjihuiko, do you put the question?

HON TJIHUIKO: I put the question.

HON SPEAKER: Does the Minister of Education wish to reply.

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QUESTION 14

HON MINISTER OF EDUCATION: Thank you very much, Comrade Speaker.

I want to stress here that the School of Medicine has been functioning well since its inception in 2010, but like many other new institutions worldwide, there may be some teething problems here and there because this is expected. This is a very new and challenging area for many of us. However, it will be an over exaggeration to say that the School of Medicine is in a total mess due to an incompetent Dean.

I also try to make it clear, these are some of the things that need to be clarified. Some of these things are exaggerated by people, other times maybe by media as well, but let me tell you that the School of Medicine is not led by a Dean of Medicine as it was referred to by Honourable Tjihuiko. The School of Medicine is not led by a Dean of Medicine, please. The University of Namibia has a Faculty of Health Sciences which is led by a Dean. The Faculty has three schools and these three schools are:

1. The School of Medicine, which is led by an Associate Dean;
2. The School of Pharmacy, also led by an Associate Dean; and
3. The School of Nursing and Public Health, also led by an Associate Dean. I know exactly what I am saying.

The Dean of the Faculty of Health and Sciences is a highly qualified Medical Specialist and a Public Health Expert, trained in the world renowned Universities.

As stated above, the School of Medicine is led by an Associate Dean who himself is a Medical Specialist Doctor and a holder of a Phd in Medical Science. Before coming to Namibia, he served as a FAO Representative

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and Consultant in many countries and he was a Dean of a Medical School before coming to Namibia. Therefore, the Medical School at UNAM is in very capable hands. I know exactly what I am saying, and I want the Honourable Member to listen carefully.

Question 2: Can you please confirm what the Health Permanent Secretary was reported of having said, that the University of Namibia's School of Medicine Students need 20 additional months for clinical training upon what they have lost as a result of the Dean that you have appointed? I am not going to speak for the Permanent Secretary of another Ministry. I am not his spokesperson.

I therefore, would not answer this question because it is directed to a wrong person. All I can tell you, Honourable Member, is that my Colleague, the Minister of Health and myself, appointed a high level Technical Committee to investigate and look into the matters of the School of Medicine and report back to us on their findings. As I am standing here today, the Report is ready and we are scrutinising that Report. We will report where we will be reporting, therefore, I will not go into this one for the time being. You will soon know the outcome.

Question 3: Can you please tell us who is the Dean of School of Medicine, his nationality, academic qualifications and work experience. I have the following to say: As I stated earlier on, the School of Medicine is headed by an Associate Dean, since the 1st of January 2012. This Associate Dean is Professor Philip Odonkor, who is a Ghanaian by nationality and holds a Phd from the University of McGill Ontario, Canada. He graduated as a Medical Doctor in 1974 from the University of Ghana. He became a Professor in 1992. He has served as a WHO Consultant on several occasions, including Uganda and Sierra Leone. His last position before joining UNAM was a Dean of Faculty of Health and Social Sciences in Lesotho.

Before Professor Odonkor took over the leadership of the school, Professor Nyarango was the Dean of the Medical School while Professor

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Odonkor was a Deputy Dean. Currently, Professor Nyarango is a Dean of the Faculty of Health Sciences, overseeing the three Schools; the School of Medicine, Pharmacy and Nursing and Public Health.

You may also want to know who this Professor Nyarango is. Professor Nyarango is a Kenyan National, who graduated as a Medical Doctor in 1977 from the University of Nairobi. In 1984, he obtained his Masters of Medicine Degree in Surgery, also from the same University, and became a Specialist Surgeon and in 1994, he obtained a Masters of Public Health Degree from the University of North Carolina, Chapel Hill, USA. He has worked as a Hospital Registrar, District Surgeon, etcetera. Professor Nyarango has served as a Consultant to many institutions and organisations, including our own Government through the Ministry of Health and WHO, from 2002 to 2003, as well as for GTZ, the Government of Kenya, etcetera.

In 1988, he was among the founding team that established a School of Medicine at the Moi University in Kenya and served as a Head of the Department of Surgery until when he left to join the Government of Kenya in 2000, with the rank of Associate Professor. He was also part of the team that founded Orotta School of Medicine in Eritrea. His highest position before coming to Namibia was at GTZ as Technical Advisor to the Ministry of Health of the Kenyan Government.

Question 4: How was this person appointed? Was it through advertisement, was the person interviewed? By the way, how many other candidates had applied for the position and who were they? I have the following to say: The position of the Dean of School of Medicine was advertised early 2008, and I want everybody to listen, it received no applicants.

Professor Nyarango who was then a Member of the Steering of the School of Medicine chaired by the Vice Chancellor, advised the University to approach Professor Jacob Mufunda, a Zimbabwean, who was on WHO assignment in Eritrea. Professor Mufunda was a Founding Dean of Orotta

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School of Medicine in Eritrea and his contract was coming to an end. Based on the Council's approval to headhunt critical professionals who are not available in Namibia and are scarce to come by the University approached Professor Mufunda, who agreed to come and assist with the establishment of the School of Medicine. He was appointed in September 2008. Professor Mufunda left in March/April 2009 for a WHO position, to serve as a Country Representative, so the University once again had to look for another person to take over his responsibilities.

A Dean of School of Medicine, who was also a Member of UNAM School of Medicine, Professor Olli Vainio, proposed to UNAM Management to approach Professor Peter Nyarango to see if he could come and take up the appointment. The reasons advanced for these proposals are as follows: Professor Nyarango was a Medical Specialist as well as Public Health Expert with very good knowledge of the health profile of Namibia, having been a WHO Consultant in the Ministry of Health. He was involved in the feasibility studies that led to the recommendations to establish the School of Medicine in Namibia. He was a Member of the Steering Committee for the establishment of the School of Medicine. He had been a Medical School Lecturer and Professor as well as was involved in teams that set up Medical Schools in Kenya and Eritrea. He was very keen to see the School of Medicine in Namibia becoming a reality.

UNAM Management agreed to try Professor Nyarango. Following the same principle used for the recruitment of Professor Mufunda, that is, headhunting. Professor Nyarango was approached in April 2009. He was not keen to come because he was at the time having a very highly paid job with GTZ. It took UNAM more than a year to convince Professor Nyarango to take up the position of founding Dean of the School of Medicine. He had to sacrifice his highly paying job.

I hope Honourable Tjihiuko, who asked the question is listening, as I do not want him to ask me another question because as I am talking, he is talking again. Therefore, if you ask me another question I will not respond because I want you to listen as I am talking to you.

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It took UNAM more than one year to convince Professor Nyarango to take up the position of Founding Dean of the School of Medicine. He had to sacrifice his highly paid job to come to Namibia. He joined UNAM in July 2010. Honourable Members, I am not trying to say Professor Nyarango or other professors are angels with all that I am saying here, but instead I am just giving you the facts the way they are.

Question 5: Or was this person handpicked because he happened to be known, a known friend to someone in the Leadership of the Ruling SWAPO Party? Well, I think as a Member of this august House, Honourable Member, you have the right to mention that person. Who is that person who is a well-known Member of the Ruling Party who handpicked him? Can I have that name? Please give me that name so that we can know who the person is who handpicked Professor Nyarango so that we can give you an answer. Comrade speaker, I have responded to the questions.

HON SPEAKER: Thank you. Comrade Tjihuiko?

HON TJIHUIKO: Honourable Speaker, I must thank the Honourable Minister of Education for the very honest answers that he has provided.

I just want to get some clarity from the Honourable Minister. The first one is on Question 2; the question was, can the Minister confirm? It is not that he should answer on behalf of the Permanent Secretary of another Ministry - can the Honourable Minister confirm whether what was said was true? Because what was said was that the School of Medicine's students need twenty additional months of clinical training. If that is true, that is something that was supposed to come from the Minister of Education, therefore, I think that question needs to be answered.

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HON ULENGA
HON DR NAMWANDI**

Honourable Minister, on the fourth question; I am happy to hear what you have said because what I wanted to know is whether there was a process of advertisements, interviews and selecting the best candidate. What the Honourable Minister has said, if I got you correctly, was that the persons were recommended and appointed, which means that they were actually handpicked. I think that is a very honest answer.

Honourable Minister, the last question that I wanted an answer on, the question is very clear, was this person handpicked because he happens to be a known friend? The answer could have been, yes, he was handpicked because he knows somebody or it is not true. I, therefore, think the Honourable Minister can still answer whether this person who was handpicked was recommended because he was known as specific somebody who was living somewhere for him to be recommended. Otherwise he could not have been recommended, how did we know that this person has been recommended? I think that is the critical point. You cannot just recommend Tjihiuko in Kenya, I am not known there, I must have known somebody who knows me, Honourable Minister, please.

(Interjection) no, the Minister will answer.

HON SPEAKER: Yes, the Minister will answer. Honourable Minister briefly.

HON MINISTER OF EDUCATION: It is a pity, I always have problems with students who do not listen. I have a problem with the Honourable Member, while I was responding to his question here, he was talking to someone else and that is why he did not even hear what I said. Let me repeat what I said my Brother; I said the position was advertised and there was nobody in Namibia. There was nobody in the whole country. If you are denying that fact and think it is not true,

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go to the University of Namibia and go and investigate those files.

Honourable Member, I also mentioned here how the person was handpicked. I gave all the information. I do not know what other information I should give you really.

HON SPEAKER: I think you have done justice to the question.

HON MINISTER OF EDUCATION: I have really said what I should have said.

HON SPEAKER: No, that is more than enough, Minister.

HON MINSTER OF EDUCATION: Thank you.

HON SPEAKER: It is politics, almost election time. Honourable Ndjoze-Ojo. Briefly as possible.

HON DR NDJOZE-OJO: Thank you, Honourable Speaker. I just want to give additional information that will help the answer. Professor Nyarango came to Namibia in 2003 for the first time. It took about ten years to set up the University of Namibia's School of Medicine.

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He was, at that time, setting up a School of Medicine in Eritrea when he was searched out to come and help us. He had actually come and worked for a year and then went back. It was subsequently a follow-up as the school was tapping on different areas in different countries, we went back to Nyarango so that he could come back and set up the Medical School because he had set one up in Kenya, one in Eritrea and another one in Ethiopia and so that track record made him a very attractive and ideal person to come and assist us.

It took a long time so 2010 was like the tail end of what was happening but the Medical School discussions started very early in 2000 and even in 1996 there around and Professor Peter Katjavivi was the Vice Chancellor then. Thank you.

HON SPEAKER: Thank you. That was very helpful. We have only one question left.

HON MEMBER: Follow up?

HON SPEAKER: We are done with this question. The Question was put to the Honourable Minister of Education by Honourable Tjihuiko.

The last question, Question 15 is by Honourable Moongo. Does the Honourable Member put the question to Honourable Minister of Agriculture, Water and Forestry?

HON MOONGO: Yes, I put the question, Honourable Speaker.

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HON MUTORWA**

QUESTION 15:

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:

Yes, Comrade Speaker, we are in a position to provide the following information as a response to these very factual questions, objectively - no emotions.

The Uutere Village situation: Uutere Village is included in the study area for the pipeline extension from Oshivelo, King Kauluma to Omutse Gwonime. Honourable Moongo, this village was visited by the consultant on the 19th of November, last year (2013), for a demographic planning meeting. There were 53 households in the village, one borehole, which was drilled and installed has saline water and thus neither suitable for human nor livestock consumption.

However, there is already an existing borehole at Uutere Village where the communities are currently getting clean portable water for human consumption, although, we must admit that the water point is under pressure due to population density.

The situation at Otanatsau Village: At this village one borehole was drilled and installed in 2010 and is operational but only suitable for livestock consumption because of the quality of the waters, the salinity.

Otanatsau Village is almost two kilometres from Uutere and communities are currently getting clean water from that Uutere Village.

The situation at King Kauluma Village or Centre: At this village, there are five existing boreholes, which are operational, three of them are only suitable for livestock while two are suitable for human consumption. The problem in that area is generally the salinity of the water the saltiness.

Casablanca and Oshivelo Boreholes: There are two boreholes that exist and operational between Casablanca and Oshivelo which are serving the communities in this area. In addition, another borehole was drilled

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recently and will be installed in the next Financial Year of the Budget that we have just approved. Notwithstanding the water challenges, and we admit that there are water challenges in that area, faced by the communities in the villages mentioned above, the Government of the Republic of Namibia through the Ministry of Agriculture, Water and Forestry is currently in the process of planning and designing to extend a pipeline water scheme from Oshivelo - King Kaulumo – Omutse Gwonime in a quest for finding a permanent solution to the water problems in the affected communities.

The Honourable Members may recall that during my Budget Statement, and the figures in the Budget that we have just passed here, there is some provisions made to deal with this situation, possibly as a permanent solution to the issue of extending the pipeline system to provide the water. Thank you, Comrade Speaker.

HON SPEAKER: Thank you. Honourable Moongo.

HON MOONGO: Honourable Speaker, I would like to thank the Minister for a proper answer and I just hope that he will fulfil the promise. I thank you.

HON SPEAKER: Honourable Maamberua.

HON MAAMBERUA: Honourable Speaker, Question 7 was skipped because the Minister of Information was not in. Perhaps we could kindly ask him if he wants to answer the question.

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HON KAAPANDA**

HON SPEAKER: Question 7 is by Honourable Maamberua to the Minister of Information Communication and Technology.

QUESTION 7:

HON MINISTER OF INFORMATION COMMUNICATION AND TECHNOLOGY: Thank you, Honourable Speaker.

The Honourable Member wants to find out whether there is no Post Office in Otjimbingwe. Honourable Member, some years ago NamPost undertook a trip to Otjimbingwe with the view to establish postal services in Otjimbingwe. Since NamPost did not have money to construct a building of its own, they were looking if they could find a place to rent and provide postal services to the community of Otjimbingwe but they could not find a suitable place to rent. They could not find a place because in some areas where NamPost has its footprint, they are not operating from their own premises but operate from places they rent from the local community.

However, the good news is that there is a construction of a shopping mall going on and NamPost is hoping to find a place where they could operate from and provide postal services in Otjimbingwe. I thank you.

HON SPEAKER: It is only for Honourable Maamberua who has put the question. Honourable Maamberua.

HON ULENGA: I have something else, Comrade Speaker.

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HON MAAMBERUA**

HON MAAMBERUA: Comrade Speaker, thank you very much. I wish to take the opportunity to also thank the Minister of Information and Communication Technology for the answer, particularly for having given us hope that sooner than later there will be a Post Office in Otjimbingwe.

Obviously, there are so many abandoned buildings in Otjimbingwe that could actually be used for that purpose with a little bit of modification, but thank you very much. We shall be in contact with the people of Otjimbingwe to relay that hope to them. Thank you very much.

HON SPEAKER: Count me in too. You should include me as well so that we can do it jointly. Honourable Ulenga, can you press the button? That is how we do it. What is the question you are rising on?

HON ULENGA: I am rising to just remind the Speaker and the House that one question was genuinely overlooked, it was not answered. I think the Minister has the answer and he was ready to answer but something happened in between (intervention).

HON SPEAKER: Which question is that?

HON ULENGA: It was Question 12, Honourable Speaker.

HON SPEAKER: 12?

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HON ULENGA: Yes, Question 12. I did put the question but the Minister somehow dealt with something else. It seemed as if he had the answer but did not read it out. Thank you.

HON MINISTER OF EDUCATION: Thank you very much, Comrade Speaker.

I want to respond to this question as follows: The total of 17 Primary Schools and one Secondary School were closed since 2010 and this happened on the following grounds:-

Most of the schools in Kavango Region were smaller schools which were meant to cater for nomadic communities. That is, to cater for children of the herders in the areas or to cater for very young learners who would otherwise find it difficult to make it to other schools because of floods or the rains.

Sometimes these schools are only operated during the rainy seasons where learners join other schools once water has subsided. These schools function like satellite schools or mobile schools. Some were closed because of a lack of learners, shrinking operation in the area, or parents have decided to move learners elsewhere while some other schools were merged. In this case, one school had to be closed and deregistered. This is really an artificial closure. It benefits the Ministry in that resources are pulled together to cater for a larger community, for example, in this case, there will be only one Principal instead of two and teachers can be utilised across the different phases optimally.

Second question: How many new schools, either Primary, Secondary or Combined were opened in each Region? Primary Schools were opened since 2010, that is, 54 Primary Schools and 6 Secondary Schools were opened since 2010. I am going to attach the table here to provide the actual numbers per Region.

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Question 3: In the specific case of the school called Aili Shikomba Combined School, near Uuhongo, in the Onathinghe circuit in Oshikoto Region, what was the cause of the closing of that school? Honourable Members, the Ministry of Education would like to correct the Honourable Member here that the school in question is not Aili Shikomba Combined School, but Oshikomba Primary School - School Code: 8714 and it was previously in the Onathinghe Circuit. Oshikomba Primary School is situated in Uuhehe Village of Onyaanya Constituency in the Oshikoto Region. The School was established in 1992 with plus/minus 80 learners. Oshikomba Primary School closed in January 2012 due to the low number of learners.

The school enrolment has been going down every year since its inception. This is illustrated as follows:

- In 2004 they had 46 learners.
- 2005 - 44 learners.
- 2006 - 46 learners.
- 2007 - 42 learners.
- 2008 - 42 learners.
- 2009 - 36 learners.
- 2010 - 27 learners.
- 2011 - 11 learners.

The closure was mainly caused by the location of the school, as it is located in a flood-prone area with few households that are very scattered during the rainy seasons. The school is usually surrounded by floodwater and accessibility to the school during this time of the year is usually very difficult. The school enrolment started to decline drastically from 2004 with no learners in Grade 1 in 2009 and only 11 Grade 4 learners in 2011.

Question 4: Were the parents and the community properly consulted about the closure of the school and if not, why was it not done? Honourable Members, my answer is yes, the parents were fully informed of this situation. Instead, several meetings were held with the parents,

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The community and inspector of Education. The Minutes are available to this effect upon request. During these meetings, it was agreed that the learners who were attending school at Oshikomba Junior Primary School will be transferred to nearby Primary Schools and the buildings, one class would continue to be used to accommodate the community kindergarten, to avoid vandalism of the properties.

A meeting was held with the Headman of Uuhehe Village on the 28th of January 2012, whereby an agreement was reached for the community under the leadership of the Headmen together with the kindergarten teacher, to monitor and take care of the physical facilities while a viable solution is being sought. The kindergarten only had an average of 7 children over the year which could not guarantee the sustainability of the school.

What happens to the infrastructure such as building and other materials once the school closes? The furniture, textbooks and other teaching and learning materials from Oshikomba Primary School were taken to other schools within the circuit and the buildings continued to be used by the community for gatherings or meetings and even literacy classes.

The building remains the property of the Government and if a school is closed due to scarcity of learners, when the situation improves, such a school may be reopened. I think I have provided the answers to the questions.

HON SPEAKER: Thank you, Minister. Honourable Ulenga.

HON ULENGA: I would like to thank the Minister for the straightforward answers. Thank you.

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HON SPEAKER: Thank you, and my apologies to the Minister and to you for overlooking this question. There were many questions because these questions were put when we started.

The Secretary will read the First Order. We are still here, we are not leaving yet.

**RESUMPTION OF CONSIDERATION OF REPORT ON THE
FOURTH ORDINARY SESSION ANNIVERSARY
OF THE PAN AFRICAN PARLIAMENT**

SECRETARY: Resumption of Consideration of Report on the Fourth Ordinary Session Anniversary of the Pan African Parliament.

HON SPEAKER: When the House adjourned on Tuesday, the 8th of April 2014, the question before the Assembly was a Report by Honourable !Nawases-Taeyele. Any further discussion? Chief Whip, I see your light is on.

HON PROF KATJAVIVI: Thank you, Honourable Speaker.

Honourable Members, I rise to support the Report presented to this House by the Honourable Evelyn !Nawases-Taeyele, that deals with the recent Session of the PAN African Parliament an event that also culminated in marking the 10th Anniversary of this Continental Organ.

As usual, the Session attracted a variety of participants both from within

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Africa and outside Africa. A number of former Heads of State and Government and former Members of the PAN African Parliament who witnessed the birth of this Continental Organ, were invited to participate in the celebration of the 10th Anniversary.

For the first time the African Union Commission presented the Budget of the African Union to the PAN African Parliament. This was an important development that was welcomed by Members as a move that signifies an important turning point in the relationship between the two organs.

Members of the PAN African Parliament acknowledged that there is a huge shortfall in the Budget, the Budget of the African Union, which rallies heavily on the development partners' support. Thus, it is incumbent upon the Members of the PAN African Parliament to mobilise support from their respective Member States.

We also need to continually explore the various possible avenues of finding the Budget of the African Union as well as revising the work done by President Obasanjo, the Former President of the Federal Republic of Nigeria in his capacity as a Chair for Africa's Advisory Panel.

In this context, I wish to thank Honourable Nahas Angula for his contribution a day after yesterday in this Debate. In a nutshell, he highlighted the fact that the answers to most of Africa's pressing challenges are within the Continent and we can use our resources within to solve most of these challenges.

Honourable Speaker, Honourable Members, I do agree with those Members who complimented the Founding Fathers of the Organisation of African Unity (OAU) for their foresight. The dynamics of the time have dictated that the OAU transforms into the African Union where we are today.

Yes, indeed, I would like to indicate that we thank them for paving the

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way that led to the liberation of the Continent and these parameters do indicate that we consolidate the efforts by translating their vision into reality and further consolidate these achievements so as to realise the total emancipation of the African Continent.

By total emancipation, I mean economic emancipation and political emancipation and the social wellbeing of our people as a whole throughout the Continent of Africa.

We have moved a great deal from those dreams of Continental African Government advocated by President Kwame Nkrumah of Ghana and his fellow Founding Fathers to where we are today. Today the PAN African Parliament is calling for its transformation in keeping with well-established Protocols in order to carry out its oversight mandate. Many countries are clear about this desirability while there are some who have advanced reservations. Yes, in democracy, we agree and we disagree, and we argue, we debate and hopefully, eventually find the way forward. However, we would like to see progress in advancing the role of the PAN African Parliament through consensus at the Heads of State level.

Honourable Speaker, Honourable Members, I am sure that the Members of this House have noted the Motto of the PAN African Parliament that calls for *One Africa One Voice*. This is a Motto that calls for the promotion of common African values and Continental unity.

Above all, the motto speaks to the needs of the African Union Member Countries to cultivate the fact that our bargaining position *vis a vis* the rest of the world will be better strengthened if we stand as one and use a stronger voice than if we are divided. This will give Africa a comparative advantage.

Honourable Speaker, Honourable Members, in view of the fact that the process of transforming the PAN African Parliament is moving rather slow, it became necessary for the PAN African Parliament to consider other possible avenues of advancing its work with regard to its oversight

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responsibility. The concept of Modern Laws became an important point of entry in this regard. It is clear that the process of advancing the PAN African Parliament's transformation from advisory to legislative body has been painstakingly slow as well as rather delayed, as we all know, and so as the regional integration in some parts of the Continent.

Nevertheless, it is a challenge we must continue to pursue until we achieve our objective. The present generation and generations to come must take it as a challenge. This is because we believe that the process of strengthening African institutions such as the PAN African Parliament, the African Union Commission, is both necessary and durable.

Like in the case of the European Union, there were similar doubts about the viability of such a Union. Certain sections of the UK Society had this to say and I quote - *"For more than a decade after 1945, we held back from joining the schemes of greater European Unity. We were confident of our superior strength in relation to our European neighbours and we did not think that anything would succeed without us. Then, when other showed that they were determined to go ahead on their own, we found that we were unable to prevent them doing so or to shake what emerged in the way we wanted. For long we underestimated the economic prospects of our European neighbours and for even longer, we overestimated our own strengths and influence in relations to them."* Yes, the European Union has moved on since that statement was made although there are still sceptical voices in the United Kingdom who are opposed to the European Union.

Honourable Speaker, projects of such magnitude cannot succeed without facing challenges here and there. There will always be *Doubting Thomases*. What is needed is a political will, popular support and continental champions to make us move on and make progress on our Continent.

Honourable Speaker, Honourable Members, thank you for listening to me.

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HON UTONI**

HON SPEAKER: Honourable Utoni. Are you Utoni Nujoma?

HON DEPUTY MINISTER OF SAFETY AND SECURITY: No, Utoni, the Junior one. Thank you very much, Comrade Speaker.

I also want to join the other Honourable Members who have already spoken about this Report. Firstly, let me also thank Honourable !Nawases-Taeyele as well as the other Honourable Members who compiled this Report. It is a good Report and I like it because it is providing a lot of information that some of us as Members of Parliament did not know about, for instance, what the PAN African Parliament is doing and the Organs of the AU. We were able to obtain some information through this Report.

Honourable Speaker, I want to touch on Page 7; it is a continuation from Page 6 of this Report, where the PAN African Parliament has expressed its concerns. Concern Number 1, is where they say that more than 66% of their Operational Budget is financed by five countries, with very little input from the rest of the Member States. Which countries are these? And they talking about little input, maybe this also needs to be clarified.

The other concern is that there is a low contribution level of Member States that has affected the operations of the African Union since more than 90% of the Programme Budget is dependent on partners' funds. In my opinion, this concern should not have been there if we could have done something that I am going to raise now.

Furthermore, you have touched on the recommendations and I want to turn to (ii), on Page 7. In your recommendation in (ii), you said that - *the African Union System and Regulation should be reviewed and strengthened to ensure that Member States timeously and regularly pay their contribution on time*. Then (iv) - *The proposals for alternative*

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funding, especially by Obasanjo Panel, be at the next Summit Head of States at Malabo so as to avoid over dependants of partners to finance Programme Budget of the Union.

Comrade !Nawases-Taeyele, yes, these are good proposals, however, I think you have omitted one of the recommendations that you were supposed to make for implementation because the AU has Legal Instruments that could be enforced to oblige Members to contribute.

In this book - *One Africa One Voice*, Basic Documents of the PAN African Parliament on Page 11, there is Article 23, which is dealing with the imposition of sanctions, and I am going to read, however, I want to know why you did not recommend it for implementation because it is an effective instrument that compels Members to contribute. Let me read it - **The imposition of sanctions:**

- 1. The Assembly shall determine the appropriate sanctions to be imposed on any Member State that defaults in the payment of its contributions to the budget of the Union in the following manner: denial of the right to speak at meetings, to vote, to present candidates for any position or post within the Union or to benefit from any activity or commitments, therefrom;*
- 2. Furthermore, any Member State that fails to comply with the decisions and policies of the Union may be subjected to other sanctions, such as the denial of transport and communication links with other Member States, and other measures of a political and economic nature to be determined by the Assembly.*

My question is; why did you not also add this in your recommendations? I see it as an effective instrument to oblige Members to pay. However, I do not know why you left it out and I think the Member States are just enjoying the benefits, even if they do not pay, there is nothing that forces them to pay. We could not have had such a problem or the concern that you are expressing today if the imposition of sanctions was

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implemented. They would not be able to attend and propose candidates to the Union. Therefore, I feel that you should perhaps also think of adding this to the recommendation.

Comrade Speaker, on a different note, I am also looking at the summary of the PAN African Parliament where you talk about the achievements and challenges. This is on Page 1 of that summary - Bullet Number 3.

Yes, here you are saying that the PAN African Parliament has played a critical role in promoting peace and security in Africa by participating in fact finding missions in countries with underlined security and Human Rights challenges, such as Darfur Sudan, Central African Republic, Mauritius, Libya and so forth. My question is; is it true that you have visited Libya? Because when we were following the events, we were not part of the countries that played a role. It was the Americans and the French – NATO. That is what we have observed.

Perhaps the problem is that the AU maybe does not have a media section to let us to know what is happening and what we are doing there. I also want to know whether Libya is a Member of the PAN African Parliament. I do not know, can you please tell us because the political situation there has still not normalised. I do not want to use other words that might otherwise insult other people, so please tell us.

HON SPEAKER: We are grownups, we can take it.

HON DEPUTY MINISTER OF SAFETY AND SECURITY:
Comrade Speaker, the last question that I want to ask here is on the same Summary Note on Page 3.

You are saying here that the PAN African Parliament has over the past ten

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years experienced some political and institutional challenges relating to limited funding, deficiencies and human resource capabilities and issues underlying the dual mandate of the PAN African Parliament, MPC high turnover of Members.

Maybe I do not understand, but is it possible that there can be a high turnover of Members of the PAN African Parliament because I think a Member is selected for five years from his/her respective country's Parliament to represent it at PAN African Parliament. However, if that Member resigns or dies, of course, the respective country has to replace that Member, and a Member's term runs concurrently with the terms of the National Parliament. How is it possible that there is a high turnover of Members of PAN African Parliament? These are my questions and this is my contribution. I thank you.

HON SPEAKER: Thank you. Any further contributions? Chief Riruako.

HON RIRUAKO: Honourable Speaker, you brought me from the beginning and now I am here. Do not run away, some people run away because they are not stable. Something, somehow, somewhere is cooking.

PAN Africanism is not stable because of the irregularities of human behaviour. Somehow, somewhere, sometime people are not really for it, but just for money and not for the stability of this continent of ours. However, we are not Mercenaries.

HON MEMBER: Page?

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HON RIRUAKO: You need to know the page, I am not going to tell anyone who is looking for a page.

HON SHIXWAMENI: PAN African, page.

HON RIRUAKO: Are you asking me for a blank page? If I talk about the PAN African Page you will not even understand. (*Laughter*)

Why you are asking for the page, just to narrow your mind to that extent. I do not want that to happen.

The PAN Africanist used to think that we are serious but we are not serious at all. Where is the seriousness, the functions are not serious at all, the activities is not serious at all - we are not serious at all. We ask money from the Europeans and we are at loggerheads with them, at this juncture. Why do we not sacrifice ourselves for what we want? We have a little bit of it, to survive from it and become ourselves. That is how it should be but we are not serious. We talk and talk and it all ends up in a *Talking Shop* afterwards, without any action being taken at all. If we need action we are supposed to show the people about what we expect ourselves to be, but we are not doing that.

We are PAN Africanists who are still resisting to deliver at this juncture. After 24 years of Independence, we still do not really understand ourselves. There are people whom we grew up with for years but we do not really agree with each other on certain terms and when it comes to accepting each other's norms! This handicaps PAN Africans because you believe in your own selves while you are saying you are going to the PAN Africans Parliament. What do you go and do there or what do you achieve with that? You are a tribalist at home and you go and pretend there. What does that mean to you? This is something we are supposed to

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solve here before going to other people that you do not even know and tell them that we should unite. We have failed to unite ourselves here. This starts from our own homes where we discriminate against our workers who must go and eat outside as opposed to sitting at your table.

HON ULENGA: No, in front of your own door.

HON RIRUAKO: In fact, yes! I have discovered this among you
(*laughter*)

That is what we do, yes! These men come from *Okashana* and they are your own brothers even if they are your workers but you let them go and eat outside there. They feel unhappy and rejected. This is what you do at your houses, at your villages. What does that mean to me, are you a PAN Africanist? You are not.

Let us face reality and start accepting one another, as we are here. This is the first thing we need to do before we go to other people whom we do not even know beforehand. No, people whom you do not have any blood relationship with at all. What I am seeing here is a tribal behaviour! Are you regarding yourself as a PAN Africanists or are you fooling yourselves?

HON SHIXWAMENI: Who is fooling who?

HON RIRUAKO: Yes, who is fooling who here? (*Laughter*) I am quite a straightforward person, I am not going to waste my time for nothing.
(Intervention)

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HON SPEAKER: Honourable Iyambo.

HON MINISTER OF VETERANS AFFAIRS: Honourable Speaker, I just want to find out, the Chief is looking at me as if he is referring to me (*laughter*)

HON RIRUAKO: No, no, sit down, sorry! I was looking at the Speaker (*laughter*)

I was looking at the Speaker because if I look around, he looks at me! No, this is not me, I am not regarded that way. I do not think that you are like that, I am sorry about that.

HON SPEAKER: He understands you, these are your Lusaka people.

HON RIRUAKO: Somewhere, some people are really behaving that way. I have my own son who stood up here.

HON ULENGA: I am not looking at you.

HON MINISTER OF DEFENCE: Yes, Honourable Chief, I am terribly sorry to somehow disrupt your presentation.

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HON RIRUAKO

HON RIRUAKO: Go ahead.

HON MINISTER OF DEFENCE: I value you too greatly but I have a small, tiny winy question. Since you studied conscience, what is it?

HON PROF KATJAVIVI: Conscientising.

HON RIRUAKO: Conscientism (*laughing*)

HON MINISTER OF DEFENCE: Yes, that thing (*laughter*). When are you going to conscientise the House so that tribalism can be buried forever?

HON RIRUAKO: You sit down (*laughter*). I was in Zambia and you were in school. I went there and found out that these meals you were eating were not all that good, and they were not enough. I had to keep some three plates for *Nahas*, in my personal capacity. Do you know that?

HON ULENGA: He has forgotten.

HON RIRUAKO: Did you forget?

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HON SPEAKER: No, no he has not forgotten.

HON RIRUAKO: These people were at the university and I was at the camp but discovered that this meal was not enough at all. I have been given all the permission to take care of the refugees, but I did not think about those who were there, I thought about you who were at the university and hungry. That is number one. Number two, I have served all the Freedom Fighters from here right. They did not have anything on their bodies, I had to dress them with the clothes that was given by the world. I had to steal some time to provide for them. Do you know that?

That is how PAN Africanism should be and not really bluffing yourselves. It must come from here.

HON MEMBER: From the heart!

HON RIRUAKO: From the heart, yes, and not from your mouth and ends there. That is the policy I would like to see and not the bluffs of the day, standing up and just talking for nothing. (Intervention)

HON SPEAKER: Thank you. Honourable Deputy Minister of Gender Equality and Child Welfare – on behalf of children.

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: My I ask my Chief a question? Honourable Chief, you

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talking about good encouragement but on this Continent, our men you are the ones who causes conflicts. You, the Chiefs are supposed to unite the people but you are the ones who are dividing the people in Namibia, however, you now want to talk about the Continent.

I think you are not a Member of this Continent. Can you be a Member of this Continent and still divide the people of Namibia? That is my question.

HON RIRUAKO: You want me to support SWAPO, that is the way you want it but there must be a paraphrase of a few Political Parties in one Government. However it is very difficult for me because you cannot even get it. That is tendency.

Do you want a SWAPO husband or what (*laughter*). I am not SWAPO but I have been taking care of SWAPO Members there. Those Freedom Fighters never got hungry, they were never barefooted or without clothing on their bodies and, you cannot even do that, you! You cannot. I do not want bluffs, I want the truth.

HON SPEAKER: Yes, continue on the track that you were on.

HON RIRUAKO: Yes, I have to talk about this. This gentleman, Mr Speaker, used to be in Philadelphia and because of my feeling of togetherness, I had to go there and look for him. He can dispute that, if he wants. You can do that but that is the way it is. You have to think about other people, then you can love them. You cannot love the people whom you do not know.

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HON SPEAKER: Deputy Speaker.

HON DEPUTY SPEAKER: Honourable Paramount Chief, for your information, at PAN African Parliament, there is also another Paramount Chief from Sierra Leone, I am looking forward for the two of you to meet so that you can assist one another to promote and defend PAN Africanism. There are actually two Paramount Chiefs at the PAN African Parliament.

HON RIRUAKO: Who are they?

HON DEPUTY SPEAKER: One is from Zimbabwe and the other from Sierra Leone.

HON RIRUAKO: The Zimbabwean one is a bit tribalist. We know him. We were together in Libya and I could feel it. I could smell it.

HON SPEAKER: We want PAN Africanists not tribalists.

HON RIRUAKO: No, please, you have to think about oneness but not about you, and you alone. That is not fair. I have to say this. I have some estate a *ohambo* (cattle-post) at the place where I was born. I had to call my nephew to take over, while I was taking care of him there until he went back. You people just bluff in this House. A bluff cannot just be a

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guest, he is really known to imitates that kind of feeling. Be careful you may get it from those kinds of people who pretend to love other human beings, however, we cannot keep on being the way we are.

We have to change the attitude, the outlook and start accepting one another at the same level. Money is not something that you are going to die with, we will leave it here. That is the point. Do you think money is everything? You love it beyond gold, believe me, if you do not know, I have to tell you now – gold is something that can be destroyed by anything. Human beings should love to love and not to hate. There is time to hate and time to love, time to forgive and time to forget. These are the things.

I was talking to the Germans, telling them that I want something, a token, why? I do not want our new generation to come and hate one another because of those that suffered during the particular time. That book must be closed based on certain principles of understanding. That is how humans should be but not telling them that we are okay while we are still saying it is the Germans behind the scenes. No, that is not the way it should be. Tell them the truth, reconcile the truth and finally forgive. That is how the PAN Africanist should be.

HON SHIXWAMENI: Nothing but the truth.

HON RIRUAKO: Yes, I want the people to behave that way but not we do not have to do this for the sake of political achievements. Achievements can be there but we must ensure the acceptance of one another. It must be visible for you to see all the time instead of saying – *ag I am an Ovambo, I am a Herero* and once the Hereros receive that money, they forget about the others. Who is going to forget who? Schools can be built and all the citizens can go to the same schools. That is how it should be.

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HON SPEAKER: Honourable Nujoma.

HON MINISTER OF JUSTICE: Thank you, Honourable Speaker, Sir. Honourable Chief, I am sorry to disturb you.

I just want to ask you a question. Chief are you talking about PAN Africanism or are you talking about Ubuntu?

HON RIRUAKO: Ubuntu?

HON MINISTER OF JUSTICE: Ubuntu, yes.

HON RIRUAKO: I will tell you.

HON ULENGA: Of *Ovimbundu*?

HON RIRUAKO: Let me tell you about the Ubuntu you are talking about, I cannot forget where I come from. I have some rules there, whether I want it or not, they are there.

However, I have to accept myself and accept other people too, that is the answer. Do not accept yourself and forget about other human beings like

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you? We have the same rhythm and the same melody. That is the way it is. Thank you.

HON SPEAKER: Thank you. Honourable Deputy Speaker?

HON DEPUTY SPEAKER: I would like to adjourn the Debate until next week Tuesday.

HON SPEAKER: If nobody else wishes to take the Floor, shall we agree to adjourn the Debate? Further consideration of this Report stands adjourned to Tuesday, next week. It does not mean we are done, we still have time until 17:45.

The Secretary will read the Second Order.

**REPORT ON PUBLIC HEARINGS ON THE PETITION
BY NAMIBIA TRANSPORT AND TAXI UNION**

SECRETARY: Consideration of Report on Public Hearings on the Petition by the Namibian Transport and Taxi Union.

HON SPEAKER: Does Honourable !Nawases-Taeyele, Move that the Report be considered?

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HON !NAWASES-TAEYELE: I so Move, Honourable Speaker.

HON SPEAKER: Any further discussions?

HON !NAWASES-TAEYELE: Honourable Speaker, can I first motivate the Report?

HON SPEAKER: You have the Floor.

HON !NAWASES-TAEYELE: Thank you, Honourable Speaker. Honourable Members, on the 25th of July 2013 a Petition was submitted by Mr Werner January, the President and Secretary-General of Namibia Transport and Taxi Union and it was received by the Secretary of the National Assembly Mr Jakes Jacobs, who subsequently, in terms of the Standing Rules and Orders, referred it to the Parliamentary Standing Committee on Constitutional and Legal Affairs on the 3rd of October 2013 for further action.

The Petition requested the following issues to be addressed by the National Assembly:

1. High Traffic Fines, stipulated in terms of Section 57(7) and (341) of the *Criminal Procedure Act*, 1977 (Act 51 of 1977) as amended by the *Criminal Procedure Act*, 2010 (Act 13 of 2010);
2. Inadequate Provision of Taxi Ranks, Loading and Off-loading Zones for commuters;

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3. Non-Respect and Non-Recognition of Taxi Drivers by Government;
4. Concern by the Taxi Union about the Windhoek Municipality intending to acquire or buy a fleet of minibuses. A move, it is claimed, which will affect the Taxi Industry and increase unemployment.
5. Conditions of Employment and Benefits for Taxi Drivers, such as Social Security, Pension, etcetera;
6. Non-conformity of Existing Laws, Rules and Regulations and unfair implementation thereof by the Law Enforcement Agencies or Traffic Officers at the expense of taxi drivers. The taxi drivers feel that they are being harassed by the Traffic Officers and are discriminated against.

Honourable Speaker, Honourable Members, we are aware of the importance of the Taxi Industry and the Public Transport Sector in general. The Taxi Industry and Public Transport is an important Sector of the Namibian economy as it affects the socio-economic order of the Namibian society either directly or indirectly. Having this in mind, the Standing Committee on Constitutional and Legal Affairs organised and conducted public hearings on the Petition with the following relevant stakeholders amongst others:

- Namibia Transport and Taxi Union;
- Namibia Public Passenger Transport Association;
- Namibia Bus and Taxi Association;
- NAMFISA;
- Namibia National Student Organisation;
- Motor Vehicle Accident Fund;
- Road Safety Council;
- Ministry of Works and Transport;
- Windhoek Municipality;

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- City Police;
- Ministry of Labour and Social Welfare;
- Ministry of Justice; and
- Ministry of Regional and Local Government, Housing and Rural Development.

Honourable Speaker, Honourable Members, the results of the public hearings are contained in this Report, which I am tabling this afternoon. The transgressions by all citizens of this country in terms of Traffic Rules and Regulations are met with fines issued by, either the National Police Force or the Municipal Police where they are operating. We must be responsible citizens and adhere to this Traffic Rules and Regulations at all times if we want to avoid being issued with fines. Where we continue to break the Law, we will eventually face the full wrath of the Law.

The *Criminal Procedure Act* as amended provides for fines to be issued to a transgressor that spares us from appearing in Court. However, if I keep on breaking the Law and getting fines and should I ignore them, I will be arrested and brought before the Magistrate and then the provisions of the *Road Traffic and Transport Act* of 1990 would be applied in full.

Allow me to highlight some of the recommendations that are contained in this Report. After consultations with the relevant stakeholders amongst others, the Committee recommends the following:

The Standing Committee has noted with concern that the roads in Windhoek are overwhelmed and under immense pressure. This requires a comprehensive plan to create and maintain zones for loading and off-loading of commuters who make use of buses and taxis.

The Standing Committee took note of the Sustainable Urban Transport Master Plan of the Ministry of Works and Transport and the City of Windhoek.

The Standing Committee is, therefore, of the view that in finalising this plan, all relevant stakeholders must be consulted for their inputs. Road

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users, including taxi operators or bus drivers and commuters should comply and adhere to the Laws of the country. The taxi owners and their drivers should regularly conduct road safety awareness campaigns in order to educate the public as to the demarcated loading and offloading zones.

The City of Windhoek and/or all Local Authorities, must with immediate effect take ownership and manage the loading and offloading zones whether for local or long distance journeys.

The Ministry of Works and Transport may as soon as practicable but within a period of 6 months start with the registration period of all taxi licenses. It may also issue each owner with a license disc to be displayed on the vehicle operated under the license with the name of the owner appearing thereon; and

Lastly, the relationship of the taxi driver and his/her employer is not that of an employer and employee. The *Labour Act* 2007, (Act 11 of 2007) as amended, creates the situation that the aforementioned relationship is one between independent contractors. We, therefore, recommend that the Ministry of Justice, Ministry of Labour and Social Welfare in conjunction with the Social Security Commission may request the Government Attorney to bring an Act pact on writ application to the Court in order to seek an interpretation for the words *employee* and *independent contractor* of the *Labour Act* 2007, (Act 11 of 2007) and the relevant related provision of the *Social Security Act* 1994 (Act 34 of 1994). It is the concerted view of the Standing Committee that such interpretation is essential in creating a harmonious relationship in the Transport Industry.

Honourable Speaker, it is now my single honour and pleasure to table this rather urgent Report for urgent consideration. I so Move, Honourable Speaker.

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HON SPEAKER: Thank you. Shall we table the Report or is it assumed that it is tabled? Honourable Minister, Mutorwa.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:

Thank you, Comrade Speaker for giving me the Floor to contribute to the discussion on this very important Report by the Standing Committee on Constitutional Affairs.

I would like to commend the Colleagues who are Members of this Committee for the effective manner in which they have implemented the assignment that was given to them. I think and I believe that this assignment was carried out on our behalf as Members of this august House and that it was also carried out in accordance with our Standing Rules and Orders Number 83 to 88.

Comrade Speaker, looking at the recommendations that the Committee has made, in principle, I basically do support all the recommendations. I would like to state that the Taxi Industry, as the Report has indicated, is a very important Industry. However, I believe that it is also a very complex Industry to regulate.

Comrade Speaker, looking at recommendation 4.1, where the Committee has recommended the issue of demarcation of loading and offloading zones of commuters in Windhoek, I would just like to add that what we are seeing in our capital city, which has got an established municipality, is worse, in my opinion, and I know the Committee did make reference to that. It is worse in some of the fast developing small towns in our country. I am particularly looking at some of the towns that are at the borders and I have in mind, for example, the town of Rundu, the town that I know well – it is my town. When you look at the situation there, I do not know, maybe the authorities that are responsible for registering taxis and so on would have a different view. My observation is that perhaps the process of registering taxis is just haphazardly done. Everybody who applies for a taxi license is probably given because you see on the roads it

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looks as if you have more taxi vehicles than even the passengers that the taxis are supposed to load and it becomes so dangerous because in these small towns where you do not have so many streets and you look at the main street, it is always congested. Particularly in front of shops, maybe we will one day get a Petition from the shop owners because the loading zones are in front of the shops and it is where you see the competition of taxis to get passengers who are shopping from there. Not that I have a problem but I think it is an issue of regulation. That is why I support this first recommendation and I think those who are responsible for managing and registering taxis should not only look at Windhoek. If the situation is so worse in Windhoek the capital city, it is much worse in some of the small towns. If we are not careful because of the fierce competition amongst the taxis for passengers we may end up having taxi wars.

I really support the Standing Committee's recommendations here (intervention)

HON SPEAKER: Honourable Mutorwa, before you sit down, Honourable Kaura wants to ask a question.

HON KAURA: Honourable Speaker, can I ask the Honourable Minister a question?

Honourable Speaker, I would like to find out from the Honourable Minister and I think he has travelled the whole world, where in any town or city where he has been, did he find a place where it is demarcated as the only special loading area for taxis except in Namibia? Because in the whole world you can pick up a taxi anywhere, at any place on any street? Where do you find loading zones for taxis anywhere in the world? The reason why there is a crunch before shops is because there are specialised

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places for taxis. If they could pick up anywhere in Independence Avenue there would not be that problem. Let us deregulate the picking up areas for taxis so that we can standardise and be on the same level with the world. Where in the world do you find taxi ranks where they have to pick up people?

HON SPEAKER: Honourable Minister?

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:

Comrade Speaker, I must admit that I have not done any comparative study in the whole world but what I know is the reality that we are facing here, which reality is properly articulated in the Report of the Standing Committee.

What the Committee is saying here is the reality in Namibia. For me, whether it is a question of you can pick up anywhere, if we are not careful as lawmakers, if we do not make sure that proper regulations, not restrictions, but proper regulations are in place, we will be sitting with a problem whose consequences will be too gustily to contemplate. That is all that I can say.

Comrade Speaker, I am also in agreement with the recommendation by the Committee, Paragraph 4.3, the doctrine that this is a Constitutional Democratic State, which is based on the Rule of Law, is clearly emphasised here that when you have Laws, those Laws must be applicable to each and every one. That is very important.

Comrade Speaker, lastly I want to say that the issue of making sure when the licenses are issued, as it is recommended here in Paragraphs 4.4 and 4.5, through the Ministry of Works and also very important, the Organisations that are responsible for taxis, if we are not strict to ensure

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proper Rules and Regulations in terms of issuing taxi licenses, because here it is mentioned that some people have got ten taxis that are just given to various drivers and so on, if we are not careful, my worry is that there will be so much chaos and then at the end of the day the issue of having squabbles even among the taxi owners themselves will arise. Hence, all that I am saying is that I do support this Report and that the relevant authorities that are identified here to execute and implement the recommendations should simply be seized with the matter to do just that. I support the Report.

HON SPEAKER: Thank you. Honourable Shifeta?

HON DEPUTY MINISTER OF ENVIRONMENT AND TOURISM:

Thank you very much, Honourable Speaker. Honourable Speaker, before I embark on my points let me unreservedly commend the Committee for the job well done, more so to engage the Taxi Union, especially to point out to them about the non-adherence of some of their members to Road Rules.

Sometimes I am tempted to make inferences that some of these taxi drivers have not gone for theoretical tests because I have tested some of them by asking them about very simple road sign and they cannot tell you what it means. Even for the barring line, some of them will not tell you what it is. (Intervention)

HON SPEAKER: Honourable Shixwameni?

HON SHIXWAMENI: Thank you, Honourable Speaker. Can I ask the Honourable Member a small question? The Honourable Member is

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saying that he became an examiner for some of the taxi drivers where he found out that they cannot even point out signs. I would really like to know, if they cannot point out signs, how did they get the license, this is not an ordinary license but a public driver's license? Can you explain to us more and to the public out there as to how they manage to get this public driver's license?

HON DEPUTY MINISTER OF ENVIRONMENT AND TOURISM:

Thank you, Honourable Speaker. I was just coming to that, just to amplify my ground. Now and then you will hear that some official has been arrested for selling driver's licenses, it happened. There are some drivers who have valid driver's licenses but who did not earn these driver's licenses and they are many (interjections).

HON MEMBER: How many and how do you know they are valid?

HON DEPUTY MINISTER OF ENVIRONMENT AND TOURISM:

They are valid because they are written *valid* but they are in fact not valid if investigated.

Let me tell you this, they are *de facto* valid but *de jury* not valid. Do you understand that? *De facto* they are valid because by way of their appearance, they look valid, however, *de jury* they are not valid, that is what I mean.

They have been issued by an official but the procedures followed to issue that were not valid. (Intervention)

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**ADJOURNMENT
HON DR GURIRAB**

HON SPEAKER: Honourable Tjihuiko.

HON TJIHUIKO: Honourable Speaker, I am not going to contribute now, I just want to ask the Honourable Deputy Minister to keep his hand out of his pocket when he is talking to the Honourable Members. It does not look good to keep your hands in your pockets.

HON SPEAKER: I do not know what Rule he breaks but it may not be a bad idea. (*Laughter*)

HON DEPUTY MINISTER OF ENVIRONMENT AND TOURISM:
We hear about some officials who are arrested for selling driver's licenses and one wonders how many licenses that look valid, owned by drivers on the road, are valid. For the test I carried out, I have done it to more than five taxi drivers. (*Intervention*)

HON SPEAKER: Honourable Minister, you shall continue on Tuesday when we come back, at 14:30.

HOUSE ADJOURNS AT 17:50 UNTIL 2014.04.15 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
15 APRIL 2014**

The Assembly met pursuant to the adjournment.

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

CONGRATULATORY REMARKS

HON SPEAKER: We commence with the Business of the House as scheduled for today.

Before I call for Petitions, I want to take this opportunity to put on record, on behalf of all of us, a commendable and successful initiative taken by Honourable Ben Amathila and his team for having organised, as I indicated ahead of time, a successful Conference devoted to the challenging issues of Climate Change, Sustainable Development, Renewable Energy Sources and all that.

It was truly a wonderful engagement for those of us who were present, some even more than the speakers, with the small *s* in this case. There was so much to be learnt and there is so much to be done on the basis of the consensus reached by ourselves together with the partners who agreed to the invitation that the Chairman of the Standing Committee of Natural Resources, Economic and Public Administration had extended to them.

They were wonderful people, great minds and very experienced people, at the end of the day, it is what this House, where it started, will do, with the information that we have gathered. You will be receiving a Report from the Chairman of that Committee who was the Chairman of the Symposium that we all attended. Congratulations!

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**TABLING OF REPORTS
HON MAAMBERUA**

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

**TABLING: REPORTS OF THE PARLIAMENTARY
COMMITTEE ON PUBLIC ACCOUNTS**

HON MAAMBERUA: Thank you, Honourable Speaker. Honourable Speaker, I lay upon the Table the following Reports:

- (i) Report of the Parliamentary Standing Committee on Public Accounts on the 14th Association of Public Accounts Committee (APAC) Conference, held on the 30th of September 2013 to the 3rd of October 2013, in Port Elizabeth, South Africa for information;
- (ii) Report of the Parliamentary Standing Committee on Public Accounts on the State-Owned Enterprises for the Financial Years 2010 and 2011 for discussion purposes;
- (iii) Report of the Parliamentary Standing Committee on Public Accounts on the National Accountability Institutions Conference held in Windhoek from the 6th to the 7th of August 2013 for discussion; and
- (iv) Report of the Parliamentary Standing Committee on Public Accounts Progress Report on the activities for the period February 2010 to December 2014. Now on this one, I want to just make an observation that this is an unprecedented Report in that for the first time in the history of the Public Accounts Committee, a Report is put together meticulously detailing all the activities between the period 2010 to 2013, for purposes of preserving all the activities in terms of meetings, conferences, challenges, achievements, etcetera, that the Committee went through in one source document that is for

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**TABLING OF REPORTS
HON MAKGONE**

Preservation, for posterity, for future reference, etcetera. Therefore, this is a very important Report. Shall I call it Compendium of the Activities of the Committee? I so Move, Honourable Speaker.

HON SPEAKER: Honourable Member, table the Reports. I had an opportunity and listening to the Chairman, I urge all of us to read it. It makes a good read but also a recall of memory for those who were involved earlier. Any other Reports and Papers? Deputy Minister of Education.

**TABLING: REPORT OF THE NATIONAL
COUNCIL FOR HIGHER EDUCATION**

HON DEPUTY MINISTER OF EDUCATION: Honourable Speaker, I lay upon the Table, the Annual Report of the National Council for Higher Education for the Financial Year 2011/2012. I so Move, Honourable Speaker.

HON SPEAKER: Will the Honourable Deputy Minister please table the Report? Any further Reports of Standing or Select Committees? Other Reports and Papers? None. Notice of Questions? Notice of Motions? Ministerial Statements?

The Secretary will read the First Order.

**RESUMPTION OF CONSIDERATION OF REPORT ON
THE FOURTH ORDINARY SESSION ANNIVERSARY
OF THE PAN AFRICAN PARLIAMENT**

15 April 2014 **REPORT ON THE FOURTH ORDINARY SESSION
ANNIVERSARY OF THE PAN AFRICAN PARLIAMENT
HON PROF KASINGO**

SECRETARY: Resumption of Consideration of Report on the Fourth Ordinary Session Anniversary of the Pan African Parliament.

HON SPEAKER: When the House adjourned on Thursday, the 10th of April 2014, the question before the Assembly was a Report by Honourable !Nawases-Taeyele. The Honourable Deputy Speaker adjourned the Debate and you now have the Floor, Colleague.

HON DEPUTY SPEAKER: Thank you, Honourable Speaker for giving me the Floor to make a short contribution on the Report of the celebrations of the 10th Anniversary of the PAN African Parliament as tabled by Honourable !Nawases-Taeyele.

At the onset, Honourable Speaker, Honourable Members, allow me to first of all, extend my appreciation to the Minister of Information and Communications Technology, Honourable Joel Kaapanda and to thank the two institutions under his Ministry namely, the Chief Executive Officer of New Era and the Director-General of the NBC for sending a cameraman and a reporter to cover these celebrations. Thank you very much. There were two men who covered the entire celebrations and it was not at the cost of the two institutions, but at the cost of the PAN African Parliament. I have to thank you for that.

HON MEMBER: They did an excellent job!

HON DEPUTY SPEAKER: They have done an excellent job.

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ANNIVERSARY OF THE PAN AFRICAN PARLIAMENT
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Honourable Speaker, Honourable Members, this Fourth Ordinary Session of PAN African Parliament was convened for two main purposes:

- 1) To celebrate the anniversary of the PAN African Parliament because the PAN African Parliament came into operation on the 18th of March 2004; and
- 2) To discuss and debate the Budget of the African Union before it will be finally adopted by the Heads of State, in June this year, in Malabo.

The discussion and the Debate of the Budget of the AU is regarded as one of the biggest achievements of the PAP because for ten years, we were asking the AU to submit the Budget to us (PAP) for debate and they did not adhere to our request, however, this year they did. They sent the Deputy Chairperson of AU to present the Budget before us and that was a big achievement.

Honourable Speaker, Honourable Members, I cannot agree more with the previous speakers that while Africa is progressing in other fields, there is a big challenge for Africa. The biggest challenge of Africa is to provide for its institutions with its own resources, and that is the challenge for all of us as Africans. We need to put our brains together and find a solution to this big challenge. We know Africa is the poorest continent, yet the richest continent.

The loss of unity, solidarity and the loss of commitment was clearly expressed by His Excellency, the Former Head of State of Nigeria, Obasanjo, who is the Head of the Committee to ensure that there are alternatives resources to fund the AU. I was present in 2013 when he submitted his Report and reactions with respect to the Heads of State were a divergence of views, where everybody was just defending his/her own country up until he got frustrated and said, I quote - *“Well, you are governing but you cannot decide to go into the swimming pool and not be prepared to get wet.”*

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ANNIVERSARY OF THE PAN AFRICAN PARLIAMENT
HON PROF KASINGO**

Although there does not seem to be hope, the process is ongoing and is calling upon all of us, even here in Namibia, to put our heads together in order find ways in which the AU can fund itself.

The Minister of Defence has expressly stated that we need to fund the AU and its institutions that is why I am calling upon the relevant experienced and committed PAN African intellectuals to save Africa from this mess. Where are they? I am not the only one who is calling on them, a lot of Members of the PAN African Parliament are calling upon us to really put our heads together to save Africa.

The PAN African Parliament can be described as a reservoir of experienced men and women from different fields and political backgrounds who express their need for Africa to resource itself. Here at home, we are the products of continental solidarity and in fact, when I was elected as the 3rd Vice President, as I was campaigning, I told them that I am from a small country called Namibia and that Namibia is a product of continental solidarity, therefore, if they elect me, I will represent all them. It was one of those issues that ensured that I became the 3rd Vice President. This also means that the African Continent is looking upon Namibia.

In Namibia, we have people who understand these challenges and are prepared to put their brains together in order to find solutions. Immediately after I was elected I introduced myself to the Head of State of Namibia. I also went to the now Minister of Defence, who was the Prime Minister then and the first thing he told me was - *“now we must really assist South Africa to somehow fund the PAP.”* When I introduced myself to the current Prime Minister, Dr Hage Geingob, I told him that - *Your Excellency, Prime Minister, we need assistance.* He asked, *“How much?”* This only shows that they were prepared.

I discussed this issue with the Founding President and Father of the Namibian Nation and he said he is surprised that up to now the AU is struggling to get funds. This again confirms that there are men and

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women in Namibia who are prepared to assist Africa. I am calling upon some of these people, when some of these people retire, perhaps retire is not a good word, what should I say?

HON MEMBER: When they move on.

HON DEPUTY SPEAKER: When they move on from national politics they must go and serve the Continent. They must add to the Committee of Obasanjo instead of just saying - *I am going to farm* while they have brains and can walk. We must serve Africa.

HON SPEAKER: Minister of Law - Minister of Justice.

HON MINISTER OF JUSTICE: Yes, My Dear Sister is doing well. She knows that I am also a full blooded PAN Africanist.

I am saying that I am a full blooded one because I was prepared to die for this country. I had my AK47 provided by SWAPO and I used it until we had liberated this country. I am, therefore, a complete PAN Africanist, not a half hearted one like some of you.

I have about three questions for my Dear Sister:

1. How are these Members of the PAN African Parliament elected? If you look at the other Continents like the European Union, the Parliamentarians are elected directly.

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2. With regard to the funding of the PAN African Parliament, I agree with you that it needs resources, but do you expect Namibia to fund the PAN African Parliament or are you saying we should work together with other countries? Because mind you, Namibia is not a rich country. People say we are a rich country, but I tend to disagree because if we were a rich country, we could have eliminated this inequality. The reason why we cannot do it is because we lack resources. The commitment is there hundred per cent, it is only a matter of resources. (*Interjection*)

HON MEMBER: *Aikona!*

HON MINISTER OF JUSTICE: Now because of this *aikona*, I will end up with only two questions. (*Laughter*)

HON DEPUTY SPEAKER: Honourable Minister of Justice, to come back to your former portfolio, I am made to understand that we will meet in Addis Ababa to revisit the draft proposal in terms of the problematic Articles so that we can panel beat it.

I am still going to answer your question on how they are elected and what the new proposal is. With regard to whether Namibia is rich or poor - Namibia is the richest country (*interjection*).

No, just listen! You eloquently said that you are a Freedom Fighter and a PAN Africanist, which I agree with, but this time you should also agree with me that we fail to think. You know that you fought and you know that the SWAPO Party, which liberated this country, fought militarily, diplomatically and solidarity was one of those key factors. You are a

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product of continental and international solidarity since you benefitted a lot from the poor people of this Continent. Even the Nigerians ensured that 1% of their oil went to the ANC and SWAPO. Why can we not do that for the sake of saving the continent? Our continent is rich, we just fail to think.

Having said that, it is very important to say that while those sons and daughters of Namibia who experienced continental solidarity and unity are still alive they should not be left idle. They should be seconded to some of this Regional Continental Bodies to assist others. The Continent is looking upon this baby called Namibia.

Having expressed that general statement, I take note that some of the comments were made because the Colleague left out some information.

Allow me now to explain the structure of the PAN African Parliament. Honourable Colleagues, we have distributed this basic document of the PAN African Parliament in this House, which highly explain the *Constitutive Act* of the African Union, Protocol to the Treaty Establishing the African Economic Community relating to the Pan-African Parliament and the Rules and Procedures of the PAN African Parliament.

Honourable Colleagues, for the sake of time, I just want you to look at Article 17 - the *Constitutive Act* which established the PAN African Parliament. In tandem with that I also want you to look at the following Articles 3, 4, 5 and 11, as well as Article 22 of the PAN African Parliament. Those Articles clearly states the objectives, the mission and the function of the PAN African Parliament. When one has regard to the functions of the PAN African Parliament in terms of Article 11 and the ten Committees, they are in tandem. It quickly brings me to reminding ourselves that the composition and structure of the PAN African Parliament consists of the Plenary.

The Committees of the Plenary sit twice a year and there are ten Committees which constitutes the body which determines the subject

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matter to be debated at the PAN African Parliament. The President and the four Vice Presidents – from the region which do not produce the President, collectively constitutes the Bureau of the Pan African Parliament. The PAP consists of three Caucuses: the Regional Caucus, Women Caucus and the Youth Caucus, which we have established in terms of the Resolutions. It consists of approximately 245 Members of Parliament (MPs) from Member States. For Member States to send representatives there they should ratify the Protocol establishing the PAN African Parliament. If it is found that a Government of a certain Member State was established unconstitutionally, for example, that specific Members State will be prohibited from sending Members to represent them at the PAP.

A question was also asked here as to whether PAP perhaps lacks capacity. The capacity is there in terms of the Members. Those Committees are headed by people with knowledge relevant to those specific Committees. Most of those Committee Members have Masters Degrees. Some of them are medical doctors. We have, for example, mentioned here that we could come up with Model Laws. The Model Law in Medicine, for instance, is headed by a medical lady from Niger. And if, for example, Honourable Tjiuiko there belongs to the Trade Committee, he should be an experts in the field of trade. (Intervention).

HON SPEAKER: Honourable Shixwameni.

HON SHIXWAMENI: Honourable Speaker, can I ask the Honourable Deputy Speaker a small question?

HON SPEAKER: Yes, sure.

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HON SHIXWAMENI: Given this citation of African experts, and I also know that African experts are spread all over Europe, the United States of America and other countries. Also given the fact that the African Continent is one of the richest Continents in the world in terms of natural resources

My question is thus, do you think that, given our expertise and our wealth, we can eliminate the rampant poverty, because we are currently the poorest Continent in the world? Are we able to eliminate this rampant poverty on our Continent if we draw from the expertise that Africans living in the Diaspora have, that is, if we were to draw them back to Africa? Are we able to eliminate unemployment? That is the question.

Is the PAN African Parliament focused on these issues of dealing with poverty, unemployment and homelessness? Thank you, Honourable Speaker.

HON DEPUTY SPEAKER: Yes, PAN African Parliament is dealing with that. If you have regard to Article 11 that I referred to, the 10 different Committees are dealing with that.

With regard to the question on people living in the Diaspora, during 2012, we held a Conference where we invited our brothers and sisters from the Diaspora and we passed recommendations that the AU must do its level best to make use of these people by attracting them to come to Africa, and the Member States must adopt or amend their entry Laws to ensure that they accommodate these brothers and sisters from the Diaspora to enter Africa, which is their Continent with ease.

I was saying that we also have a Youth Caucus, since we were saying that the future leaders of Africa are the youth. It is called the Caucus on Youth. Why? We deliberated on this issue and resolved that the leadership of this Caucus can consist of the youth or anybody who has a

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youthful mind and interests of the youth at heart to take part in the discussions. That is why it is called the Caucus on Youth.

I have attached the structure about the workings of the PAP and its composition. The Secretariat is led by a clerk who is assisted by the management cadre. As Honourable Dr Ndjoze-Ojo was saying about the capacity, when it was established in 2004 (intervention).

HON SPEAKER: Yes, Deputy Minister of Justice.

HON DEPUTY MINISTER OF JUSTICE: I am very sorry to interrupt my Deputy Speaker there, but I want to ask a question in connection with what Honourable Shixwameni said.

Comrade Speaker, through you, when I was studying, I used to blame these French speaking colleagues, why is it that when they complete their studies they go to Paris, Toronto and all that. However, now when I matured, I started analysing the situation.

Comrade Deputy Speaker, why do you think these people will come back to Africa when some of them actually left or were made to leave due to certain circumstances.

What have we done in Africa to create the conditions for these people to come back, when most of them were not appreciated when they were here, nor were conducive environments created for them to actually come and perform?

What is it that has changed in order for us to ask the Comrades in the Diaspora to come back?

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HON DEPUTY SPEAKER: If you listened to me, I said it was one of those arguments during that Conference where we invited some of them and decided that the Member States must ensure that they relax some of their conditions to enable them to come back. It was argued at that Conference and some recommendations were forwarded to the AU, mind you, up to now the PAN African Parliament is just a body that discusses, debates and forwards debates and recommendations to the AU. It will be until we are given that power, and I am going to comment on that.

Honourable Colleagues, because of time, amongst the Articles that I have quoted, there is another one which is very important and that is Article 25 of the Protocol which gives birth to the amended PAP Protocol that seeks among others for the PAN African Parliament to be given legislative powers. Allow me to quote that particular Article, which states *inter alia* that after five years of existence, the PAP Protocol should be reviewed. It is on that basis that the AU Assembly in 2004, has requested the AU Commission to start the process of reviewing the Protocol. What was the end result of that? The end result was that the Ministers of Justice and Attorneys-General of the Member States sat together with the Legal Council of the AU in Addis Ababa. They had gone through the Protocol and that is the product of the current proposed Protocol of the PAP.

I am going to distribute the copies and also update you of the stage where we are. I am quoting these things because it is very important to know that it is not PAP that calls for the review but the organisation within the Protocol that obliges the AU to review the Protocol. Based on that review, the proposed Protocol went through the PRC (Permanent Representatives Council) during the July Summit of 2012, and they *d'accord* it. However, with the Executive Council of Ministers, they expressed their reservations on Articles 81 and 82. Those Articles are dealing with the legislative power of the PAP and the oversight functions.

You will recall that there are two important structures within the AU that advises the Heads of State, they actually prepare the agenda for the

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Heads of States. The PRC is a composition of Diplomats at the AU, which should debate the agenda and after they panel beat it, it should go to the Council of Ministers. The Council of Ministers are the Ministers of Foreign Affairs or other Ministers or authorities designated by Member States. (Intervention)

HON SPEAKER: Honourable Attorney-General.

HON MINISTER OF PRESIDENTIAL AFFAIRS AND ATTORNEY-GENERAL: Honourable Speaker, my sincere apology to interrupt the Honourable Deputy Speaker. May I ask her a tiny winy question?

Honourable Deputy Speaker, I thought that the way forward to truly attend to the letter and spirit of the PAN African Parliament would be to first start with the Regional Blocs like SADC, ECOWAS and so forth, and once these are integrated then we can come together.

Even then, how are we going to reconcile the Muslim States with the Christians when it comes to some very important issues such as Human Rights? How are we going to reconcile those aspects?

HON SHIXWAMENI: The Sharia Law.

HON MINISTER OF PRESIDENTIAL AFFAIRS AND ATTORNEY GENERAL: The Sharia Law and all those things?

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HON SPEAKER: Honourable Deputy Speaker, you have the Floor.

HON DEPUTY SPEAKER: Your Excellency Doctor Kawana – the words Your Excellency are the words of the PAN African Parliament.

Honourable Speaker, through you, Honourable Attorney-General, I am sure you will be one of those people who will panel beat these things.

You asked me whether we cannot start with the Regional Bloc, yes, I cannot agree with you more. I do not know why SADC-PF is stagnant, why can SADC as an organ not give power to SADC-PF concerning Laws relating to SADC as a region.

Yesterday, for example, we heard from a Professor from NEPAD about different projects they have embarked upon. In your mind, as a lawmaker and as the Attorney-General, what do you think, how would a dam that comes from the DRC and passes through different countries be managed, for example? This should prudently be managed by a Law, which should be formulated, either by SADC-PF or by the PAN African Parliament. SADC is behind, I have to say that because with ECOWAS, the Economic Community Of West African States (ECOWAS) Regional Parliament is fully fledged. They do not even complain about money.

What I am saying is, we are not asking for the power to legislate, we are asking for the function. The difference is that the power is still within the Heads of State. We are saying it is up to the Heads of State to determine the kind of Model Law we should engage in. Model Law is just Model Law, it is not binding, it is just an example.

The Heads of State determine the issues and they give it to us and say - *children this is this* and after we panel-beat, we go to them and it is up to them to approve. They can even think in terms of coming up to a Committee to look at the deliberations of the PAN African Parliament

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concerning the Model Law. We cannot sit idle, the time is running out. We are saying (intervention).

HON SPEAKER: Point of Order, Honourable Shixwameni.

HON SHIXWAMENI: May I ask the Honourable Deputy Speaker a small question? You are saying that you do not want the power but the function, do I get you correct?

I think any legislative body around the world has to have the power to legislate.

HON DEPUTY SPEAKER: Come again, Honourable Member?

HON SHIXWAMENI: Any legislative body whether it is national, regional or supra regional, needs to have the power.

If they have to be given the power to legislate, they must have the power so we cannot run around the bush with power or functions and all these kinds of things.

What is the stumbling block around the SADC Region or who are the culprits in the SADC Region that do not want to give power to the SADC Parliamentary Forum to legislate in these Region because the Eastern African countries have legislative powers? ECOWAS has legislative power, what is the problem that is sitting around the Southern African Region in your opinion? Thank you.

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HON DEPUTY SPEAKER: Honourable Speaker, through you, Honourable Shixwameni, I know and I agree with what you are saying. You are a Member of the SADC-PF and you are the right person, are you not? (*Interjections*) he is not? You were? It is up to them, I am not part of the SADC-PF but I agree with you and I just want to assure the Heads of State, whether in the SADC Region or over the continent, there is no threat to national sovereignty by making Laws. PAP or SADC-PF is not going to threaten national sovereignty because there are clear cuts where they can legislate for the benefit of the continent or for the benefit of the Region.

HON SPEAKER: Honourable Ilonga.

HON DEPUTY MINISTER OF DEFENCE: May I ask Comrade Professor a question? Comrade Kasingo, you mentioned that Eastern Parliamentarians have legislative powers, what Act did they legislate which you can maybe cite as an example that – *our fellow legislators in Eastern Africa Parliamentarians have this legislative power, they made this Law that has helped their Governments in this way, why can we not do that as well* because we cannot just say they have legislative powers without you giving us any example.

HON DEPUTY SPEAKER: The Member States have common passports, for example. They do not experience any problems in that regard, that is one example and more over the Governments of the Eastern Region also decide on the agenda. Those are the examples and we can send our people there to learn, there is nothing wrong with that. My term of office will lapse next year but even if it lapses, I can go back to my Government to allow us to call for at least one seat on the PAN African Parliament because in terms of the Protocol, any Member State can call for the seat of PAN African Parliament.

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What I am saying is that there should not be any fear of encroachment, if you have fear, then form a Committee at the AU and that Committee can scrutinise the Debates of PAP or the Committee of SADC scrutinises the SADC-PF. There are many Members both at SADC and on the continent who can serve on that Committee, those sons and daughters who saw the fruits of solidarity.

I am saying that that particular Article gave birth to the amended Protocol. The Heads of State agreed to it but they made reservations on those Articles that I have stated. I am going to give you the copy. In terms of the current Protocol, for example, they say that the Member States should send five Members, one of whom should be a woman. However, in the proposed Protocol, they say two of them should be women.

In terms of the proposed Protocol, they are saying the future Members of PAP should be elected in terms of universal adult suffrage, however, in terms of the Protocol, after they discuss it with the Attorney-General, Ministers of Justice of the Member States and PAP was also consulted, they came to a consensus that in the future, it will be better for Parliaments to conduct an election convention to elect those five Members but those five Members should not have a dual responsibility. They will be there on a full time basis but the National Parliaments must establish the accountability structure so that they can account to them.

They were also arguing that there are bigger Member States, with a bigger population, like Nigeria and that they should send more Members, however, the consensus was that no matter how many citizens a Member State has, the PAP still stick to five Members per Member State.

Honourable Speaker, Honourable Members, I am going to give you helping notes titled *Adenaeur* to read about the whole procedures and the Protocol from where it started up to where it is at the current moment. I will also give you a copy on the amended Protocol to read for yourselves. For any other specific questions, the Mover of the Motion will answer to that. I rest my case and thank you.

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HON SPEAKER: Thank you. Honourable Tjihuiko.

HON TJIHUIKO: Thank you very much, Honourable Speaker. I think the Honourable Deputy Speaker has covered most of the things that I wanted to say, so I will be very brief. Honourable Speaker, I am happy that we are sharing information on the activities of the PAN African Parliament. (Intervention)

HON SPEAKER: He has not said anything yet, Minister.

HON MINISTER OF JUSTICE: Yes, that is the reason why I am rising.

HON SPEAKER: He has not said anything yet.

HON MINISTER OF JUSTICE: Yes, that is the reason why I am rising, Honourable Speaker. (*Laughter*)

HON SPEAKER: Is that the reason? You have the Floor just continue.

HON TJIHUIKO: I was saying that we are sharing information on the activities of the PAN African Parliament. *Information is power* and

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obviously, all of us are going to be on the same wavelength when it comes to important issues like those of the PAN African Parliament. I am saying this because the PAN African Parliament is not a structure or creation of a few individuals; it is a structure of the African Union. It is a democratic structure that was meant to allow and enable elected representative of the African people to participate and influence the decisions of our Heads of State at the AU level. (Intervention)

HON SPEAKER: Honourable Minister?

HON MINISTER OF JUSTICE: Thank you, Comrade Speaker. May I ask Honourable Tjihuiko a question?

The specific question is on the information that you talked about, I just wanted to know how the fellow Members of Parliament from Africa perceive you as an individual, when you are making contributions. Are they thinking you are an MP from another world or do they perceive you as a real African? That is my question?

HON TJIHUIKO: They see me and perceive me as a true son of the soil. At PAN African Parliament, we are operating in that spirit. At PAN African Parliament, you hardly see a Ruling Party and the Opposition until somebody tells you that that person from wherever is from the Opposition. Therefore, the spirit is different. Even when we are there, the way the Ruling Party treats me is like a brother and not like in this Chamber.

Coming back to my contribution, Honourable Speaker, I was saying that the PAN African Parliament is a creation of the AU and it is the best vehicle that will, through the elected representatives, involve the whole of

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Africa to participate and be part of the African decisions. Listening to the comments or statements made by the Founding President, listening to our veteran leaders in the Chamber, the Speaker and the people who were there at the initial stage when Africa was going through the tough times of the liberation struggle, I know that the African Union of yester years, the PAN Africanism of yester years...(intervention).

HON MINISTER OF PRESIDENTIAL AFFAIRS AND ATTORNEY-GENERAL: Your President?

HON TJIHUIKO: My President, of course, he is the one who has taken the President out of jail and he is always saying that. Those who were at that level with the likes of Dr Kwame Nkrumah, their theory and their thinking about PAN African Parliament is completely different from the Leaders of today. I am sure that Namibia is one of the few African countries, where you see at the top level of Government, people are so committed to PAN Africanism, thinking that Africa is one.

When you are at the PAN African Parliament, you will see countries that have gone through generations and some of them do not regard themselves as Africans, they regard themselves as being part of the Eastern Bloc, that is the difference between yester years and today.

When we look at the PAN African Parliament, we should also take those changes in cognisance because that is fact of the reality today. Somebody asked a question about the Regional Blocs. If, for instance, during those years, our leaders, our forefathers, were thinking in terms of Southern Africa, Eastern Africa, and so on, some parts of Africa could not have been liberated because others would have said Southern Africa is a Southern Africa problem and Eastern African is an Eastern Africa problem. However, that way of thinking was non-existent (intervention)

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HON MINISTER OF JUSTICE: But there is the Eastern Blocs.

HON TJIHUIKO: Those Blocs are new things, these are new theories. This is why I am saying that as the time goes by, the thinking of Africans will change, the new generation of Africans are more materialistic, we are thinking in terms of what is good for Africa is good for Namibia.

I think that is the difference that you observe when you are sitting at African structures. When you sit with the new generation and the older generation, you will see these gaps, that we have moved away from the true PAN Africanism, that solidarity is no longer there and prompted us to move towards the new development of creating the Blocs that we are talking about. (Intervention)

HON SPEAKER: Honourable Shixwameni.

HON SHIXWAMENI: May I ask my Honourable Neighbour and Brother a little question?

HON TJIHUIKO: Ask a bigger one.

HON SHIXWAMENI: Given this whole thing of the Francophones, the Anglophones the Lusophones on the African Continent, because we identify ourselves in terms of the languages that we speak, how do you see Africa progressing in unison when the colonial powers have vested

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interest in certain Regions of the countries?

The biggest one is following up on the Honourable Minister of Justice, if you are seen as some other person coming from another continent, how do we want to unite, if we see each other here in Namibia (intervention).

HON SPEAKER: What about the European Union? They do speak different languages.

HON SHIXWAMENI: Sorry, Honourable Speaker?

HON SPEAKER: European Union speaks different languages.

HON SHIXWAMENI: Yes, they do, Honourable Speaker.

HON SPEAKER: So, what are you saying?

HON SHIXWAMENI: I am asking from the Honourable Member, with the divide that is standing in Africa of the Francophones, the Anglophones and Lusophones, and now also this ethnic, not only ethnic but also the political divide at home, how do we actually see ourselves moving forward?

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HON SPEAKER: But that is my point, Honourable Shixwameni, before you sit down. Believe it or not, Europeans used to fight terrible wars among themselves and they speak different languages too but now today it is the European Union, regardless of cultural and ethnic differences that they have, so why is that a big problem for Africa?

HON SHIXWAMENI: That is my question, how do we move forward?

HON SPEAKER: But I understood you to be saying it is not possible because we have different languages.

HON SHIXWAMENI: No, I said that (intervention).

HON SPEAKER: The European Union is the best example, regardless of the wars and hatred, they fought more wars among themselves than any continent, but they are united now for a common purpose for the future.

HON SHIXWAMENI: Yes, Honourable Speaker, I was not saying that that it is not possible, I am saying what is our way forward? How do we move forward when these colonial powers have interest of keeping us apart, how do we move forward as Africans? That is my question.

HON SPEAKER: Yes, Honourable TjiHuiko.

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HON TJIHUIKO: I think the Honourable Speaker has answered that question.

All what I can say is that those are the challenges that we as Africans have to face. That is the reality on the ground and I think all that we need to do is to keep our feet down and look at the challenges around us and move towards bringing Africans closer to one another. Europe is what it is today because of the unison that they have embraced.

I think as Africans, we are also capable of overcoming those challenges. I think one of the reasons why the PAN African Parliament has come into being is to try and not only to look at African unity at political level but we need to look at it from a business and sport perspective as well.

Let me give you an example, somebody might say that there will never be a rail link between Namibia and Botswana or Namibia and Angola. Ten years ago, nobody believed that there would be an agreement between Botswana and Namibia to have this railway line. It will connect Namibia, Walvis Bay all the way to Gauteng. These are things that we have overcome as Africans because we are looking at Namibians, Batswana and South Africans. I think the possibility is there, it is a question of how we go about it. This is where we need to keep cool heads.

I know that the young people will not agree with me, but when the change comes, you need strength, you need education and you also need experience. We need to be guided by the experience of those who were there when the situation was hot. It is not a question of the young generation must take over as if there is a war between the young and the old generations, we need one another and we need the expertise – that experience is important.

Honourable Speaker, before I come closer to concluding my contribution, I just want to say that, yes, the various Committees of the PAN African Parliament are very useful. I am always using the Namibian experience as an example. Namibia is strategically positioned. Namibia can easily

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become the trade hub and/or the financial hub of Southern Africa. Yes, we have invested a lot of money in the infrastructure, and it is there and we are still investing. All that we need to do is to make sure (intervention).

HON SPEAKER: Yes, Deputy Speaker.

HON DEPUTY SPEAKER: I did not want to disturb the Fellow Member of PAP. While you are on the Committees, I just want to use this opportunity, I forgot to give Honourable Erastus Uutoni the Report of Tripoli. He was challenging us as to whether we were in Tripoli, I just want to give him a copy of the Report on International Relations and Cooperation that was on fact-finding mission in Tripoli from the 5th to the 10th of June 2011, that was presented by Honourable Fortune Charumbira who is one of the Members of the Committee. I will give you the copy. Sorry for interrupting your contribution, Honourable Member.

HON TJIHUIKO: I was saying that the Committees are important. Once we have completed the Trans Kalahari Railway Line to Botswana, the road is already there, the next thing that we need to look at is our borders. How long does it take to get our goods through? We can easily start from there before we move on to think in terms of Free Movement of Goods with Nigeria. These are possible steps that can be facilitated through structures such as the PAN African Parliament.

Honourable Speaker, let me conclude by mentioning a few challenges that we have as Africans. Yes, indeed, we are divided by the various languages that we speak. We are more proud of speaking English and take pride in being known as the English speaking and French speaking groups. The various groups add up to more challenges for Africans, and

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it is critically important that we address these challenges. It is not the language that I speak, which is also a foreign language, that should matter most to me but where I am coming from - the African Continent. That is one of the problems.

The other problem that I think is also very critical is the fact that Africans have a tendency of taking decisions that they are not committed to as well as ratifying protocols that we know we will not be able to implement and the list goes on. These are the things that create problems.

The AU will budget according to the Member States that have ratified certain protocols and will thus make a contribution to the Fund, just to realise later on that it is only a quarter that has contributed. Honourable Shixwameni, this is where others are coming in to close the gap and the contribution to the AU was 31.5%, the rest came from partners. That tells us who calls the shots and if we were committed and we were all contributing, there could not be any need for any donor agencies who come and influence our decisions. These are the challenges that we need to look at and I think it is important for us to know these things.

Finally, Honourable Speaker, some of the benefits that we have gained from being part of the structures, being at SADC, for instances, the protocol that we are implementing on the gender balance is a SADC Protocol, is it not? Obviously, being a Member of that structure has helped us to be able to understand and to move in the same direction as SADC, towards the empowerment of women in this area.

Today we are talking about 50/50 representation, which is a result of that influence. I think the benefits are there, the challenges and problems are there, but all that I can say is that the PAN African Parliament is a vehicle that we need to make use of in order for us as Africans to be able to benefit and to trade among ourselves more so as to depend on ourselves rather than depending on the people that we are always referring to as colonialists. With that, I rest my case and I support the Report. Thank you.

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HON SPEAKER: Honourable Shixwameni.

HON SHIXWAMENI: That is okay.

HON SPEAKER: Yes.

HON KAZENAMBO: Thank you, Honourable Speaker for giving me an opportunity to comment on the Report and on the Budget. I wholeheartedly support the Report because I am an Africanist.

However, before I make my contribution, let me prelude my contribution to this important Report that is talking about African affairs through the PAN African Parliament. My prelude is as follows: - I am proud to be an African and I am a proud African. I am a survivor of the survivors of the genocide from the elimination of Africans. I am proud African, a follower of great African minds and, more particularly, I am only interested in the Father of this country and the great Nation called Namibia, who represented Namibia and the people of this country before we became the Nation's State. He was there when the Organisation of African Unity was founded in 1963 - Honourable Founding President, Dr Sam Nujoma was there representing the people of this country. He was there in Belgrade, when the Afro-Asian People's Solidarity Organisation (AAPSO) was founded - he represented the people of this country.

I am following the legacy of great people; great people in the *persona* of Dr Theo-Ben Gurirab, who were there at the United Nations as Africans, and many others, great leaders who were committed to PAN Africanism even before this Nation became independent. These were the great people who gave us the legacy and they hailed from a country,

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which today, I think, is the only country on this continent which plays the AU Anthem along with its National Anthem.

I am proud to be coming from a Nation that values PAN Africanism because as a child of survivor refugees who were accommodated by fellow Africans in a colonial regime, the then Bechuanaland, when they were being persecuted by colonial regimes. How can I go against the African value of solidarity and what is the substitute against this background?

Coming to the Report, which also discusses the future of PAN Africanism through the PAN African Parliament, there is no substitute for the PAN African Parliament and Africanism because wherever you go across the globe, as long as you are an African, you will carry an identity of an African. It does not matter what country you come from, as long as you are black, you will be suspected of coming from Africa. Even if you are coming from the Diaspora, you will be associated with this continent and it is very important since, due to that, the world is governing itself through global politics, through Laws and Legislations, Laws that may be formulated in Asia, Laws that may be formulated in Europe, Laws that would be conceived and formulated in the Americas, unfortunately or fortunately, they will affect us as Africans.

As Africans it is very important to have a body that is seriously looking into the aspect of governance in legislation because how do we respond to the legal instruments that are being formulated across the globe through legislative structures? We have got no choice other than to have a Parliament that represents and articulates the interest of the people of Africa. We are aware of the challenges. Challenges such as language, challenges as have been raised by, for example, Honourable Dr Kawana on the issue of Religion. These are great challenges and these are great issues that are not only confronting Africa.

The clash of Religion between Islam and Christianity is a huge topic in global politics and whether you have a structure or you do not have a

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structure, it will still be there. Therefore, it is better to have a structure in order to see how we can close those gaps and that links with the issues raised by Comrade Shixwameni and Comrade Nambahu. The issues of clashes of diversity, be it religious, cultural, ethnicity, tribalism, race and so on. These are issues that we cannot wish away in global and domestic politics and they need to be seriously debated upon. It is, therefore, good that we are having platforms such as the PAN African Parliament to discuss these issues because where else can we discuss them if we do not have platforms such as the PAN African Parliament?

I sincerely do not want to go on and on but coming from a country which is a product of African solidarity throughout, from the colonial era, to the war of resistance, to the modern liberation struggle, Namibia has been throughout a child of international solidarity, more so African solidarity. I have to associate myself with this. Initially, I did not intend to speak but as the Colleagues were speaking I found myself taking the Floor.

There are many serious issues that are of great importance. As I am concluding, issues such as the ones raised by Comrade Shixwameni and Comrade Nambahu on the issue of appreciation of Africans from the Diaspora and how they can be reintegrated here and so on. We do not need to hide or beat around the bush, if we do not appreciate one another, let us put it as a topic on the agenda that we do not appreciate one another. However, how do we overcome that, like the Honourable Speaker has said, Europe is the continent that has manufactured, not only weapons, they say - *ingenuity is a mother of invention*.

They were inventing guns because they were at war with each other. We may not have been at war as Africans in comparison to the Europeans who over the centuries massacred one another. That is maybe the reason why we ended up with *knobkerries* and *pangas*. We were fighting each other but not to the extent so advanced that we have to create weapons of mass destruction, biological weapons and so on. However, if you look at the history of Europe and the wars that they fought - they are the very same people who came to the realisation that - *this war is not a solution, let us*

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bring democracy. They, therefore, went on to invent democracy at Athens and so on, and today they are the ones who are preaching peace everywhere, however, if you monitor them, at the same time they are the people who are advanced and engaged in many wars across the continent. Africans we are nowhere, but it is for us Africans to realise that we have either been used through tribalism, through ethnicity, through racism to hate one another. Can we stop hating one another and like one another? It is perhaps through platforms like the AU (intervention).

HON SPEAKER: Honourable Nambahu.

HON DEPUTY MINISTER OF JUSTICE: Honourable Speaker, may I ask Honourable Kazenambo a question?

HON KAZENAMBO: Yes, please.

HON DEPUTY MINISTER OF JUSTICE: Honourable Kazenambo, you are touching a very important point. Until such time that the divisions, disenfranchisements and all that are seriously addressed I do not see many Africans in the Diaspora coming home.

Are you aware that when you are in Washington DC, there is a place called Adams Morgan, where there are a lot of Ethiopians who left Ethiopia after the fall of Mengistu Haile Mariam. These people did not leave their country because they love the West or they liked to go out, it is because there was clear ideological, and otherwise, disenfranchisements of these colleagues and these are highly qualified professionals. You will

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find some of them driving taxis in these countries now. If these issues are not resolved, what are you going to do? Even if you call the loudest, at the top of your voice for these people to come back when the conditions on the ground are not created for these people to be appreciated in order for them to make a meaningful contribution, do you think it will happen?

HON SPEAKER: Thank you. Comrade Kazenambo.

HON KAZENAMBO: Thank you, Comrade Tommy Nambahu for asking that question repeatedly. You are asking it from the bottom of your heart and you are very concerned.

You know I come from different backgrounds and one of my new backgrounds is to build houses. I realised that when you are building, even when you are plastering the house, the cement or the mortar falls (interjection) yes, *omunoko*, it continues to fall and you have to pick it up until you perfect it.

Some of the experts in management or psychologists have got a common saying that says that - *we are the leaders that we have been waiting for*. When we were under colonialism, the leaders which Africa was waiting for emerged in the form of Kwame Nkrumah, Sam Nujoma, Agustino Neto and the list goes on. I sometimes sit and wonder, how did they manage to understand one another, even to just start communicating, how did they overcome it? Some were speaking French and African languages while others were speaking English and African languages. Even Samuel Maherero, what language was he speaking when he landed in Botswana with a bunch of refugees? He could not speak in *Tswana* but they overcame those challenges because they had a vision and a mission.

Therefore, *we - me* and *you* are the leaders which Africa is waiting for. It

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is not the Nujomas of this world, the Gurirabs of this world, the Katjavivis of this world but it is me and you, Nambahu and Shixwameni (intervention)

HON PROF KATJAVIVI: It was never my intention to disrupt the Honourable Member, but as the discussion is going on - what languages were deployed in the past for African Freedom Fighters to communicate or people who were fleeing from injustices, from occupation across the deserts, and I particularly remember the conversation as recorded by historians with regard to the arrival of Chief Samuel Maherero in what is now called the Republic of Botswana.

Yes, Honourable Kazenambo is absolutely correct that these people were not able to communicate in the local languages, but what I would like to add to that particular story is the fact that our brothers and sisters in the then Bechuanaland knew about the conflict that had taken place in these part of the world. They were almost aware about the fact that people from this country were fleeing across the Kalahari Desert and Samuel Maherero, when he arrived there he reported to the emerging British authority and spoke to them and talked about the fact that –and this is interesting, that his father used to communicate with Queen Victoria. Underscore the ties between his father as a ruler in this part of the country and Queen Victoria.

When he went to speak to the Batswana Chief he recalled a similar historical link between his father and the Batswana Chiefs at that time. However, the point I want to really underline is this; it is for that reason that the Namibians who fled and arrived in Botswana land were accorded special status. They were never regarded as refugees because of the deep understanding that prevailed at that particular time during our history.

I think those are the things that Honourable Kazenambo was driving at, that sometimes people can communicate without necessarily

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understanding every line of the language. There are certain sentiments that are much deeper than the actual clearly articulated way of communicating. Thank you.

HON KAZENAMBO: Thank you for that informative contribution and for providing an answer to Comrade Nambahu's concern.

I would also like to attempt answering your concern along those lines that I am most sincerely sharing your concern and the issue of the Comrades in the Diaspora was also repeatedly articulated by Comrade Shixwameni.

I was saying that in Africa, we are the leaders. The rank of the leaders that starts from our forefathers coming to the new leaders who are sitting amongst us here. It is a matter of how to get the legacy from them and the legacy is rich, especially in this country. It is here! It is not rich materially but the legacy of PAN Africanism, the legacy of sacrifices, the legacy of commitment and taking risks for the better is here. You do not need to go anywhere, it is still alive here. Who are the leaders we are waiting for? The Kazenambos are the leaders - I may not be there personally, I am referring to the generation, that these generation need to take the issues of Human Rights seriously.

We do not need to wait and we do not need to ask permission from anybody when it comes to the issue of rights because our forefathers and our current leaders never asked for permission from anybody when they wanted this country to be free. We do not need to ask for permission from anybody when we want African integration.

HON SPEAKER: Yes, Honourable Shixwameni.

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HON SHIXWAMENI: May I ask My Brother and Comrade there a small, little question?

HON KAZENAMBO: Yes, Sir.

HON SHIXWAMENI: Honourable Kazenambo, talking about Diaspora and welcoming other Africans back to the African continent, I am reminded about an article that appeared in one of today's newspapers that Namibia is unable to grant, what do you call it, is it *residenceship* for those African brothers from other countries who are gay.

How do we deal with this thing of being African and having also accrued cultures from other countries? How would we welcome them because I know quite many African experts in the Diaspora who have gone to either being lesbians or gays, not all of them, how would we break that ice, in your conceptualisation?

HON SPEAKER: I thought we were talking about the PAN African Parliament?

HON KAZENAMBO: Yes, on the PAN African Parliament and welcoming the Diaspora or African integration, I did not read the concerned article, but I was saying that if it is a question of Africa I will answer you. If it is a question of Africa developing its capacity, if it is a question of Africa embracing one another, if it is a question of Africa creating an environment I will still answer the two questions, but through this way Africa should not be found wanting and this continent is on the

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move. This continent is a continent on the move from the time of colonialism, to the era of liberation, to the era of One Party States, to the era of non-existence of structures, to the existence of structures, to an Africa that is perhaps 99%, if it is not 100% peaceful, Africa that is democratic, Africa with structures such as SADC, NEPAD and the Pan African Parliament. This Continent is on the move and any continent that is on the move, just like Europe has been on the move from the civil wars to the world wars, to democracy, peace and to the establishment of the statute of Rome, to the EU and so on, Europe has been on the move. Africa is on the move.

In fact, many Africans are coming home and we still have challenges here and there, great challenges. We are echoing these concerns and it is for me and you to jealously guard this environment that this environment should not go backwards and it should always go forward. However, languages are there, just like the Speaker has said, in the European Parliament. Even here, they have an office and they have built their structures. Today we benefit from this EU, even our Parliament is sponsored through these EU Programmes. This is what we should envy, this is where we should aim that, let us resource the PAN African Parliament, let us resource African structures, people have resourced them. Let us address all that.

Our people here should not feel alienated that, when I find myself somewhere in Rundu or in Kavango, because Shixwameni is APP, he is not my friend. No, he can remain APP and he can remain RDP but he is my Leader. When I see Comrade Nyamu, to be honest, I will sleep peacefully with him compared to some – I swear *otja tjeri mo RDP nao* (*the way he is in RDP*). He is RDP now, but he is at least the devil I know compared to some devils that I do not know. I will thus sleep more peacefully when I am with him because I can say *he is really Comrade Nyamu*, do you mean RDP has changed him to an extent that he can kill me? People differ from person to person because even within certain same organisations today, we are more enemies than anybody else is.

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However, I just wanted to say that hatred even hate in other Africans (intervention).

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: Honourable Speaker, may I ask Honourable Kazenambo a question?

HON KAZENAMBO: Yes, please go ahead.

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: Honourable Kazenambo, you speak good English, so when I listen to you, I listen carefully. Can you please tell me and the public out there about the meaning of the word *Comrade*, what is the meaning of that word? Thank you.

HON KAZENAMBO: Thank you for asking me this question. In the simple English Dictionary, a comrade can be somebody you are together, he/she is your partner either you share certain values, someone that you are pursuing a certain goal or certain interests with and so on, or your friend. It is defined within those lines. It can also be a Member that belongs to the same Party or Association you belong to.

The word *comrade* is a generic term, it is very generic in nature - you can be my comrade in the same Party but you are a rightist or you may be coming from the left while I am coming from the right. We are from the same Party because we are in a *Broad Church* but our ideologies are always clashing because you are a capitalist, a materialist while the other one is a non-materialist.

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However, from a partisan point of view, Comrade Nyamu will not be my Comrade when we are campaigning out there. I am going to campaign outside for the annihilation of their Party, it is politics, I am going to do that. The word comrade is not narrowly defined.

You cannot tell me that Comrade Hidipo Hamutenya is not my comrade, it depends how. You cannot tell me that Comrade Shixwameni whom I have suffered with is not my comrade today, he is not my comrade when we are talking from an APP perspective but when we are talking about the things that we have plotted together, some of these things, I will not plot with some new SWAPO Party Members today because I do not trust them and they do not trust me. Let us call a spade a spade. Why do we pretend? They do not trust me and I do not trust them while we are in the same Party.

Perhaps from an ideological perspective, I cannot plot with Comrade Nyamu or Comrade Hidipo Hamutenya but I cannot call Honourable Kaura a *comrade*, I will say Honourable Kaura. I have never shared with him, however, he is more a relative, tribally and even biologically to me but I will eat food with him. Today I will suspect him if we are playing partisan politics, but I am what I am my dear because through SWAPO, Comrade Hidipo Hamutenya sent me to the university and through SWAPO not through RDP. Therefore, the word *comrade* is a generic term, that is why he is a veteran through SWAPO and not through RDP. Through RDP he will not qualify and I would not agree for him to qualify. (Intervention)

HON SPEAKER: Honourable Deputy Minister.

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: Honourable Kazenambo, Point of Information. When you are talking about *comrade* or referring to that word, particularly in Kaoko,

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the people who do not understand English will think you are a member of the people who ran away, especially when you are referring to people who are out of the SWAPO Party.

When you talk about Comrade, talk about Comrade Kawana, for example, and when you refer to those people say - please say *colleagues* - I want you to come back to SWAPO and then I call you Comrade.

I am referring to the public out there, particularly people from the Regions where you biologically come from – Kaoko, because they do not know the proper meaning of the word *comrade*. Thank you.

HON KAZENAMBO: Yes, I agree with my Mother because this word in many languages goes like that.

HON SPEAKER: We have moved so far away from the PAN African Parliament.

HON KAZENAMBO: Yes, it is because of these questions. Anyway from my language - *Omukwetu* (intervention).

HON MEMBER: You preached for two hours.

HON KAZENAMBO: I am concluding, *Omukwetu*, it is just how you understand Comrade - *Omukwetu*. *Omukwetu* is a generic word.

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Mukwetu mekondjo, some people when they say *mukwetu*, if Comrade Ngatjizeko, for instance, says *mukwetu*, you find a person fighting and you ask – *mbuae omundu ueku tjitivi? Omundu ngui ongu mendjiraere kutja mukwetu?* It is because of certain things that you will say this person is saying *mukwetu* to me but in normalcy, it is a generic term. That is my understanding of it.

The people in Kaoko should not be worried. I know some of my Comrades will start to saying - *you see he says Honourable Hidipo Hamutenya is a comrade*, that boy is a reactionary - *I know he is a reactionary, he is a confused element* and it is maybe for those who are confused, I am not confused - I know and I am not a pretender. I am not a pretender, when I am in Europe I know that I am an African (intervention).

HON SPEAKER: Honourable Kazenambo, I understood what was on the mind of the Honourable Deputy Minister of Gender Equality and Child Welfare.

HON KAZENAMBO: In conclusion, I was saying that Africa has moved on. We need to resource it, just like all the people were saying here including Comrade Nahas Angola.

I was moved when Comrade Deputy Speaker said that Nigeria ensured that 1% from their oil resources goes to ANC and SWAPO. I can tell you that it is the spirit of solidarity. When we were students in Botswana there was a gentleman called Mr Kalinda, UN Commissioner for Namibia in Francistown, when we used to demand money from that man, we used to demand and frustrate him worse than we would do to our own parents but we used to look at him as our parent. We were parented by other Africans and that is why the spirit of PAN Africanism should always be

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the first in Namibia. We are coming from there.

In conclusion and finally on this Article that was referred to - we do not need to curse ourselves, this country of the Nujomas and the Pohambas, when it comes to commitment to Africa we have kids who have died in the DRC, in the name of PAN Africanism.

The Ministry of Justice today employs many Africans, I mean you go to the Ministry of Justice, you will find them there, judges from other African countries. Why would we like to shoot ourselves in the foot, trying to be anti-African when we are not? Everywhere in any system there will be elements who will be xenophobic, who will be racists, who will be tribalists but Namibia has so far committed itself in every step and every inch to PAN Africanism and the African course. Let us stay the course. With this, I support the Report.

HON SPEAKER: The discussion was intended to focus on the Report before the House submitted earlier by Honourable !Nawases-Taeyele and the Deputy Speaker kick started that discussion.

For the last two hours and more, we have been dealing with irrelevancies. Parliament is the House of *blabber* but not that way. Honourable Shixwameni you had your chance unless you (*incomplete*).

HON KAZENAMBO: He wants to add to the irrelevancies.

HON SPEAKER: You had your chance and it is open for others to contribute.

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HON SHIXWAMENI: No, I just want to say a few words. I would not have liked to let the Debate pass on the Report. I fully support the Report and its recommendations.

I would just like to simply echo the issues that have been emphasised in terms of resourcing our institutions. Just as we resource our institutions at national level, I would like to throw my full weight that we support the PAN African Parliament fully and urge all African States, in the spirit that the Honourable Nahas Angula mentioned that we should be able to contribute to the sustenance of this very important institution of our continent.

The second thing that I want to say is, incentivising the Africans in the Diaspora. As the questions have been thrown around here without incentives Africans in the Diaspora would not be able to come back. We should be able to find a way of how we can incentivise them to come. Maybe not all African countries will be able to do that, but at least remember the Debate of the doctor who is the Assistant Dean and the Faculty of Medicine, but that should be water under the bridge.

We should be able to encourage African specialists, African professionals, African business people to come back to the African Continent. And that can only be done with incentives because as it has been said, some of these people, not all of them, went out because of different conditions that forced them out of the African Continent and until such time that we find a way of attracting them back to the African Continent and African countries these people might find it very difficult to find their way back to Africa.

Therefore, as a PAN African Parliament and an African Union, we need to find ways to make them come back. (Interjection).

HON MEMBER: Nothing.

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HON SHIXWAMENI: Well, I do not know yet but we need to find a way of offering them something that would incentivise them to come back to the continent so that they can contribute meaningfully to the development of Africa. I know people in NASA who are Africans, I also know people in many other international institutions who are Africans and who are doing quite a very good job, so why can we not attract them back? Salaries and benefits are always a problem but we need to work out a programme that will entice these people that Africa actually is on the move.

HON SPEAKER: Attorney-General.

HON MINISTER OF PRESIDENTIAL AFFAIRS AND ATTORNEY-GENERAL: Honourable Speaker I am sorry to interrupt the Honourable Member, but may I ask him question on that topical issue?

HON SHIXWAMENI: Yes.

HON MINISTER OF PRESIDENTIAL AFFAIRS AND ATTORNEY-GENERAL: Honourable Shixwameni, do you not think that we should maybe start with the youth of Africa who are drifting out of Africa as a result of desperation and some of them are perishing in high seas, do you not think maybe we should start there?

HON SPEAKER: Honourable Shixwameni, continue.

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HON SHIXWAMENI: Honourable Speaker, it should not be this or that way out, the two issues are not exclusive of one another. We already have expertise, professionals in the Diaspora who can be incentivised to come back. We should also find ways, of course, when we say that Africa is developing, we should be able to contain this mass unemployment levels, which also cause these young people to drift to Europe and all these other continents. It is, therefore, not a *this* or *that* issue. We should find this double-pronged approach where we still attract the professionals, the technicians and African experts in the Diaspora but also settle our own problems at home because it is true as the Minister of Presidential Affairs and Attorney-General is saying that there are many African youth who are moving out. They are moving out because of the sorry state of affairs in many countries. They are moving out in search of employment, they are moving out in search of greener pastures and all these kinds of things.

This is not a new factor but the factor that has, apart from dictatorships, undemocratic regimes and all these kinds of things, pushed out other African professionals. These are some of the conditions that pushes out these young people, so we should find a two-pronged or three-pronged strategy of how to retain Africans on the African Continent so that we can build the continent that we call ours - our Mother Continent.

Whatever we do, there should not only be one strategy, there must be multi-pronged strategies to make sure that Africa is focussed, Africa wants to deliver for her sons and daughters, that Africa is prosperous and that Africa is a continent where we can all walk tall and say - *we are indeed Africans*. We do not need to take a shaky boat ride to get to Spain, Italy or wherever in Europe. That is the most important thing that we need to do. But that is for us as Africans, starting with the PAN African Parliament and the African Union, that we need to devise strategies that retain African expertise, professionals and the youth on the African Continent. Honourable Speaker, with those few remarks, I rest my case. Thank you.

HON SPEAKER: I want to say something, but before that I want to

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apologise to the House because I am one of the culprits. This issue was settled more than a decade ago at the African Union. I was one of the Foreign Ministers at the crossing from the OAU to the African Union and five of us, I know each one of them, as Foreign Ministers at that meeting in Durban, proposed to our leaders to provide for the Diaspora as the sixth region of Africa and that was now more than a decade ago - for the Diaspora to be the sixth region of Africa. It was around that time that I moved from Foreign Ministry to the Office of the Prime Minister, so I am surprised that the discussions at the PAN African Parliament are not aware of that.

The Diaspora was declared, that proposal that the five of us made as Foreign Ministers was accepted, whose idea it was originally, maybe I will tell you one day or you can guess. That is a settled issue but more than that period we were not aware of it in this Assembly of ours so there must be an eye from time to time, particularly seeing that leaders from the Caribbean part of the Diaspora are being welcomed in Addis, addressing the African Union meetings - where is the breakdown?

This is an issue that was settled, how we are able to deal with it is our fault. That they belong to Africa, that they have been provided an opportunity as the sixth region of Africa, the others being well-known five regions of the Continent, why is this still an issue? Let our people, the PAN African Parliament prove me wrong.

It is an issue settled, but you can continue to talk about political issues, however, in spite of all the differences, I come back to the European Union they have overcome those things and have the economic region collectively now. With the US being biggest economy soon to be overtaken by China, the European Union as a region constitute a Bloc in the global economy.

Let us talk about what the relationship is between the PAN African Parliament and the National Parliaments. As I was interjecting the other day, we were so optimistic and so forward looking that the Members of

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the PAN African Parliament would actually be elected by the constituent countries the ways that people are being elected to their National Parliaments within five years, that is how optimistic we were - within five years.

Honourable Ben Amathila, where you one of the first ones that went to the PAN African Parliament? Yes, they were drawn from here. They were among the first Members, he was one of the first members, I remember, to represent Namibia but we were so optimistic that within five years of the founding of the PAN African Parliament, elections will be held across the Continent and Members will be elected the way that Members of the National Parliaments are being elected. I am seeing a major disconnect, a lack of continuity between how we have started and the things that I have listened to now. It seems that we are almost back to the drawing board. That is a waste of our intelligence, a waste of our responsibility that we are not aware about what has been achieved and what we should be pushing now to expedite the process. I thought I should say that.

Lastly, we had organisations, before SADC itself was created, the Southern African Development Coordinating Conference created its own Sub-bodies like the Defence one and so on. It is that body that we transformed into what is SADC today and called it a community and that even here regionally, we were beginning to act less as National States but in the interest of the larger community, the Southern African Development Community.

Those of us who were there at the beginning have failed our responsibility that we did not leave behind briefing notes for our successors. Maybe that is the mistake that we made or maybe that is where we failed but we are reinventing the wheel so many years later, that we are talking about things that were settled. Therefore, the people who will be going to the PAN African Parliament now are almost starting from the beginning, not being aware of what had transpired before. We are now debating here between the old guards and the new ones and wasting time as well as resources, instead of going forward and doing more. I thought I should say that

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and I am open to challenges, and nobody said I should not speak in Parliament. I am a Parliamentarian.

Any further discussions? The Leader of the Intelligence, Honourable Kapia. (*Laughter*)

HON KAPIA: Thank you very much, Honourable Speaker. I rise to contribute to the Debate on the Report.

Honourable Speaker, you answered one of my worries with your contribution that Namibia started very well from our Independence. Our Founding President and the leadership have decided that Namibia should hoist the AU Flag alongside our National Flag and the AU Anthem to be played with our National Anthem. I think that is a good start for PAN Africanism.

What you said, Honourable Speaker, is true. We bring ideas and then others come and undo it. That is where the problem comes. What I want to suggest is that the Members of the PAN African Parliament from the Member States be, truly speaking, elected somewhere. If they are elected from the National Parliaments, they must forfeit their positions in the National Parliament so that they can concentrate on the PAN African Parliament and work there for five years and there must be structures at country level. When they return home they should have an office and they must go around the country, informing the Nation what it is that they are busy doing there.

The problem we have is that when we go to international platforms we discuss good things there and when we come home, we no longer carry on with what we were doing there, but instead start with our own national demands or issues and then we go back again to start with those issues when the time comes. I think, if we have structures, say for example, the Namibian Parliament has a Budget Line for PAN African

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Parliament Members, so that when they come home they have cars, they can go around the country to explain and meet with the people, it will be much better because now they come here and we sit with them and we do not talk about the PAN African Parliament here. How do we make people aware? (*Intervention*)

HON SPEAKER: Honourable Deputy Speaker.

HON DEPUTY SPEAKER: On a Point of Information, what you are saying, Honourable Kapia, is exactly what is being envisaged in the proposed amended Protocol but it is stuck.

It is not the fault of the PAN African Parliamentarians continentally, it is our mothers and fathers at the AU who think that the time is not now, although the Heads of State agree to divorce the future PAN African Parliament from the National Parliament, they are saying *yes*, in that Protocol but because they did not agree on one of the provisions, the Protocol could not be implemented. Otherwise, the future young generation who will become PAN African Parliamentarians will do exactly what you are proposing should be done.

Because of that dilemma, the current one, is just like the IPU, the SADC-PF, where you come here with your Report, the Members discuss, you go for regional visits and you explain to the Constituencies what the PAN African Parliament is, but until the Heads of State decides otherwise, there will be no progress.

Even a good proposal that was made about the Diaspora, to be made the sixth region is up to the AU Heads of State to implement. We are the babies; we are the Organs of the AU. Thank you.

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HON KAPIA: Thank you very much, Honourable Deputy Speaker, Professor. What you are saying is true. I just did not want to go directly to what you have said. However, Honourable Speaker, I think the time has come for our Government Officials and Ministers of Foreign Affairs to at least advise our Heads of State when they go to the AU because I know that the African Heads of State always talk about Africans in the Diaspora, African Unity and all these things and this even includes the Pan African Parliament. However, the problems come when it comes to the implementation part.

I think we must just advise our Governments and remind them of what we signed for and what we agreed to (intervention).

HON SPEAKER: Honourable Minister, Dr Iyambo.

HON MINISTER OF VETERANS AFFAIRS: On a Point of Information, but I am actually seeking information.

Who is supposed to advance the idea for the Heads of State to look into what they have agreed to earlier that it seems it is not making headway? I thought – is it not perhaps appropriate that the Pan African Parliament can approach the AU Commission so that they can advise or approach the Heads of State to say that – the African Parliaments brought this concern to the Headquarters and that concern should then be carried on to the Heads of State when they have their Summit or even before that?

Otherwise, I can see we are debating it here, well and good, but in the end how should we move forward because the Heads of State, in my view, need to be made aware perhaps? I am trying to seek guidance here.

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HON SPEAKER: Continue, Honourable Kapia.

HON KAPIA: Thank you very much, Honourable Minister. It is true that is one way of making sure that this information is understood.

HON SPEAKER: Honourable Deputy Speaker, sorry.

HON DEPUTY SPEAKER: On a Point of Information, I just want to respond to the Minister of Veteran Affairs, through you, Honourable Speaker.

This is exactly what the Leadership of PAP has done since 2012. The President for that matter, has travelled, and of course, he cannot see all the Heads of State in Africa but he has sensitised a lot of Heads of State concerning this. He was also here in Namibia and has seen our Head of State concerning that.

Since the PAP is one of the organs of the AU, whenever they have a summit in Addis, the PAP is there. I recall in 2012/2013 we went there and sensitised even the Ambassadors based in Addis. We selected those Ambassadors whose Member States are a little bit uncomfortable. The PAP President went there and echoed the sentiments of the PAP, he actually sensitised. We have done a lot. It is a pity that time could not allow, otherwise, that small piece of paper called the *Aide-mémoire* explains more. He did sensitise where possible and we hope that during the Malabo we will see it through.

We sensitised the Commission, fortunately I have to say here that the current AU Commissioner, Dr Zuma helped us a lot to even make the

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current Foreign Affairs Ministers understand the need to give PAP legislative powers because during January Summit, the AUC organised a retreat for all the Foreign Ministers concerning the AU Agenda 2063 and during that retreat he made them understand the need for that.

HON SPEAKER: She?

HON DEPUTY SPEAKER: Yes, she made them understand the need. Yes, we are doing exactly just that. Thank you.

HON KAPIA: Thank you very much, Honourable Deputy Speaker. I know I met with the President of the PAN African Parliament here in our Parliament and he was doing just that but (intervention)

HON SPEAKER: Honourable Nujoma.

HON MINISTER OF JUSTICE: On a Point of Information, I just want to confirm what the Honourable Speaker said here.

It is true that for the people in the Diaspora, the African Union has declared a sixth region. The people of the Diaspora are now part of the sixth region and they participate. I recall all the AU Summits, there was the Prime Minister of Granada who came to address the AU Summit in Malabo.

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Then the last Summit in 2012, I think it was the Prime Minister of Jamaica, a lady. I think Honourable Loide will recall that the lady from Jamaica addressed the Summit at the AU and we were together with you. Therefore, they are fully participating in all the events of the AU as far as I know. Conferences are also always organised. I think last year or the year before, South Africa hosted the Diaspora Conference and then there was a Diaspora Conference at the United Nations during the General Assembly (intervention)

HON SPEAKER: I missed that.

HON MINISTER OF JUSTICE: No, it is fine. I just wanted to confirm what the Speaker said, they are now fully participating at the level of the Heads of State and they address the African Heads of State at every Summit. They are always there, so on that score, we are on the right course.

HON KAPIA: Thank you very much. Honourable Speaker, what the Report is looking for - I think from our side as a country and as Parliament we are fully supporting the idea and we really want the Heads of State Summit to discuss and agree so that what the PAN African Parliament wants to be done, must be done, so that when the PAN African Parliament becomes a fully fledged African Parliament, it will also help SADC and other groupings to realise their dreams and not only to have this SADC Parliamentary Forum or what have you, as just a Forum. However, we are progressing, provided we are not being influenced by external forces.

We must really interrogate, analyse and know what we want as Africa. As

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much as we want to resource the PAN African Parliament, SADC Parliament and others, we must also make sure that our agenda is our own agenda as Africa and then we can meet with the European Parliament somewhere with our agenda and they bring their agenda, rather than this thing of coming up with a good idea and then they come with their money to dilute our good intentions or whatever we want. That must be prevented at all costs.

I do not see the realisation of NEPAD and it is just because of the same thing, problems started since we were unable to resource it ourselves from day one. It was a very good initiative from day one, however, because we did not come up with resources during our planning stage but first came up with the idea and started thinking about resources afterwards, we made our mistakes there.

HON SPEAKER: Honourable Shixwameni, you have been dominating, you have been an active participant let the others have an opportunity to speak.

HON SHIXWAMENI: I just want to ask the Honourable Member a question.

HON KAPIA: Yes?

HON SHIXWAMENI: I am interested in PAN Africanism and I am an international (intervention).

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HON SPEAKER: We all are, but others also want to contribute.

HON SHIXWAMENI: Yes, I just want to ask a question. Honourable Kapia, my Brother and Comrade, how much will it cost for all African countries to start singing the African Union Anthem? Will it really need money for all African Countries to sing the African Union Anthem?

HON KAPIA: Thank you very much. Honourable Speaker, on the details and the knowhow, there are people who are supposed to do that.

We are saying, let us encourage our skilled people to remain in Africa and assist the continent as well as come up with strategies on how we can resource our institutions, be it human or financial resources. I believe that that can happen, it is not a problem.

Comrade Speaker, what I want to say is that I fully support this Report. We really have to lobby for the realisation of the African Parliament and all the things that come along with it. Thank you very much, Honourable Speaker.

HON SPEAKER: I do not know whether I should revert the Floor back to the Honourable Deputy Speaker. Chief Whip?

HON PROF KATJAVIVI: Honourable Speaker, thank you very much for giving me the Floor. If there are no other Members who wish to take the Floor, I have been requested by the presenter of the Report or the Mover of the Report to postpone the Debate to allow her to respond to the

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various questions, hopefully next week.

In view of her absence from the House, she asked me to kindly provide the House with the necessary responses to the various questions asked by the Members and I will be more than happy to do this, sometime next week, Tuesday. Thank you.

HON SPEAKER: Thank you very much. Honourable Kawana are you rising on the same point?

HON MINISTER OF PRESIDENTIAL AFFAIRS AND ATTORNEY-GENERAL: Honourable Speaker, yes on the same Report I was just skimming through, since we just received some of the proposed Amendments. May I beg the indulgence of the House to adjourn the Debate to Tuesday, next week?

HON SPEAKER: Very good. Any objection? So Decided. The Secretary will read the Third Order.

**RESUMPTION CONSIDERATION OF THE REPORT
ON PUBLIC HEARINGS AND THE PETITION BY THE
NAMIBIAN TRANSPORT AND TAXI UNION**

SECRETARY: Resumption of Consideration of Report on Public Hearings and the Petition by the Namibian Transport and Taxi Union.

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HON SPEAKER: When the Debate was adjourned on Thursday, the 10th of April 2014, the question before the Assembly was a Motion by Honourable !Nawases-Taeyele that the Report be adopted.

Any further discussions? Honourable Nujoma.

HON MINISTER OF JUSTICE: Thank you, Comrade Speaker. First of all, I would like to thank Honourable Taeyele for moving this Report on Public Hearings and Petition by the Namibian Transport and Taxi Union.

Comrade Speaker, I read through the Report and I also listened to the comments of the other Honourable Members and I think the Report is good but it is not comprehensive. I think that we need to have a reconsideration, perhaps the City of Windhoek together with the Ministry of Works and Transport should come up with a Master Plan as to how we should deal with these issues of taxis on our roads.

When I was listening to Honourable Kaura, he mentioned that everywhere in the world where you travel to, whether it is London or New York or Beijing taxis can drop people off everywhere (interjection) no, you have not travelled, I have travelled and I am confirming what I know. What I know is that even in New York, you can take a taxi and it can drop you in front of our Mission in New York – they do that. In Moscow, they can drop you in front of the Namibian Mission in Moscow. I think the problem here in Namibia is basically the narrow roads that we have.

In New York, you possibly have three traffic lanes, three lanes this side and another three lanes coming that side or four lanes and that is why there is a little bit of manoeuvre for their cars, or even one way traffic, that is how they do it in the big cities. They divide their roads in one-way and the other road is the other way, that way you can manage the transport. That is why I am mentioning that it is important that we need to device a Master Plan so that we can use, for example, Independence Avenue as a

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one-way, where traffic is going in one direction only. That way you will be able to manage but if you have all the taxis in a narrow street like a two lane and you have again to stop taxis all over, you will create chaos which you cannot manage and that is why they have considered the other street, what do you call it now? The former Tall Street – I think it is Werner List Street now. You will really get mad when you go to that street. I always travel on that road and I know what the taxis do, so there is a lot of chaos. The best way to deal with this Report is, I think, to leave it to the Ministry of Works and Transport and the City of Windhoek to come up with a Grand Master Plan as to how we should address this issue on a short-term and long-term basis.

The other street, the Werner List Street, has brought some relief. As it is now it is chaotic, but it is better than it was before because of the narrow streets we have. I will agree that we need to really look at coming up with a Master Plan because the situation, as it is now, is based on the old dispensation, the colonial type, where people were coming from the location to the city work and as a result all these mini buses would come to the city and cause congestion. That is the basic problem.

We, therefore, need to re-devise the whole strategy and find a new way as to how we will address this issue. It is also not fair to say that, if the City of Windhoek wants to introduce buses, they should be prevented, why should they be prevented? Let the taxis and the buses compete, we are in a free market economy. Let the best service win! If the buses provide the best service, let the buses be allowed because it is the commuter who pays at the end of the day. I must choose where I get the best service.

The other issue that I see here is that the Report is stating that all the taxi licence holders must be re-registered. Why? Why can the people who are having taxi licences not apply for license discs? That is one of my arguments with regard to this, but I think we need to really plan and not look at the old dispensation as the only solution. Let us come up with new strategies.

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HON TJIHUIKO: On a Point of Information, Honourable Speaker. The recommendation that the taxis must be re-registered came from the Sector itself because they were saying that there are so many pirate taxis. Anybody can buy a car and put these big numbers on it, there is no control, that is the reason why they were saying that we must start from scratch. They went to the extent of saying that there must be a sticker with the name of the owner that should be displayed on the window of the car so that they can get rid of pirate taxis that just come in overnight. That recommendation comes from them.

HON SPEAKER: Honourable Nujoma, continue.

HON MINISTER OF JUSTICE: I am not convinced by that argument because there are implications if you deregister a person who has already applied and is having a license. If he is having a license, I am not talking about the pirates, I am talking about the license holders, they have entered into an agreement with the Ministry of Works and Transport and these taxi licenses are applied for. You have to apply and a lawyer has to represent you in order to obtain that license. Once a person has obtained that license, he can easily just apply for the disc again. What is the problem with that because then it will eliminate the pirates?

HON SPEAKER: Yes, further clarification.

HON TJIHUIKO: I do not know what the Minister is referring to. In the recommendation at 4.5, there is no deregistration of taxis but re-registration of taxis, therefore, no taxi will be deregistered in order to

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reapply again, it is a question of having a license and what you need to do is to re-register it so that you can have the sticker on your car. Therefore, the license that you have would not be cancelled. It will still be valid, the only difference in the recommendation was that we should re-register the taxis so that the Taxi Industry can have control on the number of cars and owners in order to protect the lives of people. That is the recommendation from the Taxi Industry itself.

HON SPEAKER: Honourable Minister?

HON MINISTER OF JUSTICE: Well, I thought it is another bureaucracy because if you have the license why can you not apply for the new disc, which is required instead of re-registering again? You can just apply. We just tell the owners to apply for new discs and they do it. You like bureaucracy and then these people will end up queuing there and cause chaos again, no. Let us do things the easier way. We are serving the people so let us make things easier for them and not complicate matters.

With those few comments, I think I have made my contribution.

HON SPEAKER: It was my mistake. Honourable Shifeta, let us continue where we stopped.

HON DEPUTY MINISTER OF ENVIRONMENT AND TOURISM: Thank you, it is my Floor now. Thank you, Comrade Speaker. I just wanted to start where I ended. (Interjections) no, not to conclude. I have to take my time.

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HON SPEAKER: Carry on.

HON DEPUTY MINISTER OF ENVIRONMENT AND TOURISM:

Yes, I ended at the point where I was narrating a tale and I was saying, especially on the recommendation 4.3 that, the Committee has recommended some measures to be taken. I was just saying that, maybe we have to revisit the matter of drivers who are driving public transport. If you look at the number of public transport vehicles, they constitute probably less than 10% but when you look at the accidents on our roads they are proportionate because you will find that there are more public transport vehicles that are involved in road accidents than private vehicles.

First of all, of course, their duty station is on the road but again it also gives an indication that there is no match between practical driving and the theoretical understanding of the road signs and road conditions. Many of them do probably not respect the signs or some of them had not gone through some of these tests.

Last week, immediately after this Motion was tabled here, on Friday there was an article in the Namibian which read that - *ACC Uncovered a Scam of Officials Selling Licenses* and again on Monday it came out that there were some indications that about thirty licenses were sold, this year only. If you look at the number that has been discovered, of course, after they have done the forensic investigation it ties in exactly with what I was saying that some of these licenses look valid on the face of it, but then they were issued under fraudulent procedures. A license will look like yours and mine, there will be no difference until you follow some authentication exercise in order to establish the validity of that license. It means that the net was loosened and there are now many license holders.

HON SPEAKER: The two Senior Ministers, I know you are whispering

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so you are not interfering but I want you to listen and participate.

HON DEPUTY MINISTER OF ENVIRONMENT AND TOURISM:

That also shows that the net was loosened and some of these people went through the net without having been tested. I can reasonably conclude that because I said that I tested five taxi drivers and one of them was even arrogant saying, *no I have been driving for more than thirty-five years* but I wanted that person to answer in his native language, just to give an explanation as to what these road signs mean. He could not even explain the *yield* road sign to me. For him, it meant that one must drive, which is the opposite of stopping and he was telling me that he has been driving for thirty-five years. I said I will not give him my vehicle because he does not understand the concept at all if he cannot explain in his own native language what the yield sign means. Further than that, he could also not explain the barring line, that white line there, he said – *no, this is just a sign that shows you the way so that you cannot miss the road*. Those are just simple road signs to understand but very important.

My reasonable conclusion is that we have so many people out there who have passed through the net without proper testing, especially the theoretical part of it because you can practically know how to drive and how to manoeuvre the vehicle but it has to go concomitantly with the theoretical part. If one cannot explain the road signs and road conditions, like if you were confronted by certain road conditions, what you will do, it only shows that there is a high probability that that person has not gone through the theoretical test.

I think what I have said here and what we have also read in the newspaper - the article that I just referred to, gives us an indication that there are probably so many license holders who have acquired these licenses through fraudulent means. They bought them and therefore, some of them could not even go through either the theoretical nor practical test and this can make me conclude that there is a kind of collusive element because

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the person who tests you, whether theoretically or practically is not the same person who issues the license, there are different people involved, however, that gives an indication that there should be some kind of a syndicate that - *all of us should do this* and that could cause a high degree of danger on our national roads, especially when it comes to long distance drivers.

Sometimes you are in the car driving at a speed of between 130 and 140km per hour but then you find a twenty seater minibus overtaking you just like that and that twenty seater is supposed to drive at a speed of 100km per hour which is the permissible speed, but it overtakes you as if you are driving a bus or a lorry. It just overtakes you with its trailer.

I am going to propose that those repeat traffic offenders should be retested. I am not talking about offenders who park their car in the parking lot and find a ticket there because the time expired due to you probably not estimating their time correctly, I am talking about real traffic offenders who repeatedly commit traffic offences. They should be retested so that at least they go and learn. That should be one of their punishments and I think we can work it out in our (intervention).

HON SPEAKER: Point of Order, behind you.

HON DEPUTY MINISTER OF JUSTICE: Can I ask the Honourable Member a small question?

HON DEPUTY MINISTER OF ENVIRONMENT AND TOURISM:
Yes, even a big one.

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HON DEPUTY MINISTER OF JUSTICE: Even a big one? Honourable Shifeta, I am perplexed by your definitions of the Yield Sign, the Stop Sign and all that, I was equating it to something I saw; Mr Bean was asked to define a dog and he just said it is not a cat. He could not give the definition of a dog but just said it is not a cat.

Now, your definition of a school you will find people parking and reversing there and it is defined as a driving school. Do you not think that there is something missing there? Which taxi driver in this country have you ever found opening a door for you to get out of the car like we see in other countries? Do you not think that maybe that school needs to be redefined and then be given another meaning so that a proper school that actually makes a person more comprehensive is put in place and regulated? Or do we just say it is not a cat and then the definition is complete?

HON DEPUTY MINISTER OF ENVIRONMENT AND TOURISM: Yes, Comrade, my Learned Friend, it is true. We have to think of probably overhauling our system so that our drivers understand the concept. You must understand the concept so that when you are driving and are confronted by a certain road condition or when you see a road sign you understand exactly what it means, you conceptualise it. Not only to understand that this sign says stop but what it means exactly? Like the Yield Sign for instance – what does it mean? It means that you must give a right way of way to other drivers.

I was just saying that we probably need to see how we can really do something to retest offenders because some of them would have already gone through the net since the net was loosened. How do you get these people who have fraudulently acquired these licenses that are today called valid licenses? Therefore, even if you do not confiscate or endorse them, at least the offenders have to go through retesting if they repeatedly commit traffic offences. I think it can work that way. We can catch out

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some of them who were fraudulently given these licenses.

Comrade Speaker, the other part I wanted to touch on is Recommendation 4.6, which is very important, especially the issue of interpreting the concept of an independent contractor. It is good but when it comes to taxi drivers who work on commission that is where perhaps we need to have that but practically, even if you get it, the interpretation can be done by the Courts. The taxi driver here gets a commission and their salary is according to what they have worked for. If it is 30% of the entire monthly income and you brought in N\$1,000.00 you will get N\$300.00. If you pay a fix salary to that person he will sit at the bar the whole day and come to you and tell you that; today I have only managed to bring in N\$50.00 for the whole day.

It becomes practically impossible to have a fixed salary for a person like that, unless they are long distance bus drivers who are given people to transport to specific destinations – that is easy. However, if you give a person a vehicle and tell him/her to look for passengers, that person becomes independent because he/she controls himself/herself. What is expected of that person is to give me money on a daily basis and note how much he/she brings in and that is different.

This does not only apply to taxi drivers but also to other workers because some employers feel comfortable when they allow a person, even a domestic worker to be kind of defined as an independent contractor. *You come to my house four days a week, you wash my clothes and you clean my house or whatever you do, as long as it is for a period of four days, you are independent, I am not going to supervise you.*

The tricky part here in our Law, especially our statute, the *Labour Act* of 2007 does not define independent contractors. It only defines the employee. An independent contractor does not deserve to be treated as an employee because you cannot protect that person when it comes to labour matters. Whatever that person does he/she does on his/her own, but I think it is very important that when we talk about this we should not only to talk about it in terms of the taxi drivers but there are so many

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workers today who are employed under the pretext of independent contractors while in fact, they are not supposed to be. I think it will also help other workers who are in that category.

With this, Comrade Speaker, I once again support the Motion.

HON SPEAKER: Thank you. Comrade Iilonga.

HON DEPUTY MINISTER OF DEFENCE: Thank you, Comrade Speaker and Comrade Shifeta for delaying me deliberately. You looked at me and laughed. (*Laughter*)

Now, on a serious note, Comrade Speaker, thank you very much. I rise to make my contribution on the Report of the Parliamentary Standing Committee on Constitutional and Legal Affairs. On the importance of this Report, I am going to mention things, which were never mentioned by many of the Comrades and Speakers who spoke earlier.

I will start with where Comrade Shifeta stopped, on the issue of commission. Commission is one of the problems why our taxi drivers are so harsh because they rush to make more money, especially when they have to record what they generate. That is one of the reasons why our taxis are problematic.

Yes, I have maybe not really travelled much but I did travel and I know the order. We forget that the Taxi Industries in the countries referred to here, do not receive money the way our taxis are receiving money. Our taxis want to have five passengers in order for them to drive while taxis over there do not depend on four people or one in front and three behind in order to drive because it depends on meter readings. Those people

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call. *Iyaloo*, I end with – *those people call*. (Intervention).

HON SPEAKERE: Yes, you will be the first speaker when we resume on Tuesday.

HON DEPUTY MINISTER OF DEFENCE: Thank you.

HON SPEAKER: Deputy Prime Minister, will you adjourn the House for us?

HON DEPUTY PRIME MINISTER: Comrade Speaker, I Move that the House stands adjourned until the 22nd of April 2014, at 14:30. I so Move.

HON SPEAKER: Next week Tuesday?

HON DEPUTY PRIME MINISTER: Next week Tuesday, yes.

HOUSE ADJOURNS AT 17:45 UNTIL 2014:04:22 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
22 APRIL 2014**

The Assembly met pursuant to the adjournment.

HON SPEAKER took the Chair and Read Prayer and Affirmation.

ANNOUNCEMENT

HON SPEAKER: The Business of the House is called to Order. Before we attend to that Business, I have the honour to inform the Honourable Members about the presence, in the gallery, of 32 students from the UNAM Khomasdal Campus' Students Parliament. They are here on an educational tour of the Parliament. You are welcome. You look better attired than the Speaker.

Any Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Notice of Questions? Notice of Motions? Ministerial Statements?

The Secretary will read the First Order.

**RESUMPTION OF CONSIDERATION OF
REPORT ON PUBLIC HEARINGS AND PETITION
BY NAMIBIA TRANSPORT AND TAXI UNION**

SECRETARY: Resumption of Consideration of Report on Public Hearings and the Petition by the Namibian Transport and Taxi Union.

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HON SPEAKER: When this Debate was adjourned on Thursday, the 15th of April 2014, the question before the Assembly was a Report by Honourable !Nawases-Taeyele. The Honourable Deputy Minister of Defence was initially protesting saying that he was delayed. You now have the Floor and ample time as you are the first one.

HON DEPUTY MINISTER OF DEFENCE: Thank you, Comrade Speaker for giving me the Floor to continue contributing to the Report on the Petition.

Last week before we adjourned, I was saying that the commission is one of the reasons why taxis are always in a rush. Point 4.2 of the Recommendation is very important to the Urban Transport Master Plan because it will curb congestion and minimise the rush of taxis on our public roads.

Under this Urban Master Plan we would need to create routes where it will not be necessary for us to collect children from school anymore. Instead, they would be collected from bus stops near their schools. I would also like to urge both the City of Windhoek and the Ministry of Works and Transport to concentrate on those points in order to limit the rush of taxis. Taxi drivers must also be trained in social relations as well as customer service to enable them to interact with their clientele.

The other problem with our taxi system is that before a taxi can drive it has to have four passengers and by doing so, it delays the person who gets into the taxi first. We must try to change this system so that as soon as a person boards a taxi it drives off to take the person to his/her destination without waiting until it is full.

The system should be devised in such a way that it would be about distance and not necessarily about the number of passengers that one is carrying. Therefore, all the taxis must be fitted with meters in order to

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solve this problem. It has now become a matter of money and commission, everything else is disregarded. The more money I take in, at the end of the day, the more the commission I get. In other countries you call for a taxi and it picks you up when you need it, while here the taxis hunt for customers.

Honourable Speaker, with those few remarks, I support the Report of the Committee and encourage both the City of Windhoek and the Ministry of Works and Transport to implement the recommendations as soon as possible, not only here in Windhoek, but also at other towns, especially the emerging ones.

HON SPEAKER: Thank you. Honourable Peter Naholo.

HON NAHOLO: Thank you, Honourable Speaker for the Floor and for the opportunity to make my humble contribution to the issue at hand.

Honourable Speaker, I would like to bring to the attention of this Honourable House that Namibian prisons and police cells are full of taxi drivers who are unable to pay traffic fines or to bail themselves out of the prisons. It is pathetic and very unfortunate that people who are trying to make a living and are trying to make sure that they put bread on the table for their children and their families, happen to find themselves in prisons because of traffic fines. Most of the young people who are driving taxis some of whom are (intervention)

HON SPEAKER: Yes?

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HON MINISTER OF MINES OF ENERGY: On a Point of Order. Honourable Speaker, may I ask the Honourable Member a question?

HON SPEAKER: Yes, Honourable Minister.

HON MINISTER OF MINES OF ENERGY: You are advancing a point that the taxi drivers are finding themselves in jail, simply, because they were trying to put bread on the table. Do you think that it is because they were trying to put bread on the table that they are in jail? Do you not think that there is another issue, that of going against the Traffic Rules, that is the reason they land themselves in there?

Thirdly, do you not think that there are good drivers who are obeying the Rules and do not land themselves in jail? Are you now here to support people who are breaking the Law, Honourable Member?

HON SPEAKER: Continue, Honourable Naholo.

HON NAHOLO: Thank you, Honourable Speaker. I am coming to your concern. If you could just be patient a little bit I will address your concern in the middle of my intervention.

Comrade Speaker, I was saying that we have many young people some of whom are graduates from UNAM, IUM and the Polytechnic, who find themselves driving taxis. It is not because of their own making and it was not even their primary choice to drive a taxi but they are forced by circumstance to drive taxis. They are forced by the system, which has

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failed to provide gainful employment for them and we are to be blamed for that.

I will come to the Law. (Interjections) I said graduates, people who left school because they cannot find any other employment, but are forced to drive taxis. Many taxi drivers that you do not see in public any more is because they are behind bars and it is not a joke. People are suffering there. They have children and families to look after. Imagine what is happening now to their children and their dependents.

HON SPEAKER: Yes, Honourable Minister.

HON MINISTER OF JUSTICE: Honourable Naholo, is this the Policy of your Party, to promote the RDP? The Chief is sitting here. Is this the Policy of the RDP to promote lawlessness in this country?

Honourable Katali mentioned here whether you are a student or whether you are an ordinary worker you first have to go for a learner's license. If you pass it you go for the driving test and after you pass it you possess a lawfully acquired license and this requires various steps.

You need to know the road signs; you need to be a driver of good conduct. If you are driving correctly and follow the Rules and obey the road traffic signs you will never be arrested. Why should you be arrested? Do not promote lawlessness in this country. If that is the Policy of the RDP, no wonder people are leaving your Party *en masse*.

HON SPEAKER: Honourable Naholo.

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HON NAHOLO: Thank you, Honourable Speaker. That is very interesting because people are also leaving SWAPO coming to the RDP. Saturday we got 10 people from Opuwo (intervention).

HON SPEAKER: Let us stick to the Motion.

HON NAHOLO: Who left SWAPO and said - *enough is enough, we are sick and tired of SWAPO*. Is that not the case today?

Therefore, Honourable Member, I am not trying to defend lawlessness. The only problem is that you do not want to be patient and listen to what I am going to say. I am still coming to your concern and will address your concerns properly. (Intervention)

HON SPEAKER: There are two ideas on the Floor, which one are you rising on?

HON KAURA: Can I ask the Honourable Member a question? Honourable Naholo, are the people that are driving in Independence Avenue from town to Katutura the only lawless drivers in this city because Independence Avenue from town to Katutura is continuously inundated with speed traps which you do not see anywhere in the rest of the city? Are the people going to Katutura the only lawless drivers? Why is Independence Avenue from town to Katutura inundated with speed traps?

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HON SPEAKER: Yes?

HON NAHOLO: That is a good question. There must be an element of discrimination against the poor people – I think.

Honourable Speaker, if I can proceed – if you look at the Petition by the Namibian Transport and Taxi Union, the main concern is high traffic fines and this is what is causing the problem. High traffic fines is what is topping the agenda of that Petition but the main concern is that the Committee has overlooked this issue.

The massive increase of fines, which are ranging from N\$350 to N\$1,000.00, the minimum of N\$1,000.00 to a maximum of between N\$7,000.00 and N\$10,000.00, that is the cause of concern to the taxi drivers. That is why we are having strikes and protests in our streets every day because of high traffic fines. (Intervention)

HON SPEAKER: Honourable Kapia.

HON KAPIA: Honourable Speaker, the cameras on the roads in the City of Windhoek are all over. They are not discriminating. If you drive in Robert Mugabe Avenue from Bank of Namibia towards Maerua Mall at high speed you will get caught. They are all over. We must not mislead the people of this country. There are no longer speed traps, but cameras at each and every traffic light or an intersection that is crowded with cars.

We can, therefore, not say cameras or speed traps are just for Katutura people. We drive to Katutura everyday even three or four times a day

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because we live there, but we are not caught by those cameras. Therefore, we must not mislead the people by saying there is discrimination when it come to road fines or placement of cameras. Cameras are all over this city. Thank you.

HON SPEAKER: Yes, continue Honourable Naholo.

HON NAHOLO: Honourable Speaker, on the issue of cameras, people are saying they are all over but they are not saying where. The Honourable Member is not saying where but the only cameras that we see are on the main road leading to Katutura. (Intervention).

HON MINISTER OF FINANCE: Point of Order. I know the other Honourable Members who have made Point of Orders have raised very important issues, but in a country that is considered to have the highest ratio of motor vehicle accidents to the population; to have a Law making Chamber trying to belittle the importance of traffic regulation in a country where our people die on a daily basis as a result of these accidents, it is actually heartbreaking because what we are trying to tell the public out there is that Traffic Rules which are there to protect our own lives and to ensure our safety are actually a punishment to us and we should now try to look at whether these regulations are implemented in this part and that part of town.

They are there for our own protection. Can we imagine how this country would be without Traffic Rules? I think the kind of arguments like the one the Honourable Member is making should just be ruled Out of Order because they are not in the national interest.

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HON NAHOLO: Honourable Speaker, order in the House.

HON SPEAKER: You still have the Floor, Honourable Naholo, continue.

HON NAHOLO: Comrade Speaker, I think people are missing the point. I am not saying that Traffic Rules should not be there. What I am saying is that the traffic fines are very high. Imagine yourself, how can you increase traffic fines from N\$350.00 to N\$1,000.00 up to N\$7,000.00? That is madness and that is what you do not understand. I am not saying that there should be no Rules. I am saying the fines are too high.

That is why people are in prison because they cannot afford to pay those fines. Do you understand? You people are saying you drive in Katutura but you do not drive you have your own drivers who are driving you in big cars. It is not you. We are talking about taxis. We are not talking about private cars that you are driving as Ministers.

HON MINISTER OF FISHERIES AND MARINE RESOURCES:
Can I ask the Honourable Member a question?

HON SPEAKER: Yes.

HON MINISTER OF FISHERIES AND MARINE RESOURCES:
Honourable Petrus Naholo, can you tell this House how many taxis you

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have in the City of Windhoek? Can you please inform the House before you start saying the fines are too high?

HON SPEAKER: Honourable Naholo.

HON NAHOLO: I have none, not even a single one, not even my own private car. I have nothing. I am come to work by a taxi every day.

I know how it feels for a taxi driver. I know how it feels to sit in a taxi unlike you Colleagues who are comfortable from home to work and work to home but this is a very serious matter.

Honourable Members of this House, I want you to understand, I am not trying to protect lawlessness.

I am talking about the traffic fines being too high. Those are two different things, Traffic Rules and traffic fines. Maybe you are confused but it must be clear now.

What I was saying, Honourable Speaker, is that if you look at the recommendations, and this is a burning issue, the burning issue out there is traffic fines and nothing else. (Intervention)

HON SPEAKER: Deputy Speaker.

HON DEPUTY SPEAKER: I am rising on a Point of Information. I just want to know, because he said he is driving, I am also driving, if you

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happen to drive at the corner of Fidel Castrol and Mandume Street, as you turn into Wernhil Park the taxi drivers block you there, literally. You cannot get in. Are you aware of that? They block all the way through to the other side of Wernhil Park. There are taxi ranks there but they just literally block the road. You find five to six taxis that are just in the road. They cannot move up until they are filled with customers. Are you aware of that and how do you describe that? The Law should be adhered to, please. Thank you.

HON SPEAKER: Yes?

HON NAHOLO: We are talking about the same thing. We are speaking the same language. The law must be adhered to yes, of course, but you are asking me about many streets. I am a stranger in Windhoek. I do not know the streets you are talking about. Let me just carry on. Honourable Speaker, who is this one again? (Intervention).

HON SPEAKER: Stop wearing high shoes.

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: Thank you very much, Comrade Speaker for the Floor. May I ask the Honourable Member, my former Trade Unionist a question?

HON NAHOLO: You are welcome.

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HON MUHEUA: Thank you very much. Comrade Naholo maybe you are right that some of us do not understand the things that you are talking about. You could be right, but from the little understanding of what you said; are you trying to reduce or do you want this august House to reduce the traffic fines so that it becomes easier for people to offend and pay, in that way increasing the carnage on our roads? Thank you.

HON SPEAKER: Honourable Naholo.

HON NAHOLO: I think you are trying to make a very simple matter difficult, very simple but you are just trying to make it more complicated.

The issue is; understand me very well, the issue is, we have people in prison, very poor people who were just trying to make a living but they are in prison because of traffic fines. Before traffic fines were increased from N\$350.00 to N\$1,000.00 there were no people in jail. I want to ask you, who is this individual who decided to increase traffic fines? Tell me! Do you know this individual? I want to know this man or woman. When it was cheap for the people to pay traffic fines, it was not a problem. There were no strikes on our streets.

HON SPEAKER: Deputy Minister of Defence.

HON DEPUTY MINISTER OF DEFENCE: Comrade Speaker, on a Point of Information. Honourable Naholo wants us to reduce the fine for lawlessness to take place easily. Honourable Naholo, Recommendation 4.3 reads as follows:- *road users are required to adhere to the Laws of the*

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country, thus in executing their duty, the buses, the taxi drivers..., and this recommendation was made up by the Honourable Members of this House.

For your information, the Opposition Members in this House were seven while the Ruling Party were only six, which means this Resolution was embraced by the Opposition who were in the majority because we believe in majority rule and your Party was against it, I will not mention the number of how many are here. They were even more than the other Opposition Parties and they agreed that the Law of this country must be adhered to and obeyed by every Namibian citizen. Honourable Naholo, please do not promote lawlessness.

HON NAHOLO: May I continue, Honourable Speaker?

HON SPEAKER: Honourable Naholo yes, continue.

HON NAHOLO: The issue is not about not to regard the Rules or is not about who is from the SWAPO Party and who is from the Opposition. This is a Namibian issue. It is a problem for all of us. It is a national issue. Forget about who the Members who are making up that Committee. That is not the issue. What we are talking about here is that when traffic fines were affordable, maybe that is the simple language one can understand, when it was affordable to pay for a fine, it was fine with everybody but now after the increase in traffic fines it has become a problem for the majority of the taxi drivers. That is why many of them are now in prison.

HON SPEAKER: We have two sitting days left until the 24th of April, and we must dispense of all the issues that are still pending on the

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Order Paper. Let us take that into consideration too. Honourable Minister.

HON MINISTER OF FISHERIES AND MARINE RESOURCES:

Thank you, Comrade Speaker. Can I ask the Honourable Member of this House a question?

Honourable Naholo, knowing your background as a former Trade Unionist and all of us have been taking the Floor as former Trade Unionist as well. I want to find out; I was looking at the Report and here under 2.1 in this Report, during the consultation of the stakeholders, the Taxi Union was talking about - *conditions of employment and lack of benefits for the employees of the Taxi Industry*.

Now you, from your background, fighting for better working and living conditions, why are you not focusing on that lack of conditions of service of employment? Now you are putting emphasis on fines to be reduced. Where is your interest? Is your interest with the workers or is your interest with those employers, or have you shifted? If you are just campaigning who are you campaigning for? Thank you, Comrade Speaker.

HON SPEAKER: Honourable Naholo.

HON NAHOLO: That was just a statement. Both are very important to me, traffic fines and conditions of employment but I was going to come to that part of the conditions of employment. It is only because the people are not giving me a chance to proceed with my contribution.

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HON SPEAKER: Minister.

HON MININISTER OF HOME AFFAIRS AND IMMIGRATION:

On a Point of Information. Honourable Speaker, I truly bemoan the fact that this matter is being debated in the presence of young people, the future leaders of the country listening to such low level of deliberations by the Honourable Members.

Comrade Speaker, what we are dealing with here is a question of life and death of the citizens of this country. While the Honourable Member is hammering on the fines every now and then that were raised, he is not bothered to find out how many people's lives we lost before the fines were increased.

That does not bother him he is only bothered about money. We are bothered about the lives that are being lost on daily basis because of the manner in which our taxi drivers are carrying out their business. That is what I wanted to say. Thank you.

HON SPEAKER: Honourable Naholo, continue.

HON NAHOLO: I think that is pointless because one can ask how many lives are still being lost despite the fact that traffic fines have been increased. Do you want to tell me that there is a reduction now in the loss of lives? Not at all, but do not get me wrong I am not saying that people should not respect the Traffic Rules. That is not what we are saying. We are saying reduce fines because these are breadwinners who are living in prisons and police cells now. Honourable Speaker, I now want to proceed, if you could be on my side and not to allow any Members

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to stand up and disturb my Debate anymore.

Honourable Speaker, I want to state it clear here that people outside there, the electorate out there only expect us to do one thing and that is the right thing. The right thing is to defend their interest and promote their wellbeing. I do not know how you will promote the wellbeing of a person who is in prison who was just trying to make a living. An economic struggler, somebody who is struggling to make a living. You put them behind bars just because you have increased traffic fines.

We, therefore, have a responsibility as Members of Parliament of this House to decide and direct the relevant institutions to make sure that traffic fines are reduced with immediate effect. That is the concern out there. Otherwise, Comrades, if we are not going to do that this will backfire. The outcome from this House is going to backfire. I have dealt with people already – the masses and I know how it feels. We just have to toe the line and help them.

Honourable Speaker, another reason I am so sceptical is because the Committee concerned has never consulted the Taxi Union. They have never consulted them. Before you brought the Report to this House, you have never gone back to them because once you are given a mandate you should give feedback. It was never done, because under normal circumstances it would have been just logical to say - *colleagues we are done with our work and these are our findings and recommendations. Are you happy with that?* Before you bring the Report to this House?

Comrade Speaker, all this was not done and I am afraid because people were not consulted beforehand, I am not sure whether they are happy with this. I would once again, before I conclude, ask this House to command or to direct the Ministry of Transport and the City of Windhoek to reduce the fines while they are rectifying the problems with our roads. With these few words, I so Move, Honourable Speaker.

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HON SPEAKER: Thank you. Honourable Dingara.

HON DINGARA: Thank you very much, Honourable Speaker and Honourable Members for the Floor.

There are two issues on the Report that I think I must make a contribution on. One is the emphasis on misleading the Namibian people by making them believe that this Law was only meant for the Taxi and Bus Drivers. It is not the case. The Law applies to every driver in the country. It is not correct to argue that the people trying to make a living from driving taxis end up in prison, because even all those people who try to make a living from the cattle and goats that they steal end up in prison. You will find them there and they sit together with whoever breaks the Law because (intervention).

HON SPEAKER: Honourable Ulenga, Point of Order.

HON ULENGA: On a Point of Order. Honourable Speaker, I want to make a Point of Correction. This cannot be left unchallenged.

The Honourable Member just compared Taxi Drivers to cattle rustlers in this country. The two just do not come together. You cannot try to mislead this House by convicting people who are not trying. The Honourable Member, should, therefore, withdraw this comparison. You cannot say that because somebody is defending Taxi Drivers, you compare them with those who have stolen animals.

(Interjections) I am not talking to the Dingaras that side, I am talking to Honourable Dingara there.

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HON SPEAKER: You made your point. I will listen to Honourable Dingara bearing in mind what Honourable Ulenga has said.

HON DINGARA: I am trying to compare people who are making a living. That is the comparison. Whoever tries to make a living by just breaking the Law is the comparison that I am making. Whoever tries to make a living from whatever causes that person to break the Law will land that person in prison. That is the argument. (Interjection) all of them, it does not matter, which way they are making a living, as long as they break the Law, they all fall under the same category.

HON SPEAKER: Honourable Lucks.

HON LUCKS: Honourable Speaker, on a Point of Order - Point of Information.

The statement that Honourable Dingara is making is not true. If Members of this House commit a traffic offence, they do not go to jail. They go and pay an admission of guilt. Not everybody goes to jail. That is not true.

Do you not think that it is unfair that some members of society are in a position to pay an admission of guilt and the matter is dealt with while the other members of society have to go to jail? That is unfair and your statement is not true that everybody goes to jail. It is simply not true.

HON SPEAKER: Continue, Honourable Dingara.

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HON DINGARA: Those who do not listen properly can continue to suffer from their misunderstanding.

Honourable Speaker, the other issue that I want to raise is the issue of space in Windhoek because the taxis do not have sufficient space to park their cars as well as loading zone. I was trying to compare this with the town that I am very much familiar with, Rundu. When you drive in the streets of Rundu, there is enough space on the side of the road for a taxi to stop and load passengers but they just stop anywhere on the road.

They just stop like they do in Windhoek. Why do the ones in Rundu and others in other towns stop in the middle of the road when there is sufficient space to load passengers? I was trying to say that there are times when everybody, especially when one is in Windhoek, Oshakati, Rundu and many other towns that are overpopulated, you would be frustrated by taxis. There is no time you can drive for 30 minutes without experiencing a problem with a taxi or road users who are trying to make money from the people, that is, the taxis and the buses, but mostly the small cars, the taxis. With the buses and others, I think they are fine because they park at one place but the small taxis that are picking and dropping are causing serious problems.

For consultation the Committee met with the Taxi Union four times. All these consultations were recorded and the record is attached. The first consultation was on the 4th of November 2013, between 09:30 and 10:00 with the Taxi Union. The Union is the one that has submitted the case and raised their points. We met with them several times before that meeting. They just decided to resubmit the same points that were already deliberated on during our consultations.

On the reduction of the loss of life and major accidents on the roads of Namibia; in my view I see a reduction although it will not happen that we will completely do away with accidents. However, there is a reduction in major roads accidents because the drivers are driving slower.

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If you drive on the road going to the northern industry, I think it is Hosea Kutako Drive, just drive and pass those traffic lights that are close to the Regional Council building and continue driving to the next robots at a speed of 60km per hour, you will notice that no car would overtake you because almost all the drivers have experienced that when you drive above the speed of 60km per hour towards the next traffic lights you will definitely get a fine. All of us get fines and we deal with them. All the cars are now driving safely and slowly on that road at the speed that is below 60km per hour.

The same applies when cars drive towards the traffic lights close to Katutura Hospital – all the cars including taxis slow down. However, if you just pass the traffic lights adjacent to the Windhoek Prison, try chasing any car from there, you will never catch up with it, that car will just disappear into thin air but will start reducing its speed before approaching the next traffic lights again.

I think if we should increase the cameras all over Windhoek to compel all the drivers to stick to the speed limits on the roads and by so doing minimise accidents on our roads. I can remember an accident that took place in 1996 close to the building that used to belong to OB Davids adjacent to Hosea Kutako Drive where truck and a sedan collided head-on. All the people who were in the sedan lost their lives. You could not even identify the people. However, with most of the accidents taking place nowadays cars would mostly get damaged unless those accidents take place on roads without cameras, since most drivers in Windhoek know where cameras are installed. Therefore, accidents that take place where cameras are installed these days, only cause small bumps to the cars without affecting the people.

Before these fines were increased I used to drive in the neighbouring countries and the fine for not wearing a safety belt in the eastern neighbouring country was 1,500.00 Botswana Pula ten years ago. If you go to Botswana now you will find that people are more conscious about their safety and everybody wears the safety belt because they know 1,500.00 Pula is hard to come by. That is exactly what is happening here.

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Every driver would try to abide by the Road Traffic Rules and Regulations and thus drive carefully, because they are cautious not to get a fine that they will not be able to afford. They would rather adhere to the Law. I think that over ten years' time from now our roads in Namibia will become much safer due to the current traffic fines that serve as a deterrent.

All of us must have been disappointed when the new, increased traffic fines were introduced but as time goes by we are starting to accept it because it is better and safer than in the past.

That is my contribution, Honourable Speaker, and I commend the Committee.

HON SPEAKER: Thank you. Honourable Mushelenga.

HON DEPUTY MINISTER OF FOREIGN AFFAIRS: Thank you very much, Honourable Speaker. I also rise to make a contribution to the Report of the Parliamentary Committee on the buses and taxis.

Honourable Speaker, I fully concur with most of the recommendations that the Parliamentary Standing Committee has made in the Report. However, before I come to the taxi drivers, I want to address the issue of passengers' fault.

More often, we complain that taxis stop at very unusual places that are not demarcated as loading zones for taxis or that are not taxi ranks, but it is passengers who stop these taxis at these unusual places. It is one element that we need to look at because these passengers equally contribute to accidents that are taking place because an oncoming vehicle or a vehicle that is driving behind the taxi would not have expected a taxi to be stopped at that particular place and these may result into a collision.

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HON MINISTER OF HOME AFFAIRS AND IMMIGRATION: Can I ask the Honourable Deputy Minister a question?

HON DEPUTY MININISTER OF FOREIGN AFFAIRS AND IMMIGRATION: Yes, please.

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION: Comrade Speaker, Honourable Mushelenga, being the Deputy Minister of Foreign Affairs, is a well-travelled person. He must have in one way or the other travelled to London, New York or other places.

The issue of getting into a taxi is not the responsibility of the passenger but the responsibility of the taxi driver because I found myself being left behind by taxis that were just passing by while I was standing there trying to stop them, until I was told that – *you are not standing at the right place, the taxis cannot stop there because they will be fined.*

Comrade Mushelenga, are you aware of that? (*Laughter*)

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION: Comrade Minister, I am very much aware of what the Minister is saying, but being a practical person, I also know our cultural set up and the circumstances and environment in which we find ourselves.

Now, I want to move to the issue of safety. Comrade Speaker, some of these taxis are not properly serviced. Well, some may be travelling short distances and some are travelling long distances. This is the responsibility of taxi owners who hire these taxi drivers.

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Since a taxi is a business one would expect that the money generated from the business is supposed to keep the business prospering and, therefore, this is the same money that is supposed to be used to service these taxis but so often, people become so greedy and just pocket the money and forget about servicing the vehicles. I think there should be regular checkups for this public transportation to ensure that they are really fit for public road use. Then there is an issue of pirate taxis (intervention)

HON SPEAKER: Honourable Van Der Walt.

HON VAN DER WALT: Honourable Mushelenga, after I have listened to all the Honourable Members and the concern about our taxi drivers, I would like to know from you, whether you agree with me that we need to increase our public transport to limit the taxis.

I believe if we can negotiate with the municipality to increase the number of buses we will decrease the number of taxis in our country. Honourable Mushelenga, I do not know if you agree with me or not but the reason why I am saying this is not more to do with taxis. It is more about big companies or factories that employ over 200 people. Most of these people are ferried in trucks that are unsafe to transport them between home and these companies because it depends on the owner of the company to make sure that the workers have safe transport.

I also know about companies with about 500 people and it is merely impossible for the owner of the company to buy buses to make sure that these people travel safely. Honourable Mushelenga, the point that I want to make is that I think we need to thoroughly look into our public transport and see if our municipality can provide more buses to make transport for our citizens more safer and affordable.

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It would be much cheaper and more convenient for our people, if they could just jump on a bus where there are proper bus stops all over the city and to make sure that we do it in that fashion. I thank you.

HON SPEAKER: Thank you. Honourable Mushelenga.

HON DEPUTY MINISTER OF FOREIGN AFFAIRS: Thank you very much, Honourable Speaker. While it might be a good idea to increase municipal buses for companies that are transporting their workers in the trucks I totally disagree with the Honourable Member that we should do that at the cost of reducing taxis because we are talking of a free market economy.

Let taxis be there and let people have a choice of which mode of transport they want to use. Otherwise, we will end up killing our Taxi Industry if you say we should cut down on taxis in favour of having more public buses. I totally disagree on that.

Honourable Speaker, I said there are issues of pirate taxis. These are now unlicensed taxis that time and again go on the public road and transport passengers while they are not licensed. Stiff measures should be introduced so that we make some of these pirate taxis an example for others.

On the issue of punishing reckless people who deliberately do not observe signs, these can be taxi drivers, bus drivers or any other drivers. I was disappointed by my Dear Brother, Honourable Peter Naholo, when he was concentrating more on the side of the fines. Too often, we speak too much about our rights and we forget about our obligations. *It is my right, I am now paying too much amount of money* and we now forget about the obligation of these people to keep the safety of the lives of other road

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users. Does it mean that because you are poor, you should be allowed to be recklessly causing accidents? People dying left and right and just because you are poor, you should not be fined. I do not think this is a level that we should debate in this Honourable House.

Honourable Speaker, during the time that people were having green drivers licenses there was a space for endorsements, whereby if you are recklessly involved in this irresponsible driving, your licence would be endorsed. Perhaps because there are no longer endorsements on licenses people continue to behave recklessly on public roads and when we have that (intervention)

HON KAURA: Can I please the Honourable Member a question?

HON SPEAKER: Yes. A question by Honourable Kaura.

HON KAURA: Honourable Member, if you compare the taxis you have seen and travelled with in New York, Paris, Berlin or Rome, if you compare those taxis to the taxis in London, which taxis are more civilised among those taxis? If you look at all those taxis which taxis are more civilised, among those that you have used throughout the world?

HON DEPUTY MIN OF FOREIGN AFFAIRS: Honourable Speaker, I do not want us to run away from the responsibility here at home. The issue that we are addressing is the Report of the taxis and the buses here in Namibia. It is of no help if we start saying taxis in Namibia are worse

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than the ones in New York. It does not help us to improve our conditions at home. Let us address the driving conditions, taxi drivers, the behaviour of the taxi drivers, the adherence to the Rules and Regulations, the implementation and the enforcement of the Road Regulations here at home.

That is why I was talking about this issue of endorsing licences. That, if someone is really found to be wanting, always involved in accidents recklessly, let us go back to the system of endorsing these licenses so that you can have your licence suspended, say for six months, and people will start at least learning that – *I will be in trouble if I am not careful on the public road.*

This is the same thing with those that are found to be drunk and driving, be it taxi drivers or not taxi drivers, as long as you are deliberately misusing the public road that is used by others, you must in a way face punishment in the form of endorsement of your licence.

With these few words, Honourable Speaker, I support the Report.

HON SPEAKER: Thank you. Honourable !Naruseb.

HON MINISTER OF LANDS AND RESETTLEMENT: Thank you, Honourable Speaker, Sir. I might raise some issues that were probably dealt with in my absence last week, but having gone through the Report, I find the Report quite elaborate in terms of the level of consultations that the relevant Committee had with the different stakeholders. I also find that the recommendations are not many and the Committee is very much explicit and to the point.

I was just wondering whether the imposition of the fines that some of us

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regard as very high is probably relative from the point that we are looking at it. Are these fines just targeting certain sectors of the Namibian population who happen to be driving cars or is it to combat the mischief of reckless driving and unbecoming behaviour on our national and municipal roads? If the answer is in the affirmative that it wants to combat the misdemeanour in terms of behaviour of all motorists, why are we singling out the taxi drivers? If you are not contravening the Traffic Rules, then you will not be subjected to any fine. That is my understanding.

Honourable Speaker, we should probably also appreciate the fact that we all live in Namibia, *The Land of the Brave*. At some stage in our lives we all must have been subjected to the same unbecoming behaviour of those who are finding themselves in the Taxi Industry. Someone would just stop in front of you and if you hoot in trying to help, you would be shown one finger that would tempt one to respond and this would ultimately result in a road rage. We all know what happens where the road rage phenomena plays itself - people get killed.

Honourable Speaker, I want to submit that we should just look at the recommendations, try to have a levelled approach to the carnage of road deaths that we are witnessing in our country and try to do our little best to deal with the issue of death on our roads. We should not, and I am pleading through you Honourable Speaker, try to use platforms of this kind to score politically because it is definitely sending a wrong signal to those who want to gain support to do things that are not bringing our Nation to the levels that we would want.

I do not know when those findings and surveys were conducted that are categorising us as the top country when it comes to road deaths. That is quite a serious indictment on assassination. We will have to find a way to deal with it and it usually starts with small measures that we should take as a Nation. In my opinion, this is but one of those measures that we are trying to embark upon as a Nation to combat the mischief.

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I so submit, Honourable Speaker.

HON SPEAKER: Thank you. Honourable Kawana.

**HON MINISTER OF PRESIDENTIAL AFFAIRS AND
ATTORNEY-GENERAL:** Thank you very much, Honourable Speaker.
I rise to add my voice to commend the Committee for this Report.

It was not my intention to take part but somehow after listening to some of the Debates and comments by some Honourable Members of this House, I decided to rise and clarify a few issues.

Firstly, what we are discussing here is not a Law meant for taxi drivers. I think we missed that point. The Law that we are discussing here and in particular, Section 57(7) as well as Section 341 of the *Criminal Procedure Act*, is a Law of general application. That is clarification number one. This Law particularly deals with provisions such as admission of guilt. That was the background.

When there was an Amendment to increase the admission of guilt fine, there was unanimous support in this House, I recall because that time I was already a Member of Parliament and the background then was that there were so many cases in Court. They were not able to cope with the Courts Rolls because of the backlog and, therefore, if the admission of guilt was increased, there would be no need for people to go to Court. Through admission of guilt they would just go to any Magistrate's Court or the nearest Police Station, pay and that would be the end of the matter. This would relieve the Courts to deal with more serious cases. That was the background of admission of guilt and that admission of guilt does not only apply to drivers but to all other criminal cases where admission of guilt is allowed. That was the background.

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After listening to some of the Honourable Members, I want to ask this question on over speeding, for example – why should somebody who over speeds break the Law and demand to pay a lesser fine? I do not understand that because there is a *Traffic Act* that prohibits you from over speeding. Therefore, if you speed, you are breaking the Law and you will be fined but instead of going to Court, if you admit guilt, you just go and pay. That is the background.

On seatbelts; why should you demand that you should not wear a seatbelt and because the fine is too high you should just be asked to pay N\$2 or whatever? I do not understand. The Law stipulates that if you do not wear a seatbelt in terms of the *Traffic Act*, you would be fined and if you so wish and you admit that you are guilty, you pay the fine and there is no need to go for proper Court Proceedings. The advantage of admission of guilt is that once you pay that fine, there would be no criminal record unlike when you go to Court where you are found guilty in a Court of Law through proceedings. This admission of guilt is also intended to assist those people who may find themselves on the wrong side of the Law not to have a criminal record. If one admits guilt, they pay a fine. This must be understood.

Honourable Members, when it comes to taxis, particularly those of us who drive know that there are taxi drivers who over speed, do not care about seatbelts, turn without indicating, suddenly stop without turning on hazards, use cell phones while driving, driving through red traffic lights or disregard the STOP sign as well as overload passengers, sometimes even up to ten people, especially in the north.

We know these things! People die – in one taxi ten passengers, and here we are as Lawmakers saying we should not increase the fine and we are trying to regulate these issues. This is really embarrassing to me because the Law is very clear, it has to address the mischief as some of the Colleagues have said, in order to protect our people, to protect road users. As I said, in terms of Section 57 and Section 341 of the *Criminal Procedure Act*, admission of guilt relates to a number of what we call

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minor offences or misdemeanours and it is not only restricted to traffic offences and this Law does not only apply to taxi drivers but a Universal Law that applies to everybody whether you are a taxi driver or not. In this regard, I do not think somebody should be allowed to over speed or not wear a seatbelt and demand not to be fined or to go scot free because you feel that it is your right as a citizen. That is really scandalous. Likewise, it does not make sense to me for someone to say they should not stop where the Law says *they must stop* or they should overload when the Law says you *should not overload*. If you are driving a sedan car there is a maximum number of passengers prescribed by Law.

Why should you demand that and if you are fined, why should you complain? It does not make sense. I think the Taxi Industry was supposed to petition municipalities or Government and say – *please create us additional facilities where we can stop*. That is at least genuine and understandable. We can support that, however, not to say - *I must over speed and if I am caught I should be fined less*. That does not make sense. I so submit.

HON SPEAKER: That is what teachers call legal sobriety. Honourable Ulenka.

HON ULENGA: Honourable Speaker, thank you very much. I do not know whether I should say I am lucky or unlucky having to speak immediately after this lawyer who was speaking as a lawyer.

Before I go too far perhaps trying to pull him down, I must admit that at least you made one very important point and that is to say we need to increase the points where taxis and buses and other people who supply transport can stop and provide their services without being harassed.

I think that matter is also at the bottom of this petition. Honourable

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Speaker I want to speak from the vintage point of having long enough seen the practice of apartheid and its regulations in our country. I know that there are others who can claim the same in this House. I am sure they will agree with me that there is a clear picture in my view of anti-taxi bias that comes from the apartheid era. This I can prove by saying that in 1974, for example, whenever I go into a taxi here in Windhoek, as soon as we got to the white areas that was further from Katutura like the Independence Avenue, which was Kaizer Street then – no taxis were allowed and there was no single white owned taxi in this country. All the taxis were only black owned.

Klein Windhoek *no taxis*, Ludwig Street *no taxis*. Everywhere where taxis were banned during the apartheid time, they are still banned to this day. It is a shame.

HON KAURA: Do not take words out of my mouth.

HON ULENGA: It is like that and I know that it is a shame – Lawyer please sit down, you have been interrupting people for too long and too much (*intervention*)

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION:
Point of information, Comrade Speaker.

HON SPEAKER: Each one of you told me that you went to the same school.

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HON MINISTER OF HOME AFFAIRS AND IMMIGRATION:

Honourable Speaker, I live in Ludwigsdorf, what is called an extension of Klein Windhoek. In terms of Honourable Ulenka that used to be a white area.

HON ULENGA: It is still white.

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION: I

have two students living with me, one goes to IUM and the other one goes to the Polytechnic. They go by taxi everyday right from Joseph Mukwayu Ithana Street to town and I know this is happening everywhere here in Windhoek. Please let us not exaggerate.

HON MEMBER: It is true!

HON ULENGA: Thank you, Honourable Speaker. Perhaps I should have started by declaring my interest like others have demanded earlier in the House.

Honourable Speaker, the point that is clear and right on the Table is that all of us are politicians. By the way Honourable Pendukeni, you said in one of your earlier interventions that we are saying everything here in front of young people who are in this House and the way I understood you is that you were perhaps referring to today for us to be little careful, but let me remind you that whatever we are saying every time of the day that we speak in this House, we are saying it in the plain glare of the whole Nation.

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Therefore, what we are saying here the Nation is listening and there is no secret about that. Every single Member who is standing up here is trying to advance a point not just on their own behalf but on behalf of a Constituency that we are all trying to claim. That is the plain truth.

Honourable Speaker, let me go back to the point that Honourable Kawana made so that can all perhaps try to get to common positions: Number one: The taxis should be regulated, no doubt about that but this regulation should be more or less about where can they go to.

It is true that they can go to Joseph Mukwayu Ithana but there are still places where taxis are barred. Let me tell you one thing. Perhaps some of you do not use taxis. Today, just this very day, and some of the Members will remember, I came to Parliament by taxi and as I could enter the gates of this big House, I was stopped by Police and luckily the Officer did not see me so he stopped the taxi and said - *no taxis are allowed here* and then a second thereafter he happened to look further and he saw me and he said - *no Honourable you can go through* because I was in the taxi.

HON MEMBER: But that is not a Law!

HON ULENGA: I know that there are several lawyers that side, I am just a practical layperson. I am talking about what I experienced on the ground today.

A few Comrades here will remember, we were doing some work in Gobabis. (*Interjections*) let me tell you practical examples. We came to the Governor's house in Gobabis, Omaheke. Just as we were entering not even the gates, several metres from the gate there is a big sign - NO TAXIS. Today again, I went to a certain bank this very morning by taxi and there was a drive through where one could go and get money from a

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teller. A drive through is supposed to be a public place but the guard came rushing to us and said - *no taxi*, which means taxi people are supposed to go and draw money from this teller. However, I had to intervene again and I said - *no, look I need to go through here and by the way stop discriminating against taxis*.

(Interjection) I was talking to a guard of a bank not a Member of the Ruling Party. This is the objective truth. The taxis are quite harassed in this country. This is done against a background, which is in my view very shameful. The public transport system has, completely, collapsed in this country. The number of buses that the Windhoek Municipality used to run have decreased, almost disappeared. There is no town to town transport system provided for by the Government.

The people in the south luckily, once in a while have to travel for more than 12 hours from Keetmanshoop to Windhoek using slow trains and the same applies from Windhoek to Swakopmund, the same from Windhoek to Grootfontein or Tsumeb. The trains to Ondangwa and Oshikango have not yet started operating. There is a weak public transport system and the taxi people are filling quite a big gap. We should actually applaud them.
(Intervention)

HON SPEAKER: Honourable Member, you call each other names in the compartments.

HON DEPUTY MININISTER OF DEFENCE: Point of Information through the Comrade Speaker to Honourable Ulenga. Honourable Ulenga, you are a Member of this Committee and you even signed this Report. You are the one who came up with this recommendations, why are you practicing double standards?

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HON ULENGA: Thank you, Honourable Speaker. Before I respond to that, I also want to admit that Comrade *Ekanda* made a very important point earlier on when he was speaking when you talked about the issue of the commission and that the conditions of service of these people must be looked at. However, on the question of the Committee, with all due respect to my Chairperson, to tell you the truth Comrade, I did not sit into one single meeting of these Committees. I looked at this document when it came here. *(Interjection)* let me tell you if you want to hear the truth, I looked at the document here, I paged through it and I saw my signature there. I did not sign this Report. I did not even read it, I came to read it when it was distributed in this House. That is the truth.

Comrade Speaker, I want to go ahead and make other points. *(Interjections)* please do not make such kinds of comments, you will put our Committee into question. I did not sign for that Report. I did not read it until it came to this House. I did not attend one single meeting. *(Interjections)*

HON MEMBER: You were there!

HON ULENGA: Honourable Speaker, let us go ahead and talk about this issue.

HON SPEAKER: Yes, proceed.

HON ULENGA: I was talking about the weakness of the transport system. What we need to remember as a Government and as a State is

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that we are running far behind other countries in the provision of public transport to our people. There will be more competitiveness as far as the Taxi Industry is concerned and people who are suffering are the taxis there at Ondangwa, Rundu, Katima Mulilo and at places like Outapi, Ruacana, Opuwo as well as on the coast.

Have you seen the queues and the chaos that is there at the end or beginning of every year when people are trying to get home? There is just no space because there is no public transport. Of course, private companies like SWAPO is doing with the yellow buses, they are going all the way laughing to the bank because some of them are keeping the public transport system down so that the yellow buses can gain. That is the only conclusion I can reach. (*Interjections*) you can respond to that when you are giving your response, but this is what I am saying.

Honourable Speaker, there is no doubt that the road system in our country is very dangerous. There should be a general education for all road users and not only taxi drivers. It is very biased and if I can borrow the words of my Colleague, it is double standard – when you want to single out only taxi drivers. We need to educate and re-educate our drivers. They are just very weak on the road. That is why we top the list when it comes to fatal road accidents in the whole world. Can you imagine? We top the list in the whole world in terms of killing.

By the grace of God, luckily, I am still alive. If you can count the accidents I have been involved in since I came from Robben Island both when I was driving and others were driving. Just imagine the dead bodies that I have seen strewn along the roads when I have driven as a road user - if you take the road from Windhoek to Noordoewer and Ariamsvlei at night, almost every time you will find dead bodies on the road.

We need to address this issue separately from the taxi issue and not just look at the taxis and say - *no, they are the cause of the road accidents* because it is not true. Another thing that I want to admit there has been a general improvement in the quality of taxis. They look a bit better,

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therefore, the people out there are working, they are doing something, especially the taxi owners. As you know, right now there is NABTA, which is an association of everybody who owns a taxi. However, there is also a union – the Union that petitioned us, if I am not mistaken and these are employees of the Taxi Industry, they do not own taxis.

Honourable Mushelenga, and of course Comrade Pendukeni were right, it is true that we do not put up particular and sufficient places where taxis can stop, they stop everywhere. There must be many loading zones so that the taxis can stop in a proper way and still make a living.

Comrade Speaker, let us stop this apartheid era attitude. I know that most of you, especially on that side, are always transported, not even in your own vehicles but in other people's vehicle, our vehicles. That is how you are transported and you do not use taxis. Therefore, if one vehicle breaks down that morning, you just get another one. Where is your interest? Why are you strangling the taxi owners so much when you know that you are using their vehicles actually?

HON MEMBER: We are Leaders of everybody.

HON SPEAKER: When you were my High Commissioner in London, I made provision.

HON ULENGA: I did not want to get in the story of the taxi culture because somebody was talking about who is civilised and who is less civilised. (*Interjection*) what is that? I was many things in my life, my dear friend.

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HON SPEAKER: Continue, Honourable Ulenga.

HON MEMBER: You even overturned it!

HON ULENGA: Where did I overturn a Government vehicle?
(Laughter)

HON SPEAKER: Continue, Honourable Ulenga.

HON ULENGA: Honourable Speaker, the truth of the matter is that we know each other with the Comrades on the other side. Nobody can tell us anything about this matter. The fact of the matter is that the taxi people are struggling to make a living and I am particularly on their side. You can say whatever you say.

HON MEMBER: Are you campaigning?

HON ULENGA: The Campaign has not yet started yet, but I am on their side.

HON SPEAKER: Honourable Kawana.

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HON MININISTER OF PRESIDENTIAL AFFAIRS AND ATTORNEY-GENERAL: Honourable Speaker, my apology to interrupt the Honourable Member but speaking about the quality of taxis; maybe for your information, I have been in countries where when a taxi is moving and you look down, you will see the road. Some of these taxis do not even have keys to start them, you just join wires like that.

Honourable Ulenka, our taxis in terms of quality they are by far better. They cannot be compared with some taxis that I have seen in other countries.

HON SPEAKER: Continue, Honourable Ulenka.

HON ULENGA: Comrade Speaker, I am about to wind up my intervention. I agree with what Honourable Dr Kawana is saying, that is why I am saying there has been a serious improvement on the quality. They used to be worse, even few years ago. At Independence they were connecting wires. If you go to some other countries, which I will not mention by name, there is not even a road where you can drive a taxi. The taxi has to make do with the kind of black patches that are there in front of them. If we want to compare our country with others, it is true, even Namibians who have not been out of the country should know that we have a bit of a better system.

However, it is never good enough when it is better. That is why we have to deal with this matter. Let us look at the suppression or the over regulation which is there with the Taxi Industry. They are the only people who are providing public transport because the Government, face it as you have to face it, does not provide proper and sufficient public transport to the people.

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Coming to the payment of the fines; fines are of course okay. It is generally okay to fine people who break the Rules. That point is okay but do not target the taxis. Let me just see, which single Member of this House has paid a fine. (*Interjection*) let me tell you – I am personally still awaiting for this to happen to me.

HON MEMBER: I do pay, I can show you the receipts!

HON ULENGA: You guys please! You know that the speed cops there allow you to go. You know it yourself, you do not get fined. That is true because you just claim you are going for a meeting that is somewhere there that you have to hurry to. (*Intervention*)

HON DEPUTY MINISTER OF DEFENCE: On Point of Information to Honourable Ulenga; when you were a Deputy Minister you were also immune by the Law that you as an Honourable Member of Parliament will never be punished.

I can, however, tell you that me myself with my Land Cruiser, and you know how fast Ilonga can drive, I was even fined and I am happy because I had to be disciplined as I was almost reaching 200 kilometres per hour. I was fined between N\$4,000 and N\$5,000. We have Laws in this country. When you go to the Magistrate's Court and explain that you are guilty but cannot afford the prescribed fine because of some valid reasons, you will never be punished or imprisoned.

Honourable Ulenga, the issue, which makes our people land in police cells like Honourable Naholo said is Contempt of Court. People are avoiding to go and settle their fines. When Honourable Professor, Comrade Loide

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Kasingo was a lawyer, she was presiding over my case and I went to Court because of a fine and I forgot the date I was supposed to appear in Court due to my own ignorance and at that time Namibia was already independent. The date of my court appearance on my paper was falling on a weekend, I could easily say that – *I was here but found the Magistrate's Court closed because it was on a weekend.* However, I just pleaded ignorance and I was fined. It is here!

That is why we say let us not defend because of the political campaign. If they are your members, they will vote you and if they are SWAPO members, they will vote for SWAPO no matter the fine because it is not SWAPO that gives them fines.

HON SPEAKER: Honourable Ulenga, continue and wrap up.

HON ULENGA: Thank you, Honourable Speaker. Of course, that is the reason why we have the Report before us. I will never stop speaking if this is what is going on. (*Intervention*)

HON SPEAKER: Honourable Mushelenga.

HON T MUSHELENGA: Thank you, Honourable Speaker. Honourable Ulenga, just before you end your intervention, I want to provide some information.

I think what we are dealing with is not an issue of how taxi drivers and Honourable Members of this House drive but about the traffic fines to the

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members of the public in Namibia, including the Honourable Members when they find themselves on the other side of the Law.

You have asked how many of us have paid fines. It is not about us paying the fines, but we know people who have paid fines and are not necessarily taxi drivers. Therefore, we should not miss the point and target the taxi drivers only. It is not the case. The issue is about whether people adhere to the Traffic Rules, this includes taxi drivers and is also applicable to the general public. Thank you.

HON SPEAKER: Honourable Ulenga.

HON ULENGA: Finally, Honourable Speaker, the issue is very clear. You can bring in extraneous issues in the Debate but what we are dealing with now is the Report that is before the House dealing with a Petition that came from the members of the Taxi Industry, especially the employees of the Taxi Industry and this is the matter that we need to deal with. Comrade Speaker, I am saying, in dealing with this matter, we must be more magnanimous in regulating the Taxi Industry.

There must be more places open so that they can do their business more freely and the fines, which are specifically put there to target the taxi people must be reduced, not specifically in the amounts but in their application as well because if a taxi person stops in Independence Avenue, the Police jumps on him and they fine him. That is unfair. It is unfair until you do whatever to me! It is unfair to stop a taxi driver just because they are in Independence Avenue and fine them. Why do you not fine everybody who drives in Independence Avenue? Honourable Speaker, with that humble intervention (intervention)

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HON SPEAKER: Before I let you sit down, I want to pass this on for you verify. There is a signature I am told.

HON ULENGA: I have not signed for the Report. Thank you, Honourable Speaker, I have not signed for the Report.

HON SPEAKER: Just verify for me so that I can correct it. Is that not your signature?

HON ULENGA: Honourable Speaker, the matter is not whether this is my signature or not. It is whether I was signing for the Report.

HON SPEAKER: I just want clarity and only Honourable Ben Ulenga and myself are speaking now. I am listening to you.

HON ULENGA: Honourable Speaker, the day the Report came to this House before it was being discussed I walked up here and I went to the Chairperson and I asked her; *how did my signature come there because I have not read the Report?* She can admit in this House. Thank you very much.

HON SPEAKER: Is it your signature but it was forged?

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HON ULENGA: How did it come there? I did not sign for the Report. My signature is all over but I did not sign for the Report because I did not read it (*laughter*). Yes!

HON SPEAKER: That has legal implications. Before I ask the Attorney-General, how did Honourable Ulenga's signature get on a document that he did not sign off? Chairperson.

HON !NAWASES-TAYELE: Honourable Speaker, normally this is the work of the staff and the Reports are circulated in the Committee for each Honourable Member to put their signatures on before it is tabled in this House. I will verify with my staff members and then come back to this House. Thank you.

HON SPEAKER: Very good. Honourable Kaura.

HON KAURA: Thank you very much, Honourable Speaker. I do not have much to say, I sort of agree with the contribution of Honourable Ulenga.

I was asking a few leading questions, particularly when I was asking about taxi drivers all over the world. All taxi drivers have the same mentality whether in New York, Paris, Rome, Cairo or anywhere. They all have the same psychology except in the United Kingdom and London, in particular. These black taxis have a different psychology and they behave differently from all the other taxi drivers.

Maybe it is a socio-historical phenomena that has made the taxis in London to behave differently. I do not know why they behave in a

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different way from all the other taxi drivers. I do not see the Namibian taxis being different from all the other taxi driver the world over.

I want to stand still on one issue and that is the inadequate provision of taxi ranks and loading zones for commuters. On inadequate taxi ranks, I would like to tell Honourable Ilonga that in cities like New York there are two types of taxis. Some taxis are radio taxis – you phone them and they come while others are those that just move along the streets like the yellow taxis in New York. You do not need to phone them. You go and stand in a street corner and they stop and pick you up. There are, thus, those two types of taxis, radio taxis that you call to your hotel pick you up and the ordinary taxis you stop on the street.

I want to find out whether you can stand in front of Kalahari Sands and pick up a taxi to go to the Country Club or to go to Safari Court Hotel.
(*Intervention*)

HON SPEAKER: Honourable Mushelenga.

HON T. MUSHELENGA: Honourable Speaker, I would like to ask the Honourable Member whether the Honourable Member is aware that in Namibia we also have the same radio taxis that you can call and they take you where you want to go in addition to the normal taxis that travel to every location.

Honourable Member, are you aware of that because it seems you are not?

HON SPEAKER: Honourable Kaura.

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HON KAURA: I am responding to what Honourable Iilonga has said that you call taxis to come and pick you up and I said there are two types of taxis; those you call to pick you up and those you find on the street. I was just responding to that. I am saying the inadequate provision of taxi ranks and loading zones leads to congestion in Windhoek. (*Intervention*)

HON DEPUTY MINISTER OF DEFENCE: On a Point of Information, Comrade Speaker. Yes, that very same New York is where I stayed longer than in any other country. There is no taxi that waits to be filled up in order to pay individually. Whether they are called or not they are still called metered taxis. They are not like our taxis. That is the difference.

There may be luxury ones but all the taxis in New York including the yellow taxis you are talking about are metered taxis. We are on the same wavelength *Tate*.

HON KAURA: The reason why there are no metered taxis is because of the historical legacy, since when we were moved from the Old Location to Katutura based on the Laws of Verwoerd that black people must be 5 miles from the centre of town. The only way people could come to work is by getting into one taxi so that they can afford to pay three shillings to come to town. You could, therefore, not put in a metre where one person will have to pay N\$5 to come to town. They would not afford it and that is the historical legacy why four people get into a taxi so that they can share the cost for the transport from Katutura to town. That is a historical legacy, unfortunately. That is why there are no metered taxis. Many people shared taxis.

I was saying you cannot take a taxi from Kalahari Sands to Safari Court Hotel. You will not get a taxi there, you shall have to walk up to the old Tal Street to pick up a taxi. That is leftover from the years gone by.

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HON MEMBER: From Apartheid!

HON KAURA: Yes, from the Apartheid Era. This is something we have to correct so that I can walk out of Kalahari Sands pick up a taxi there in front of Kalahari Sands and go to the airport. I do not have to walk with my luggage to Tal Street to pick up a taxi to go to the airport.

There is that historical legacy of Apartheid, which is still prevailing and that must be corrected. We must look at it and correct it so that there is no congestion somewhere and the taxis competing for passengers on Tal Street or in front of the Catholic Hospital – competing for space there because that is where they are confined to pick up passengers. That is the problem. If we unchain the taxis and allow them to move freely throughout Windhoek to pick up people from anywhere, there would be no congestion.

HON SPEAKER: You have two choices; do you want to be the first speaker tomorrow or I will give you two minutes to wrap up because I have to adjourn the House now.

HON MEMBER: It is not yet time!

HON SPEAKER: Where are we now? Oh my goodness! (*Laughter*) Can I explain to the Prime Minister and the Members of your delegation to China? I was supposed to go to Usakos because it has rained there. Even though I did not go, my mind is there (*laughter*).

Continue, Honourable Kaura.

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HON KAURA: Thank you, Honourable Speaker. (*Intervention*)

HON SPEAKER: In this case, there is still plenty of time.

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,
HOUSING AND RURAL DEVELOPMENT:** I just want to give some information in connection with taxis in front of hotels.

I just came from Colombia and we were staying in a hotel. For taxis to come there, they have to be called. They do not park in front of the hotel, they can only be called to pick you up. I think this is a system we have to introduce. Otherwise, it would cause congestion in front of the hotels and elsewhere. The rules are everywhere. It is not only here. Taxis cannot come there unless they are called to pick you up and take you where you are going. This is what happens at hotels in many countries I went to.

I just wanted to provide some information.

HON SPEAKER: I can confirm that, Honourable Kaura, it is true.

HON KAURA: Thank you very much, Honourable Member but it is off limit for taxis at the Namibian hotels. Taxis are not supposed to come in front of any hotel here in Namibia. They are prohibited and it is a historical legacy, which is still prevalent in Namibia. We must unchain the taxis, we must change the Laws. This discriminatory practice, which was confined because they brought black people from Katutura to come and work here in town.

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HON SPEAKER: The Speaker does that – I wonder with my young brother but I have called taxis. I do not know about the other hotels but if you ask Kalahari Sands, they do that, if you are there and you want to go home. I have done that quite a number of times, if this is befitting my guest there, I would ask them to get me a taxi. The only difference is the double price to Klein Windhoek.

One could do that at Kalahari Sands, but I do not know whether they still do that because it was a long time ago. You could ask the reception to call a taxi for you and they would come and pick you up. Yes, Honourable Dingara?

HON DINGARA: I just want to provide information, just like the General was saying. I just came from Gaborone in Botswana last week. There are no taxis close to the hotels. You go to the reception, call a taxi and they would take you and bring you back. I think these are general Laws and Rules around the world, comparing the same treatment of General who is coming from overseas and me coming from the neighbouring country. I think we need take that route. Thank you.

HON SPEAKER: Honourable Kaura, continue.

HON KAURA: The taxis that are taking people from Katutura and Khomasdal, do not have any radios. There is, therefore, no way you can phone those taxis in Katutura to come and pick you up from Kalahari Sands or from anywhere. Those are the basics there. They do not have any radios. There is no way you can contact them. (*Intervention*)

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HON SPEAKER: Some more information, Honourable Kaura, from Honourable Witbooi.

HON WITBOOI: On the Point of Information my Elder, apart from asking the reception to call a taxi for you, you can get a taxi in front of Kalahari Sands Hotel. They are constantly there. At Safari Court, Thüringerhof and Country Club, you will find a taxi there whether you call or not, Honourable Elder. Thank you.

HON KAURA: Those are the taxis that are paying heavy fines when they are found there because they are not supposed to be there. They are pirate taxis.

HON MINISTER OF JUSTICE: Because the Laws and Regulations says, NO.

HON SPEAKER: Can you allow Colombia University to disturb your contribution?.

HON MINISTER OF DEFENCE: am I terribly sorry, My Brother, to disturb your contribution, but can I ask you a tiny-winy question?

HON KAURA: Yes.

HON MINISTER OF DEFENCE: On this Order Paper, there is a

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National Health Bill, there is another Bill for Structured or Uniform Public and Environmental Health System to be introduced, there is the Nagoya Protocol and there is the Shared Strategic Framework for Inclusive Growth. Are these not so important that the taxis are the most important things to discuss? (*Laughter*)

HON KAURA: Honourable Kaura.

HON KAURA: Unfortunately, it is a topic on the Floor and I just want to conclude Honourable Speaker, by saying let us look at the Residual Laws that are still governing our country and, in particular, the Taxi Industry so that we can unchain and free them and allow them live a free life like all the other Namibians as well as act like other taxis the world over as opposed to being confined to Katutura. Thank you.

HON SPEAKER: Thank you. Honourable Bezuidenhout.

HON BEZUIDENHOUT: Thank you, Honourable Speaker. I will definitely be done by 17:00, it is going to be a very short intervention. I am not so lucky or educated to have taken taxis in different parts of the world and do, therefore, not know that side of the story. What I know is that there is a Report that was submitted after a request by the public to inquire about their problems, their challenges and this is the Report before that we need to engage in order to find solutions for this specific Industry.

The Taxi Industry, like any other Industry or Sector in our country, be it the Medical Sector or Engineering Sector, they all have Rules and

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Regulations to control those specific Industries so as not to make flaws and not to act to the detriment of the people of Namibia. Engineers are responsible to ensure that there are sound building, buildings that do not collapse while the Medical Personnel must adhere to minimum standards so that we do not put our people at risk and the same applies to the Taxi Industry, the way I look at it. This Report is a cry for help from the Industry, that is the way I look at it. Honourable Kaura and some other Members have enumerated a set of problems.

They are crying for help and saying - *we need help in terms of Regulation. We need help in terms of fines*, they need help in terms of all the issues that they have mentioned and those are the things that we must interrogate and discuss. We should not only say it is *good, bad or indifferent* but whether it belongs there or not. The point I want to make is that they are calling for the redefinition of the Industry. I will support them by saying that they should be redefined as an Informal Sector or Industry within the Formal Sector and it is a professional Industry.

In my mind or in my simple life, there is nothing too high compared to safety in terms of the way my house is built and the way my car performs. It is my responsibility to make sure that it is serviced regularly. Otherwise, the car will not perform according to the specifications of the manufacturer. I think that is the point that we need to bring into the minds of our public transport drivers that they have a very specific responsibility and accountability.

One day I was unhappy about something and my first Managing Director at Telecom he said to me in his Swedish accent - *Steven if it is hot in the kitchen please get out*. The point I want to make is, if the Rules and the Regulations are too hot for the taxi owner, please get out and go and find another way of earning money but do not dilute the Industry to the detriment of our citizens.

Of the two recommendations; one is a request that we must go to Court to find out what is the story of the employee and the contractor, I will skip that one and jump to the one that ask the Windhoek Municipality and the

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Ministry of Transport for a **Sustainable Urban Transport Master Plan**. My wish as a citizen is that that Master Plan must include a high level of training for public transport operators. They cannot have the same training that I have as an ordinary driver compared to people who drive lives of other people. We have various categories of licences: extra heavy licenses or medium licenses and there are specific reasons for those categories because you cannot operate all types of vehicles with one licence. I can say the same, you cannot drive different types of people with one licence. An ambulance driver's skills are different from those of an ordinary driver. The Urban Transport Master Plan must thus, include a high level of defensive training that must be certified, meaning that if a person drives a taxi he/she should have a certificate that allows him/her to be a taxi driver. We do not have pilots who are not certified.

The second part that Master Plan must include for me, is education for all of us; taxi drivers and taxi users alike about where to find taxis and how to wave for a taxi and to respect people's property in a taxi and so on. The Taxi Union, as it has demonstrated in its request to Parliament, has a desire to improve the Taxi Industry, they must also have a desire to lift it up to a professional Industry so that it can be respected by all and by Government as they claim is not the case.

The Taxi Associations, that is, the Unions and so on, must be engaged each other to find a workable solution not a solution that is based on demand - *I demand this and you demand that*, no. It must be, and I want to use a very important terminology in our history - *a negotiating settlement* but not to the detriment of regulation, discipline, safety and our people.

What I would also like to see in the Urban Master Plan within the Taxi Industry is the inclusion of public transport insurance so that if anything goes wrong, there is insurance coverage for the people. The taxi price cannot only include taxable levies, it must also include insurance and some other things but then it must be enforceable.

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Honourable Speaker, the final point I want to make, and my apology for I am one minute over is that the Members who feel very strongly about their individual input must make themselves available for the discussion of the implementation of that specific Master Plan. Otherwise, we will just talk around in circles and find that in two years' time, the same problem still exists while we had an opportunity to influence the Industry, rectify the Industry and bring it to a different level or the level we want to be as a country. I thank you, Honourable Speaker.

HON SPEAKER: Thank you. Right Honourable Prime Minister and welcome back.

RT HON PRIME MINISTER: Thank you very much. I am confused because I was travelling too much. I am wondering why this issue is being debated here in Parliament because we have the Executive Arm of the Government and there is the Legislature here. Now if there is a Law out there that is being implemented by the Minister, it is only a Minister who can solve this problem and Cabinet. What is the Parliament going to do, debate and then what is going to happen?

I do not know why this issue was brought here, was it for propaganda or what because the Laws are executed by the Executive? If you want to get better results, you will go to a Line Minister who is governing this Law. I have listened to the Taxi Drivers Association President and he was saying - *I do not know, Parliament is still in recess, therefore, we are waiting* and I was saying Parliament is there to make Laws, not to implement them. Why was this issue brought here, Comrade Speaker?

HON SPEAKER: Before I ask somebody to help the Speaker, I do not understand the question (*laughter*). The issue came here through a Motion

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and we are allowed to deliberate upon it and at the end of it, depending upon what we decide to do, which we are about to do, we will know whether we then go to Cabinet and say – *these are the views of the Members of Parliament having discovered, as representative of the people that there is a problem.* We have got a Petition and when we come in the first thing I call for is – *Any Petitions?* What we are doing now is on the basis of the Petition that was brought here. Any further discussions? Yes, Honourable Moongo.

HON MOONGO: Thank you very much, Honourable Speaker. Honourable Colleagues, I hope that you will listen to me as a former taxi driver. I was successful in converting a bicycle into a taxi from Oniipa to Oshakati and later on I could afford a motorcycle. I did my best.

I thought SWAPO was a people's Party but I understand the problems of the people. Poor people who cannot afford other means of transport can even use their bicycles. If you had travelled in Africa you must have seen situations where two or three women are travelling on one bicycle – as a quicker means of transport.

You are unable to come up with Regulations that befit those situations while other African countries are crafting Regulations that regulate everything, even bicycles that are used as taxis. Are you really SWAPO for the people or is SWAPO for the rich people only? (*Laughter*)

You are SWAPO for the rich people because you cannot understand what I am saying. People should be able to use bicycle transport as well. We are here to regulate and find amicable solutions that suites our circumstances of their societies. (Intervention)

HON SPEAKER: Honourable Minister.

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**HON MINISTER OF LOCAL GOVERNMENT, GOUSING AND
RURAL DEVELOPMENT:** Honourable Moongo, I just want to give you information. It might be that those bicycles are not available in Windhoek or elsewhere but if you go to Oshikango, bicycles are used as a means of transport, even tricycles. They are there.

You are the one saying that SWAPO does not support the use of those means of transport but there are no Rules that prohibit these means of transport. They are not banned and the people are using them extensively.

HON MOONGO: Wait, I am coming there, you highjacked my points
(laughter)

**HON MINISTER OF LOCAL GOVERNMENT, GOUSING AND
RURAL DEVELOPMENT:** Wait, I am telling you.

HON SPEAKER: Honourable Moongo, you still have the Floor but allow the Honourable Member to finish.

**HON MINISTER OF LOCAL GOVERNMENT, GOUSING AND
RURAL DEVELOPMENT:** If they can be used in Oshikango, it means that they can be used everywhere. It depends on the desire of those who want to use them.

HON SPEAKER: Honourable Moongo.

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HON MOONGO: Honourable Colleague, that is my second point and as far as I can remember it is only Oshikango that is doing this seriously with bicycles and even motorcycles and the Police are able to regulate there.

My Leader said the truth but you copied from the colonial whites who were discriminating against blacks and that is the main reason you do not want bicycles or motorcycles to be ridden in Windhoek. My Colleagues, please do away with the attitude of only wanting to do good to Colonial Rules. Get rid of the Colonial Rules man! We are Africans and we even use donkeys man! (*Laughter*)

HON SPEAKER: Honourable Nujoma.

HON MINISTER OF JUSTICE: Honourable Moongo, can you tell us which Law or Regulation prohibits anybody from using a bicycle, a donkey, a horse or even a motorcycle or whatever to transport goods? Please tell us! If there is such Law, quote it for me. Just use your bicycle. It is unfair.

HON MOONGO: I do not want my Minister of Justice to be called the Injustice Minister, if somebody using his/her donkey gets arrested right in the centre of Windhoek. Windhoek is an area for whites.

HON SPEAKER: So far so good, let us be orderly. Honourable Moongo has the Floor. Honourable Member, please sit down first.

HON MOONGO: We are Africans. We must not behave like we are in

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the USA or New York. Do not talk on my behalf (*intervention*)

HON SPEAKER: Honourable Amweelo.

HON DR AMWEELO: Honourable Speaker, on a Point of Information. I think two years ago there was a Motion that was almost the same on Traffic Rules and taxis where we summoned the people from Ministry of Transport and the Municipality and we found that the problem was not necessarily that bicycles are not allowed but the problem is the design of the existing roads. It was decided that the new roads should take cyclist and pedestrians into consideration. There is no prohibition. It is only the design of the roads.

HON DR MOONGO: I was coming to that point at the end. Colleagues, if the problem lies with the design of the roads (*intervention*)

HON SPEAKER: Honourable Mushelenga.

HON T MUSHELENGA: I am sorry to interrupt my Chief but Honourable Speaker, the Honourable Member is signatory of this Report and we expect that his input is already in this Report or is the Honourable Member also denying like Honourable Ulena that he has not signed the Report?

HON MOONGO: Signing to me does not mean I support that Amendment. (*Laughter*)

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HON MOONGO**

I just signed because you were saying that you were in a hurry, that you wanted this to be tabled and it could not be tabled without the signatures of the Members. However, the point here is for us to come up with loading zones for taxis if we have a problem with taxis parking in the city centre.

HON SPEAKER: But Honourable Moongo, signing is one thing, yes, it is fine.

HON MOONGO: It is not a concern.

HON SPEAKER: Please sit down. Signing is the last act but as a Committee you must have collectively, discussed in some way about what should go into the Report in your meetings and through that process, you were a party to it. That is why you signed it.

It is not like other people who are not Members of that Committee, seeing the Report for the first time when it was circulated, you participated in the whole process as a Member.

HON MOONGO: There were hearings that I did not participate in, I was AWOL. However, I fully support the complaints of the taxi people.

HON SPEAKER: Your lawyer would have a hard time to defend you.
(Laughter)

HON MOONGO: I was AWOL officially. I, of course, apologised for being AWOL. I was AWOL but my point is that they were only

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distributing for signing so that it could be tabled here, quickly but we did not give our consent. Ask them I never gave my consent to that and they know it. (*Intervention*)

HON SPEAKER: Yes, Honourable Minister.

HON MINISTER OF LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Honourable Speaker, maybe Honourable Moongo does not know what AWOL means; saying you were AWOL means you were Absent Without Official Leave and it is very serious to say it in this gathering, having been a Member of the Committee where you are expected to sit and you are telling us and the Nation that you were Absent Without Official Leave. Please withdraw that.

HON SPEAKER: Thank you for that one.

HON MOONGO: I wanted to round up.

HON MINISTER OF LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: You have to withdraw - AWOL.

HON MOONGO: No! my Dear, the Petition was given to Parliament and to the Committee so that we come up with a solution and there were high demands for the Petition to come to the House. Everybody was told in the Committee meeting that we are going to discuss this in the House,

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we should thus, just hurry up with this so that it can be debated in the House. (*Interjection*) you are not a Member of the Committee. That is why we agreed to sign so that it comes to the House for us to debate and that is what I am busy with now. I hope you understand me.

My Dear, I would like to say that, if there are problems with the roads, the Minister of Roads, of course, I know he is an able Minister, can find a place where taxis are prohibited and allow ten taxis to park there so that whoever needs transport from the hotel as was alluded to, can find them. It is more closer than calling a taxi from Katutura. They will charge you the money for petrol from Katutura to the hotel and where you are going to be taken which can result in double charges.

As a Traditional Judge, whenever you come up with a decision, you must be sure that this decision can be fulfilled by the people concerned as opposed to coming up with a draconian decision where one is given a fine of N\$4,000 just for not wearing a seatbelt. You must take into consideration that this is a poor Nation, these are African people who ought to have bicycle or motorcycle taxis, as I said earlier and you punish people for seatbelts. How many seatbelts and what type of belts can be fitted onto a bicycle? That Law must be abolished now!

HON SPEAKER: I am beginning to lose you completely. You are speaking in a foreign language, I cannot get you. (*Laughter*)

HON MOONGO: I am talking about the Law of the seatbelt.

HON SPEAKER: I do not know that Law.

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HON MOONGO: The bicycles must also be on the roads but how can a seatbelt be fastened on a bicycles? It would be chaos! Therefore, Colleagues let us come up with proper Rules in order to regulate properly and the sooner the better instead of only arguing. With this I thank you very much.

HON SPEAKER: Minister Schlettwein, and welcome back.

HON MINISTER OF TRADE AND INDUSTRY: Thank you, Comrade Speaker for giving me the Floor. I think this discussion has lost its focus a little bit.

Comrade Speaker, I just want to add very brief points and that is; my perception of this whole Debate should not be about taxi drivers and fines only. In fact, it should be about taxi drivers, yes, but mainly about the passengers that are involved, third parties and other road users that are using the same road.

HON SPEAKER: The Minister has not said anything yet, Deputy Minister.

HON DEPUTY MINISTER OF DEFENCE: On a Point of Information; I know Honourable Moongo is no longer on the Floor but I am speaking through Comrade Schlettwein. There is no Traffic Officer who stops a cyclist for not wearing a seatbelt, never!

What is needed for a cyclist is only to wear a helmet in order to protect his/her head when involved in an accident. Honourable Moongo, you are an elder and a Traditional Leader. You are a good judge and no single cyclist has ever been punished. (*Interjection*) I am not on the Floor.

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HON SPEAKER: Sit down, Honourable Moongo. Honourable Schlettwein, has the Floor.

HON MINISTER OF TRADE AND INDUSTRY: Thank you, Comrade Speaker. The point is that Traffic Rules are primarily made and developed for the protection of all road users, including taxi drivers but also pedestrian, passengers and other road users like cyclists. I, therefore, appreciate that the Committee also consulted those (*intervention*)

HON MINISTER OF PRESIDENTIAL AFFAIRS AND ATTORNEY-GENERAL: Honourable Speaker, I am sorry to interrupt my Honourable Colleague here, but I want to rise on a Point of Information on a rather very important issue. I am afraid that there are Honourable Members of this House who have the habit of disowning Reports when they are Members of a specific Committee.

Comrade Speaker, Rule 65(2) of our Rules reads as follows: “*Minority Report* – A Committee is not competent to present a Minority Report” but what follows is very important “*but the Committee Report may reflect a minority opinion,*” which these Members failed to do. They failed to comply with the Rules, next time they should not come here and cry crocodile tears when the Rules accommodate them. I only wanted to make that point.

HON SPEAKER: Thank you. Honourable Schlettwein, continue.

HON MINISTER OF TRADE AND INDUSTRY: Thank you, in any case when I read that Report, I read conscious that there was a consensus over this Report because there was no *objection* or *minority opinion* raised and I appreciated that since the recommendations in that Report were by

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and large correct and acceptable because I thought they address safety for road users at large, be it taxi drivers, pedestrians, passengers or other road users. I, therefore, think that what we must focus on in this Debate is whether the recommendation of this Report achieved that objective and I think – yes, *it does*.

The Petition to decrease fines defeat the objective because the Rules are there to create safety, safe roads and only if you transgress these Rules, will you get a fine but what it also does it creates a life threatening situation for road users, pedestrians or passengers. Therefore, I do not think that the argument is correct that we must challenge the punitive part of the Rule framework at the beginning. That is the wrong end to start the Debate from. I, therefore, agree with the Report that says road safety is its primarily objective and the recommendations should focus on improving road safety for all its users, including passive users like passengers in taxis as well. That is the main purpose.

If you look at what fines are supposed to do, they always have two elements: They try to prevent an illegal action and if you do contravene the action, then you must also feel the pain of not adhering to the Rules and I think high penalties in certain offences are justified. We must not forget that transgression causes life threatening situations of innocent people and they are not threatening any entrepreneurial or any income generating activities.

You can use these roads and its network in an orderly way and you can perfectly make your money. No one prevents that, but if you do not do that, you threaten other people's livelihoods and lives and, therefore, I think high penalties are pretty justified and they should be in place. Let us focus in making our roads a safer place instead of creating the impression that we would be soft on lawlessness and irregular behaviour on the roads. Thank you.

HON SPEAKER: Thank you. Any further discussion? If not, does

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Honourable !Nawases-Tayeale wish to reply?

HON !NAWASES-TAYELE: Thank you, Honourable Speaker. Honourable Speaker, Honourable Members, due to the interest shown in this very important Report and some clarifications that needs to be provided, may I ask for the indulgence of this House to respond tomorrow?

HON SPEAKER: Any objections to that? So decided. The Secretary will read the Second Order.

**RESUMPTION OF DEBATE ON SECOND ON
READING – NATIONAL HEALTH BILL [B.1 – 2014]**

SECRETARY: Resumption of Debate on Second Reading – *National Health Bill* [B.1 – 2014].

HON SPEAKER: When the Debate was adjourned on Wednesday, the 9th of April 2014, 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.

Any further discussions? If you remember where we were, take your time to sort out your minds. Honourable Maamberua.

HON MAAMBERUA: Thank you, Honourable Speaker for giving me the Floor. Let me thank the Minister for bringing this very important

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piece of legislation or Bill for consideration by this House. In the interest of time, I am going to try to be as brief as possible. I will only highlight some issues that I need clarifications on and maybe some suggestions to make.

If we look at the Bill on Page 11, Section 7, it deals with the remuneration and expenses of the Advisory Committee. Section 7, in particular Subsection 1 states that; *the members of the Advisory Committee must be paid such allowances, including travel, subsistence and sitting allowances as the Minister in concurrence with the Minister of Finance determines.*

My question is, as far as my recollection goes, staff members of the Public Service or Civil Servants in general are not allowed to be paid sitting allowances and yet this Clause does not prohibit that. I think it is a loophole that may be inconsistent with all the other Bills regulating staff members of the Civil Service. That is one.

The next point is on Section 58, dealing with indemnity and that is on Page 34 where; *“the Minister, the Permanent Secretary, any staff member, any member of the Advisory Committee or any member of a Regional Health Board or a District Health Board is not liable in respect of anything done or omitted to be done in good faith.”*

HON MINISTER OF PRESIDENTIAL AFFAIRS AND ATTORNEY-GENERAL: That is underlined.

HON MAAMBERUA: Why is it not like that in all the Bills? That is my question.

The question is: an Indemnity Clause of this nature; is it provided for as a standard to indemnify all your practitioners? For example, I have the Ministry of Agriculture, for instance the Veterinary Services and I need to be understood clearly here that I am not comparing human beings to

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animals. I am just saying, in their performance of any operation to my animal and the causes as you want to underline in good faith, why is there no such an Indemnity Clause in the *Veterinary Act*? I need to establish if they are indemnified? I think that this is very important, if we have such a Clause in a Bill like this one, that Clause can actually be cross-cutting. (*Intervention*)

HON SPEAKER: Dr Iyambo.

HON MINISTER OF VETERANS AFFAIRS: Point of Information, Honourable Speaker. Honourable Maamberua, maybe if you do not mind, in health, for example, if you have to operate on somebody's body in order to save that life, it normally says there must be three doctors in order to perform the operation but in most situations you can find two doctors but then there is somebody who has been admitted with a threat to his/her life. Under Socratic Oath it is stated that as a medical doctor you must at all cost strive to save life.

Therefore, as a doctor, even if it is only the two of you there, you must operate on that person but what is expected is that you try to do it to the best of your ability and in good faith. However, should you do it wrongly or negligently, you will not escape being prosecuted. You will be prosecuted. I just wanted to make that clear. It is not *carte blanche*. You still have to be responsible.

HON SPEAKER: Very good. Honourable Maamberua.

HON MAAMBERUA: Thank you. We can take the Debate further and that is indeed professionals; medical doctors, nurses. (*Intervention*)

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HON SPEAKER: Was that question not answered or is it something else, Minister of Defence?

HON MINISTER OF DEFENCE: Honourable Maamberua, are you aware that before you go to the theatre, you have actually to sign an indemnity yourself? Why do double indemnity? If I sign, that is it. However, the Law protects the same person again.

HON SPEAKER: Honourable Minister, for more education.

HON MINISTER OF VETERANS AFFAIRS: Colleagues, there are instances where you are not in a position to sign - it is an emergency. You are not able to sign but yet people have to save your life. That is what is meant.

HON SPEAKER: Very good. Continue, Honourable Maamberua.

HON MAAMBERUA: I wanted them to pursue their debacle.

HON SPEAKER: No, they are done. They do not have gloves on. Continue, Honourable Maamberua, you are wasting your time.

HON MAAMBERUA: No, I wanted them to finish, Honourable Speaker. Comrade Speaker, what I am trying to highlight is, apart from the fact that there are many other Laws and instances where perhaps (intervention)

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HON SPEAKER: Honourable Angela, you know many things but this one you do not know. (*Laughter*)

HON MAAMBERUA: There are many instances where perhaps the same justifications could have been brought in, but where such Clauses in our Laws are not provided for and that is what I am asking - why not? Another question to this is, much as I take cognisance of the fact (interjection) Minister you will have your time to answer, do not shake your head. Just enjoy my intervention. (*Intervention*)

HON SPEAKER: This does not concern any money or trade issues (*laughter*). Minister of Trade and Industry.

HON MINISTER OF TRADE AND INDUSTRY: Thank you, Comrade Speaker. I am just rising on a Point of Information and I do so, appreciating the explanations that the professional medical doctors gave just now.

Article 58 does not entail exempting or indemnifying doctors that are operating. People who are indemnified are the Minister, the Permanent Secretary, any staff member, any member of the Advisory Committee or any member of Regional Health Board or District Health Board. They are, therefore, not those people who are subjected to emergency cases. These are the administrators and the advisors that are mentioned here. I just wanted to bring back the discussion to that point. Thank you.

HON SPEAKER: Thank you.

HON MAAMBERUA: Thank you very much, Comrade Schlettwein. In

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fact, that is what I was driving to eventually. I have noted all the things down here. The Minister will respond (*Intervention*)

HON SPEAKER: Honourable Iyambo.

HON MINISTER OF VETERANS AFFAIRS: The Minister will respond, but I think we can also clarify issues. I did not say the Minister would not respond. The Minister will respond. All the members are staff members of that Ministry. That is really the core, hence, everybody who is operating, operates with authorisation of that Ministry, including doctors.

HON SPEAKER: Continue.

HON MAAMBERUA: I said, much as I recognised the fact that the point under discussion is the *National Health Bill*, my question is; are the doctors, administrators and staff members who serve the broader public in Namibia going to enjoy indemnity in the operations of the same functions that are done by the administrators, doctors and professionals in the Public Sector? (*Intervention*)

HON SPEAKER: Yes?

HON DEPUTY MINISTER OF DEFENCE: Thank you, Comrade Speaker. I just wanted to ask a question to Honourable Maamberua. Honourable Maamberua, you are sitting in this august House, whatever you say here in this House, no one can take you to Court. However, if you say that outside, we will meet in the Court, why? It is almost the same although that is immunity and this is indemnity. If we do not have them in other Laws, it will only be because we made a mistake. Even when I was

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the Secretary-General of NAPWU, I had a Clause which protected me from being a target of anyone unless it was done negligibly, but if it is in good faith, nothing. We also have that in the Ministry of Defence.

HON SPEAKER: Continue, Honourable Maamberua.

HON MAAMBERUA: You see the only House that makes Laws in Namibia is Parliament and that is logical that it is the only place where such immunity can be enjoyed. However, the Ministry of Health or the health profession is not the only profession that serves human beings in Namibia. It is not the only Ministry that has administrators. That is why I am asking the question whether other Laws in our country, relating to other administrative functions enjoy the same indemnity provisions or not. That is for the Minister to answer. Let me continue, Honourable Speaker.
(Intervention)

HON SPEAKER: Attorney-General Minister of Presidential Affairs.

HON MINISTER OF PRESIDENTIAL AFFAIRS AND ATTORNEY-GENERAL: Honourable Speaker, my apologies for interrupting my Colleague, but I think people miss the point. In terms of Common Law, even those who man public offices regardless if you do something in good faith, that is underlining word in good faith, whether it is written or not, when this issue comes before Court you have to prove fault on the balance of probabilities but if the Court says you did that in good faith. You had no intention to cause the loss. That is fine whether it is written or not. For example, if you do not make provision for medical doctors and there is a road accident where a medical doctor coming from the north or from Windhoek finds him/herself, he will say - *no, I am not*

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covered, so I cannot assist, even if that doctor could save a life. It is even in the interest of the victim to make sure that that doctor is protected. When it comes to the issue of whether it was done in good faith or not, for example, in respect of the medical doctor, there are these Boards which will conduct investigations and say – what this doctor did in terms of the profession is in good faith or not in good faith. That is the understanding, whether it is written or not written. That is the principle.

In addition, in terms of the Common Law, there is this principle of vicarious liability. If you do something and you are working in a Ministry and you cause harm to a member of the public, that victim can either choose to take you specifically to Court or to take the employer to Court. That is the principle of vicarious liability. It does not mean that the victim has no avenue or no right to compensation whatsoever, no. It does not mean that. I just wanted to clarify that.

HON SPEAKER: Very good. Continue.

HON MAAMBERUA: Honourable Speaker, one very important principle of legislating or making Laws is that of consistency. If we are guided by Common Law, let it be applicable in all the situations. My question is; what is so specific about this one? (*Interjection*) no, I am talking about the administrators and it is not only health where people's lives are at stake, you have pilots, transporters and all the others. Just answer my question please.

In the Report of the Presidential Commission of Inquiry for the Ministry of Health and Social Services, the Honourable Minister of Health and Social Services in his Affidavit, Annexure D1, that is the one of the Minister 1(h) - the Minister under oath states, and these are the key concerns, *“lack of a culture of business unusual whereby accountability, ethics, professionalism and values are not instilled in the Public Health Sector to ensure that each citizen receives the highest possible level of*

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health care available and to be treated with the respect and dignity.”

If the Honourable Minister has that very serious concern, how do we bring in a Clause of indemnifying the Minister, the Permanent Secretary, the Administrators in that Ministry if there is a serious lack of accountability and ethics in the public health. (*Interjections*) the Minister is being identified. Can I continue, Honourable Speaker?

HON SPEAKER: Yes, you have the Floor.

HON MAAMBERUA: In the same Report of the Commission of Inquiry, the Permanent Secretary, Annexure D2, *Sworn Affidavit* and that is under (i) – “*to health professionals registration system whereby some are registered with HPCNA while others are authorised by the Ministry to practise. Sometimes it is too difficult for foreign health professionals to register with HPCNA whilst authorisation is quicker. However, some health professionals might be authorised to practise without meeting minimum requirements in Namibia.*”

HON SPEAKER: On that note, the thought having been completed, the House stands adjourned under automatic adjournment until tomorrow, 14:30.

In terms of Rule 90(a) of the Standing Rules and Orders, the Speaker adjourned the Assembly at 17:48 until Tuesday, 23 April 2014.

HOUSE ADJOURNS AT 17:48 UNTIL 2014.04.23 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
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The Assembly met pursuant to the adjournment.

HON SPEAKER took the Chair and Read Prayer and Affirmation.

HON SPEAKER: Good afternoon, Honourable Members. We shall commence the Business as scheduled for today.

That means we start with the usual. Any Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Minister of Finance.

TABLING: REPORTS OF AUDITOR-GENERAL

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

- (i) Village Council of Aroab for the Financial Year ended 30 June 2013;
and
- (ii) Village Council of Stampriet for the Financial Year ended 30 June 2013.

I so Move, Honourable Speaker.

HON SPEAKER: Honourable Minister, please table the Reports. Notice of Questions? Notice of Motions? Ministerial Statements?

Today is Wednesday and that being so, the First Notice of the Motion is

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the one of the Minister of Environment and Tourism. Does the Honourable Minister Move the Motion?

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

HON SPEAKER: Any objections? None. Agreed to. The Minister has the Floor.

**MOTION TO ACCEDE TO THE NAGOYA PROTOCOL ON
ACCESS TO GENETIC RESOURCES AND THE FAIR AND
EQUITABLE SHARING OF BENEFITS ARISING FROM THE
UTILISATION TO THE CONVENTION ON BIOLOGICAL
DIVERSITY**

HON MINISTER OF ENVIRONMENT AND TOURISM: Honourable Speaker, Honourable Members, I would like to take this opportunity to brief you on a few issues related to fair and equitable sharing of benefits arising from the use of our genetic resources and associated traditional knowledge.

I will, nevertheless, focus on the need for Namibia to Accede to the Nagoya Protocol on Access and Benefit Sharing which is currently open for States to become parties to.

Honourable Members of Parliament, this Nagoya Protocol on Access and Equitable Sharing of Benefits to Genetic Resources and its Associated Traditional Knowledge (ABS) intends to raise awareness and regulate the International Laws on the issues pertaining to access to genetic resources and associated traditional knowledge as well as the equitable sharing of the benefits derived thereof.

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As we all know, most of the biological diversity with valuable genetic resources are found in rural areas under the jurisdiction of Traditional Leaders. Therefore, the involvement and benefits for our traditional communities in this specific matter cannot be over emphasised.

Biological diversity is a world natural heritage that sustains our lives in all its aspects. Hence, the Convention on Biological Diversity (CBD) – one of the three Rio Conventions, and the Nagoya Protocol on Access and Equitable Sharing of Benefits to Genetic Resources and its Associated Traditional Knowledge, simply referred to as the Nagoya Protocol, calls on those having these resources to allow others to access them and the benefits derived from those resources must be shared by both the producer and the receiver.

Since Independence and in line with the Namibian Constitution, the Namibian Government, through the Ministry of Environment and Tourism, promotes sustainable development through the conservation of biological diversity and sustainable utilization of natural resources for the benefit of all Namibians both present and future.

Therefore, this instrument is created to raise awareness and to contribute to the development of International and National Laws and Regulations for access to our genetic resources and development of ways in which the parties involved can share the benefits derived from such resources.

It is important to recognise that some projects in the country are an example of how ABS can work. It is even more gratifying that those projects are community-based. Hoodia, Devils Claw and Manila are classic examples of such resources.

Honourable Speaker, Members of Parliament, there are investors attracted to Namibia by its natural heritage of resources as well as the traditional knowledge attached to the utilisation of these assets. These assets are vulnerable to over-exploitation, which has the potential to uproot them with no chance to grow again. The Government is thus committed to counter this threat by ensuring that biodiversity and the ecological goods and services that it provides are used for the long-term benefit of all

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Namibians, especially the rural communities. Therefore, investors both national and foreign are welcome, as they have a role to play, on condition they will do so within the laws of the country that is based on the need for economic and ecological sustainability.

Evidence shows that the best conservation results are achieved through partnerships and the sharing of information and experiences. It is, therefore, imperative that we accede to the Nagoya Protocol on Access and Benefit Sharing to engage with one another during international Conference of Parties under CBD and to share experiences as well as ideas. It is only through such consultative approaches that we will be able to promote sustainable development across the country and its universe and to conserve and manage our genetic resources and associated traditional knowledge wisely.

In the absence of the ABS Law, over the years, access to genetic resources and the benefit sharing in Namibia has been regulated by the Interim Bio Prospecting Committee. Cabinet established the Committee that is made up of the core group of ABS experts in the country in 2007.

The first *Draft Bill* on Access to Genetic Resources and Associated Traditional Knowledge was developed in 1998. However, this Bill was found to be too narrow in scope given the evolving international negotiations around ABS. As a result it was agreed to take a more proactive approach. Since then the bill has undergone several substantial changes. It was also decided to consider its finalisation after the completion of the negotiations for an international instrument on ABS. This was done and the *Draft Bill* on ABS went through its second reading to the Cabinet Committee on Legislations (CCL) on the 13th of February 2014.

The Nagoya Protocol which was concluded in October 2010 has brought about international consensus around ABS issues regarding definitions, concepts, and mechanisms that give effect to Article 15 of the Convention on Biological Diversity that recognises the sovereign rights of States over their natural resources that the authority to determine access to genetic resources rests with the National Governments and is

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subject to national legislation, as well as the fair and equitable sharing of benefits derived from utilization of these resources.

As indicated earlier, the Ministry of Environment and Tourism has activated the process to finalize the Access and Equitable Sharing of Benefits to Genetic Resources and its Associated *Traditional Knowledge Draft Bill* and request this House to endorse that Namibia accedes the ABS Nagoya Protocol. This Protocol already closed for signing and ratification on the 1st of February 2012, but Namibia's deliberate action was not to become a party unless our Domestic Law is in place.

Now, why does Namibia need to accede this Protocol?

1. Accession to the Nagoya Protocol on Access and Benefit Sharing will not only have the impact of making Namibia a party to a protocol under the Convention of Biological Resources (CBD) but it also means that this instrument will form part of the legal framework of applicable Law in Namibia.
2. In the accession, we will ensure that communities benefit from the use of their genetic resources and traditional knowledge. Communities can benefit from this process in a number of ways, both monetary and non-monetary. For example, they have the right to determine whether the research will happen at all. If they feel that the research will violate their Customary Laws or cultural or spiritual values, they have the right to withhold their consent. If they proceed with negotiating on mutually agreed terms, they can ensure that the research is carried out according to their values and in support of locally defined priorities and plans. Benefits can include participating in the research and analysis, gaining technical skills and experience, contributing to local economies and livelihoods and building capacity of local institutions.
3. Namibia as a Party will be able to further take part in the negotiations of the first Conference of Parties for ABS(COP/MOP1) scheduled to take place in South Korea, October 2014.

In conclusion, whiles finalising our National Laws, we have reminded

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ourselves that in the international context, in setting National Laws, we cannot go below internationally agreed instruments, but should rather strengthen our own Laws. I am, therefore, asking Members of Parliament to approve this request for Namibia to accede and deposit the instrument on the ABS Nagoya Protocol while we await the *Draft ABS Bill* to be tabled within this 9th Session of Parliament. The experts and legal drafters are working on the final comments, making critical analysis of the Nagoya Protocol and closing all the loopholes in the National Law before it is endorsed and forwarded by the CCL. We must not give any chance for the destruction of our resources and exploitation of our people. It is my hope that this request and accession yields the desired outcome required to strengthen Namibia's legislation and approach on regulating Access to Genetic Resources and Equitable Sharing of Benefits, and encourages investment opportunities that will contribute to the sustainable economic growth of our country. I look forward to seeing the way forward for ABS in Namibia in terms of an effective strategy that will position us as lawmakers and a leader in ABS in the region if not in the world. Thank you for your attention.

HON SPEAKER: Thank you, Honourable Minister. Any further discussion? That being the case, there being no further discussions, does the Honourable Minister wish to reply?

HON MINISTER OF ENVIRONMENT AND TOURISM: Comrade Speaker, Honourable Members, I would like to extend a word of thanks for the endorsement and the support that we have received from the Members of Parliament. Thank you very much.

HON SPEAKER: Thank you. I now put the question that the Motion be adopted. Any objections? Agreed to.

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The Secretary will read the First Order of the Day.

**RESUMPTION OF DEBATE: REPORT ON PUBLIC HEARINGS
AND PETITION BY NAMIBIA TRANSPORT AND TAXI UNION**

DEPUTY SECRETARY: Resumption Debate on the Consideration of Report on Public Hearings on the Petition by the Namibia Transport and Taxi Union.

HON SPEAKER: When this Debate was adjourned on Tuesday, 22 April 2014, the question before the Assembly was a Report by Honourable !Nawases-Taeyele. The Debate was concluded and the Honourable Member now has the Floor to reply.

HON !NAWASES-TAEYELE: Thank you, Honourable Speaker. Honourable Speaker, on behalf of the Standing Committee I rise to salute the Honourable Members of the august House for supporting this important Report. The Report touches on the very daily lifestyles of our citizens and the issues that they are grappling with.

It starts at dawn in the morning when our people leave their doorsteps from the very far outskirts of Katutura and Otjomuise, and even as far as Okahandja and Rehoboth and ends when they return home in the evening. Yes, how brave are our evening class students who withstand the challenges of Public Transport because they are probably the last to reach home.

Honourable Speaker, what we need is a safe, secure, convenient, reliable and accessible Public Transport System in our capital city and the rest of

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the country. The City of Windhoek is a fast growing city faced with challenges of urbanisation, increasing resident population and increasing motor vehicle population. The city infrastructure cannot sustain the number of vehicles any more.

Honourable Members, we should not try to politicise or try to score some political points when we debate important national issues, especially issues that touch on the basic needs of our people. Instead, we need to find short-term and long-term solutions to the challenges of public transport that we as citizens of this country face daily.

I will now attempt to reply to the contributions made on the Floor of this House. Honourable Speaker, first of all, I want to clarify that the Committee which I chair has the responsibility and accountability in Rule 48(1) regarding to the Petition which was lodged with the National Assembly.

During my Motivation Speech I gave a broad background how the Petition came about to land on the Floor of this august House. Much has been said and I again thank the Honourable Members for their overwhelming support. Further to that Rule 48(3)(a) requires the Committee to receive petitions in terms of Rule 83 of the Standing Rules and Orders.

I am of the opinion that we addressed the issues of traffic fines and we have said time and again that traffic fines are applicable to all road users. If road users contravene the rules of the road law enforcers will subject them to the fines. I believe our Courts are not unreasonable to randomly put people in prison because of traffic fines. What happens here is that some taxi drivers who continuously refuse to pay traffic fines and fail to appear in Courts commit an offence which is called Contempt of Court.

Continuous Contempt of Court justifies the issuing of Warrants of Arrest. If we as citizens do not pay our fines the Laws, we made here in this House, have an alternative of imprisonment which will take effect, if one does not pay the fines so imposed. What we need to remember is that as soon as the case is in Court the Magistrates are no longer bound to only

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impose the admission of guilt fines that the traffic or Police Officers may inflict but they can impose the full sentences as stipulated in the Act. Some drivers, including taxi drivers are actually forcing the Courts to take stringent measures.

On the issue of consultation, this Committee has consulted the Taxi Union before the Public Hearings, last year. They, in turn stated their case during the Public Hearings which are well captured in the Report. Honourable Naholo, Paragraph 1.1 of the Report clearly states how this Petition landed in our domain and attest that we, as Committee met with the NTTU on the 15th of October 2013. We spent the entire week from the 4th to the 8th of November 2013 to conduct Public Hearings on this important issue and they were accommodated throughout to sit in during the hearings and to hear what was coming from the other stakeholders. They were, therefore, consulted and they were part and parcel of this exercise. It was also well captured by the Media and I would like to thank them for the coverage. As a Chairperson of the Committee, I personally consulted with the President of Namibian Transport and Taxi Union.

As much as the passengers or customers are also culprits for stopping taxis at any place it is the duty and responsibility of the drivers of such vehicles to load or off load in the designated areas only. Road rage occurs because of the selfish behaviour of some taxi drivers, including impatient road users. Recent Media reports indicated that Namibia is notorious for its road accidents and deaths on the roads should be a matter of concern to us all. We need to work tirelessly to reverse the negative trend of the events on our roads. The Law and the Courts provide an opportunity to pay an admission of guilt fine in minor cases or to appear before the Court if you do not want to pay the fines. Therefore, nobody is excluded.

I believe this Report will pave the way to review the classes of taxis we have in the country. I noticed that some Members compare us with cities like New York, but we should start here because we say; *charity begins at home*. It is unfortunate that the Public, through the House, heard that some Members did not attend to the important activities taking place in

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the Committee and then come to this House crying crocodile tears. Committees are where most activities of the operation of Parliament take place. I am sorry if some representatives of certain Political Parties do not fulfil their obligations by not attending and actively taking part in the deliberations of the Committees. In our Committee, we do not talk Party Politics or Party Membership. Here we take collective decisions and always try to reach consensus in the interests of the people and not for political gain.

Honourable Speaker, I have to express and register my disappointment in a Member of the Committee, Honourable Ben Ulenga, a senior and respected Member of this Parliament who signed the Report out of his own accord and free will. He was not coerced to sign the Report and more importantly, his signature was not forged or copied to appear on the Report. I have no doubt in the competence, effectiveness, efficiency, professionalism and objectivity of the Committee staff. Honourable Speaker, I am standing here with the original copy of this Report that was under question, yesterday, from Honourable Ulenga. His signature, the original signature appears on this Report. We do not have any reason for Honourable Ulenga's signature to be on the Report.

Honourable Speaker, to cite a good example, Honourable Justus //Garoëb did not sign and it appears as such on this Report. We do not forge other people's signatures on the Report and, therefore, Honourable Ulenga signed the Report, that is after I have done my investigations so that it can be made clear to this House. Honourable Speaker, I insist that Honourable Ulenga withdraws his unfounded statement that he did not sign the Report and apologise to this august House for trying to question the credibility of the Committee and trying to bring in disrepute its Members and its Staff. What he said was untrue and I have made my reference to the original copy.

Honourable Speaker, the way forward on this Report is very simple, we will send the Report with the deliberation in this House to the relevant authorities highlighted in the Report. The authorities are implementers and have the duty and responsibility to ensure that recommendations are

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implemented. It is through the relevant authorities that we expect to see changes in the Public Transport System of Namibia. We strongly recommend a speedy implementation of the Sustainable Urban Transportation Master Plan for Windhoek by the Ministry of Works and Transport, City of Windhoek subjected to the inclusiveness of all other stakeholders.

Honourable Speaker, I want to mention that re-registration of taxis and all public vehicles is a necessary tool. This is not a target on taxis *per sé* but a tool to protect the lives of the citizens of this country. The roadworthiness of any vehicle at the time of registration and five years down the line is different. Public transport, in general, needs to be maintained much more than our own personal vehicles as these vehicles transport passengers on a daily basis. It is not a new notion as we are required to renew our driver's licences, our vehicle licences and the drivers of the public transport are required to renew their public driving permits, regularly.

Honourable Speaker, I would like to mention that the closure of Independence Avenue for taxis, I believe, was done in terms of Section 50 of the *Local Authority Act, 1992* (Act 23 of 1992) which state that, ***“Closing of a Street or Public Places – a Local Authority Council may at any time and upon such notice as it may deem fit, temporarily or permanently close any street or any portion of a street for any particular class of traffic, for any purpose which in its opinion requires it to be closed.”***

I would like to thank all the Honourable Members for their contributions. Honourable Speaker, I now Move for the adoption of the Report and Recommendation. I so submit, Honourable Speaker. *(Applause)*

HON SPEAKER: With that said, I now put the question that the Report be adopted. Any objections? Agreed to.

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The Secretary will read the Second Order of the Day.

**RESUMPTION OF DEBATE ON SECOND
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SECRETARY: Resumption on Debate on Second Reading – *National Health Bill* [B.1 – 2014].

HON SPEAKER: When the House adjourned on Tuesday, the 22nd of April 2014, 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. Honourable Maamberua has the Floor to continue.

HON MAAMBERUA: Thank you, Honourable Speaker. I think I stopped at the stage where I was quoting the *Affidavit* of the Honourable Minister of Health that was presented to the Presidential Commission of Inquiry on Health and Social Matters but before I did that, I had wanted to be clarified about the Indemnity Clause in the proposed Bill as to why it is only confined to the Public Sector. What will happen to practitioners?

HON SPEAKER: Just for my own, I do not see the Minister and the Deputy Minister. Has the Minister assigned any of his Cabinet Colleagues to stand in for him?

HON MAAMBERUA: Honourable Speaker if the Minister is not represented, can I ask to postpone my intervention to tomorrow?

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HON SPEAKER: I hear so many voices. I want to be helped out of the situation. Honourable Kawana.

HON MINISTER OF PRESIDENTIAL AFFAIRS AND ATTORNEY-GENERAL: Honourable Speaker, I submit that the Debate should continue since the Hansard is there and the Minister will only respond at the end by which time he would have access to the Hansard. Therefore, his absence will not impair him to respond to whatever issues that are raised in the House. I so submit, Comrade Speaker.

HON SPEAKER: You are playing football with me. The standing practice is that those who table Motions, Reports and table Papers, when the discussion takes place are present physically. The fact that the Hansard, record and everything is available is not what I sought by putting the question. I would adjourn further consideration and find a way to give the Floor to Honourable Maamberua tomorrow but the discussions will continue. Yes, Honourable Ndjoze-Ojo.

HON DR NDJOZE-OJO: Honourable Speaker, I wish to give information that the Minister of Health asked me to allow the Debate to go on and then I will intervene on his behalf what should happen to the *National Bill of Health*.

HON SPEAKER: You should have told me that earlier.

HON DR NDJOZE-OJO: Yes, I stood up. Thank you.

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HON SPEAKER: Anyway, let the discussion continue. Honourable Maamberua.

HON MAAMBERUA: Thank you very much, Honourable Speaker. If I may continue, I said I was looking for an answer as to how the Health Practitioners, whether nurses, doctors, etcetera, those practising in the Private Sector and privately in general would be indemnified if at all that is standard and it has to be guided by an Act of Parliament as it is the case being proposed. Then also as to how other Institutions, Offices, Ministries and Agencies that deal with human lives are protected in terms of these types of indemnities and whether that should not be standard across our legislative culture.

At this juncture, I wanted to quote from the Minister's submission to the Commission of Inquiry in that the Honourable Minister admitted that there was, across the board, lack of accountability, ethics and professionalism values in the Public Health Sector. In the same Annexure the Minister admitted that, and I have to read this one – *“nurses’ poor attitudes, partly because they are overworked or burnt out due to heavy workloads and lack of incentives.”* Put all this together, of course supplemented by an *Affidavit* by the Permanent Secretary of the Ministry of Health and Social Services again under oath before the Commission of Inquiry, stating lack of standards of uniformity in many areas in the Ministry of Health and Social Services’ operations and lack of professional managers and/or CEOs to head hospitals and finally, where he went on to admit that some health professionals might be authorised to practise without meeting minimum requirements and that same information was actually confirmed in the findings of the Commission from different *Affidavits* they received from the public and other professionals.

Put all these admissions which were under oath by the Administrators of the Ministry, which admissions in my view, are actually confirmation of the fact that generally speaking the Practitioners in the Ministry do not their work hundred percent in good faith and that there is common negligent conduct in that Ministry by the Practitioners because otherwise, lack of professionalism, lack of accountability and lack of ethics would

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not have been a concern to the Honourable Minister. Therefore, for us at this juncture, to allow a Clause such as the one of indemnifying the personnel starting from the Minister, the Permanent Secretary and the rest as quoted in Section 58, I think we are going to do this Nation a disservice.

Moreover, the recommendations of the Commission of Inquiry on Health have not all been fully implemented. Why then are we in a hurry to want to indemnify personnel of that Ministry before they have done what is actually required of them as per the recommendations and the findings of the Commission of Inquiry. Let me also supplement that my doubt with some of the incidences widely reported to confirm what I am saying. One such incidence of negligence across or in this Ministry is the sterilisation of women against their will. It is a well-known fact. Yesterday we were informed by one former Minister of Health that it is the practice in the health profession, that unless if it is an emergency, no one doctor operates on a patient, the standard requirement is three doctors. How would it be possible that three doctors would err to sterilise women. It is just not possible. It cannot be an error. It can only be negligence. The deaths that are reported almost on a monthly basis, undesired deaths emanating from negligence of Health Practitioners and we can cite so many examples.

HON SPEAKER: Point of Order, Information.

HON KAZENAMBO: On a Point of Information; Comrade Speaker, Honourable Maamberua of *Okambumba* – SWANU, is smartly mixing two issues. He is talking about negligence and daily occurrences of deaths manipulating smartly with the issue of sterilisation, which he does not go in detail to substantiate and then lumping issues to blackmail the whole system – white mail, blackmail or yellow mail.

Comrade Speaker, from the policy point of view, I have no doubt because there is no policy in Namibia that I am not aware of, that permits anybody

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to practise sterilisation of women. Since there is no policy in place in a manner that he is putting it, this does not amount to negligence if it is not criminality. However, if it is a criminal offence, there are ways and procedures of how to report cases but the way the Colleague is putting it, is as if it is a policy that is rampantly practised by the Ministry of Health. As for the articles that we read in newspapers, it is regrettable that they happened that way but I do not think that that is Government policy, not to my knowledge.

HON SPEAKER: Before I give the Floor back, I am a layman on this one too. The point that Honourable Kazenambo is making that there is no Law is the truth and I expect the people in this field to give me some sense before I allow the discussion to continue and be recorded as such. Honourable Iyambo.

HON MINISTER OF VETERANS AFFAIRS: Thank you very much, Comrade Speaker. Sterilisation can be performed when it is requested by the patient concerned and the circumstances for which it is being requested has to be investigated to establish whether it is valid. If it is valid, it can be done. For example, there are instances where giving birth alone is a threat to the mother. If that has happened more than once, the patient can then determine that indeed her own life is in danger during giving birth and if she so then request, and there is evidence to prove that indeed in previous births there has been those incidents near to causing death, it can then be performed.

HON SPEAKER: Thank you. You may continue, Honourable Maamberua.

HON MAAMBERUA: Thank you, Honourable Speaker. I am exactly talking about sterilisation of women against their will. There is no policy that says you can sterilise a woman against her will. There are so many

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women up in arms against the Ministry. Those are the people that I am talking about. I am not talking about people who were sterilised on their own accord (*intervention*)

HON SPEAKER: Yes?

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: On Point of Order; Comrade Speaker. Honourable Members, as somebody who is representing women, the Honourable Member is using words that are not allowed. Which women and how many women are against their own Health and Social Services Ministry? I want you to mention those women and to tell this House and public out there. Thank you.

HON SPEAKER: I think you have invited that question.

HON MAAMBERUA: I beg your pardon.?

HON SPEAKER: You have invited that question by saying it as if some women have given you the information that they wanted to be sterilised or that they do not want to be sterilised.

HON MAAMBERUA: No, I am talking about public information of women who were sterilised against their will.

HON SPEAKER: That is what the Deputy Minister is asking about

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because you are inviting all of us to want to know who these women are.
Minister of Finance.

HON MINISTER OF FINANCE: Honourable Speaker, on a Point or Order; considering the seriousness of the case and taking note of what many of us have observed in the media reports in the not too distant past, these cases were actually before the Courts and I was looking around to see whether the Minister or the Deputy Minister is here so that we can inquire as to whether the hearings that were being conducted by the Courts were concluded and whether there was a decision and we cannot get that confirmation now and we may actually have a case that is *sub judice* being discussed here in Parliament.

Can the Honourable Member not be convinced to put aside his point on that issue until we have established the status of this case and if it is found that the hearings were indeed concluded and maybe the statements that he is making are actually backed by the conclusion of this, then the House can discuss the issue. I am just concerned that the issue is too sensitive and we would not be well served as a Nation if we speculate on it in this House. Thank you.

HON SPEAKER: I agree with you fully. If you could continue on another subject, we keep that particular aspect in abeyance. It is quite a serious issue. You may continue with another aspect.

HON MAAMBERUA: Thank you, Honourable Speaker. I thought the one representing the Minister was capable enough to be able to answer on behalf of the Minister. That is why I had requested that in the absence of the Minister that we postpone this discussion until the Minister is here.

HON SPEAKER: Honourable Ndjoze-Ojo.

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HON DR NDJOZE-OJO: Thank you so much, Honourable Speaker. I am not here to answer on behalf of the Minister. I am here to collect all the information and all the inputs that would be carried on the Floor so that he answers as the Minister later. If there were no contributions on the Floor, I would have suggested what should happen to the Bill. Continue to finish and then your answers will come from the Minister.

I think we should treat that issue as it is until we have clarification and continue with the rest. Thank you.

HON SPEAKER: Yes, I agree with that.

HON MAAMBERUA: Thank you, Honourable Speaker. After all, I am not talking about any case before any Courts. I am talking about these cases in general as they have been reported. (*Intervention*)

HON SPEAKER: He took your point, Honourable Kazenambo. Continue Honourable Maamberua.

HON MAAMBERUA: Many other deaths that have been reported. Now they are enjoying it. (*Intervention*)

HON SPEAKER: Honourable Tjihuiko.

HON TJIHUIKO: Honourable Speaker, may I ask the Honourable

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Member a small question?

HON SPEAKER: Yes.

HON TJIHUIKO: Honourable Maamberua, I am sure that you did not touch on something that is still in the Courts. I know that you were referring to something that we have all read in newspapers.

Honourable Member, would you agree that a case of that nature where women were sterilised against their will, truly happened as it has been reported in the newspaper? Would you agree with me that? Yes, indeed (*intervention*)

HON SPEAKER: I have said that that particular aspect should be left sub judice or leave it in abeyance until the Minister comes. Can we move on to something else?

HON MAAMBERUA: Thank you, Honourable Speaker. There has been several (*intervention*)

HON ULENGA: Honourable Speaker, may I ask Honourable Maamberua a question?

HON MAAMBERUA: Yes.

HON ULENGA: Do not try to dodge out of your political narrow straight jackets by discussing other issues. Anyhow, Honourable Maamberua, are you getting the same impression as I am getting that the sub judice Clause is being abused in this particular case to dodge an embarrassment by the Ruling Party? Please answer that.

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HON SPEAKER: No, no, I rule you Out of Order. The Minister is not here nor is the Deputy Minister but this is a matter on the Order Paper of the Assembly. The Minister will continue to be the Minister as far as I know even if we go into recess tomorrow or the day thereafter. This matter that is now alive on the Order Paper will remain alive. Dodging the issue is out of the question. You are Out of Order. Continue.

HON MAAMBERUA: Thank you, Honourable Speaker. I was coming to talk about administrative negligence that (*intervention*)

HON SPEAKER: I hope we do not go back to this issue that we have said we are not going to address because the Minister is not here.

HON MINISTER OF DEFENCE: Honourable Maamberua, can you ask your question related to this issue in generality? The central issue is the issue of indemnify political authorities, administrators and professionals. When you from your own system legislate on a matter like this one, where would your balance of judgment be, will it be to more protect the public or to protect the Minister, administrators and professionals? The doctors we are told, take a *hippocratic oath*. Now as a good legislator would you be more on the side of the public or on the side of these other people? Thank you.

HON SPEAKER: Yes, continue.

HON MAAMBERUA: Thank you for that question, that is a fair question and it is on the basis of the rationale of this question that I am

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trying to demonstrate and illustrate the incidences that I am citing where the intention is for me to demonstrate that the primary objective of us as legislators and more specifically in this particular case under discussion is for us to take the best public interest into account. Therefore, the scale should be tilted in favour of the interest of the public. The Common Law position that we heard about yesterday is there to prove the practitioners, the administrators and the politicians either guilty or otherwise.

Let me go next point. I was referring to (*intervention*)

HON SPEAKER: Honourable Ilonga.

HON DEPUTY MINISTER OF DEFENCE: On a Point of Order; Comrade Speaker. This is not the first Law that is having this Clause. This Clause sounds as if it is protecting the officials and Office-bearers. Like in the example given by Comrade Iyambo yesterday of a car accident; I can tell you that if we allow to exclude this Clause your patients will never be treated because no one is prepared to take the risk of treating a person who is in a critical condition, for instance. We just had this disaster of the helicopter on the 10th of this month. (Interjection) I am a doctor if you do not know that.

There were people in critical conditions and the doctor was made to take the risk to save the lives of our people. Even the Defence Force has the same Clause so that we protect our Force so that when people die in a crossfire, they cannot be held liable. Let us, therefore, not criticise this Clause. If we do not have it in another Act, it is because of own our negligence.

HON SPEAKER: Yes, Honourable Maamberua.

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HON MAAMBERUA: Honourable Speaker, I think my time is also of the essence here and these interventions that do not add value to what I am trying to say should be curtailed. Somebody just proclaimed to be most probably a doctor or some kind and I wonder whether this Clause is also aimed at indemnifying traditional doctors. Are the traditional doctors indemnified under this Clause because I can only believe him to probably be a traditional doctor than a medical doctor? (*Laughter*) otherwise, it could be discriminatory.

HON SPEAKER: Honourable Tjihuiko.

HON TJIHUIKO: Honourable Speaker, on a Point of Information. I think the question that was asked by the Honourable Member needs to be answered. Traditional doctors do register with the Ministry of Health as well. It means that they will also be protected by this Act, of course, because they are doctors. (*Interjection*) yes, witch doctors.

HON MAAMBERUA: Thank you very much, Honourable Speaker. Let me go to the next point. I was talking about administrative negligence because the indemnity is also indemnifying administrators. Let me give you an example of what is happening in a village called Otjituuo, Okatjoruu. That village has not had an ambulance for the past six or so months. The villagers called me requesting my intervention and I intervened.

An ambulance was then taken by the Ministry to that village and do you know what kind of ambulance is at that village now? There is a double cab which is not converted to a vehicle with ambulance facilities. It is just a double cab vehicle. How do you ferry people to the clinic of Okatjoruu. How can a double cab vehicle serve as an ambulance? How do you transfer or transport a sick patient in a double cab? Anything that happens to that patient can actually be regarded as gross negligence on the basis of the administrators and that is the administrative negligence that I am

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talking about. How do you indemnify an administrator who fails like that? (*Intervention*)

HON SPEAKER: Yes.

HON KAZENAMBO: On a Point of Information, Comrade Speaker. Being treated to semantics and language manipulation to cheap political points. (Interjections) I know there are many of your voters there, although all of them have migrated to SWAPO, you can answer that.

Anyway, I am saying the intervention is telling because you can see the other one is jumpy or ready because it is politically motivated based on the language from the previous one to this one. Comrade Iilonga has expressed himself eloquently and clearly on indemnity, I do not want to go there. Again here, it is being presented in this Parliament and the public out there as if there is administrative negligence by providing a form of a vehicle, we and the public out there do not know whether this logistical resource is provided on a temporary or a permanent basis.

I am not justifying the pick-up but I am addressing that. In terms of the availability of resources, in the wake of a lack of resources, will Honourable/Comrade Maamberua or SWANU Maamberua prefer that the Ministry not avail a pick-up until a proper ambulance is available. Which one will you prefer? That is why I am saying that we are dramatising this issue saying that as if the Ministry is endorsing certain criminal activities and in these activities and actions are of a criminal nature, the procedures are there. However, I do not think that the Ministry has been administratively negligent to provide people with resources that are not suitable.

HON SPEAKER: You are repeating yourself, Honourable Kazenambo.

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HON MAAMBERUA: Thank you, Comrade Speaker. Indeed, I can testify to the fact that the Ministry can afford to provide all the 300 and so plus Health Institutions across the country, each with an ambulance and it is for this reason (*interjection*). Please just listen.

HON SPEAKER: Only one person at a time. Honourable Maamberua has the Floor.

HON MAAMBERUA: Yes. An ordinary vehicle or a 4 x 4, which is not a double cab ranges between N\$300,000.00 and N\$400,000.00 in Namibia, price wise. To convert such a vehicle into an ambulance is an extra cost of one million Namibian Dollars. If you multiply, even if we were to say 400 Health Institutions – hospitals and clinics in Namibia, that is 400 times say N\$1.5 million per vehicle.

HON SPEAKER: What exactly is the point you are trying to make?

HON MAAMBERUA: I beg your pardon?

HON SPEAKER: With all these calculations, what is your point?

HON MAAMBERUA: I am answering his point.

HON SPEAKER: Which is?

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HON MAAMBERUA: Which is whether the Ministry can afford to provide each Health Institution with an ambulance. That is what I am answering.

HON SPEAKER: What is the point you want to make?

HON MAAMBERUA: The point that I want to make is that there is no need for the Ministry of Health and Social Services, 24 years after Independence to still be pretending that none ambulance vehicles are ambulances as it is happening in many of our rural set ups. (Interjection) We can afford that.

HON SPEAKER: Honourable Nambahu.

HON DEPUTY MINISTER OF JUSTICE: On a Point of Order. With all due respect, the Honourable Member has the privilege of asking questions every Thursday, but now he is subjecting us to hearsay things that we do not have any information on and he is capitalising on something in the absence of the people that are supposed to be in the know. He wants us to be abused here, sitting and listening to non-factual issues. It is necessary for him to put a question and we hear the whole story but now we are only hearing from him. We do not even know whether it is true that that is happening there and as a result, he is politicking and he expects us to sit here and allow Government to be accused of things that we do not know whether they are facts or fabrications.

I would request, through you Comrade Speaker, that the Honourable Member withdraw his question and then put a question for the Minister to respond to properly on Thursday because as of now, we are not getting the

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whole picture and will thus do a disservice to that topic. I so submit.

HON SPEAKER: As a Presiding Officer, I do not know at this stage what exactly the line of reasoning Honourable Maamberua is pursuing. I have, therefore, no way of Ruling him Out of Order on technical grounds. I do not have that capacity, I do not have that technical knowledge because the things he is saying is like music to my ears (*laughter*) If we keep on that track, maybe I will go back to my original decision that we adjourn further consideration of this issue until the Minister is here.

It does not help me as a Presiding Officer. I do not know what to rule on. In your case I do not know whether the things you are saying are right or wrong because I do not have that expertise. It is not a political issue, but a technical issue for me. If that is the line of reasoning that you would want to pursue henceforth, then I will ask you to defer and then to wait for the Minister himself to be here. I will give you the Floor one more time.

HON MAAMBERUA: Honourable Speaker, with the interventions of the Comrades around here, I had pleaded for them to allow me enough time to say what I want to say but they prefer to want to derail the discussion. However, the point that I am making, Honourable Speaker (intervention)

HON SPEAKER: The Minister is not here and the Deputy Minister is also not here.

HON MAAMBERUA: Exactly.

HON SPEAKER: Honourable Ndjoze-Ojo was given the mandate that

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she would be recording the discussion and at an appropriate time the Minister would come and reply to all the questions, and all the issues raised but that bedevils me as the Speaker because I will have to keep on ruling people Out of Order or to ask you to clarify the issue that you are raising and so on. It does not help my role as the Presiding Officer to be fair. I want you to say what you want to say but the others will take issue with what you are saying and here I am. I have to make a Ruling whether I should ask you to continue or whether I would accept the Point of Order. You have prepared your intervention on the assumption that the Minister would be present when you are speaking and it is not the case at the moment.

HON MAAMBERUA: Honourable Speaker, allow me to just clarify one question and then I should also plead to allow me to continue with this in the presence of the Minister, maybe tomorrow or some other time. At least we have some direction.

HON SPEAKER: Yes.

HON MAAMBERUA: What I am trying to explain with the figures – I am not talking about hidden figures, we all approved the Budget of the Ministry of Health here and we all scrutinised those figures, so we know exactly. And every time in his Budget Statement, the Minister clearly indicates how many Health Institutions are here in Namibia. I am, therefore not exaggerating anything, I am stating factual things that we are always being informed about by the Minister of Health. I am talking to all of you who are informed about how much it will cost to convert a vehicle into an ambulance and what the price of an ordinary 4 x 4 vehicle in Namibia is. These are things that we all know. That is all that I am talking about. Honourable Speaker – simple arithmetic. (*Intervention*)

HON SPEAKER: Honourable Iyambo.

23 April 2014 **SECOND READING – NATIONAL HEALTH BILL**
HON MAAMBERUA

HON MINISTER OF VETERANS AFFAIRS: Point of Information, Comrade Speaker. If Honourable Maamberua was to tell us that during the Budget Debate here so much money was allocated by the Ministry of Health for ambulances, so much for medicine, so much for foods and so much for other things concerning health and he could tell us now and say - *this much money that was budgeted for ambulances but was not exhausted. Why could the Minister not use that same Budget which was available for ambulances?* However, are you talking about the global money that was allocated to the Ministry for various things and you are not saying there was money meant for ambulances, which was not used.

I will then infer to say, possibly why the Minister has allocated a pick-up to the village you have mentioned and not a proper ambulance is because there was no money even to convert that pick-up into an ambulance and the Ministry have said that a double cab could still serve better than a donkey cart. That could have been the reason. You know that for the villagers and everybody, if it is the only donkey cart available, it could still be used but in this case, the Minister is saying let me assist with a double cab maybe until such a time that there is a proper ambulance available. Thank you.

HON MAAMBERUA: Honourable Speaker, as I requested, I will continue if you allow, with the remaining points, when the Minister is here but I am totally surprised to hear that 16 years before the realisation of Vision 2030 they are still talking about donkey carts when in only 16 years we are supposed to be having a standard of living equal to the present day standard of living of the Western World.

HON SPEAKER: We will defer further consideration of this Motion and when the Minister is back in the House when we resume tomorrow, then he will answer these questions.

Further consideration of this Motion stands adjourned until tomorrow or the day after. No, I am not giving you the Floor I have given a Ruling here.

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Further consideration of this Motion stands adjourned until tomorrow or some other time. We will report back to the Minister. I am not giving you the Floor you are not the Minister.

The Secretary will read the Third Order of the Day.

**RESUMPTION OF CONSIDERATION OF
REPORT ON THE FOURTH ORDINARY SESSION
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SECRETARY: Resumption of Consideration of Report on the Fourth Ordinary session anniversary of the Pan African Parliament.

HON SPEAKER: When the House adjourned on Tuesday, the 15th of April 2014, the question before the Assembly was a Report by the Honourable !Nawases-Taye. The Minister of Presidential Affairs adjourned the Debate. You have the Floor, Honourable Kawana.

**HON MINISTER OF PRESIDENTIAL AFFAIRS AND
ATTORNEY-GENERAL:** Thank you very much, Honourable Speaker. Let me first and foremost commend our Honourable Deputy Speaker for the informative Report, and indeed agree with the recommendations that are contained in the Report, including the proposed Amendments.

Comrade Speaker, my concern is with regard to the youth of Africa and the conducive atmosphere within which they are entitled to live on the continent of their birth. It is regrettable that every year we lose the cream of this continent in high seas running away from the continent with a view to experiencing better life, especially in Europe.

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I would like to propose to the Honourable Deputy Speaker that this item should be a standing agenda on the Floor of that House and make a recommendation to the African Union as to how we should address this situation. We know the causes are many. Some being, for example, political instability as we have experienced after the Libyan situation most of the youth who ran to Europe and some of them who ended up perishing in those high seas came from Libya. Some causes are economic of nature. I think the time has come. Africa is one of the richest continents endowed with many natural resources and yet we have the poorest people compared to other continents of this world. I think that aspect should receive utmost attention. I do not think we will succeed as Africa when we are losing so many young people. I do not think we will succeed to attract those Africans in the Diaspora when they see the arrivals of those who are running away from the continent.

Africa is losing a lot of talent, a lot of academic resources to Europe and the Americas, particularly North America. Currently, we are indeed subsidising Europe, I do not know whether it is because of certain Laws in those areas, but you find that there are more older people than the youth and, therefore, in order to address the labour gap they are now importing labour from the African Continent. Even Japan has joined that approach because they stated that in Japan, there are now more older people than young people and, therefore, in order to attract labour, they must recruit labour from Africa.

North America is also tapping the resources of Africa subsidised by poor African countries, particularly in the medical field, even from here in Namibia. We were just talking about the health situation here in Namibia; We train hundreds, if not thousands of our nurses using public resources of Namibia but those nurses are today in Europe and in North America, subsidising Nations that are already rich. Comrade Speaker, in my view these are the issues, which must enjoy the agenda of this Honourable House, which is an African Union House so that Africa must move forward as a continent which is already rich in terms of resources. There is no reason why Africa must only go backwards in a reverse gear when other continents do not have a reverse gear.

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Comrade Speaker, you were the Foreign Minister at the time, when you were saying that *the 21st century must belong to Africa and, therefore, we should develop our continent*. I am speaking from experience and it is a pity that Honourable Tjihuiko is not here but I hope that Honourable Maamberua will bear with me from the other side of the Floor as well as Honourable Hidipo Hamutenya and Honourable Kaura who were in exile in Europe and America. During my time in the United Kingdom, studying Law, quite a number of those students who came from Africa, never bothered to come back.

After completing their studies they found families there and settled and said they will never set their foot in Africa again. I was very, very demoralised, very saddened because this continent, if any, is the one which needs people with capacity to develop its resources. Currently, most of these resources are being looted, taken out of the continent in raw form. When the goods are manufactured outside the continent, they are bought back at exorbitant prices and this must really be reversed because if the 21st century belongs to Africa, economic development must be at the forefront. With these few remarks Honourable Speaker, I support the Report and I thank you.

HON SPEAKER: Thank you. Any further contributions? Minister of Finance.

HON MINISTER OF FINANCE: Thank you, Honourable Speaker. I also rise to support the Report and to commend our Continental Body for the work that it is doing. There is no doubt that in order for Africa to survive in the global economy, we need to pursue with more vigour, the process of integration in order to strengthen our voice in the global community and pull our resources in order to optimise the benefits for our Continent from globalisation. I, however, just want to indicate in general that it is also important that in dealing with matters of our Continental Organisation, we ensure that we take along all the stakeholder institutions at domestic level in developing appropriate policies and instruments.

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This is with specific reference to the Economic Ministers, those responsible for trade and finance who are usually not part of the formal structures of these organisations but deal with critical issues related to economic integration and intra regional trade, who sometimes come on board. They debate on very important issues at a much later stage and often we find that the process can no longer proceed with the speed that you would have liked to see because critical questions are raised at the time that these important stakeholders come on board.

I think this is the matter with regard to the timelines for attaining economic integration by way of an Economic Community for Africa. We have talked about a common currency. Within the SADC region we have even talked about the Customs Union, which in the end we were not able to deliver by the time that we had committed ourselves to. I think because we did not start off at the same time with all the stakeholders on board.

To just emphasise the importance, we know that as a Sovereign State, we have institutions that represent us and these are normally the Ministers of Foreign Affairs but I think learning from the experience of other international organisation, it is important to have some Committees of important stakeholders like Trade Ministers and Finance Minister to make sure that all are able to make their input early enough and that we are able to push through the agendas that we commit ourselves to in order to help with the realisation of the vision of the African Continent as conceived by our Heads of State.

The same also applies when it comes to the funding of the Continental Organisation that, when we have to agree on Programmes that have to be implemented in terms of the cost for implementing these Programmes; the mobilisation of resources to implement these Programmes; including the sources from which these resources could be mobilised, the important stakeholders are consulted in order to make sure that we do not find ourselves constrained by the diversity of legal instruments that are applicable at domestic levels when it comes to the actual implementation of the vision of the Continental Organisation. In general, this is what I would like to advise in support of the Report. Thank you.

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HON SPEAKER: Thank you, Minister. Honourable Bezuidenhout.

HON BEZUIDENHOUT: Thank you very much, Honourable Speaker. Honourable Dr Kawana makes me think about the brain drain within Africa. I was arguing with my own son who is a medical professional and he wants to go that side too because they have very enticing offers and I said - *no, let us discuss this thing.*

One of the issues that I can say is that very lucrative financial offers come from the other side in terms of enticing skills to go there, relaxed immigrations rules just to capture the individual to make him/her a specific slave in a very specific Industry where they do not have the skills. Under their own rules, and I am specifically referring to the European Continent where the Hungarians are entitled to go, all of a sudden there is a very nervous discussion about immigration on their own social benefits structures and so on. I think those are the issues that we as Africa must look at, learn from and see how far we can get.

One issue that I would like to mention and I know people disagree with me – please let us assist each other. I find that in general we have a very low confidence in respect of our own skills and resources. In practice, what we see is that we will ignore or say no to a Namibian professional and go for a South African consultant or any other foreign consultant because we believe them much more than what we believe our own people.

A number of times, the Members in this House asked the question – *what is wrong with our products because shops do not want to put our Namibian products on their shelves because our people do not want to buy them?* I think it is very serious for us to reject our own agricultural products from Minister Mutorwa's Green Scheme. They would say – no, I will not buy here in Namibian, I would rather buy from Cape Town. It is a very deep thing in ourselves where we are very distrustful of our own skills, our own knowledge and our own capabilities. For me, it is like

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colonialism in reverse. First they came and did what they did at the time and now they are taking our resources but in a subtle way as well as taking our skills that go and wait there for these resources to come and assist in adding value to them and then ultimately export them back to us at a price. I think we must engage our young people and encourage them to stay here. All these gentlemen in the House have sacrificed a portion of their youth for the liberation of this country.

I think some of our young people must also say, in order to accelerate development or make Namibia more successful, we also need to sacrifice 10% to 15% of our time as the youth to ensure that we are here. However, if we keep on training and people who continuously move away, we will keep on training forever without developing our own country. I have seen a documentary over the weekend where foreign Governments entice African Heads of State, this was in the past, where they make them feel so important only to get what they really want – the control over their resources and then all the people who were employed were always expatriates with skills or knowledge and a specific country never gained anything from that relationship.

I think we also need to suffer for our integrity and die, rather than to smile and go with the ones who are not genuine in the developmental approach. We have discussed that we need to pay our own way and that I agree with, we need to really pay our own way. Well, help is always welcome but not to come and dictate to what we need to do or not do. Otherwise, we fall prey to (*intervention*)

HON SPEAKER: Honourable Minister.

HON MINISTER OF DEFENCE: You are making very important points and I hope that Honourable Hidipo Hamutenya got what you are saying. (*Laughter*)

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HON SPEAKER: Yes, he is listening.

HON BEZUIDENHOUT: He is just laughing. The point I want to make is that we need to be proud of ourselves and instil that pride within the generations to come and that those generations also say that – *I also need to make my skill available for the benefit my the country before I go somewhere else to do something else.* We have a challenge but we need to address that challenge collectively.

Honourable Speaker, that is sometimes the problem that we get played off against each other by foreign international organisations and countries to make sure that we do not think along the same lines but we need to wake up to all these things and start saying – *yes* and *no* so that we also earn the respect we deserve for who we are and not only for our resources.

I will encourage the PAN African Parliament to take these issues to the Forum when they meet again, engage other Members of the PAN African Parliament, ensure that we are on the same agenda and they take it to the African Union so that we get a direction from the collective wisdom of our Heads of State because as a Continent, we cannot go on like this – continuing to think backwards, being always late, always the least developed, always in need of something and always depending on someone else.

I think, with the concerted effort of philosophy as well as education, we can overcome this for the future of our generation. I thank you very much, Honourable Speaker.

HON SPEAKER: Thank you. Honourable Sioka.

HON MINISTER OF LABOUR AND SOCIAL WELFARE: Thank

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you very much, Honourable Speaker for the Floor. I have a few interventions. First of all let me say that I support the submission from the Committee without any reservations. In my view, these submissions are very important. As a Child of Africa who grew up in the struggle and remembering yesterday, the support we received from all African countries made me contribute to this submission.

As I mentioned yesterday - Namibia was struggling yesterday, however, the support we received from other African countries was very overwhelming. Therefore, anything which comes from Africa and which concerns Africa, we have to stand up as united Africans and support them.

We have to support our initiatives and this is one of them, we should not question it at all but to rise and support it. I remember the people I am seeing here today, including the Honourable Speaker, are teaching us so much about the history of Africa up to today. We are, therefore, the people to take over now.

On the questioning of the Budget of the PAN African Parliament, perhaps we should have approved this submission long time ago and gave ideas on how they should do it. If you look at Page 4 of this submission – is it a submission? It is a Report yes, on Page of the Report where they are talking about the Budget, what I could say there is just that a standard formula should be devised for all the African countries to contributing to the Budget of the Pan African Parliament.

Comrade Speaker, as far as I know, we are Members of CPA, Members of the UN, Members of the IPU, and you name them, we are paying contributions to those institutions why do we question our own as Africans? This is our baby. This is our initiative, therefore, we should obviously come up with a formula on how we should contribute to PAP without any reservations.

On Page 7, there is a question which I would like to put – which are the five countries that are financing this, is Namibia one of them? That is my question on Page 7.

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Now let us go to Page 8 (c); the one stating - *Promoting Food Security and All Forms of Violence Against Women...* I would say this is on Gender-Based Violence. Honourable Colleagues, my small voice is difficult to understand, perhaps you may only understand when I have grey hair. I have been saying that we should perhaps concentrate on a long-term approach on violence against women and children even though only women are mentioned here, I do not know why they omitted children, it should be like the approach we took on HIV/AIDS. That approach should include all Heads of State in the world, all Political Leaders, Traditional Leaders, Regional, Local and Church Leaders, including individuals to be involved in addressing these issues.

I still recall when the Founding Father was pressing on us at the University of Namibia, especially the SWAPOs were instructed and told that whenever you go and address your Political Region where you are requesting your votes from, talk about HIV/AIDS because all those people who are living there are your votes. All these women and children who are dying are our votes, therefore, let us start doing it as leaders and politicians by addressing the issue of Gender-Based Violence through informing everybody. The Traditional Leaders should also take the initiative because they are with the rural people to call on them and inform them. Some day people will heed the message and even though we may not be able to eradicate Gender-Based Violence, we could reduce its occurrence.

Otherwise, Colleagues, these were my interventions. We should speak the same language when it comes to African issues and as Africans, as well as support our institutions and our initiatives. With these few remarks, Comrade Speaker, I support the Report. Thank you.

HON SPEAKER: Thank you. Any further contributions? Honourable Namoloh.

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**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,
HOUSING AND RURAL DEVELOPMENT:** Thank you very much,
Honourable Speaker. I also would want to contribute to this Report on the
PAN African Parliament and the AU.

I know there are a lot of points in this Report that attributed to Africa as a continent. It has become a tradition that we will be able to put up quite a number of institutions, but institutions that would live for long periods without achieving anything because we do not address the core issues affecting us as Africans. We always cry and we are crying of now. I heard one of the Honourable Members here talking about Africans running and drowning with boats between Africa and Europe. No one is to blame but ourselves as leaders of countries on our continent. Some of these Africans who are running away, are running away from very rich countries, but we cannot improve the standards of living of our own people while the wealth and the raw materials being used to keep up the standards of living of other people where our people are running to, are from Africa.

We are talking about brain drain but there is no one to blame but us. We train people who qualify and become number one. In most instances, if you look at the African students in Europe or America, they are top performers besides the local whites there, however, when you look at our infrastructures back home, they are pathetic. You cannot bring a well qualified doctor or physician to operate in one of our hospitals. The machines are not functioning so how can someone waste his/her time to come and do nothing? They opt to go to better hospitals somewhere in Europe or Canada where the facilities are in very good conditions and so forth. When it comes to the Universities, the Professors who are teaching in some of those counties are African Professors, why? - Because there is nothing in our Universities. We cannot produce anything in our Universities.

The best Researchers and Scientists are taken to NASA and other Western Research Centres in Europe to go into space and look into the skies while we only look down here and not up. These are some of the things we have

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to address as Africans and tell our Leaders in Parliaments. (*Intervention*)

HON SPEAKER: And what are you?

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,
HOUSING AND RURAL DEVELOPMENT:** We are all leaders – to tell ourselves, yes.

You find that we accumulate wealth and then we bank in those countries without banking in our own countries. I think some of us we were taught a lesson that when you bank there and they impose sanctions on you, they freeze your money there. I hope many Africans would now bank in their own countries so that this money can be used to develop our own countries.

We own so many infrastructures outside our country. You will hear of villas everywhere, but there are no villas here. How can we talk of developing ourselves if you only want to develop those who are already developed? When we talk about transfer of skills and technology to enable the processing of raw material in Africa, where will the money come from if the money we make is banked outside and not inside our countries? Most of the money in foreign banks are from Africa and elsewhere. You hear about billions and billions of dollars and pounds in foreign accounts from Africa.

As an African Parliament we always put emphasis on good governance. Where is good governance? I think this is not good governance and we must call a spade a spade if we have to correct ourselves, otherwise we would just be crying and nothing will happen as a result. If you look around in most of the International Organisations now, they have employed Africans to tap into their good knowledge. They are employed as UN Representatives in African countries and elsewhere but we cannot

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employ our own people. Our people are only recognised outside our countries. I think this is the most disturbing issue and this is why we cannot deliver to our people and our children will run there, they will go because we have not created conducive conditions for them to be able to do what they wish to do. We cry every time. I hope this could contribute what should be discussed in the Pan African Parliaments so that we face ourselves and meaningfully look back and reflect on where we have gone wrong.

When it comes to human trafficking, yes, people are being trafficked because they want to go somewhere they can obtain jobs because we cannot provide them with jobs and this leads to human trafficking in some instances. We can only stop human trafficking if we invest in our own countries because this, in turn will discourage these people from leaving their own countries.

With these few words I support the Report. Thank you.

HON SPEAKER: Thank you. Honourable Ulenga.

HON ULENGA: Honourable Speaker, I am really sorry because I was reminded by the Table here that I have spoken but I think that it was quite far back, I cannot remember.

HON SPEAKER: They do not tell un-truths here. It goes through me and as you know, I do not do that.

HON ULENGA: Yes. I have already accepted that. If the Speaker

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gives me a chance I definitely want to make a few comments.

HON SPEAKER: I have already given you the Floor and you have already wasted three minutes. I have given you the Floor, speak now.

HON ULENGA: Thank you very much. Honourable Dr Kawana mentioned this very important issue of the brain drain and now three other speakers have touched on the issue that is really the issue that sort of triggered my picking on this gadget. Since the Minister of Regional and Local Government, Housing and Rural Development has said the same thing and my Colleague as well, before I say anything else, I agree with what they have said that there is a need for introspection.

I also wanted to address this particular aspect; the African ego seems to have really taken the hammering through the last 600 years or so of slavery, colonialism and so on. Looking back into ourselves, the introspection that is being proposed, we should also look at that particular aspect.

You know, I speak to Namibians. In the first place, it is good to go places, see countries and learn about other people but in Namibia, even the quality of the sunshine my Dear Friend, is better than any other place but people do not know about these things. Namibians tell me, even the born-frees, the lighter or it is called *fairness* of the complexion, the better and the softer the texture of the hair, the better and the higher the bridge of your nose the better. We even have a vision in front of us that is tailored. It does not just aim at the highest development possible but it is tailored somewhere, which sometimes one is not very comfortable with.

Of course, I do not want to take that aim of aiming at something away but there is too much of leaning west. Really we should look into this thing as

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a State and as leaders to bring back that self-respect and if necessary, even it if it has to be done at school so that people can have a greater way of looking at their self-worth, the value of ourselves and our country.

The second point, Honourable Speaker, somebody a few days ago, if I am not mistaken, also spoke about the need for obligatory national service. There is a need to insist on ploughing back and if necessary to do it by Law. Those who want to go away later they can go away but we should have a Law that says that we have educated you, your country has given you so much and it is now time for you to take three, four or five years to plough back. I thank you, Honourable Speaker.

HON SPEAKER: Thank you. That does it, I take it. Does the Honourable Member, Honourable !Nawases-Taeyele wish to reply? Is that you? Before you do that your neighbour, Professor Katjavivi wanted to say something before you.

HON !NAWASES-TAEYELE: Honourable Speaker, I was just standing in for my Seniors in their absence and now (*intervention*)

HON SPEAKER: You are handing over?

HON !NAWASES-TAEYELE: They will continue with the reply.

HON SPEAKER: To the honours of the House.

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HON PROF KATJAVIVI: Thank you very much, Honourable Speaker. Honourable Members, I have the honour to respond to the queries raised by various Members of this Honourable House on the Report of the 4th Ordinary Session of the PAN African Parliament, which also saw the commemoration of the PAN African Parliament's 10th Anniversary.

First of all, on behalf of Namibia's delegation to the PAN African Parliament of which I am the leader, I do take this opportunity to appreciate every one of you who has diligently read through the Report and raised queries that need to be clarified as well as those who have made comments and supported the Report. For that I wish to thank you all. I am going to provide my responses in accordance with specific queries that were raised by the Members of this House.

Honourable Moongo's Question: He questioned the work done by the African Union and referred to problems of disunity within the African Union. He also raised for the need of clarity in terms of commitment to the cause of the African Union by its Members. My response is that the African Union and its Members are committed to the promotion of the unity of the Continent.

It is the same unit of purpose that was pursued by the Organisation of African Unity that saw the total liberation of the African Continent. At times, there might be particular challenges that might confront the African Union like any Continental wide Organisation, that will pose a particular challenge there its Member(s) might differ on certain tactical issues. However, this does not necessarily reflect a departure from a wholly commitment to the cause of the African Union.

Honourable Ilonga raised a question. Among the issues he raised, he called for the clarification of NEPAD and what it does. My response – as we are well aware NEPAD was established by the Heads of State and Governments of the African Union with the view to accelerate development of the African Continent in a coordinated manner. To the best of my knowledge, NEPAD is doing a tremendous task in this regard,

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as partly evidenced recently during the just concluded National Assembly Renewable Energy Conference where a NEPAD Delegate presented at length on the subject.

Honourable Nambahu raised a question. He raised the question of the role of Non-Government Organisations (NGO) that do interact with the work of the PAN African Parliament and its various Committees and how they are admitted to such assignments.

He further alluded to the need for the PAN African Members meeting before going to attend the Session at the PAN African Parliament. My response; under the African Union Commission, Civil Society interacts with the work of the African Union Commission under the following platforms:

Under the Economic, Social and Cultural Council (ECOSOCC) – a United Nations Platform which is an Advisory Organ of the African Union. ECOSOCC is composed of different social and professional groups drawn from Member States.

Secondly, especially within the African Union, NGOs and Civil Society Groups interact with the Department of Political Affairs of the African Union Commission, which deals with issues relating to election management, humanitarian and refugee issues, among others. The admission of such NGOs and Civil Society Groups to such assignments depends on the relevance of the portfolio to the various Standing Committees of the PAN African Parliament as well as the track record in undertaking such assignments.

On the question of Namibia's Parliamentary Delegation meeting with various Parliamentarians before proceeding to the PAN African Parliament meetings; my response is that, yes, it is necessary to consult extensively at home before proceeding to the PAN African Parliament. It is particularly important to do this if there are burning issues to consult on. However, we are acquainted with most of the issues which we believe our

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Government and Parliament are committed to and, therefore, unless queries are raised, we do feel able to express Namibia's position during the various PAN African Parliaments meetings that we regularly attend.

Honourable Utoni Nujoma raised a question and he expressed fears of possible hijack by retrogressive groups of a transformed legislative PAN African Parliament for wrong intentions. He also raised a concern over high turnover rate of PAN African Parliament Members. My response to that is that the benefits or advantages of having a legislative PAN African Parliament on the African Continent outweigh the disadvantages of not having one. Besides other factors, it will also put Africa in a stronger position to express itself to the international community, for example, through a strengthened African Court of Human and People's Rights, which can undertake most of the responsibilities currently being undertaken by the International Criminal Courts in the Hague.

Honourable Members, a strong case has been made for the need for the PAN African to transform. This argument has been conclusively made through various fora in Member States and the general position on the Continent in this regard is in the affirmative. Indeed, the PAN African Parliament transformation process from an advisory to legislative body is purposely being undertaken gradually so as to achieve consensus on this vital matter.

On the question of the high turnover rate, I do agree with the Honourable Member on this. It is a fact determined by our various National Electoral processes and there is little that can be done without it at the present. However, there is a suggestion for the future that the PAN African Parliament does have its own Members Electoral System and it is only then that we may be assured of the longer term serving Members of the PAN African Parliament.

Honourable Kazenambo raised the question of Africans in the Diaspora and how we could mobilise them for the purposes of contributing towards the course of the development of the Continent. My

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response is that Africans in the Diaspora are defined as people of African descent living outside the continent, irrespective of their citizenship and nationality. The history of our freedom struggles on the continent has demonstrated that a greater majority of these people are always willing to contribute to the cause of the betterment of Africa.

Therefore, it is a question of undertaking targeted interventions with people who are ready to serve Africa, for example, under the African Union's Agenda 2063, various Projects and Programmes are envisaged, which could be channelled to success through such networking and collaboration. Under such arrangements, the African Union and its Member States could form the agenda that can pave way for such collaboration and networking.

Quite often, Africans in the Diaspora send remittances to their respective countries of origin to boost socio-economic development there. This is also a very important aspect with regard to collaborative development between the Continent and those in the Diaspora.

Honourable Speaker, yourself and others have contributed to this Debate and referred to Africans in the Diaspora as the Sixth Region of the African Union. This was due to the perfect acknowledgement of their role and their contribution.

Honourable Mwaningange raised a question here as to how the PAN African Parliament fits within the African Union and as to whether the Heads of State and Governments in Africa are informed of the PAN African Parliament's Programmes. My response is that the PAN African Parliament is one of the many Organs of the African Union established by the mandate derived from the collective decision of Heads of State and Governments on the African Continent. Every National Parliament is represented by five members who participate in the work and the activities of the PAN African Parliament and duly report back home on its work after every Session.

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Furthermore, I wish to inform the Honourable House that the PAN African Parliament has aligned its Committees with those of the African Union Commission. One of these Committees visited Libya on a fact finding mission during the 2011 crisis of that country and did a great job. This Committee was headed by Honourable Chief Charumbira of Zimbabwe. In addition, the PAN African Parliament also felt the need to set up Youth and Women Caucuses within Parliament in order to prioritise and promote dialogue – on the Youth in terms of unemployment and other issues and Women on gender mainstreaming.

Clearly, the PAN African Parliament is an institution that is committed to the promotion of Parliamentary democracy and good governance. During every Session there is always the subject of ensuring the Ratification of Treaties and Regulations aimed at promoting good governance on the African Continent. For example, questions have been raised now and again on the need for countries to ratify and domestic the African Charter on Democracy, Elections and Governance. Notably, Namibia has not yet ratified this Charter. It is for this reason that the attention of our Ministries of Foreign Affairs, Justice and the Office of the Attorney-General have been drawn to the matter.

Honourable Speaker, at this point, I would like to quickly respond to the specific question that has been raised this afternoon. First of all, ***Honourable Kawana*** spoke on the brain drain and expressed concern about the number of Africans who are forced to seek opportunities to improve their livelihood. In this connection, I am pleased to inform the Honourable Member and the rest of the Members in the House that this item forms part of the discussion organised by the Labour and Social Affairs Commission of the Organisation of African Union and I am quite certain that the issues that the Honourable Member referred to are likely to enjoy particular attention at that Conference. The Conference is taking place in Namibia from today, the 23rd of April 2014, to tomorrow, the 24th of April 2014. I have read in the local media about this important event and I hope the issue will be taken up. I can also assure the Honourable Member that I am quite certain that these issues will continue to enjoy the

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attention of the African Union as well as the PAN African Parliament. These are issues that do come up almost on a yearly basis and we may not necessarily be sure that we find answers to some of the critical challenges that the Honourable Member raised, but at least they are being addressed and debated upon from time to time.

There was a question from the *Honourable Sioka*, she wanted to know which are the five countries that are contributing to the Budget of the African Union. We omitted mentioning those countries for reasons that I cannot go into now but if you insist (*intervention*)

HON DEPUTY SPEAKER: Just mention three.

HON PROF KATJAVIVI: If you insist I will mention now. Can I just mention about three? South Africa, Algeria and Nigeria amongst others but of course Namibia does not miss an opportunity to make its contribution, yearly.

Honourable Speaker, Honourable Members, I might have missed something there, however, in conclusion, the PAN African Parliament is a very important Organ whose role and mandate should be strengthened for the good of the African Continent. As we look back on the path we have traversed in order to gain inspiration as we chart the way forward, we are encouraged by the following statement by President Seretse Khama of Botswana when he said the following and I quote;- *“The effectiveness of coordinated action in the political liberation encourages us to believe that a similar dynamic coordination is attainable on the economic front. This is not to gloss over national interests or differences of opinion, there must be a perception of economic regional interests but the pursued of these common interests must provide for the real and immediate needs of each cooperative State.*

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HON ANGULA**

The Honourable Deputy Speaker is reminding me of something that we talked about. I do not think I need to remind the Honourable House that the PAN African Parliament have had an opportunity and honour of attracting a number of Members of Parliament from all over Africa and as we know, many of them have served and returned home, and quite a number of them have assumed higher offices, including that of the Prime Minister and President at that level. It is in that context that I am saying the PAN African Parliament is an important Organ of the African Union that will continue to make meaningful contributions to the development of the continent.

Once again, I thank you all for your contribution on this Report. I do acknowledge the contribution of *Honourable Nahas Angula* and his suggestions that levying Africa's minerals and petroleum resources in our various countries could help sustain the African Union's Budget. This is also in line with the kinds of recommendations that were advanced by President Obasanjo's Committee on fund raising for the African Union. I hope there will be an opportunity to have further Debates on this important issue relating to the role of the PAN African Parliament and Namibia's contribution to this Organ of the African Union.

With this, Honourable Speaker, I Move that the House adopt the Report and I thank you.

HON SPEAKER: With that I now put the question that the Report be adopted. Honourable Minister Angula.

HON MINISTER OF DEFENCE: Thank you, Honourable Speaker. For your understanding, I am quite sure that all of us have learnt that a Member of Parliament of the Federal Republic of Somalia was killed in a terrorist attack just a few days ago and I think another Member was wounded. I thought that, since we are talking about the African

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Parliament and African affairs, perhaps this House considers sending a message to the Parliament of Somalia to express our condolences, sympathies and our support for the Somalis Parliamentarians to rebuild their country. Thank you.

HON SPEAKER: Thank you. That is a good idea. I do not think there is any objection to that. We shall do so.

The Secretary will read the Fourth Order of the Day.

**CONSIDERATION OF REPORT AND RECOMMENDATIONS
ON THE CONFERENCE ON WOMEN IN POLITICS
AND DECISION MAKING IN NAMIBIA**

SECRETARY: Consideration of Report and Recommendations *on the Conference on Women in Politics and Decision Making in Namibia.*

HON SPEAKER: Does the Honourable Minister of Gender Equality and Child Welfare Move that the Report be considered? The Minister is not here, is it Honourable Manombe-Ncube who is standing in?

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: Thank you Honourable Speaker, Honourable Members. I rise to motivate the Report of the Conference on Women in Politics and Decision Making in Namibia, which was Tabled on Tuesday, the 1st of April 2014, in this august House for consideration.

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Honourable Speaker, Honourable Members, the Conference was a follow-up consultation between the Ministry of Gender Equality, Political Parties and other stakeholders in 2012.

The recommendations of that conference were:

- The MGE CW with relevant Offices, Ministries and Agencies (O/M/As) should ensure that the Electoral Law incorporates among other aspects, legislation on the 50/50 provision to require all Political Parties to comply, provide for a zebra listing of women and men candidates at the local, regional and parliamentary levels as well as consider increasing seats in Parliament as appropriate.
- All Political Parties should review and amend their respective Constitutions to provide for women's representation in all their structures as well as mainstream gender perspectives in Manifestos and Programmes including providing for equal leadership training opportunities for women and men, girls and boys.
- All stakeholders should put in place mechanisms to foster an environment that is conducive for the advancement of women within and across Political Parties, Civil Society, the public and Private Sectors, including working with Religious Bodies, Traditional Authorities and Gender Activists to advance women's role in leadership and decision making.
- Government Offices, Ministries, Agencies, State-Owned Enterprises and Private Sector should develop and implement guidelines to ensure 50/50 representation in their decision-making structures.
- Government should consider providing incentives, including funding to Political Parties that comply with the 50/50 system of representation for women and men.
- The MGE CW together with relevant stakeholders should design the awareness programmes on Namibia's national, regional and

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international commitments on gender equality and women's empowerment, especially targeting grassroots rural women, men, girls and boys.

This can be done through media to conduct public awareness campaigns on the 50/50 provision as per SADC Protocol on Gender and Development, including encouraging more women to take up training on vocational skills, especially in the fields, which are mostly dominated by males.

Honourable Speaker, Honourable Members, I would like to call upon my women Colleagues in Parliament and in the public out there to use this opportunity to compete with our male counterparts in all positions of decision-making, especially in the fields of science and technology that are dominated by males. The 50/50 is not a new phenomenon in Namibia, the creation of the Department of Women Affairs soon after Independence, which was later elevated to a fully-fledged Ministry by our Founding President Dr. Sam Nujoma and continued by his predecessor Dr. Hifikepunye Pohamba is a testimony that the issue of gender equality and women empowerment has been one of the priorities for the Namibian Government.

These are not new things to us as women since we know our problems. Even when we are eating around the table, nobody spoon-feeds you, you have to help yourself. Nobody would come and help women while we are not supporting each other.

- The MGECW and stakeholders should conduct research, including undertaking gender audits on the implementation of international instruments on gender equality, document progress made and compliance as well as provide platforms for sharing information on international, regional and national experiences.
- The MGECW, Ministry of Finance and stakeholders should strengthen Women's Economic Empowerment through various mechanisms, including reviewing requirements for accessing credit,

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providing guidelines to women's access to preferential procurement and markets strengthening the implementation of gender responsive budgeting, mainstreaming gender perspectives in planning, major economic undertakings and in all Sectors in Namibia.

- The MGEWCW and stakeholders should mobilize human, financial and other necessary resources to support Programmes and Activities for promoting the advancement of women in leadership and decision-making as well as monitor and evaluate the implementation.

Honourable Speaker; Honourable Members, in conclusion, I would like to thank the SWAPO Party leadership that took a bold step to amend its Constitution on 50/50 gender representation in decision-making in all Party structures. I am inviting all other Political Parties, Public and Private Sectors, NGOs, FBOs and more specifically women - ourselves to embrace the spirit of 50/50 gender representation. The implementation of the SADC protocol is to honour the commitments of our Head of State who signed the said Protocol in 2008 and ratified by Namibia in 2009 which calls for at least 50/50 representation in all decision-making structures.

Finally, I would like to conclude with the quotation from Article 4(1) of the United Nations Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) which states that "*Affirmative Action and Gender Equality help make men and women equal is not discrimination, even though Affirmative Action and Gender Equality Programmes treat men and women differently. Affirmative Action and Gender Equality should be temporary policy which ends as the goal of equality of opportunity and treatment between men and women has been reached.*" I thank you.

HON SPEAKER: Thank you, that we will do. Honourable Ncube.

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HON MANOMBE-NCUBE: Thank you very much, Honourable Speaker and Honourable Members for the opportunity to contribute to this important discussion on Women in Politics and Decision-Making in Namibia.

First of all, I would like to congratulate the Comrade Minister and her team for organising this Conference and coming up with such a thought-provoking Report on the resolutions adopted.

Honourable Speaker, I must, however, express my disappointment that I could not attend the Conference as a result of an oversight, I guess in the planning of the Conference, and I want to use this as a lesson learnt moving forward.

I arrived at the venue and to my dismay it was not accessible because it was maybe about sixteen stairs and, therefore, I had no choice but to abandon my participation. My humble but firm recommendation is to request this august House to strengthen legislative instruments to ensure that meetings, workshops or conferences (*intervention*)

HON TJIHUIKO: May I ask the Honourable Member something on a Point of Order?

HON SPEAKER: What is it that you have, continue?

HON TJIHUIKO: No, I just wanted to ask as a small question on the legality, if I may, Honourable Speaker?

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HON SPEAKER: Legality of what?

HON TJIHUIKO: Of the Report that was tabled.

HON SPEAKER: The legality of the Report, yes?

HON TJIHUIKO: Thank you, Honourable Speaker. Honourable Speaker, just listening to the Motivation by the Honourable Deputy Minister and looking at the Namibian Constitution, Article 10(b), which states that – “*no person may be discriminated against on the ground of sex, race, colour, ethnic origin, religion, creed or social and economic status.*”

When I was listening to the Motivation, I got the impression that there is a hidden discrimination against a certain group of people.

Honourable Speaker, if you look at Article 23 of the Constitution, it is also very clear, it states that – “*the practice of racial discrimination and the practice of the ideology of Apartheid from which the majority of Namibian people have suffered for so long shall be prohibited.*”

Now, Honourable Speaker, looking at this and the promotion of (intervention).

HON MANOMBE-NCUBE: You are taking my time.

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HON TJIHUIKO: Honourable Speaker, I need protection because I want to understand.

HON SPEAKER: Yes, I also want to understand your intervention.

HON TJIHUIKO: These Constitutional Provisions and the Report that was tabled, which to me is clearly discriminating against a certain group of people. Is it legal, can it be discussed here?

HON SPEAKER: Who are the certain group of people?

HON TJIHUIKO: It is very clear that it is discriminating against men and I do not know whether this House can entertain something to that effect, Honourable Speaker.

HON MANOMBE-NCUBE: He is Out of Order.

HON SPEAKER: You are Out of Order (*laughter*). I would have kicked you out of the House but continue Honourable Ncube.

HON MANOMBE-NCUBE: Thank you, Honourable Speaker. My humble but firm recommendation is to request this august House to

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strengthen legislative instruments to ensure that meeting, workshop or conference venues are accessible to all, including the elderly people. Venues with access must be recommended than those inaccessible once, even if they could be slightly expensive. It is a good investment to ensure inclusiveness and accessibility than indirectly segregating some parts of the society, *including men* and take cognisance of the diversity of our society. The same goes for the hearing, visual and speech impaired women who could have eagerly wanted to attend this important Conference as well.

Comrade Speaker, as we are faced with the year of elections in Namibia and elsewhere in the Sub Saharan Region, the issue of women in politics and decision-making is very central to the deepening of our democracy, freedom and liberty. Gender equality must, therefore, be upgraded from mere talk shops to a basic requirement in the quest to successfully develop a stronger inclusive Nation.

Honourable Members, allow me to call a spade a space, I have come to conclude that the issue of women empowerment has been advocated enough. It is now time for action, but that action must be internalised by the women folk to understand that women empowerment starts and ends with women themselves taking responsibility for their destiny. Women in politics and decision-making are the ones in fact who should be role models to chart the way forward and champion the fight for women empowerment. Inclusiveness of rural women is essential and crucial.

In my general analysis, it is us women folk who discard each other's potential. In fact, some women have demonstrated no confidence in other women and have in the process derailed the agenda for gender equality. Such women work around the clock to destruct others, blocking every opportunity that is presented to their fellow women. To be frank, some women are making a mockery of the reforms that we are advocating for, and unless we have a change of heart within ourselves as women, our efforts are in vain. I quote from the Report on Page 7, Honourable Speaker, that goes – *“effectively dealing with structural and cultural barriers to the equal political representation of women at all levels of*

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decision-making, thus entails practical measures for the transcendence of the mindsets that helped the fostering of the problem in the first place. Hence, the need to deal with the underpinning structural obstructions that are embedded in culture, custom and tradition.”

Honourable Speaker, Honourable Members, I have no doubt that the men in Namibia are ready to embrace and support women to optimally exercise their optimal potential through offering their skills, expertise and talents to their motherland without any prejudice. Just as we fought together side by side during the liberation struggle, we need to reinvigorate our energies towards the greater cause of the struggle. The struggle for economic emancipation, which needs men and women to win. We must desist from being hypocritical as women and be true to the course of women empowerment.

Women empowerment is not about few, but women from all walks of life. Women empowerment is not a self-enrichment scheme but a matter of urgent, social and cultural reforms that bears massive potential to yield greater results for Nation building.

Honourable Speaker, Honourable Members, in conclusion, allow me to commend the Minister of Gender Equality and Child Welfare again, for hosting this important Conference culminating in this Report, which I hope will simulate useful Debate for the course of gender equality and mainstreaming.

Borrowing from an old slogan that says – *nothing about us without us*, underpinning the assertion that no Policy should be decided by any representative without the full and direct participation of all members of society who stand to be affected by such policies. I plead with all of you Honourable Members, to become true advocates and champions of gender equality and parity to support these needed reforms and empower women in politics and decision-making to enable them to make a meaningful contribution to their country. I thank you.

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**ADJOURNMENT
HON DR GURIRAB**

HON SPEAKER: Well that does it, I will say so. The House stands adjourned until tomorrow 14:30.

In terms of Rule 90(a) of the Standing Rules and Orders, the Speaker adjourned the Assembly at 17:47 until Thursday, 24 April 2014.

HOUSE ADJOURNS AT 17:47 UNTIL 2014. 04.24 AT 14:30
