

**LIST OF MEMBERS OF THE  
NATIONAL ASSEMBLY**

**SPEAKER**

Prof P. Katjavivi (Mr)

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

Prof L Kasingo (Ms)

**THE CABINET MINISTERS**

*(21 March 2015 – Elected in terms of Article 133 of the Constitution)*

Ms S Kuugongelwa-Amadhila	<i>(Prime Minister)</i>
Ms N Nandi-Ndaitwah	<i>(Deputy Prime Minister &amp; Minister of International Relations and Cooperation)</i>
Mr P Ya Ndakolo	<i>(Defence)</i>
Ms P Iivula-Ithana	<i>(Home Affairs and Immigration)</i>
Ms S Shaningwa	<i>(Urban and Rural Development)</i>
Mr J Mutorwa	<i>(Agriculture, Water &amp; Forestry)</i>
Ms K Hanse-Himarwa	<i>(Education, Arts &amp; Culture)</i>
Dr A Kawana (Mr)	<i>(Justice)</i>
Mr C Schlettwein	<i>(Finance)</i>
Mr E Nghimtina	<i>(Labour, Industrial Relations and Employment Creation)</i>
Mr I Ngatjizeko	<i>(Industrialisation, Trade and SME Development)</i>
Dr B Haufiku (Mr)	<i>(Health and Social Services)</i>
Mr F Kapofi	<i>(Presidential Affairs)</i>
Mr U Nujoma	<i>(Land Reform)</i>
Ms D Sioka	<i>(Gender Equality and Child Welfare)</i>
Mr L Jooste	<i>(Public Enterprises)</i>
Dr O Kandjoze (Mr)	<i>(Mines and Energy)</i>
Mr B Esau	<i>(Fisheries and Marine Resources)</i>
Mr J Ekandjo	<i>(Sport, Youth &amp; National Service)</i>
Mr A !Naruseb	<i>(Works and Transport)</i>

Bishop Z Kameeta (Mr)	<i>(Poverty Eradication &amp; Social Welfare)</i>
Mr C Namoloh	<i>(Safety and Security)</i>
Dr I Kandjii-Murangi (Ms)	<i>(Higher Education, Training and Innovation)</i>
Mr T Tweya	<i>(Information &amp; Communication Technology)</i>
Mr P Shifeta	<i>(Environment and Tourism)</i>
Mr T Alweendo	<i>(Economic Planning &amp; Director General of the NPC)</i>

## **DEPUTY MINISTERS**

*(21 March 2015 – Elected in terms of Article 133 of the Constitution)*

Ms Manombe-Ncube	<i>(Office of Vice-President – Responsible for the Disability Sector)</i>
Ms M Hinda	<i>(International Relations &amp; Cooperation)</i>
Mr E !Nawatiseb	<i>(Public Enterprises)</i>
Ms C //Hoebes	<i>(Deputy Minister in the Office of the Prime Minister)</i>
Mr D Klazen	<i>(Urban and Rural Development)</i>
Rev A Kapewangolo (Ms)	<i>(Poverty Eradication &amp; Social Welfare)</i>
Ms P Beukes	<i>(Poverty Eradication &amp; Social Welfare)</i>
Mr A Muheua	<i>(Labour, Industrial Relations and Employment Creation)</i>
Mr S Simataa	<i>(Information and Communication Technology)</i>
Mr N Ithete	<i>(Finance)</i>
Mr P Mushelenga	<i>(International Relations and Cooperation)</i>
Ms A Tjongarero	<i>(Sport, Youth &amp; National Service)</i>
Dr S Ankama (Mr)	<i>(Fisheries and Marine Resources)</i>
Mr E Uutoni	<i>(Home Affairs and Immigration)</i>
Mr T Nambahu	<i>(Environment and Tourism)</i>
Ms S Makgone	<i>(Urban and Rural Development)</i>
Mr B Mwaningange	<i>(Defence)</i>

Ms A Nghipondoka	<i>(Education, Arts and Culture)</i>
Ms A Shiweda	<i>(Agriculture, Water &amp; Forestry)</i>
Dr Ndjoze-Ojo (Ms)	<i>(Higher Education, Training and Innovation)</i>
Ms L Shapwa	<i>(Justice)</i>
Mr S Sankwasa	<i>(Works and Transport)</i>
Mr B Swartbooi	<i>(Land Reform)</i>
Mr D Kashikola	<i>(Safety and Security)</i>
Mr Van Der Walt	<i>(Industrialisation, Trade and SME Development)</i>
Ms L Witbooi	<i>(Gender Equality and Child Welfare)</i>
Ms J Kavetuna	<i>(Health and Social Services)</i>
Ms K Shilunga	<i>(Mines and Energy)</i>
Mr R /Ui/o/oo	<i>(Office of the Vice-President – Responsible for Marginalised Communities)</i>
Ms L Iipumbu	<i>(Economic Planning)</i>

**SECRETARY**

Mr. J Jacobs

**DEPUTY SECRETARY**

Mr F S Harker

**DEPUTY MINISTERS IN THE NATIONAL COUNCIL**

Mr K Nguvauva	<i>(Works and Transport)</i>
Mr T Diergaardt	<i>(Agriculture, Water &amp; Forestry)</i>
Ms H Nikanor	<i>(Veterans Affairs)</i>

**LIST OF MEMBERS AND PARTIES WHICH THEY REPRESENT**

**ALL PEOPLE'S PARTY (APP)**

Mr I Shixwameni	<i>(Party Leader)</i>
Mr R Nauyoma	<i>(Chief Whip)</i>

**DTA OF NAMIBIA**

Mr M Venaani	<i>(Party Leader)</i>
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Ms J Van den Heever (Chief Whip)  
Ms E Dienda  
Mr V Muharukua  
Mr N Smit

**NATIONAL UNITY DEMOCRATIC ORGANISATION OF  
NAMIBIA (NUDO)**

Mr A Mbai (Party Leader)  
Mr M Jahanika (Chief Whip)

**RALLY FOR DEMOCRACY AND PROGRESS (RDP)**

Mr S Bezuidenhout (Chief Whip)  
Mr Kavekatora  
Ms A Limbo

**REPUBLICAN PARTY (RP)**

Ms C //Gowases (Chief Whip)

**SWANU**

Mr U Maamberua (Party Leader and Chief Whip)

**SWAPO OF NAMIBIA**

Prof P Katjavivi (Speaker)  
Ms S Kuugongelwa – Amadhila (Prime Minister)  
Ms N Nandi-Ndaitwah (Deputy Prime Minister)  
Dr S Ankama (Mr) (Deputy Minister)  
Ms P Beukes (Deputy Minister)  
Mr J Ekandjo (Minister)  
Mr B Esau (Minister)  
Prof L Kasingo (Ms) (Deputy Speaker)  
Ms J Kavetuna (Deputy Minister)  
Dr A Kawana (Mr) (Minister)  
Ms S Makgone (Deputy Minister)  
Ms A Manombe-Ncube (Deputy Minister)  
Mr N Mbumba

Mr C Schlettwein	<i>(Minister)</i>
Mr A Muheua	<i>(Deputy Minister)</i>
Mr P Mushelenga	<i>(Deputy Minister)</i>
Mr J Mutorwa	<i>(Minister)</i>
Mr B Mwaningange	<i>(Deputy Minister)</i>
Mr T Nambahu	<i>(Deputy Minister)</i>
Mr C Namoloh	<i>(Minister)</i>
Mr A !Naruseb	<i>(Minister)</i>
Ms E !Nawases-Taeyele	<i>(Chief Whip and Deputy Chairperson of the Whole House Committee)</i>
Mr I Ngatjizeko	<i>(Minister)</i>
Mr E Nghimtina	<i>(Minister)</i>
Mr U Nujoma	<i>(Minister)</i>
Mr P Shifeta	<i>(Minister)</i>
Ms D Sioka	<i>(Minister)</i>
Mr T Tweya	<i>(Minister)</i>
Ms A Tjongarero	<i>(Minister)</i>
Dr B. Ndjoze-Ojo (Ms)	<i>(Deputy Minister)</i>
Mr E Uutoni	<i>(Deputy Minister)</i>
Mr P Van der Walt	<i>(Deputy Minister)</i>
Ms L Witbooi	<i>(Deputy Minister)</i>
Ms S Swartz	
Ms S Shaningwa	<i>(Minister)</i>
Ms Hanse-Himarwa	<i>(Minister)</i>
Mr F Kapofi	<i>(Minister)</i>
Mr L Jooste	<i>(Minister)</i>
Ms L Mcleod-Katjirua	
Dr I Kandjii-Murangi (Ms)	<i>(Minister)</i>
Mr T Alweendo	<i>(Minister)</i>
Mr H Hambyuka	<i>(Deputy Whip)</i>
Ms M Hinda	<i>(Deputy Minister)</i>
Me !Nawatiseb	<i>(Deputy Minister)</i>
Ms C //Hoebes	<i>(Deputy Minister)</i>
Mr D Klazen	<i>(Deputy Minister)</i>
Rev A Kapewangolo (Ms)	<i>(Deputy Minister)</i>
Mr N Ithete	<i>(Deputy Minister)</i>
Mr P Ya Ndakolo	<i>(Minister)</i>
Mr S Shanghala	<i>(Attorney-General)</i>
Ms A Nghipondoka	<i>(Deputy Minister)</i>
Ms A Shiweda	<i>(Deputy Minister)</i>

Ms L Shapwa *(Deputy Minister)*  
Mr S Sankwasa *(Deputy Minister)*  
Mr B Swaartbooi *(Deputy Minister)*  
Ms K Shilunga *(Deputy Minister)*  
Mr D Kashikola *(Deputy Minister)*  
Mr R /Ui/o/oo *(Deputy Minister)*  
Ms I Hoffmann *(Assistant Whip)*  
Ms L Nghaamwa  
Ms A Sikerete  
Ms J Kandjimi  
Ms N Munsu  
Mr S Karupu  
Mr G Kasuto *(Assistant Whip)*  
Ms A Kafula  
Mr V Nekundi  
Ms B Jagger  
Ms E Nuyoma-Amupewa  
Ms F Caley  
Ms L Shinavene  
Ms L Iipumbu *(Deputy Minister)*  
Ms L Namupala  
Ms P Kavita  
Ms R Iipingeng-Nakale  
Mr L Katoma  
Ms M Mahoto  
Ms M Kandumbu

**UNITED DEMOCRATIC FRONT (UDF)**

Mr A !Auxab *(Party Leader)*  
Ms T Shikongo *(Chief Whip)*

**WORKERS REVOLUTIONARY PARTY (WRP)**

Mr S Fleermuys *(Party Leader)*  
Mr B Kaapala *(Chief Whip)*

**UNITED PEOPLE'S MOVEMENT OF NAMIBIA (UPM)**

Mr J Van Wyk *(Party Leader and Chief Whip)*

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

Ms Hanse-Himarwa	<i>(Minister)</i>
Dr Kawana (Mr)	<i>(Minister)</i>
Dr B Haufiku (Mr)	<i>(Minister)</i>
Dr O Kandjoze (Mr)	<i>(Minister)</i>
Ms P Iivula-Ithana	<i>(Minister)</i>
Mr J Ekandjo	<i>(Minister)</i>
Ms H Sibungo	
Bishop Z Kameeta (Mr)	<i>(Minister)</i>

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
WINDHOEK  
07 JULY 2015**

The Assembly met pursuant to the adjournment.

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

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**ANNOUNCEMENTS**

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**HON DEPUTY SPEAKER:** I have announcements to make, Honourable Members and I hope we have a quorum.

First of all, I was humbly requested by the Table Office to correct the Order Paper of today. Currently, there is only one item, but we are, apparently, supposed to add the Fisheries and Marine Resources Debate, followed by the Debate on the Old Age Homes. Please take note of that and forgive them for that omission.

Having said that, the second announcement is that the Minister of Justice extends, with honour and privilege, an invitation to all the Honourable Members of the National Assembly to the Zambezi Bream Festival and Cultural Expo. The event will be held as from the 10<sup>th</sup> to the 15<sup>th</sup> of August 2015, at Katima Mulilo Sport Complex under the theme - *Supporting and Strengthening Entrepreneurship*. The Honourable Minister of Fisheries and Marine Resources, Honourable Bernard Esau, will officially open the event on the 12<sup>th</sup> of August 2015, at 16:00.

It will, therefore, be highly appreciated if Honourable Members will be present at the official opening until the end of the event, which will end on the 15<sup>th</sup> of August 2015. Again, the Minister urged all Members and National Leaders of the Republic to grace the occasion with their presence.

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**ANNOUNCEMENTS  
HON PROF KASINGO**

I know everybody would like to go to that festival, on the question of S & T, it will be easier for the Members of the Executive, but somehow a little problematic for the Non-Executive Members, however, we will try our level best to be there. I think this announcement is not enough, the Minister concerned, must again extend the invitation to us so that we do not forget please. I will remind him. Is the Honourable Minister of Justice here?

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**HON MEMBER:** No, she is not here.

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**HON DEPUTY SPEAKER:** Okay, I will remind them. The second announcement is on the ID Badge. The Members of Parliament who were unable to acquire Identification Badges at earlier occasions are hereby advised to ensure that they submit their names on the list that will be circulated in the House. The National Intelligence Service staff will be stationed here from tomorrow, Wednesday, from 14:00 to 17:00, at Ground Floor, Room No.14.

The Honourable Members are further reminded to return their signed Bio-Data forms as a matter of urgency, and you must also verify your information concerning the said issue.

The last one is that, the Members of Parliament from the Ruling Party are required to go for a Caucus Meeting after the Debate. Thank you.

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**HON DEPUTY SPEAKER:** With that said; any Petition? Reports of Standing or Select Committees? I recognise Honourable Evelyn !Nawases-Taeyele, the Chief Whip of the Ruling Party?

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**TABLING OF REPORTS  
HON !NAWASES-TAEYELE**

**TABLING: REPORT OF THE 6<sup>TH</sup> SESSION  
OF THE 3<sup>RD</sup> PAN AFRICAN PARLIAMENT**

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**HON !NAWASES-TAEYELE:** Thank You, Honourable Deputy Speaker. Before I lay upon the Table, the Report of the 6<sup>th</sup> Session of the 3<sup>rd</sup> PAN African Parliament, I would like to give a brief background and highlight on some of the activities deliberated on, during the Session.

The Sixth Ordinary Session of the Third PAN African Parliament was held from the 18<sup>th</sup> to the 29<sup>th</sup> of May 2015, in Midrand, South Africa and was attended by five Members of Parliament from each of the African Union Member States. The Namibian Parliamentary Delegation was constituted of Yours Truly, Honourable Evelyn !Nawases-Taeyele, Leader of the Delegation and the Members were: Honourable Loide Kasingo, the Deputy Speaker and former Vice President of the PAN African Parliament, Honourable McHenry Venaani, the Leader of the Official Opposition, Honourable Laura McLeod Katjirua, the Governor of the Khomas Region and Honourable Bernard Sibatani, the Chief Whip from the National Council.

The Sixth Session was officially opened by His Excellency President Uhuru Kenyatta, the President of the Republic of Kenya, who informed the Members that despite all the problems Africa is faced with, he believes that the Continent will achieve prosperity, freedom and dignity, which are the Birth Rights of all citizens of the world. What was also outstanding in President Kenyatta's Statement was that, to achieving regional integration under the East African Community Framework; Kenya, Tanzania, Rwanda, Uganda and Burundi undertook to work on four important areas of cooperation, namely a Custom Union, Common Market, Monetary Union and ultimately, a Political Federation. They succeeded in establishing the Customs Union and the implementation of the Common Market is going on.

In November 2013, they signed a Protocol establishing the East African

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**TABLING OF REPORTS  
HON !NAWASES-TAEYELE**

Monetary Union. The other achievements of the East African Region that the President highlighted are – the One Area Network Project, which means there are no roaming charges on mobile phone calls in the Region, Common Tourist Visas and the Harmonisation of University Fees and Curriculum. These are the good examples of commitments that can drive Africa towards reintegration of the whole Continent.

Honourable Deputy Speaker, Honourable Members, the following individuals were also invited to deliver solidarity messages at the Opening Ceremony, Mr Theodore Ssekikubo, representing the Inter-Parliamentary Assembly on Orthodoxy, Honourable Sheku Badara Bashiru Dumbuyu, Speaker of the House of Parliament of Sierra Leone, Honourable Cecilia Barbara Atim Ogwal, representing Honourable Rebecca Kadaga, the Speaker of the Parliament of Uganda, Honourable Professor Peter Katjavivi, the Speaker of the National Assembly of the Republic of Namibia and Honourable Nomaindiya Mfeketo, the Deputy Minister of International Relations and Cooperation of the Republic of South Africa.

Discussions during the Plenary Session of the Sixth Ordinary Session of the Third PAN African Parliament: **Report on the State of Peace and Security in Africa** - the PAN African Parliament debated the Report on the State of Peace and Security in Africa that was presented to the Assembly by the Chairperson of the African Union Peace and Security Council. The Report highlighted *violent conflicts; the scourge of terrorism; violent extremisms; transnational criminality and human trafficking; the alarming act of violence perpetrated by the Boko Haram Sect against the civilian population; the issue of the decolonisation of Saharawi Arab Democratic Republic and the emerging situation in Burundi*, were amongst the issues that were discussed.

After a lengthy discussion on the Report, the PAN African Parliament urged the African Union to strengthen the capacity of all its Organs and Mechanisms that it already has in place in order to enable them to play a preponderant role in the prevention of conflicts in Africa. With regard to the reoccurrence of xenophobic attacks against fellow African citizens living in South Africa, the PAN African Parliament said that these

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HON !NAWASES-TAEYELE**

xenophobic attacks are clear manifestations that the dream of African Unity remains elusive and undermines the many years of the struggle and sacrifices made by the Founding Fathers and Mothers of the African Union for Continental Integration, Solidarity and Unity. The PAN African Parliament, therefore, called upon the Government of the Republic of South Africa to ensure the protection of the lives and property of all the people residing in South Africa, and that those responsible for inciting or perpetrating these criminal activities are made to face the full weight of the Law to serve as a deterrent.

The PAN African Parliament also abhorred the despicable act of terrorisms by the Al Shabaab Terror Group at the Garissa University in Kenya, on the 2<sup>nd</sup> of April 2015. It expressed solidarity to the Government of Kenya and families of the students, Police Officers and tutors who lost their lives, and those who survived the attacks; and called upon the international community to technically and materially support the Government of Kenya and other Governments, especially in the Horn of Africa, including the Government of Somalia, in securing the Region from the threat of terrorism.

His Excellency Thabo Mbeki, the Chairperson of the African Union High Level on Illicit Financial Flows from Africa, also presented his Report to the PAN African Parliament. The High Level Panel submitted its Report on the 31<sup>st</sup> of January 2015, to the 24<sup>th</sup> Ordinary Session of the Assembly of Heads of State and Governments of the African Union Member States, held in Addis Ababa, Federal Republic of Ethiopia. The Assembly of Heads of State and Governments adopted the Report and its recommendations.

The PAN African Parliament debated on the Report and raised its concerns that the Continent continues to lose over US\$50 billion, annually, through Illicit Financial Outflows and recommended that it is imperative that various National Parliaments on the Continent, thoroughly debate the Report on the African Union High Level Panel on Illicit Financial Flows, in order to chart a way forward in addressing this challenge, which has aggravated poverty and underdevelopment in Africa.

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**TABLING OF REPORTS  
HON PROF KASINGO**

Honourable Deputy Speaker, Honourable Members, the Sixth Session of the Third PAN African Parliament was concluded with the election of new Members of the Bureau of the PAN-African Parliament, as the term of the said Bureau came to an end on the 28<sup>th</sup> of May 2015. The following Members were elected to serve on the PAN-African Parliament: Honourable Roger Nkodo Dang from Cameroon, representing the Central Africa Region as the President, Honourable Eduardo Joaquim Mulembwe from Mozambique, representing the Southern Africa Region as the First Vice-President, Honourable Ashebir Gayo from Ethiopia, representing the Eastern Africa Region as the Second Vice-President, Honourable Suilma Hay Emhamed Saleh from Saharawi, representing the Northern Region as the Third Vice-President, Honourable Bernadette Lahai from Sierra Leone, representing the Western Africa Region as the Fourth Vice-President. These are just the extracts from the Mission Report of the Namibian Delegation to the Sixth Ordinary Session of the Third PAN-African Parliament.

With that, Honourable Deputy Speaker, I lay now upon the Table, the Report of the Sixth Session of the Third Parliament of the PAN-African Parliament for Note Taking, pending the Final Comprehensive Report, which I will table for discussion. I so Move, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Thank you. Honourable Member, please table the Report. As the Mover has stated, this Report is only for Note Taking. It is very important, particularly for the new Members to read it before the Final Comprehensive one comes, because two years back, PAP decided to come up with a Report that will be sent to different National Parliaments and that one, we table for Discussion. Read it so that you familiarise yourselves and understand some of the items.

However, let me also mention something – as it was stated that I was part and parcel of the Bureau or the leadership of the Third Term, we were elected during 2012 and our term ended in 2015. Our Bureau has made remarkable achievements. Firstly, we ensured that the Pan-African

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HON VENAANI**

Members of Parliament have AU Passports. Normally, they did not have the AU Passports. Secondly, during our term of office, we managed to convince the AU Chairperson to ensure that the Budget of AU is tabled before it is discussed. We also ensured the alignment of the PAP Committee with the AU Committee. Lastly and very importantly, we have ensured that the Protocol of the PAP, which gives the power to make Model Laws, has been agreed upon by the Heads of State – it is just a matter of ratification. We, therefore, made very remarkable achievements.

With that, any other Reports of Standing or Select Committee? None. Other Reports and Papers? Notice of Questions? I recognise Honourable Venaani.

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**ORAL QUESTION**

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**HON VENAANI:** Honourable Speaker, I would like to ask an Oral Question under Rule 72 of the House, to the Attorney-General of the Republic?

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**HON DEPUTY SPEAKER:** Come again.

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**HON VENAANI:** I would like to ask an Oral Question to the Attorney-General?

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**HON DEPUTY SPEAKER:** Yes proceed.

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**RESPONSE TO THE ORAL QUESTION  
BY HON VENAANI  
HON SHANGHALA**

**HON VENAANI:** Thank you very much, Honourable Deputy Speaker. In view of the fact that the Prime Minister has appraised this House that you are serving in a Cabinet Sub-Committee that is tasked with the issue of addressing housing and land availability in the country, and in view of the fact that the IMF has again reiterated their position that Namibia has to really curb housing prices in this country – I, thus, ask the following question that:-

The Prime Minister, when I moved a Motion on Alternative Housing and Urban Resettlement, said that the two Committees – the one from Parliament and the one from Cabinet would meet soon to discuss the various problems affecting the Housing Industry. I would want to know from the Attorney-General, when do these two Committees envisage meeting, how far are we with trying to address this crisis and how far has your Committee gone in addressing this housing crisis that is confronting our Republic? Thank you very much.

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**HON DEPUTY SPEAKER:** Yes, can you respond? I suppose the question falls within the ambit of those questions we regard as urgent?

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**HON ATTORNEY-GENERAL:** Thank you, Honourable Deputy Speaker for the opportunity to respond to this important question and I would like to thank the Leader of the Opposition for the question as well.

Indeed, as the Prime Minister has indicated in this House, the Committee of the National Assembly and the Committee of Government will be meeting and I am glad to inform the House that that meeting will take place tomorrow, at 11:00. There are a number of recommendations and solutions, activities and actions that must be taken by a number of institutions and a number of Laws must be looked into. Notwithstanding, the IMF's Report, there is, of course, also a study done by the Bank of

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HON VAN WYK**

Namibia, the Law Reform Commission has also worked on the issue of land and the Committee, which has preceded this current Government has been in the process of compiling its activities and action done thus far.

Therefore, without pre-empting the outcomes of that meeting, I believe that the Chairperson of the Committee, that is, the Honourable Minister of International Relations and Cooperation and Deputy Prime Minister, would be in a position to lead the delegation to the meeting, and if so decided, present a Joint Report here in the National Assembly in the fullness of time. I so submit. Thank you, Madam Speaker.

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**HON DEPUTY SPEAKER:** Thank you. Any other questions? I recognise Honourable Van Wyk.

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**HON VAN WYK:** Thank you, Honourable Deputy Speaker. I do have an Oral Questions for the Honourable Deputy Minister of International Relations and Cooperation.

Honourable Deputy Minister, the new Visa requirements for South Africa has come into effect on the 1<sup>st</sup> of June 2015, we know that, our primary schools usually take the Grade 7 learners to South Africa on educational tours. Some schools have already started with this process and find it quite difficult to obtain Visas for the children due to the fact that in some cases grandparents adopted the children and they do not have Court Orders to prove that they are the legal guardians of these children.

Honourable Deputy Minister, the question is, is there no possibility for the Government to, as a matter of urgency, engage the South African Authorities to see how we can assist some of the children, as this might be a once-off opportunity for some of them to visit South Africa? I believe that Her Excellency, the High Commissioner of South Africa is prepared to look at this problem, but, of course, the Government should, from our

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**RESPONSE TO THE ORAL QUESTION  
BY HON VAN WYK  
HON MUSHELENGA**

side also engage them. This is my question, Honourable Deputy Minister. Thank you, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Honourable Deputy Minister of International Relations and Cooperation, you have the Floor.

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**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION:** Thank you very much, Honourable Deputy Speaker. For the benefit of the other Honourable Members who might not really know what is being asked here – the South African Government has recently taken a decision that, when minors are travelling to South Africa in the company of adults, if a minor is travelling with both parents, there must be a Full Birth Certificate. If a minor is travelling with one parent, there must be an Affidavit from the other parent or a declaration stating that – *yes, I have granted authority for my child to travel*. The reason is to curb child trafficking.

Now, what the Honourable Member is asking is that there are children who are travelling to South Africa and are experiencing problems. Firstly, the Government had communicated this information long before. I do not know, for the children that the Honourable Member is asking about, whether the schools were not aware of the South African decision, in order to make arrangements on time, that if they are faced with difficulties they will come to the Government to say – *this is what we have tried* or they just took children, ignoring the directives or the information that was given, and all of a sudden want to make it urgent.

The Honourable Member did not help me there, so I would have appreciated if the Honourable Member could elaborate more, whether the schools had perhaps followed the procedures and were unable to meet these procedures or whether they ignored procedures and they want us to

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BY HON VAN WYK  
HON VAN WYK / HON MUSHELENGA**

only come in now? Thank you very much, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Yes, Honourable Van Wyk.

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**HON VAN WYK:** Thank you, Honourable Deputy Speaker, Honourable Deputy Minister. It seems that the schools were not aware of these new requirements. Some of these schools also travelled to South Africa last year and they went through the same process. It is only when they visited the High Commission sometime last week, that they actually became aware of these new requirements. It seems that the information was not given through to them on time, so that is the actual reason for this request. I thank you, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Do you want to respond or is it better if he formalises it in the form of a written question?

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**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION:** I will respond to the question. Well, in that case, the schools should have approached the Ministry rather than waiting for the Honourable Member to come here, on Tuesday, to ask the Deputy Minister. The Government does not only work on Tuesdays in Parliament. The Offices of the Government work are open from Monday to Friday, 08:00 to 17:00. Thank you.

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**HON DEPUTY SPEAKER:** Any other Notice of Questions? None. Notice of Motions?

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**SECOND READING - MARINE RESOURCES  
AMENDMENT BILL  
HON SHANGHALA**

Message from the Head of State? Ministerial Statements? None. We go to the First Order on the Paper. The Secretary will read the First Order.

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**RESUMPTION OF DEBATE ON SECOND READING –  
MARINE RESOURCES AMENDMENT BILL [B.7 – 2015]**

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**SECRETARY:** Resumption of Debate on Second Reading – *Marine Resources Amendment Bill* [B.7 – 2015].

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**HON DEPUTY SPEAKER:** Can we please have your attention, Honourable Minister? When the Debate was adjourned on Thursday, the 2<sup>nd</sup> of July 2015, the question before the Assembly was a Motion by the Honourable Minister of Fisheries and Marine Resources that the Bill be read a Second Time.

The Deputy Minister of International Relations and Cooperation adjourned the Debate and now has the Floor. Honourable Deputy Minister. Oh sorry, I see it is the other Deputy Minister of International Relations and Cooperation. Since she is not here, is there any other person who would like to take the Floor? None. Do you want to take the Floor, Honourable Member? Honourable Attorney-General.

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**HON ATTORNEY-GENERAL:** Honourable Deputy Speaker, I think there comes a moment in a Nation's life that a Nation starts taking grasp of its own destiny; taking control of its own resources and directing those resources towards the development and wellbeing of its people. This Amendment Bill seeks to do that.

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In pre-empting some questions, some creative writers, also known as journalists, may be in a position to pose and interpose and afford the public with their own interpretations. This Bill as was explained in the Minister's Introductory Remarks, simply does that. It places these resources within the hands and the direction and control of the State properties.

Previously without the Amendments, if you read the Act, the Ministry simply receive the applications and grants people to exploit and harvest Marine Resources. Never could the State decide to direct those resources for a particular purpose. And with the social objectives outlined by our Head of State, whom we have all voted for with an overwhelming record of 87%, we now say that those objectives that are determined to be State objectives, Government objectives, to meet the Plans and Programmes of Government, would then be obtained with the utilisation of such resources. Perhaps the discussion needs to be extended to the Mining Sector as well.

The Amendment that introduces the United Nations Convention on the Law of the Sea is important. There have been those that have questioned why the State is doing certain things. The UNCLOS forms part of our Law by the operation of our own Constitution and by the fact that it can be said that it has ascended to Customary International Law status. However, also in granting the discretion to the Ministry, and I am reminded by the past, about the litany of litigation by Serial Litigants, who have been taking us to Court, twice this year alone, and lost by the way. They lost last year, they lost twice this year, and they will lose again. We are affirming the Government's relationship with the resources and the utilisation of the resources through Governmental objectives.

Madam Deputy Speaker, I only stood up to give emphasis to that point and to pre-empt a question that perhaps need to get into the Debate of *why* and *why*. Thank you very much.

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HON SCHLETTWEIN**

**HON DEPUTY SPEAKER:** Thank you. I recognise the Honourable Minister of Finance.

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**HON MINISTER OF FINANCE:** Thank you, Honourable Deputy Speaker for giving me the Floor. I also rise to support the Bill. As the Honourable Attorney-General has said, it is an effort to take better charge over our commonly owned resources.

Honourable Deputy Speaker, I have two technical issues that I wanted to raise. The first one is under Clause 1, that is, the definition of *commercial purpose* and then (a) reads – “*with the intention of selling, bartering, pledging or otherwise disposing of, or delivering or offering to do any of the things mentioned in this Paragraph in respect of such resource in the ordinary course of business.*” In my understanding it means that you can use bartering as a method of paying because it is in the ordinary sense of business. If we do that, we run the risk that we, for instance, bypass the Receiver of Revenue because you do not account in terms of money received for a service or whatever if you barter with a commodity. I do think that we should do away with, including bartering *in the ordinary sense of business.* That is my first point and I hope it is clear.

The second point is on Section 39(a) – I support the intention to empower the Minister to request Certificates of Good Standing from the Receiver, but it should be in terms of all taxes and not only Income Tax and VAT because there are Transport Duty Taxes, there are Environmental Taxes, there are Withholding Taxes and all of them are equally important. I think if you want to issue Good Standing Certificates, they are linked. I would, therefore, suggest that we, instead of saying Income Tax and Value Added Tax, say all taxes. Thank you.

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**HON DEPUTY SPEAKER:** Thank you. Next I recognise Honourable

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HON DR KAWANA**

Kawana. Honourable Attorney-General, do you want to take the Floor again? Honourable Kawana.

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**HON MINISTER OF JUSTICE:** Thank you very much, Honourable Deputy Speaker. Let me join my Comrades who have taken the Floor to express their support and views.

I firstly want to commend my Dear Friend, Honourable, Comrade Minister of Fisheries and Marine Resources for the job well done by empowering Namibian Citizens. I know and I am happy that these are the natural resources of our Nation and I know that during the application to hold Rights, he does not have regard to any political affiliation and also, those who hold Rights, are spread throughout our country. For that I want to really congratulate him because quite a number of Namibians are benefiting from this resource. Obviously, I must state that I do not have any interests, either directly or indirectly, so I can speak freely on this subject matter.

Comrade Deputy Speaker, I am truly happy because of Clause 2, which amends Section 3 of the current Act, which says – *the sovereign ownership of these resources are vested with the State as per Article 100 of the Namibian Constitution as well as per the Provisions of the United Nations Convention on the Law of the Sea* because in the past, there were some elements who thought that they have unrestricted rights over these resources, over and above the powers of the State or the powers of the Government to allocate these resources fairly to address the imbalances of the previously disadvantaged citizens in our economy – there was that resistance and I hope that with this Provision now, it will go a long way to buttress that point that these are natural resources of this Nation and no individual can claim benefits over and above that of the Nation. For that I am really very happy.

I am also happy that some of these allocations can be allocated for social

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purposes and I know that one of my Seniors here, although he is not around, the Honourable Minister of Poverty Eradication, may have an interest on this because as you know, we have quite a high rate of malnutrition in our country. Therefore, some of these resources can be used to address that malnutrition in our country to encourage fish consumption as fish is rich in proteins and it will go a long way in that regard to address that aspect – which I believe, will make both the Honourable Minister of Health and the Minister of Poverty Eradication happy. Comrade Minister, I would like to encourage you to also pursue that aspect of social emancipation of our people by economically empowering them through the allocation of some of these quotas.

Do also not forget the interests of women and the interests of our Senior citizens who must also benefit from this resource. With these few remarks, once again, I commend the Honourable Minister of Fisheries and Marine Resources and indeed his team for a job well done. We are proud that, at long last, the natural resources of our country are in our own hands. If you go to the coast like Swakopmund and, especially Walvis Bay, you will find a number of factories that are adding value.

I am very happy and perhaps just want to encourage the Minister to soldier on to make sure that more factories are constructed so that we add value to this natural resource. If you go to Luderitz or the #Naminus Constituency, in fact, the whole basis of existence of that town is based on the Fisheries Sector. Without fisheries, Luderitz would not exist. Therefore, I would really like to commend the Honourable Minister for putting his foot down and not to allow to be intimidated by some of these individuals who want to expropriate this natural resource for themselves at the expense of the Nation. Otherwise, I support the Bill and I thank you.

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**HON DEPUTY SPEAKER:** Thank you. Honourable Minister of Justice, you were not here when I announced your invitation for us to attend the Zambezi Bream Festival and Cultural Expo in the Zambezi

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HON SHANGHALA**

Region. I just have to remind you to put the invitation in writing for the Members so that they have a paper to submit to whom it may concern, when they will be travelling.

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**HON MINISTER OF JUSTICE:** My apology, Honourable Deputy Speaker that somehow because of the duties of the Executive, I could not be here on time, but I did extend an invitation to all the Members of Parliament and the National Assembly in writing. If it has not yet reached the Honourable Members, I will perhaps have to check with my office, but it should have reached the Office of the Speaker by now.

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**HON DEPUTY SPEAKER:** I have not received it yet.

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**HON MINISTER OF JUSTICE:** Okay, I will make sure you receive that. Thank you.

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**HON DEPUTY SPEAKER:** Thank you. I recognise the Honourable Attorney-General. Honourable Attorney-General, did you want to say something?

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**HON ATTORNEY-GENERAL:** Yes. My apologies, Madam Deputy Speaker, I see that I may be breaking the custom by speaking twice.

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HON SHANGHALA**

**HON DEPUTY SPEAKER:** No, just proceed.

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**HON ATTORNEY-GENERAL:** Yes. I was only prompted by the comments made by the Honourable Minister of Finance and would like to draw the attention of the House to the underlined text in Section 1(a). The underlined text is – *in the ordinary course of business*, which would then indicate that that is the only text that has been added into the definition, which already exists. And that bartering, right now serves the purpose of the commercial activity between those that are interacting in the Sector – the underlining indicates the insertions in that Section.

However, if I may, Madam Deputy Speaker, I think that the point made by the Honourable Minister of Finance is a very important point about Clause 39(a), which would be inserted – which is Sub (b) there; that we have many of these Fishing Companies that are foreign owned which do transfer pricing as Honourable Venaani had so eloquently indicated in this House before – perhaps we may shoot ourselves in the foot if we do not adopt the suggested change and to just leave it blank and make it generic so that every tax is made a condition upon which you may not get a further quota allocation or renewal of a licence for that matter. I have in my previous capacity held workshops with the Fishing Industry and they would say – *our quota*. How is it your quota? I thought that the discretion lies with the Minister to grant you a quota. However, they say – *that quota is ours and it is now being given to somebody else*. Since when is it yours? Then why do you need a Minister to give it to you? I think this buttresses the position that without having made those payments, you will not have access to your so-called *quota*. I think it only strengthens that Clause and should be supported.

Perhaps also, what could be inserted is also the protection of employees. There are those who do not even pay their employees and the Pension Funds of the employees are depleted by the company for their own commercial purposes and they continue year on year to get quotas - maybe

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not for today, but I am just saying that, as we control our resources, we need to really tighten and ensure that that we are not leaving loopholes, as this one would have allowed. I just wanted to underscore that point.

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**HON DEPUTY SPEAKER:** Next is Honourable Venaani.

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**HON VENAANI:** Honourable Deputy Speaker, thank you very much. I would like to put the attention of the Minister who brought a very important Bill to the House on the matters incidental to this Bill and they happen to be matters of bread and butter. That is the matter of – it is well and good that we can praise the Minister that for the first time he has really thrown the net wider for many Namibians to access Fishing Rights, but I think it is important for us to interrogate the Industry. We need to look at what is happening in the Industry for us to be able to assess whether there is value to the net that we are spreading wide over the Namibians because one matter that needs a thorough interrogation is a matter of selling of Rights, people get quotas (*intervention*)

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**HON DEPUTY SPEAKER:** Can we please pay attention?

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**HON VENAANI:** We are getting quotas in this country, we access quotas, but what do we do with these quotas? They are being sold to foreign multinationals. People are selling their Rights. People are selling their Rights to a point where Namibia can also not claim and say these Fishing Rights are within the control or ambit of Namibians because they are within the ambits of Spaniards and many other foreign nationals who are controlling our fishing and marine interests in this country.

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I think we should start legislating on the percentage of these quotas that people may sell to foreign nationals because it is one thing to want to address the question of empowerment and that empowerment is extended to those that are having global powers to play in our Marine Sector and that issue needs to be nipped in the bud, in my opinion.

Secondly, it is a question of value addition because as we are speaking, there are some progressive elements of setting up factories in Luderitz, and in Walvis, but if you look at the percentage of our marine resources against the value that we are adding and the jobs that we are exporting offshore, it tells us a story that we also need to legislate and say that – *all our fish products must be processed in the country before they leave our shores*, so that we can maximise the question of job creation in this country.

This brings me to the question of Fishcor. What is the intake amount of fish stocks that Fishcor may take? Can Fishcor come to any quota holder and tell that company that – *we have a factory*, the last time I visited them they were in Luderitz, I hope they are still there – can they go to any company and say – we can add value to Horse Mackerel or Tilapia? Because the only way that we can secure jobs on our shores is when we make a deliberate effort to curb exports of jobs. In Spain, thousands of jobs are created from our Namibian fish and we have Fishcor, we have a big Industry, we have a factory there. How can we maximise this factory so that no jobs can be created on our shores and protect jobs because over 45% of young people in this country are unemployed and they can get employment from these marine resources as an after-effect of the downstream value chain from our marine resources, but that, we are not getting.

Honourable Deputy Speaker, one issue that I also want clarity on from the Minister, I know it is not encapsulated in the Bill before me but I think it is very important, is the natural fresh water fishing – how do we guard this fishing? I know a lot of our people from the banks of the Kavango River, Zambezi and Kunene are making an income from this Industry, but then

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environmentalist are arriving from all over the world saying that we are depleting these stocks. How do we manage and how do we envisage to manage these stocks so that they can remain for future generations?

Lastly, is the question of exploitation through illegal means. We know, the evidence is there that as we are speaking, there are companies, mostly from Eastern Europe, that have made themselves guilty of stealing from our marine resources. Companies are in our seas, fishing illegally. In the Minister's view, how are we monitoring this illegal fishing and what are the current losses of benefits from exploitative illegal fishing in the country?

Otherwise, I support the Bill and I think the Minister of Finance has a very strong point because when you legislate and start saying – *bartering*, it would mean that you would not get economic benefits because it could mean that the ships can stand next to each other and these people barter this and that product without recording the sale. I, therefore, think we must be very careful with the language. The intention of the legislation must be very clear and concise because if these things are tested in Court they could pose a risk on the credibility of the legislature and lawmaking in this country. Madam Deputy Speaker, with these few remarks, I support the Bill. Thank you very much.

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**HON DEPUTY SPEAKER:** Yes, I recognise Honourable Minister Tweya.

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**HON MINISTER OF INFORMATION AND COMMUNICATION TECHNOLOGY:** Honourable Deputy Speaker, Honourable Members, thank you very much. Firstly, I rise to give my support to this Bill. Congratulations, Comrade Minister.

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Secondly, this is a testimony that we are serious to manage our own resource as masters of our own destiny. However, I just want to be clear so that there is no misunderstanding out there – to be interpreted that we, as Namibians are anti-foreigners or so-called foreign investors. All that we are saying is that we have these resources and are inviting investors to join hands with us, but on our terms and this is exactly what this Bill wants to achieve. If you come, you may have your money, your vessels, etcetera, but you do not dictate to us how to harness these resources.

Having said that, our Policy of Industrialisation at this point in time has got several challenges and one of them is that when Namibians want to engage in value addition, they get shown back at the doors of the Financial Institutions in this country. The option left then for these entrepreneurs, as Honourable Venaani said, they will go and sell their Rights because they do not get assistance from our own Financial Institutions.

I think it is also high time that, as we are addressing the management of our own resources, financial resources should also come into play. The banks in this country must play their role. We should not just get our resources and be given to anybody else who comes as a foreign investor, when the same opportunity is denied to Namibians. There is much to be desired from our Financial Institutions in this country, in my view, they are forcing Namibians to be sell-outs of their own resources because they do not want to be spectators. The attitude of the Financial Institutions here must change for if they do not, Honourable Minister of Finance, the time has come that we should also take ownership of our financial resources to help us do value addition and to help Namibians to make use of these opportunities that are being created. The attitude of the Financial Institutions must change, for if not, they could be the next. I, once again, support the Bill. Thank you.

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**HON DEPUTY SPEAKER:** Next is Honourable Kashikola.

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HON KASHIKOLA**

**HON DEPUTY MINISTER OF SAFETY AND SECURITY:** Thank you very much, Honourable Deputy Speaker. I would also like to join those who are supporting the *Amendment Bill*. I believe that when, and if this Bill is passed and promulgated into a Law, it will make our Marine Resources and Fisheries *Truly Namibians* by allowing Government direct intervention for the benefit of the people and the disadvantaged communities; hence, contributing to the fight against poverty.

By making these resources State owned and allowing Government not only to regulating its exploitation by means of giving quotas, but the direct involvement of Government when it is deemed fit and expedient, will benefit the Namibian people.

However, there has to be a time in this country and this august House when we pass a Law that compels the holders of our quotas to make available a defined percentage of their Total Allowed Catches (TAC) into the Namibian market. At present, only a handful of our fish resources is readily available in the market, so we need to come to a point where we say – *yes, we are giving quotas of these species* but it must be available in the shops where it can be accessed. It should not only be accessible, but also be affordable to the people.

Having said that, Honourable Deputy Speaker, I, like all the other speakers, would like to support this *Amendment Bill*.

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**HON DEPUTY SPEAKER:** Is that all? Thank you. In the absence of anyone else who would like to take the Floor, we can maybe adjourn the Debate to tomorrow on the Honourable Deputy Minister's behalf. Is she out of the country? Yes, the other Honourable Deputy Minister of International Relations and Cooperation.

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HON ESAU**

**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS  
AND COOPERATION -HON MUSHELENGA:** I know she was due  
to travel (*intervention*)

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**HON DEPUTY SPEAKER:** Come again?

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**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS  
AND COOPERATION -HON MUSHELENGA:** She was talking about  
she may travel, but even if that was not the case, the fact that she has not  
indicated that she would want the item to stand over, it means that the  
Minister can respond, because that is what the Rule says. The Rule says;  
if a Member has adjourned an item, he/she should make arrangements.

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**HON DEPUTY SPEAKER:** Maybe she forgot or she did not know the  
Rule (*interjections*) Order please! In the absence of any discussions, does  
the Honourable Minister wish to reply? Yes, you have the Floor.

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:**  
Thank you very much, Honourable Deputy Speaker. First of all, let me  
thank all the Members of the House for supporting the Amendments to the  
*Marine Resources Bill*, which seeks for the sovereign exercise of  
ownership by the State over our Marine Resources as the objective.

Let me thank *Comrade Calle Schlettwein* for his observations on the Bill,  
which is technical and that I believe, can be addressed during the Third  
Reading of the Bill. We will look at the *bartering* and we will look into  
the taxes. Yes, for sure, we want to see that the fishing companies are

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at least in good standing and that they are corporate citizens. Citizens who honour the tax obligations.

*Comrade Dr Kawana*, thank you for the compliments. For sure, this resource must be owned by the broad-based communities and people of our country. There is no way that one would only have a certain elite group of people benefiting from this very resource. Therefore, I really thank you for that and nobody can claim entitlement when it comes to the Rights that – *I am entitled to a specific quota, so I must get 100,000 metric tonnes of fish this year and I must also get 100,000 metric tonnes of fish next year because I have so many vessels.*

Our TACs are, in fact, not based on what you own; that is not how we allocate our quotas. There are other criteria that we are using when it comes to the allocation of quotas. Otherwise, if we allocate quotas based on your asset base, we will make those who are rich richer and those who poor poorer. I think we need to get a balance on that one. Yes, our move is for value addition, not only in Hake, but also in Horse Mackerel and other species of fish, which we are exporting. If we export raw fish from Namibia, we export jobs from our country and we cannot allow that to happen, especially in a time where we have high unemployment.

*Honourable Venaani*, on the issue of participation in the Industry, I am a proponent of broad-base participation or economic participation. I will, therefore, look to into it to ensure that the youth is getting something and women are participating. I would like to see that even our NGOs are participating. I want to see that our elders are participating. I want to see everybody having a stake in this Industry and in this Sector of our economy, because if we do not do that, we are making ourselves prone to destabilisation.

On the issue of selling of Rights – I will not allow the sales of Rights. In fact, any person who wants to sell a Right in terms of the *Marine Resources Act* has to get an approval from the Minister. When we grant Rights to people, we are giving these Rights to Namibians. Yes, there is a

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certain small percentage of foreigners who own some Rights here, but at least we are looking into that matter to see how we can handle it. I am not promoting the sale of Rights.

People are bartering or trading with quotas – that one we need to look at how we can handle the situation because we do an evaluation on the performance of these Rights Holders. What has been done in terms of the quotas that were given to them in seven years time? If they were trading with quotas and did not reinvest into the economy, they will, for sure, not get a renewal of the Rights because after seven years we look at whether you will be able to get a ten, fifteen or twenty year Right, However, we are also looking at the Policy as well. We are reviewing our Policies and bringing them in line with what we want to achieve.

The other issue that you have raised was value addition – I have been pushing for value addition, that is why some people are challenging me today in Court, as our Attorney-General was saying here, it was because of value addition. I was saying; *how can we export our Horse Mackerel to the DRC whereas we are unemployed here in Namibia?* We at least need to create jobs through value addition, through manufacturing.

I have to be open here with you – there is one company called Omualu, that is 100% owned by Namibia and I told them to just bring the Horse Mackerel on land, sort it and in turn create jobs to the tune of at least create 400 to 500 new jobs. They did that and they bought over a company called TalaNam. In fact, all they do is to bring the fish on land and then sort it out; they are employing a lot more Namibians, creating more than 400 new jobs.

Then we have Gendev. Gendev was also trying not to play this *dilly dally*, I told them to add value, if you add value, I will give you an incentive quota and I gave them. I gave them a quota because of what they have done. Therefore, value addition is the name of the game – whether it is Horse Mackerel, Hake, Monk, Crab or whatever species of fish, I will, for sure, incentivise those ones, just to get the maximum benefits from all our

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resources. It is very vital for us really to add value to our fish stocks.

The exportation of raw materials is not in my dreams. I do not want to see that our fish is exported. You know our fish must be processed here – it must be packed here and then exported, but not in its raw form; I think then we are really doing a disservice to ourselves and for our future generations.

On Fishcor – we have made a Provision in this very Act that Fishcor should at least have a Right to have access to our fish in order for us to do Research and Development (R & D) on our fish. When it comes to value addition, we can do it at Fishcor. Fishcor has been turned around in fact – what is the terminology they use? Yes, Turnaround. It has been turned around and I am asking you to go to Fishcor, I am going there at the end of this month, Fishcor was one of the Respondents in the case and I am telling you to go there and see – I am inviting you to come with me. Maybe I must send a letter through the Speaker's Office and we can go and see what Fishcor has done. The Turnaround Strategy was a success story.

On the question of inland fishing – I know that there are people who are really trying to take fish out of Lake Liambezi and all our water bodies, especially in the Zambezi Region and what we have done is, I told you that we have acquired a hover to intensify our monitoring, control and surveillance. My Deputy and I, as well the Peace Officers, will surely, very soon commission Police Officers to exercise control and surveillance in the Zambezi Region, it has already been gazetted and the hoover will help us here.

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**HON MEMBER:** Police Officers, from where?

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HON ESAU**

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

Correct, yes, from you Comrade (*laughter*) Therefore the exploitation and illegal fishing activities will be curbed.

You were talking about transshipment as well – the transfer from one vessel to the other is known as transshipment. Transshipment is not allowed by Law or by the Act. We will, therefore, follow up on that matter, if something of the sort is happening. We have Inspectors on our vessels – transshipment is not allowed.

*Comrade Tweya*, thank you very much. I am there for Growth at Home – I have to push this Industrialisation Policy. We have been talking about it when we were with Honourable Schlettwein and when our President was there emphasising Growth at Home, we will give meaning to that Policy as well.

On the question of the Financing Houses, we need to discuss this issue with the Financing Houses. Honestly speaking, we need to talk to the banks to see how they can take fish quotas as a collateral to enable companies to open up new factories and things like that. The Financial Sector is, therefore very vital for us. We should come to a common understanding – at least attitudes must change.

*Comrade Kashikola*, we promote the consumption of fish by the locals. I have made it a point and during the last two seasons I was saying that if you can at least sell 30% of your fish here in Namibia, I will incentivise you and I will give you a little bit of a quota, now they are saying it is corruption. I do not know why if I am at least trying to avail the fish at affordable prices to our people. This is what I did and it has worked out very well, that is why you see the blossoming of new fish shops and containers where people are selling fish, instead of liquor. At least, this is a very good sign. Otherwise, let me thank everybody for the support that they have given me on this Amendment for this very Bill and we want it passed as speedily as possible. I thank you.

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**DEBATE ON OLD AGE HOMES IN NAMIBIA  
HON PROF KASINGO**

**HON DEPUTY SPEAKER:** I now put the question that the Bill be read a Second Time. Any objection? None. Agreed to. The Secretary will read the Bill for a Second Time.

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**SECOND READING - MARINE  
RESOURCES AMENDMENT BILL [B.7 – 2015]**

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**SECRETARY:** *Marine Resources Amendment Bill [B.7 – 2015].*

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

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**RESUMPTION OF DEBATE ON  
OLD AGE HOMES IN NAMIBIA**

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**SECRETARY:** Resumption of Debate on Old Age Homes in Namibia.

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**HON DEPUTY SPEAKER:** I was the one who adjourned the Debate for the Old Age Homes and I just thus want to make a very brief comment from where I am sitting, to add to what the other Honourable Members have stated concerning the elderly and the need to build more, or to improve the existing Old Age Homes.

Let me just start by saying that the elderly are the pillars of our society,

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they are our family kin. They are the reservoir of wisdom, culture and tradition. They are the base of what we call the *family tree* in any society, they should, therefore, be taken care of. However, the question arises; who should do that and who is the culprit if they are not being taken care of? In my opinion, if there are culprits, we the society, are the culprits. The offspring of those elderly, the grandchildren of those elderly, the family and many more – the Government should come in second to intervene.

We know that when the Democratic Government of Namibia was established, we have equalised the benefits and the social net of the elderly and the Government keeps on improving on that. As of this year, we are talking in terms of N\$1,000 plus a coffin for those who leave us. We are thus, the culprits and I am talking through experience. I have to mention that that N\$1,000 has now become a salary, and some of the elderly do not even know. The pension has become the salary of the households.

The youngsters become pregnant and just dump the children with the elderly. Some of the parents do not bring up our kids to respect and assist the elderly, particularly some of the parents who are in urban areas like Windhoek, Oshakati, Ongwediwa, Keetmanshoop and wherever. I take off my hat for the parents who do that, because it is very rare that they will send their kids to the Old Age Home to assist the elderly – they do not.

This weekend I attended a funeral of an older member of our society and the eldest son made a statement to the children about his late, 95 year old mother, saying; *our mother brought us up and she has done this and that* and then put a question to the children asking; *“what did we do for her?”* Nothing. After the funeral the children were saying; *no he was not supposed to say that* and I said; *no, he has just done the correct thing.*

When it comes to married couples, some of them are one-sided, particularly the women. They just concentrate on their own mothers and forget the mothers of their husbands. Men are also culprits when it comes to this because you cannot allow to be dictated by your wife – you are also

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supposed to say; *“I also have a mother!” (Laughter)* It is true. I am telling the truth. *“I also have a mother, while we are improving your mother’s condition, we must also look at my mother.”* You only witness some of these things during weddings and funerals, particularly those of the elderly and this makes one feel ashamed. Some of us are here and are neglecting our parents. Everybody is free to make their own research. I am telling the truth. We need to improve on this. Some elders who have a strong believe in their traditions find it very difficult to move away from their homes, but we have to ensure that the elderly persons are living comfortably. Can we please listen? In tandem with that, there are also people, who are either members of our families and even some who are not, but who are looking after our elderly persons – these people must also be properly looked after.

On the Motion, I asked the Mover of the Motion to remind me because I forgot what she was exactly looking for. Last year I took it upon myself and visited some of the Constituencies in Katutura; Katutura East and half of Katutura Central. The old Members of the Fifth Parliament know about it – the elderly are being pushed away by the youth, particularly in urban areas. Their grandchildren are selling their houses and at the end of the day, they either end up on the street or end up in the so-called Old Age Homes. In my view, the Old Age Home should be a secondary home, the houses of the elderly must not actually belong to anyone in the family. It should benefit all the offspring.

There are two Councillors here and I know Honourable Kandjii was there, he knows about the problem, because he would be sitting with the elderly, particularly in his Constituency and counsel them, this also includes Councillor *Meme* Elina. There are cases where the old people are being pushed. Lawyers are also culprits. They just make agreements between the children and their parents or grandparents and one just finds out later that the house does no longer belong to the elderly.

Therefore, for everyone of us, as politicians, the Debate should not end here, wherever we go to address our Constituencies and members of our Political Parties we should remind them to look after the elderly. The case

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of the Tsumeb Nomtsoub Old Age Home is known and the question is; what is the Church doing about that? They were supposed to intervene already on their own. (*Interjection*) Well, getting married is something else. I read something about a couple that has been kicked out after getting married and I do not know whether it is correct or not. However, I think it is not correct, if they met there, both of them need to be supported; why should they be kicked out? I do not know, but that is how I see it.

In short, the Government has done a lot and is doing a lot. This year, the Government has also added another Sectoral Ministry, the Ministry of Poverty Eradication, they perhaps also have some Policies in place, which will also encroach upon this. Again, in my opinion – why do we not first give the new Ministry a chance and if after the recess you find out, you can put it in a form of a question?

There were lots of Debates concerning the Old Age Homes. I want the new Ministry to be given a chance to come up with their Policy and implement. They have not yet started because the Budget was just allocated recently. That is my brief comment. My emphasis is that (*intervention*)

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**HON MEMBER:** No, it is not brief, it is long!

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**HON DEPUTY SPEAKER:** No, it is brief (*laughter*) All of us are culprits, we should, from here think how we are going to contribute to our elderly. With this, I will give the chance to the other people who would like to take the Floor. I can see, they are so many. I recognise Honourable Doreen Sioka, the Honourable Minister of Gender Equality and Child Welfare.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Comrade Deputy Speaker, Honourable Members, thank you for affording me the Floor to contribute to the Debate on the Table called – the **Old Age Homes in Namibia**.

I appreciate some of the concerns or sentiments raised by some Members of this august House, but I also have a reservation on what was raised by the Mover of the Motion, specifically when she said – *the Government has done little*. I think a break occurred when Government intervened and development took place at the Old Age Homes or perhaps we need to talk to our old aged parents.

First of all, I can recall that this Motion was here in 1999, I just came from the library now, that is why I went out. The Motion was here and we were sent, I was still at that side, to go and verify what was happening in the Old Age Homes. We visited various locations and we even went to the rural areas. We made a comparison between our parents in the Old Age Homes and those who are outside the Old Age Homes. We brought a Report of our findings as a Committee to the House. The Minister of Fisheries and Marine Resources knows that, because he was my Colleague on the other side. We brought the Report, where we found out that some of the Old Age Homes belong to the private (*intervention*)

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**HON DEPUTY SPEAKER:** Excuse me, belong to?

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Belong to private people, they were privately own. They are called Tabitha, one Potgieter, the other one was called something like Susan and the one in Katutura belonged to the Union. This one was the poorest amongst all. I am sorry to use this word, because it is becoming an outdated word – the one in Katutura was for *blacks* only because it was supported by the Trade Union. This was the poorest of them all. We

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brought the recommendation of subsidy – I do not know if it is happening, maybe we have to follow it up. These centre should be subsidised by the Government. I am talking about Old Age Homes that I went to. I know these places. I know them since 1999 that is why I appreciate the concerns raised by the Colleague that we have to bring this Motion back for discussion.

Colleagues, I will just widen the concern that I have raised about the Government being accused of doing little to all the Old Age Pensioners; saying that the Government has done *little* for the Old Age Pensioners, is not true. The Government has done a lot and it is still going to do more. I remember the Motion of Honourable Kaura here, almost close to the one on the Table, that was tabled on the 25<sup>th</sup> of February, I have taken note (*intervention*)

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**HON DIENDA**: Point of Order, Honourable Deputy Speaker!

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**HON DEPUTY SPEAKER**: You have no, microphone. Can you wait or are you going to use your neighbour's.

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**HON DIENDA**: Can I ask the Honourable Minister a question please?

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**HON DEPUTY SPEAKER**: Yes.

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**HON DIENDA**: On which Page of my Motivation is it written that the Government has done little?

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** It is in the newspaper. Read the newspaper of yesterday because you all agree with the newspaper. We also read in the newspaper about what you said there. I have taken note of what you have mentioned, that is why I am disputing by saying the Government has done a lot.

Maybe to elaborate a bit. I went to the library to go and extract some of the issues which were raised here. I was one of the contributors. In 1990, when we got our Independence – Colleagues 25 years are not enough to make Namibia New York City, do you get me? 25 years are not enough (*intervention*)

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**HON MEMBER:** How many years are enough?

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**HON DEPUTY SPEAKER:** Please proceed, do not respond to that. Proceed Honourable Minister.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** In 1990, the discrimination between our two people, you know what I mean (*intervention*)

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**HON DEPUTY SPEAKER:** No, just say it, clarify what you mean with two people.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Yes, I am coming to that. In 1990, the Government made

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sure that all the discrimination was eliminated, when it comes to benefits everything was at par. Just to mention it, whites were getting N\$300.00 and blacks were getting N\$30.00 in 1990, Honourable Members. The Government took a decision and said; *it should be N\$60.00 for everybody across the board.*

Now let me list the years, because there was just a year in between. In 1992 – N\$100.00 across the board for both blacks and whites. In 1994 – it was N\$150.00. In 1996 – N\$200.00. In 1998 – N\$250.00 and in 2000 – N\$300.00. Honourable Venaani please listen. The Motion of Honourable Kaura was brought every year, on the 25<sup>th</sup> of February (*intervention*)

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**HON DEPUTY SPEAKER:** No, no just proceed.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** On the 25<sup>th</sup> of February 1999 it came; the 25<sup>th</sup> of February 2002 it came, demanding for more; the 25<sup>th</sup> of February 2004, it came again (*intervention*)

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

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**HON VENAANI:** May I ask the Honourable Member a question?

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Colleague, you are indicating I think you can fix me, while you have an opportunity to take the Floor.

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**HON VENAANI:** No, may I ask you a question?

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Declined.

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**HON DEPUTY SPEAKER:** Okay.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** 2000 – N\$250.00; 2002 – N\$300.00; 2004 – N\$350.00.  
*(Intervention)*

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**HON DEPUTY SPEAKER:** Order! Order!

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**HON DIENDA:** What I want to correct is that the Motion is about Old Age Homes.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Thank you very much. I am saying all these because she said the Government has done little. That is why I am trying to explain what the Government has done. *(Intervention)*

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**HON DEPUTY SPEAKER:** Yes, What point are you rising on?

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**HON VENAANI:** On a Point of Information.

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**HON DEPUTY SPEAKER:** Yes.

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**HON VENAANI:** We are very fond as Leaders to make very light comparisons, when we compare Government Projects and advancements to certain quotas. How much was the Minister earning in Namibia in *(intervention)*

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Again, you are asking a question.

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**HON VENAANI:** No, I am not asking a question, I am informing you. How much was a Minister earning in 1990 and how much is a Minister earning in 2015 or a Member of Parliament in 1990 and 2015. If you make that societal comparison on how we have leapfrogged on salary benefits *(interjections)* the Grant should also be influenced by inflation, do not think that the Grant is not influenced by factors, it must be influenced by economic factors, just as the salaries of Members of Parliament and Ministers have gone up, influenced by economic conditions, so should we also compare those Grants development through economic conditions that were in the country. I think we are making a mockery of pensioners to say that their pension increased from N\$200.00 to N\$1,000 after 25 years has been enough. That is a mockery *(intervention)*

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**HON DEPUTY SPEAKER:** I think her historical recollection is relevant. Just proceed.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Honourable Deputy Speaker, this is my Floor and this is the right I am enjoying at the moment. All these increments were made according to our economy.

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**HON DEPUTY SPEAKER:** I am supporting you – saying you have the Floor and historical remembrance is good. Just proceed.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Yes, I will still go back if you interrupt me I will start all over again. In 1992 – N\$100.00 (*laughter*) 1994 – N\$150.00; 1996 – N\$200.00; 1998 – N\$250.00; the more you interrupt I will go back. In 2002 – N\$300.00; 2004 – N\$350.00; 2006 – N\$400.00; we were jumping somewhere there, those who were old then will agree with me. Honourable Deputy Speaker, I am hearing that I am talking nonsense.

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**HON DEPUTY SPEAKER:** Where?

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** I am hearing that. I can get more information, because I am standing.

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**HON DEPUTY SPEAKER:** Just listen please.

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**HON MEMBER:** What does that have to do with Old Age Homes?

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Be careful of what you say (*interjections*)

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**HON DEPUTY SPEAKER:** Can you listen to what I am saying, I am the Presiding Officer, you have to listen please. You have to listen to what is being said, you will have an opportunity refute what was said. Can you proceed, Honourable Minister?

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** 2010 – N\$500.00; 2012 – N\$550.00; 2014 – N\$600.00 and now it is N\$1,000, but you are saying the Government is doing little? You cannot employ the elders, so the break has made some people not to see. On top of that, there are funeral benefits, which are given by Government. Coffins are provided, transport and even flowers.

Colleagues, it is being said the Government is doing little. There are some neighbouring countries whose elders are not benefitting that is why we see this influx of elders coming to Namibia to come and benefit (*intervention*) Honourable Venaani?

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**HON DEPUTY SPEAKER:** Just proceed.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** I do not know why people itch when I speak. Please leave me. Let me talk.

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**HON DEPUTY SPEAKER:** Please, you have the Floor. Order! You have the Floor.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** I am stating facts, saying that there was a break where some people left Parliament and now came back. They were not there when we were doing more things, therefore, we need to explain and, in fact, there are also new Members who should benefit from this information. Do you want to deprive them of information? (*Intervention*)

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**HON DEPUTY SPEAKER:** Yes, proceed.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Honourable Members, on top of that, I have mentioned what they have benefited up to now.

As I come back to the Old Age Homes – it is our responsibility as children of those people, to take care of them, but because of this money and benefits, we go there and murder them. This is a painful thing. The history of killing is over now. We are even murdering our own children because of the N\$250.00 that they are receiving from Government. Let us be serious.

I would also like to call upon the Ministry of Poverty Eradication to come up with a Law to make sure that Members of Parliament who are benefitting from that money, should not and also to stop people who are

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employed in Government and those who are here in Parliament who are receiving money from the Old Age Pension Fund. (*Interjection*) Honourable Mover of the Motion, do you feel how it itches if somebody attacks you? I can see it is painful.

I, therefore, call upon the Minister to ensure that he comes up with a Law so that we stop Members of Parliament from benefitting from the N\$1,000.00. Let us give it to our elders because we are employed and we are receiving our salaries. Now we are also getting a pension of N\$1,000.00. That should stop.

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**HON DEPUTY SPEAKER:** Proceed please.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** I have mentioned about us having to look after our pensioners. I have an elder sister, I do not have parents, but I look after my elder sister, to tell you the truth. Go to my village and you ask for her. I will not cry for the Government to look after my elder sister, it will be a shame on me to push my elder sister into an Old Age Home while I am still alive.

There was an issue that was raised about the elders who are consuming alcohol. Why should we question their money? Is it your money? Why should we question their money? Let them use their money. You apparently always join them to drink with them, how do you monitor them? (*Intervention*) We are not robbing those people of their votes. You are also robbing them, because you do not tell them to look after their money. You instead just come and shout here to make news.

Let me tell you, there is no elderly person at my village who consumes alcohol, because I make sure that I campaign, I do address them and this does not end here, I still go to other villages (*intervention*)

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**HON DEPUTY SPEAKER:** Can we please listen to what she is saying? Proceed (*interjection*) Honourable Sioka, just proceed.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** It is only Honourable Shixwameni who knows my village. I will also go to other villages and campaign. The Honourable Member who complained that our elders are consuming a lot alcohol can follow my example and talk to them. Tell them – *mother look after your money*, instead of bringing the issue here in order to make news.

I can tell you about one elderly person who was with me at my office – she said; *you are disgracing us*, and I had to explain that and say- *mother it is not all of you, only some of you*. They are disappointed. You also go with your money somewhere, where we do not, but we do not question you. It is not fair. Honourable Members, (*interjections*) looking after them (*intervention*)

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**HON DEPUTY SPEAKER:** Proceed please, do not respond.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Do not go and rob them if you cannot advise them. You should have a caring heart and even though it is not your mother or father, advise them. They are your parents. I think the Ten Commandments should also be introduced in this Parliament so that we respect our elders. We should set an example of taking care of everybody and not only leave that to Government. Government will only love them together, but they are going to lose the love of you, their children.

We started from their breasts; they brought us up and gave us education.

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It is now our turn to look after them and not just dump them at Old Age Homes.

Sometimes you go and get one old person – you stay with him/her in your home that woman/man will give you knowledge, grey hair has got knowledge. When you see grey haired people, you see knowledge.

When we had Chief Justus //Garoëb, he would sleep, but could hear everything that we were saying here. He could hear everything that we were saying, so if you want to get that knowledge bring them. Let us have a culture of looking after our parents even though they are not your mother or father, take care of him/her.

Honourable Deputy Speaker, maybe my Friend thought I was going to attack her, but these are the sentiments I wanted to share with this House. Let us have love and look after our parents. We are Africans. Most of the Old Age Homes are owned by private people who do not give them the real love they want – the African love is missing. When I talk about African love, I am talking about you sitting with your parent and talk to her/him and he/she will transmit the knowledge which he/she is having to you.

I grew up with my grandfather and grandmother, but because of the knowledge I have and the care and respect I have for other people, you will say that I grew up with my mother and father. The knowledge I got is that I have to respect everybody who is older than me. I have to love everybody (*intervention*)

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**HON DEPUTY SPEAKER:** Order, Order! Can we listen to the person who is talking please?

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** To champion my future so that I will be a better person and I

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will not struggle to live with anyone, because of the knowledge that they transmitted to me. To tell you the truth, if I should give you a secret, as far as I am concerned, I always heard from other people's parents because of my love. One parent gave me a goat. Before he died he told the wife (*interjections*)

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**HON DEPUTY SPEAKER:** Order! Yes.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** I am a cultured person who cannot allow my parents to be looked after by Government. The Government can help, but I have to give a hand too. You are making jokes, you do not know what it means to be cursed, I think some culture do not have *cursing*. In my culture we have *cursing*. In my culture (*intervention*)

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**HON DEPUTY SPEAKER:** Cursing is all over.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Some people do not respect that, Honourable Deputy Speaker, do you get me? If you insult an elder, there is a curse there. I can be with these elders even though they are from the Opposition, I have my respect for them, I have my limits, they are elders. This is what is lacking, even with us, Leaders in this House, that is lacking. There are some people who do not even care about elders. I do not know, but if you were brought up like that, anyway culture is diverse, we can learn from one another and know one another.

There was a time that I told the House about how I learnt about the

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genocide of the OvaHerero people and it angered me – it was through Chief Riruako. I could quarrel with Chief Riruako and once he shouts at me and say; “*the what from Zambezi Region,*” I kept quiet, because of my respect. Therefore, let us take care of our parents, let us not push them to the Government and even send our children to go and share the little they have, especially this N\$1,000.00 that was introduced recently. It is true that it is a salary for everybody as the Speaker has said. I remember one elderly person who was chopped with an axe and it remained on the head. I do not know whether you recollect all these, but if you do, do not allow your parents to be alone, look after them (*interjection*) General, it seems like when a woman is talking you guys become nervous. I thank you Comrade.

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**HON DEPUTY SPEAKER:** Thank you. Honourable Bezuidenhout, you have the Floor.

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**HON BEZUIDENHOUT:** Honourable Speaker. Am I protected by the Honourable Speaker? Honourable Members, when we handle issues like this, it can be sometimes be emotional and so on. I have prepared my thoughts along the lines of the infrastructures of our elderly, as the Motion says – **Old Age Homes.**

Culturally, for each one of us, it is a different take on the infrastructure of all the existent Old Age Homes. For some cultures it may be a taboo to set your parents off, while in other cultures it may be a norm to set your parents off, especially when they are frail in their mental state.

Lately, partly being influenced by a commercial consideration, I cannot afford my parents in the house anymore, but I may afford a place at the Old Age Home. However, when you look at infrastructure, some of the buildings are currently not up to standard for people to dwell there, especially the category of our Senior Citizens.

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Since the introduction of this Motion, I was playing around with numbers in my mind to see how to go about it because it always comes back to the availability of money and so on. My thoughts on this Motion of Old Age Homes are as follows: If space exists within the Public Sector, I would recommend that the responsible Ministry investigates and look at the potential of putting that asset under very strict rules and legal framework into a vehicle, be it a trust, be it a foundation, so that there is an independent entity in the end that manages its own infrastructure.

Old people have various skills, you may even find accountants, former Chief Executive Officers and so on. What I propose is that we establish a Trust, Foundation or a Legal Entity where we put assets in and also a fixed amount of money for a fixed amount of years as seed money to assist this trust that will be guided or managed under very strict rules and accountability so that that trust can employ people to do the painting, fix windowpanes or to look after the geyser if it malfunctions, clean up the yard when there is a lot of grass in the yard to avoid veldt fires that would expose these people to danger because it is 100% owned, or the responsibility of Government, it will be the Government's story, however, if we consider putting it in a trust with the assistance of the Government, that entity may have the Legal Rights to raise its own funds to get its own contribution from the Private Sector in terms of Corporate Social Responsibility Investment, from Fishing Companies, which have a responsibility in terms of their quota allocation to look for social investments. There are various ways of raising funds for such a category to look after the infrastructure of that institution.

In addition to that, we can at times get professionals in the house, like a nurse when he/she is needed, a dietician when he/she is needed or a physiotherapist when he/she is needed to look after the physical wellbeing of the citizens in that institution.

We can partly improve the quality of life, if we consider things along those lines so that as an entity that receives a subsidy or investment from the Government – a fixed amount, for a fixed number of numbers of years to allow this body to grow so that it eventually becomes independent

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enough to look after the physical wellbeing of the people as well as their physical environment where they are living. They may need more air conditioning during summer and they may need more heating during winter and so on. We can even go to the extent of giving them small exercises, for example walking 100 metres everyday will also assist the blood flow of these people.

We can look at a variety of options on how we can go about the Old Age Homes, even stand-alone houses can be part of this trust or this legal entity and we can look after those houses in order to assist our elderly people because it is no more a question of a dumping place, but a place where people may look forward to go to, being in the company of their peers, exercise occasionally, once or twice a month and having a dedicated nurse looking after these people. If the nurse comes up with a diagnosis that reveals that auntie, uncle, *oupa* or *ouma* may need physical exercises, the trust can contract a physiotherapist to assist these people with the movement of their bodies. I am sure these professionals will also have a social price attached to that specific exercise, it may even be for free, for that matter.

We may think along those lines in future and I hope we do, so that we do get a properly managed and a well, society-funded Old Age Home infrastructure. I thank you, Honourable Speaker.

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**HON DEPUTY SPEAKER:** Before you sit, I have a question to you. When you say '*we*' are supposed to come up with a foundation or a trust, who are the people you are referring to as '*we*'? Who is supposed to come up with that? I just want to know.

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**HON BEZUIDENHOUT:** But my microphone is now cut off again.

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**HON DEPUTY SPEAKER:** It is okay now.

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**HON BEZUIDENHOUT:** Thank you very much, Honourable Deputy Speaker. When I say 'we', I mean the people who live within the boundaries of Namibia, the society. If we want to make it the responsibility of specific entity to start the initiatives, I would recommend the Ministry responsible for that category of citizens, so that they start attracting other people who have knowledge about this type of thing and then we add the legal framework to that – whether it is a Trust or Foundation, whatever it will be called, so that it can legally raise funds, have a legal obligation for proper auditing and a performance management system in place. Thank you very much, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Thank you. Next is the Honourable Minister of Finance.

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**HON MINISTER OF FINANCE:** Thank you very much, Honourable Deputy Speaker. I initially did not want to partake in this Debate, but I got a little bit confused and I thought I will try to reorder my thoughts by taking the Floor.

First of all, I want to start with the Motion itself. The Motion itself tries to bring one aspect of how we care for our elderly on the Floor and, that is, the Old Age Homes. That is the only point I hear from the Motion. However, if I look at it, it would fall short of the actual desire to look after a section of the population that is not productive anymore, and we must sort out how we are going to do it.

The first point, most of us pretend as if all old people are poor. It is not the case. I know of very rich old people and they have the ability to care

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for themselves, mainly. However, if you are poor and old, then you are very vulnerable. That is the section that needs the attention of, I think the Public Sector. If you accept that, it becomes clear that a *one-size-fits-all* approach will not work.

Secondly, I think it is fair to say that Old Age Homes are a consequence of urbanisation. City life or urbanisation is the reason why we need Old Age Homes. In rural communities and cultures, Old Age Homes are not known; the Old Age Care is either family-based or community-based. Again, it indicates to me that we have to see how we approach the problem that is on the Table, and it is a problem because it would be a very irresponsible society that does not look after its old people.

If we want to make sense of the Debate, we must look at how we can involve families, how we can involve communities, how we can involve Public Institutions and how we can involve Private Institutions in all the different types of Old Age Care. Again, there are frail cares, there are Old Age Homes and there are all sorts of facilities where the elderly people can stay. A good example that I came across some time ago is – in the City of (Bagel), when they built a new soccer stadium they made the top two floors of that stadium a facilities where old people can stay and the point that they made there is that old people should not feel that they are in the scrap yard, they should still feel that they are part of life. That soccer stadium is cultural centre where people come together, they enjoy sports, they eat together and the old age people that live there automatically are part of that activity and society. I think that is a good example of how one can responsibly take care of them.

It is not only Old Age Homes and facilities that we have to talk about there are also financial aspects. How do we structure our Pension Industry? How do we structure the public interventions in pensions that assures a decent standard of living after your productive life. There is, therefore, a whole host of aspects that we can discuss that are not talking to the physical infrastructure or facilities, but to ways and means or resources that we need to employ to achieve that. At the end of the day one can summarise that by saying that we need social safety nets that

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capture the vulnerable first, and make sure that we avoid that the most vulnerable are falling through the cracks.

Another aspect is, of course, medical care for the elderly people. It is another aspect that is tightly linked to the care that we need take into consideration for our elderly people. The social safety network with all its components is the topic that we should discuss and not only one aspect, Old Age Homes. If we do that, we would do well by referring it to either the Ministry that is dealing with it and we also have the Social Security Commission that has in its Act the mandate to create safety networks, to assist vulnerable groups, and I think the elderly is one of them. We can look at the different structures that we have, but let a Ministry take the lead and share with us what is in the pipeline of how we want to address it, but to address it as a single item like Old Age Homes only, we will fall short.

I think the intention is a good one because we want to help the vulnerable group, but if we only discuss Old Age Homes, we would miss most of the other aspects that are equally important. Thank you.

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**HON DEPUTY SPEAKER:** Thank you. I recognise Honourable Haingura. You have the Floor.

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**HON HAINGURA:** Thank you, Honourable Deputy Speaker, and Honourable Members for giving me the Floor to make a few comments on the Old Age Homes.

Before I start with my comments, I just want to say, I want to thank His Excellency, the President of the Republic of Namibia, Dr Hage Gottfried Geingob, for nominating me to come back and serve in the Sixth Parliament and I want to commend and congratulate all the Honourable Members, since this is my first time to talk in this House. It is not a

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Maiden Speech, I just want to say something on the Old Age Homes.

My comments are centred around the fact that all of us will one day become victims of age; hence, it is important that what goes around comes around and it is our responsibility or roles as children to look after our parents and my culture is perhaps not in that nature of seeing my grandparents or my mother in an Old Age Home. For me, it does not look right, but because I listened to what the Minister of Finance said that due to urbanisation it will, at some point, become necessary to consider these Old Age Homes.

I visited one Home in Rehoboth where the elderly would use the pension money they were receiving, at that time it was still N\$600.00, to pay the people who are looking after them and their complaint was that it was not enough. My appeal to all of us as children of these elderly persons is, even if you put them in those Old Age Homes, it is still our role to go and visit them. This would even include cleaning and feeding them rather than leaving them entirely in the hands of those people who came up with the ideas of Old Age Homes.

As Honourable Members, who hail from our respective villages, we know what is happening. We can, therefore, organise our communities to ensure that our elderly people are taken care of. Some of our elderly people there eat food without enough nutrients to keep them healthy. Between 90% and 95% of Namibians are Christians and there is a saying that says; *“honour your father and mother, that it may go well with you and that you may live long in the land.”* I do not think there is anybody who wants to die tomorrow, we want to keep on living until that one day comes. We need to honour, respect and treat them with dignity. With those few words, I support the Motion on Old Age Homes. Thank you.

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**HON DEPUTY SPEAKER:** Thank you. Honourable Nauyoma, you are next.

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**HON NAUYOMA**

**HON NAUYOMA:** Thank you, Madam Deputy Speaker. Inasmuch as I am not a proponent of Old Homes or Houses, (*laughter*) I do not even know how to say that, we tend to live in denial. We should not live in denial, because from what reality dictates out there, our elderly are suffering in the villages and that is a matter of fact. Whether we like it or not, people are suffering in the villages. Culture has evolved, the youngsters that we have left at home are no longer responsible as we were and I do not think we have a means to reverse the situation. If we are to stand here and pretend that things will be the way we think it would, it will not.

With Government being the uncle of everybody, I think we need to take responsibility in one way or the other. For people that are in the villages, even if we would want the kids to take care of their parents, they are also poor, unemployed and drink their *tombo*, and that is all that they know. If people sit at *cuca* shops from morning to evening, how do we expect them to take care of the elderly. There is nothing they are doing, apart from moving around the villages because they are mobile while the old people are seated at home without any assistance. Nobody cooks for them, nobody brings them water and this situation continues day in and day out. That is the harsh reality out there. If we claim that we must take, true we must take the responsibility. Others already indicated here that these kids are not able to take responsibility. We are, therefore, leaving these elders at the mercy of this world.

Kids who are supposed to help their parents are living in locations around here and they dump their children there with these old people. You find an elderly person who is 80 years of age surrounded by an army of eight children (*interjection*)

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**HON MEMBER:** An army?

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**HON NAUYOMA**

**HON NAUYOMA:** Yes, I call that an army. (*Interjections*) No, we should not, I am talking about people who are already poor, they cannot support these people (*interjection*)

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**HON MEMBER:** You must pay them.

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**HON NAUYOMA:** Pay what? How many villagers are we going to pay? How many are we going to pay? It cannot be (*interjections*)

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**HON DEPUTY SPEAKER:** Yes, you still have the Floor.

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**HON NAUYOMA:** Yes. I think we need to draw a line between what should happen and what should not happen.

The Honourable Minister of Finance has just talked about the safety nets which need to be extended and see how people in the villages can be engaged. We can talk about Churches, NGOs and people who can be engaged to facilitate the processes of helping us on how to deal with the elderly (*intervention*)

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

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**HON NAUYOMA:** But if we are pretending that the children are going to (*intervention*)

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**HON DEPUTY SPEAKER:** Honourable Nauyoma, there is somebody on a Point of Order behind you.

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**HON NEKUNDI:** Honourable Nauyoma, can I ask you a question?

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**HON NAUYOMA:** You may do so.

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**HON NEKUNDI:** Can I?

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**HON NAUYOMA:** Yes.

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**HON DEPUTY SPEAKER:** Yes, proceed.

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**HON NEKUNDI:** Honourable Nauyoma, do you not think that as a child of an elderly parent and you have the means and the ability to support your parents or grandparents – do you not think that you have an obligation to support them? And where the parents have nobody in the system of the family to support them, could that not then become the Government's responsibility? However, in a situation where you can as a child, do you not think that it is your responsibility?

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**HON DEPUTY SPEAKER:** Yes, proceed Honourable.

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**HON NAUYOMA:** Honourable Member, we are not talking about responsible children here. Children like ourselves are taking care of our own parents, but there are people out there who not responsible and we leave these parents in the hands of these irresponsible children to suffer, because they cannot help themselves. We are not condoning irresponsibility, that is reality. We should not live in ideals. Ideals means that things are supposed to happen the way we think they are supposed to happen, but what reality reveals is the opposite of what we think should happen. Do we live in an ideal situation or do we respond to the reality on the ground? If we are living in an ideal world, that is denial in my opinion, because reality is dictating something else and we need to look at that something that reality is dictating.

If people cannot afford to take care of themselves, how can you expect to take care of someone else? That is the situation that is there. A Law should come in to compel those who are able. If you are able to support your parent then the Law must take care of the situation, but we are not talking of people who are able to support their parents, most of the ones we are talking about, are the ones who are not able to support their parents, and you cannot force them to support their parents if they are not even able to support themselves. What do you expect from that situation?

I think, in as much as we agree with the situation on the ground, something should happen. I think we need to look into these situation with a Bill and see how we can address and help the elderly out there. I thank you, Honourable Deputy Speaker.

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

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**HON VENAANI:** Honourable Deputy Speaker, sometimes when we speak in this House, we speak as if we are a House of people who do not have responsibilities on our shoulders. Sometimes we degenerate this

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House to a House of hypothesis that sometimes one wonders whether we understand who we are and where we come from. I must say that I am very impressed by the intervention of Honourable Schlettwein and how he really looks at this issue from a multifaceted approach.

Now let me briefly say the following: Where are we coming from as a people, as a society? We are coming from Old Age Pensioners that we are talking about today. We have former contract labourers of yesterday, people who worked under harsh conditions to build this country. There was no tarred road between Windhoek and Swakopmund, there was no tarred road between Windhoek and Keetmanshoop, Windhoek and Oshakati, no railway lines, there was nothing, there was only the *Alte Feste* here and the Tintenpalast in 1912. Who built these infrastructures and the mines? It is the sweat and toil of our elders, but the system that allowed them to do these things was a system that was exploitive in nature, a system that, first and foremost, did not allow them to earn a decent salary. There was nothing like a decent salary.

Some of us who have grown up in Windhoek know the contract labourers, people who used to come with a card, like at school when you go to Sub B – an old men like General Namoloh, would come with a card (*laughter*), as a contract labourer from the North. These are the people who have become today's pensioners.

One Saturday night I was eating dinner in Otjiwarongo (*interjection*)

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**HON MEMBER:** With whom?!

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**HON VENAANI:** With a good friend. And it is resonating, when I am debating the Motion on the Table. She puts us on a table (*intervention*)

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HON VENAANI**

**HON MEMBER:** Was it with a she or a he?

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**HON VENAANI:** It was a she, yes. I always eat with the *shes*, not with the *hes* (*laughter*)

She puts macaroni, porridge, you know, like a ten course meal and we were eating with my little delegation and I said to her jokingly; '*Uhuru seems to have come*' and she asked; *what do you mean?* I said; *just imagine a black person in Namibia in 1983, if you had porridge, you had porridge and fish, you would not have a choice of having rice, macaroni, porridge, spinach, chicken, fish – everything on the table at one time.* I remember vividly as a young child that in Okatjoruu, where I come from, we only tasted rice during Christmas – just to eat rice. When my father brought bread in the village, it would smell in the whole village, that is the past that we are coming from. (*Interjection*) Yes, I am talking about history for you to understand why pensioners are living in the conditions that they are in today, it is because of that background.

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**HON MEMBER:** When was that?

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**HON VENAANI:** Do not worry about when that was (*laughter*) You are not even ten years older than me, we are from the same generation. When you were in student politics I was also in student politics, so just hold on, do not come and play big here.

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**HON DEPUTY SPEAKER:** Please proceed, I said proceed.

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**HON MEMBER:** Do you know him?

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**HON VENAANI:** Yes, I know him and he knows me too. We come a long time together.

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**HON MEMBER:** Oh, since when?

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**HON VENAANI:** All I am trying to say is the following: Japan today, has a problem with the elderly. Do you know what their problem is? They are an aging society, everybody is old in Japan, but people in Japan have means. (*Interjection*)

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**HON MEMBER:** There are younger ones also.

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**HON VENAANI:** Yes, there are younger ones as well, but if you look at the Japanese society, they have more older people than younger people.

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**HON DEPUTY SPEAKER:** Yes, it is correct.

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**HON VENAANI:** (*Interjection*) Do you want to educate me in English now?

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**HON VENAANI**

**HON DEPUTY SPEAKER:** But they have to be looked after.

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**HON VENAANI:** Yes, but their aging population is well looked after because they have economic prosperity. Five years ago, they were the second largest economy in the world. The reason why we are saying we cannot run away as Government and as Leaders of people from the responsibility of looking after our parents is, because of our past. Imagine, and I am always saying this to my wife, that our children (*intervention*)

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**HON MEMBER:** Who is she?

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**HON VENAANI:** Who is she? She is a dear wife (*laughter*)

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**HON MEMBER:** What do you want to do with her?

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**HON VENAANI:** Yes, what do you want to do with her?

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**HON DEPUTY SPEAKER:** Please ignore that and proceed.

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**HON VENAANI:** We have children and I tell her that these children should not be the population of Namibia to suffer. If they suffer then

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there is something wrong with them, because they would inherit from their parents, parents that have insurance schemes. When I die there will be N\$4 or N\$5 million that they could inherit; there will be a house, there will be a small farm, there will be a, b, c and d.

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**HON MEMBER:** But it has not happened to us.

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**HON VENAANI:** Yes, it has not happened to you, had you not been a Minister, you would have been a poor man now, because of the past that we are coming from. Even Ministers that are complaining – it is 25 years after Independence, but they still want to be here is because they have not been working all their lives, they are only in active service for 25 years and then they become Ministers. It is reality that we are talking about, so for us to start arguing that looking after parents is not our culture, it is not true. If you go to the history of my people; the Hereros (*interjection*) You are derailing me.

In Herero culture, we have a maternal system whereby you inherit from your uncle. It is a typical system, it is also with the Oshiwambo speakers, I know *Aawambo*. One hundred Years ago and 50 years ago, you could kill your own uncle, who is an elder, with a *kierie* so that you can inherit and no one can judge or ask you, because you have killed your own mother's child, who is your elder. This is how elders were being treated – *mbazepa omundu wa mama - I killed my own, who are you to ask me?* You can inherit and take all the cattle, this is how our elders were treated in our own cultures. In rural areas, no person wants to run away from the responsibility of elders. In rural areas, we are pretending as if people are living better.

With this N\$1,000.00, I must confirm that their lives should improve, there is no way about it and I am very glad that the Government has come to that position of giving them a N\$1,000.00 a month because their

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situation will improve, it definitely ought to improve. However, in rural areas, let us reflect on villages such as Tses, Bethanie, Nkurenkuru, Okatjoruu or any other village, Ondjambalala or wherever – which elder is living in a hut that has a cement floor as a basic protection, which elder? Every hut where an elder is living in Namibia, there is sand on the floor. A snake can dig and come inside the house.. Therefore, let us not pretend as if these rural villages that we are talking about are protected areas. When you are saying people in the rural areas are better off, how are they better off? She is saying that in her village, elders do not drink, elders are well taken care of, even in her own village, I also know where she comes from and she knows that I know that elders are living in houses that do not even have floors. (*Intervention*)

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

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** I just want to provide information. Honourable Venaani, I never said they are living better, do not exaggerate, you are a Leader and you always go to my village. And some of you who go to my village know the picture I am trying to paint. The majority of the people who are drinking are within the youth, even last week when I opened that kindergarten, I addressed the youth telling them; *you are the ones who have remained in alcohol while the elders have refrained*. I never said that they are living well, please take that out from my Speech.

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**HON VENAANI:** Ok, I withdraw that, for having heard you correctly and believing you, but be that as it may (*interjection*) No, let us not fight, let us just put this Debate in its correct context. In the south of this country, in Anker, you will find elders living in houses made of corrugated iron sheets. If you go and investigate when this corrugated

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iron sheets were manufactured, they could be older than 60 years. When the wind blows during winter, those elders are getting asthma and all other sicknesses because they are there. Some of their children are taking care of them but their conditions, even in rural areas are at stake.

As we are evolving, we are sitting with the Government in a country with many competing needs and that is a reality. Therefore, for those who are saying the Government should look after the elders, they are not wrong but we should not exonerate ourselves as children of those parents, from looking after them. However, it is the Government's responsibility to create a conducive environment for its population because it is *the Government for the people by the people*. That narrative means that the Government always takes care of societal problems. For those who are saying rural areas are better off, we must be careful. We have no lights, we have no showers, we have nothing, therefore, Old Age Homes are needed everywhere. Yes, *Mitiri (Intervention)*

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

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**HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:**  
Honourable Deputy Speaker, I would like to pose a question to my Colleague there. The concept – rural areas, I think is a concept that we also need to interrogate. What is your definition of rural area in the context of Namibia?

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**HON VENAANI:** There are two contexts, one is the definition of rural area in the Oxford Dictionary and there is the Namibian context. Rural area in Namibia would mean the former *Non-Police Zones*.

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HON VENAANI**

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

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**HON VENAANI:** Yes, that is rural. In our context, it is your former Kavango, former Zambezi, Caprivi, Kaokoland, Damaraland, which have now become Regions. Those are rural areas – Gibeon, yes.

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**HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:**  
There is nothing former about Kavango.

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**HON VENAANI:** First it was the former Kavangoland and now it is the Kavango Region, so there is a difference (*laughter*) There is a big difference – these are two Regions now, separate with two capitals, so it has also evolved.

However, what I am trying to say is that the problems of pensioners and old aged Namibians would not remain perpetual. The reason why white folks in this country retire and go to Henties Bay, retire and go to Old Age Pensions in Auasblick and in Klein Windhoek is because of societal benefits that have been accrued through good pension schemes that they have developed.

With the Namibians that are retiring now, I am seeing people and I am very impressed, especially in the northern areas – I am seeing people retiring in double storeys in rural areas. You would see somebody like General Namoloh has a double storey (*interjection*) yes, a proper village. No, this is not the usual *Aawambo* hut, this one is even modern and everything is there. This is a new generation that we are creating, so we should not run away from the backlog that we have. We have a backlog of parents who are in the majority and come from this past that degenerated their own human values.

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They have built Windhoek, they have built all these cities we live in and we must find a win/win solution.

Coming to the Old Age Homes, especially in the urban areas, I think we need to develop the infrastructure. Let me also be bold; Minister of Health, I am a regular visitor of your two hospitals, the main hospitals in the city and I am seeing an improvement. I am seeing cleanliness now, I am seeing new beds, I am seeing an improvement. Here and there some infrastructure is needed, but I am seeing that things are improving. Even the question of our Old Age Pensions, it will also improve and become better and better. GIPF just reported that they have N\$82 billion in assets; that is our money. That is our future pension money, we are going to inherit this money one way or the other. If this N\$82 billion starts being paid out, our lives will also improve, but let us not deny those people that are coming from this past, that we all know, an opportunity to have a decent life.

If you go to the Katutura Old Age Home, the one I know in my Constituency, Katutura Central, where I grew up, if you go to these Old Age Homes in Katutura – *no man, we can do better than that!* If somebody brings a Motion to the House and say; *let us look at these conditions*, we should look at them and try to address them. We are also not unreasonable, we are all in governing positions and nothing is easy. It is not because you are the Government that will solve all the problems, I am also governing a Party and I know how difficult it is. It is not an easy thing. Governing is not an easy thing. You just do not wake up in the morning and you start changing things the way you want, there are procedures, there are bottlenecks and there are dynamics of human resources. There are so many dynamics and complex issues of governance.

Therefore, when we are saying that *the Government must do this*, we are not unreasonable to say; *do it tomorrow*, but let us look towards that direction, towards that end. Let us not come with a Debate saying; *look after your parents yourselves*, there are people that are unemployed; in the country with a high unemployment rate of over 40% of Namibians. Who

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is going to look after whom? With the HIV prevalence rate that is getting higher and higher, who is looking after whom? What we are saying is; let us try to invest in our Old Age Homes.

In the final analysis, even in rural areas, I was the other day in Mbeyo; Mbeyo was a normal village 15 years ago, Mbeyo is now becoming another little town village. It will be declared very soon. In Mbeyo you would need an Old Age Home, in Chinchimame, these places are growing, so you cannot say that Chinchimane would remain the same, they are becoming town villages. Bukavu has just been declared. We should also try to put those infrastructures in place where we are declaring in order to make sure that we create safety nets for our society, but they will never be perpetual because as we are improving our economy, things are going to be better.

Lastly, Honourable Deputy Speaker, I am seeing a culture that is penetrating this House, where the Members of the Executive have coined a systematic thinking saying that; *when a Motion comes, let us refer it to the Minister, (interjection)* yes, it is a culture. It is a culture of Executive Supremacy that you want to bring to the House.

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**HON MEMBER:** You are Out of Order.

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**HON VENAANI:** Let me explain. This House is a People's House. The people of Namibia have elected able men and women as their representatives to bring issues to this House. If the Executive wants to refer a matter to a Minister, do that, that is your job – a Cabinet Committee to the Minister, but if a Member of Parliament comes here as a Legislator and then he Moves a Motion, he must put it to his Committee because Parliament has a Committee that can engage the Executive on the matter. You cannot tell the Legislature and say – *no, just refer this matter to us*, otherwise you will make the work of a Legislature obsolete.

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HON VENAANI**

In fact, you are dominating it by sheer numbers. You are dominating the Separation of Powers as Montesquieu articulated, it is already dominated.

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**HON MEMBER:** I am looking for the year?

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**HON VENAANI:** 1846, if I am not mistaken. (*Interjection*) Yes, I am. Believe you me, I am.

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**HON DEPUTY SPEAKER:** Please do not respond to interjections.

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**HON VENAANI:** But the *Mitiri* is just confusing me. All I am saying is that when a Motion is debated in the House, it is fair and prudent to take it to a Parliamentary Committee, it is a systematic approach that we have taken in our Constitution. That Parliamentary Committee would refer and consult Members of the Executive to put input and to report to the House, but to say that a Motion should not go to a Parliamentary Committee, but it should go to a Minister, is unparliamentary, unprocedural and cannot be allowed.

Honourable Deputy Speaker, I support the Motion wholeheartedly and I think it must be referred to a Parliamentary Committee because that is the responsibility of this House for matters to be referred to Parliamentary Committees and then to report back to this House. *Okunene okuhepa!*

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HON NANDI-NDAITWAH**

**HON DEPUTY SPEAKER:** I recognise the Honourable Deputy Prime Minister and Minister of International Relations and Cooperation.

Honourable Deputy Prime Minister.

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**HON DEPUTY PRIME MINISTER AND MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION:** Thank you, Honourable Deputy Speaker. Honourable Members, let me thank Honourable Dienda for introducing this Motion though we know this is not the first time we are discussing this issue. My recollection is telling me that.

Having said that, I think it is also necessary for us to appreciate where we have done well. The fact that we are talking about the number of our Old Age Pensioners increasing, they cannot just increase out of a vacuum. I believe this is also telling us that one way or the other we must have improved in our social services; hence, we have the number of the Old Age Pensioners increasing as our people live longer.

It is true, we know that some of the people we are talking about are those who have not done formal work in the past and for those, if we still have those who worked on the railway in 1912, at the age of 103, that should be a plus for us because we have improved health and other services.

Of course, as a Government we have a responsibility over our people, but we also know that when we talk about the Government, we are also talking about the people and that is why we as Leaders, as much as we have to call on the Government to play her part, we need to be very careful not to create a situation in the minds of our people, just to be calling on the Government on each and everything, without contributing their part.

When we used to discuss the issue of old age in the past, the most

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dominant issue has been the amount that we give, that it was nothing to help our old people. Now that the Government has decided to make an improvement, the argument is now changing. We are now talking of irresponsible people who abuse the Old Age Pension, particularly when they receive their grant. In the same way we are addressing the Government, as Members of Parliament who are living with the community, we must carry out our traditional responsibilities by engaging our community members and instil in them a sense of responsibility because you cannot convince me that all those people you are saying are abusing the grant of our pensioners, are those who are unemployed. That is not correct. It is only due to a lack of understanding that people feel that the Government has a responsibility to provide more at all times.

In her Motivation, the Mover of this Motion stated, very clearly, that the reasons why it is necessary for us to have Old Age Homes is because we might not have people to look after our old elderly people because you might find that everybody is working in a family. It is in the Statement before me. If you have everybody working in the family, why can you then not support that parent or grandparent of yours, that you even go to an extent of putting your parents or grandparents in an Old Age Home?

I visited one country, I think these people have perhaps become very innovative and this is maybe to address a situation where an old age person is from a family where everybody is working. These people go for a specialised training which enables them to take in up to 3 elderly persons into their own homes, and because the relatives or children who are working do not have time to look after them in their homes, they pay for that service. At least here you can see a caring person and they make it their responsibility that whenever they have time be it on weekends, they go and see their parents or grandparents, or even in the evenings when they knock-off from work they make time to go and see them.

I really feel that as a Government, we will not run away from our responsibilities, however, as a Nation, we have a responsibility and we must meet each other somewhere. You cannot just expect that even where

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you can, you have to dump your parents at the Old Age Home. When it is payday, you will see people going there well dressed, simply to go and grab that pension. Why can we not as Members of Parliament educate people in our communities, that this is not the way to go because as elected representatives, we are not only elected to face the Government, but we are also elected to guide the Nation.

Therefore, I feel that based on my recollection, since there is already a Report on this issue which is being used, as the Government is aware, in addressing this issue, I do not know whether we want to give ourselves double responsibilities. As Members of Parliament, we have a lot of work to do, I know this is very important, but it was already worked on. However, if we feel that, that is the way, which definitely is not the way for me, it will be better if the House can request that we account for the Report that has already been produced by this august House; questions to be asked are already asked by a Member of Parliament when the matter was taken for a Public Hearing.

This is the concern I have in dealing with this issue. Otherwise, none of us is against taking care of our elderly. But I underline - it should not only be the responsibility of the Government. However, as a Nation we have a responsibility towards our elders. As Members of Parliament we need to put this in the minds of our people. The more we say – **Government** – repeatedly, the more we are telling people to run away from their responsibilities. Is that what we want to do as elected representatives? I thank you for your kind attention.

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**HON DEPUTY SPEAKER:** The last speaker for today, on this Motion, is the Honourable Minister of Education, Honourable Hanse-Himarwa.

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HON HANSE-HIMARWA**

**HON MINISTER OF EDUCATION, ARTS AND CULTURE:** Thank you very much, Comrade Deputy Chairperson. First and foremost, let me thank Comrade, are you a Comrade? Let me thank Honourable Dienda for having reminded us and *re-reminded* us about the Old Age Homes. I think the Motion is a noble one and equally something that we are working on almost daily as individuals and also from the side of the Government. A very recent example of concern and care from the side of this Government, was the recent increment of the Old Age Pensions to N\$1,000.00. For that and for many other interventions, there is a need (*interventions*)

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

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** May I ask the Honourable Member a question, Honourable Deputy Speaker?

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**HON DEPUTY SPEAKER:** Do you accept the question, Honourable Minister?

\_\_\_\_\_

**HON MINISTER OF EDUCATION, ARTS AND CULTURE:** Yes.

\_\_\_\_\_

**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Are you aware that in 1990 what your grandmother was getting was different from others while the DTA of Namibia was part and

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HON HANSE-HIMARWA**

parcel of that Government? Are you aware of the difference in the Old Age Pension that existed then? (*Laughter*)

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**HON MINISTER OF EDUCATION, ARTS AND CULTURE:** Yes, I am very much aware, my grandmother was getting N\$35.00, so I am very much aware of that.

Comrade Deputy Speaker, I do not want to dilute the substance that Honourable Schlettwein has brought to this Debate and also the substance that was, especially brought by our Deputy Prime Minister. I could hear, especially the Deputy Prime Minister and other speakers from the other side of the House, clearly, ending with questions like; *what do we now do?* For me, there is something that we are already doing as Government and I think it is about time that we bring our side and from the feeling in the House, I think it is one Motion on which we are all united. All of us agree that we need to care for our elderly. All of us agree that if there is a need for Old Age Homes for those who are vulnerable, then we need to do so.

I, therefore, want to propose that each of one us in this House, because we need to start from ourselves, contributes N\$1,000.00 every month so that we can create a fund for the elderly in the country (*interjection*) It is a proposal, we are talking and all of us are concerned. If everyone in the House of Parliament, at least, contributes a very minimal amount of N\$1,000.00, we will be having N\$104,000.00 because we are 104 in the House and we will be having N\$1,248,000 per annum then we can mobilise the children of the very people that we are talking about, the communities, the Corporate World, the Public Sector and the Business Community, and we commit every single penny to the fund so created. We can then start to address problems related to our elderly because the Government already has its commitment, instead of us talking that we are concerned and caring every day. This is a proposal. Thank you.

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HON SHANGHALA**

**HON DEPUTY SPEAKER:** With that, we have two minutes. I will give the Floor to the Attorney-General, Honourable Shanghala.

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**HON ATTORNEY-GENERAL:** Thank you, Comrade Deputy Speaker. I think it is an important thing in a culture of democracy for one to engage in a Debate but such Debate must have a meaningful objective. I certainly believe that the purpose of the discussion must lead into an outcome.

It was my understandings that, since there was work being done on the subject matter that it could have perhaps been a timely reflection upon the Mover of the Motion to either pull it for the time being; I am just saying, and await the outcome of that discussion. The discussion will be contained in a Report that will be coming from that individual line function Institution, Agency or Ministry (*Intervention*)

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**HON DEPUTY SPEAKER:** Honourable Shanghala, can you proceed tomorrow, because the time is up?

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**HON ATTORNEY-GENERAL:** I am coming to that. I am coming to that.

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**HON DEPUTY SPEAKER:** There is no more time left, can you see the clock? It is fine, you can proceed tomorrow.

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**HON ATTORNEY-GENERAL:** Thank you, Madam Deputy Speaker.

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**ADJOURNMENT  
HON PROF KASINGO**

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

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**HOUSE ADJOURNS AT 17:45 UNTIL 2015.07.08 AT 14:30**

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**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
WINDHOEK  
08 JULY 2015**

The Assembly met pursuant to the adjournment.

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

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**ANNOUNCEMENT**

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**HON DEPUTY SPEAKER**: I have one announcement to make. We have been informed of the passing on of the father of our Secretary of the National Assembly, Mr Peter Hermanus Jacobs. He passed on in South Africa, yesterday morning, in Pietermaritzburg at the age of 84.

On behalf of the National Assembly, I would like to extend deepest sympathy and condolences to Mr Jacobs, his family, friends and all those who were associated with him. May his soul rest in perfect peace.

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**HON DEPUTY SPEAKER**: Any Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Are you rising on Reports of Standing or Select Committees? You have the Floor, Honourable Jagger.

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**TABLING: REPORT ON THE  
IMPLEMENTATION OF CABINET DECISIONS**

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**HON JAGGER**: Thank you, Honourable Deputy Speaker. I just want to report to the Honourable House that there was a meeting today, the 8<sup>th</sup> of

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**TABLING OF REPORTS  
HON JAGGER**

July 2015, of the Standing Committees on Human Resources and Community Development and Natural Resources. That meeting came forth due to the Motion that was presented by Honourable McHenry Venaani on the 16<sup>th</sup> of June 2015, in motivating the Motion on the **Precarious Deadlock and Shortage of Urban Land, Skyrocketing Housing Prices and Lack of Subsidy to Local Authorities.**

The Motion was referred to these two aforementioned Committees. I would like to report that in the interim the Special Cabinet Committee on Land and Related Matters indeed had a meeting. The delegation of the Special Cabinet Committee was led by the Honourable Minister of Justice, Honourable Dr Albert Kawana, the Minister of Land Reform Honourable, Utoni Nujoma, the Minister of Urban and Rural Development, Honourable Sophia Shaningwa, the Minister of Information and Communication, Honourable Tjekero Tweya. The Deputy Minister of Justice Honourable Ludwina Shapwa and the Permanent Secretary of the Ministry of Information and Communication were also in attendance.

Honourable Deputy Speaker, a presentation was made to the two Standing Committees on the progress made on the Implementation of Cabinet Decisions on the Recommendations of the Special Cabinet Committee on Land and Related Matters of which a copy of such Decisions was given to each of the Honourable Members of both Standing Committees that were in attendance. Together with this, Honourable Deputy Speaker, I would also like to lay upon the Table a copy of the Decisions on the Recommendations of the Special Cabinet Committee on Land and Related Matters. I thank you.

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**HON DEPUTY SPEAKER:** Before that, you stated that is an Interim Report. Will you be coming with another Final Report?

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**HON JAGGER:** This is an Interim Report of the presentation that was

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**NOTICE OF MOTIONS  
HON SCHLETTWEIN**

made to the two Standing Committees. The delegation on the Special Cabinet Committee has informed the Members that Bills will be brought to this House on the same issues that were presented this morning. Thank you.

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**HON DEPUTY SPEAKER:** Please table that Interim Report. Any Other Reports and Papers? Notice of Questions? Notice of Motions? I recognise the Minister of Finance.

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**NOTICE OF MOTIONS**

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**HON MINISTER OF FINANCE:** Honourable Deputy Speaker, I give Notice that tomorrow, the 09 of July 2015, I shall Move that this Assembly:-

*Considers* the Amendments to the South African Customs Union (SACU) Agreement of 2002 to Institutionalise a SACU Summit. I so Move, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Please submit the Motion. Messages from the Head of State? Ministerial Statements? I understand Minister Doreen Sioka has a Ministerial Statement. You have the Floor.

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**MINISTERIAL STATEMENTS**

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Thank you, Honourable Deputy Speaker. Honourable

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**MINISTERIAL STATEMENTS  
HON SIOKA**

Members of this august House, it gives me great honour and privilege to stand before you today to deliver a Ministerial Statement to inform you about our intent as a Ministry. One of the mandates of the Ministry of Gender Equality and Child Welfare is to ensure that gender equality and women empowerment is realised whereby the Ministry coordinates Activities and Programmes aimed at ensuring that the wellbeing of men and women, boys and girls in our society is protected and realised at all times.

Honourable Deputy Speaker, as we have learnt that the evil of Gender-Based Violence is manifesting its ugly face among our people, the majority of us have witnessed the act of violence or may have heard or read of the scourge of Gender-Based Violence in our local media that it is a daily event. There is no day that passes without hearing about a woman or a child having been murdered.

In most cases victims of Gender-Based Violence are women and children and the perpetrators are men who are children, husbands, brothers, uncles, fathers of those women. These perpetrators of Gender-Based Violence are men who were supposed to be protectors of these women, but they turned to kill them.

Honourable Deputy Speaker, the Ministry of Gender Equality and Child Welfare and the whole Government machinery, stakeholders and the general public have the obligation as per the Namibian Constitution to uphold and defend the Constitution and the Laws of the Republic. Article 6 of the Constitution states the Protection of Life. It clearly gives instructions to every human being in our society to respect and protect the Right to life. Article 8(2)(b) states that; *no person shall be subjected to torture or cruel inhumane or degrading treatment or punishment.*

Comrade Deputy Speaker, in addition to the Constitution of Namibia, Namibia is signatory to the international and regional instrument, which has a bearing on Gender-Based Violence and has brought into force, a number of National Laws and Policies to combat Gender-Based Violence; among them are the:

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**MINISTERIAL STATEMENTS  
HON SIOKA**

- *Combating of Rape Act, 2000* (Act 8 of 2000);
- *Combating of Domestic Violence Act, 2004* (Act 4 of 2004);
- *Criminal Procedure Amendment Act, 2003* (Act 24 of 2003); and
- *Maintenance Act, (Act 9 of 2003).*

Honourable Members, despite the directives of the Constitution and Laws, we will observe or witness the violation of these Provisions by some elements within our society who have the liberty of taking Law in their own hands. Seriously Colleagues, there is no one above the Law, no one. I do not want to send a signal of warning, but there is no one who is above the Law. Whatever you do the Law is above you. I think you have learnt a lesson in this House. Something happened and one of the Leaders had to leave the country because of the Law. This criminality of turning to murdering innocent women and children should stop. It should stop.

Honourable Speaker, Honourable Members, the Ministry's intent this time around is to double our efforts to comply with the Provision of our Constitution and the Laws of the Republic of Namibia, that the Namibian House should not be destroyed by satanic behaviours – the way we are doing it right now. I think from this week or starting from last week, you could read or hear of even babies being killed by these strong people whom we call our husband, brothers (*intervention*)

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**HON MEMBER:** Say some!

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** We do not know where you are leading to and we are no more going to say *some* because we do not know what is in everybody's mind.

Honourable Deputy Speaker, Honourable Members, therefore, the

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**MINISTERIAL STATEMENTS  
HON SIOKA**

Ministry has planned to launch a Mass Media Campaign Against Gender-Based Violence. This campaign will be launched on Friday, the 10<sup>th</sup> of July 2015, at the Safari Hotel. It will be launched by Her Excellency, the First Lady of the Republic of Namibia, Madam Monica Geingos. You are all invited, Colleagues.

Honourable Deputy Speaker, Honourable Members, the aim of the campaign is to inform and educate all our people about various ways of solving problems and seeking help without resorting to violence. The campaign will be broadcast through Radio Drama Series and gradually through TV Series. We have decided, as a Ministry and our stakeholders, not to leave any stone unturned until the war against Gender-Based Violence is definitely defeated. This is a war that we are going to wage against those criminals.

My intent, Comrade Deputy Speaker, is hereby to invite every Member of Parliament to attend the launch. The scourge of Gender-Based Violence is not the Ministry's issue alone, but it is for everybody. Leaders as we are and should show up at the launch to set an example that you are also not happy with what is happening in our communities. You will, in that way, help us launch the campaign, successfully.

I, therefore, invite everybody in this House to be at the Safari Hotel on Friday, the 10<sup>th</sup> of July 2015. I will be going to the NBC's Good Morning Namibia to give you the Time Schedule and the Programme.

Comrade Deputy Speaker, Honourable Members, as you are invited please, please, Honourable Venaani and all the Leaders of Political Parties, women as we are victims, we should be there in full force to support the First Lady who is going to launch this campaign. Honourable Deputy Speaker, with these few remarks, I thank you for your attention.

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**HON DEPUTY SPEAKER:** Thank you. There seem to be some brief

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**CONTRIBUTIONS/COMMENTS/QUESTIONS ON  
MINISTERIAL STATEMENT  
HON MAAMBERUA / HON VENAANI**

reactions to the Ministerial Statement and I recognise Honourable Maamberua.

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**CONTRIBUTIONS/COMMENTS  
AND  
QUESTIONS ON MINISTERIAL STATEMENT**

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**HON MAAMBERUA**: Thank you, Honourable Deputy Speaker. I wish to subscribe to the concerns of the Minister. However, I just have a small question and that is informed by my recollection that in Namibia, Windhoek to be specific, the biggest concentration of crimes is in a place called Wanaheda. That is how we have been informed. That is the biggest concentration of crimes in Namibia and in Windhoek.

I would have naturally thought that launching an anti-crime campaign would be well placed at a place where the biggest crime actually takes place. I was somehow perplexed to hear that the campaign is going to be launched in a bourgeois, super, social strata area. Are we really serious about combating crime, if we start at wrong places like where the Minister and Government is intending to start with the crimes campaign? Thank you.

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**HON DEPUTY SPEAKER**: I recognise Honourable Venaani.

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**HON VENAANI**: Thank you very much. I also rise to support the well intended intent of the Ministry of Gender Equality and Child Welfare to address and curb Gender-Based Violence. However, experts, Honourable

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**CONTRIBUTIONS/COMMENTS/QUESTIONS ON  
MINISTERIAL STATEMENT  
HON BEZUIDENHOUT**

Minister, have continuously informed us that with the lack of safe havens, safe houses, where victims could run to, victims of Gender-Based Violence have nowhere to run. It does not start with the killing. It starts one day with breaking the nails, the next day the arm until it ultimately reaches to death. However, our mothers and sisters seem to be trapped because they live in a house where the husband might be the breadwinner and she has nowhere to go like a safe haven that can protect and counsel her to get out of that relationship. What are the Ministries' Programmes and intentions in terms of safe havens that need to be built to protect victims of Gender-Based Violence?

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

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**HON BEZUIDENHOUT:** Thank you, Honourable Deputy Speaker. I rise to express our support for the initiative of the Ministry. We would like to ask the Minister the actions of the initiatives that you have outlined like the Radio Shows and the Television, are welcome additional initiatives, where can we express them and with whom? Are there any additional ways of disseminating information and various tools to assist and protect our women and children? Thank you.

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**HON DEPUTY SPEAKER:** Go ahead and respond, Honourable Minister.

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**RESPONSE TO QUESTIONS ON MINISTERIAL STATEMENT**

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

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**RESPONSE TO QUESTIONS ON  
MINISTERIAL STATEMENT  
HON SIOKA**

you, Honourable Members, for the questions and support. My request to all of you is to see you there so that you will hear and see more of our actions.

Firstly, let me answer *Honourable Maamberua*. Welcome, it has been long time since I have seen you. Where have you been? Anyway, you said that the biggest concentration of crime is in Wanaheda, in Katutura. Your statement says that by launching our campaign at the Safari Hotel we are considering a bourgeoisie area. It is not like that. Gender-Based Violence has no limit. It can even happen in this House. Some of you are even doing it here, you are abusing women here and you are abusing your children here (*laughter*) It is happening here.

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**HON MEMBER:** You are accusing people and you are appealing to the same people to support you.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Even women are also abusing their husbands and men are abusing them here in Parliament. It is true. I do not want to reveal information, do not force me. Therefore, Gender-Based Violence has no limits. It can happen at the hotel, in the bush or in Wanaheda. It has no limit. It has no selection of places. We did not choose that area because there are bourgeoisies, Gender-Based Violence can happen anywhere. (*Interjection*) I am responding to questions Honourable Member, I think you are a Senior Citizen of this House, can you please permit me to provide answers first?

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**HON DEPUTY SPEAKER:** And thereafter I will give you the Floor Honourable Minister.

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**RESPONSE TO QUESTIONS ON  
MINISTERIAL STATEMENT  
HON SIOKA**

**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** He can ask additional questions thereafter.

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**HON DEPUTY SPEAKER:** Give her a chance to respond and then you come later.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** You cannot not create a Point of Order, Honourable Calle Schlettwein.

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**HON DEPUTY SPEAKER:** I have a problem with the Point of Order at the moment because she is still busy responding to questions. You can come later. You can take the Floor after she has answered.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Honourable Deputy Speaker, let me come to *Honourable Venaani*, again. Comrade Venaani, the challenge that we are faced with is about the Budget. If you had read the Budget Statement during the Budget time, the money allocated to this Directorate was very limited. Lucky enough, we were given an amount of money, which you have seen on TV by the African Ambassadors who are present here in Namibia. They donated about N\$20,000.00 to the Ministry of Gender, just to help with the scourge of Gender-Based Violence. There is a limitation of funds.

You also made mention of safe havens and I responded that there is a limitation of funds, otherwise we could have constructed a lot of houses

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**COMMITTEE STAGE - MARINE  
RESOURCES AMENDMENT BILL**

for safety. *Honourable Bezuidenhout*, you can obtain information from our Regional Offices. The Regional Offices are there, even though we are struggling to have Constituency Offices and information can be obtained there. If you cannot go there, you can go to the Headquarters, we are here in Windhoek; you can obtain additional information from there. When you go there, you may find some different material because we have been using pamphlets and billboards to advertise or inform the people before, but we have seen that it was not effective. We are now going to use more sophisticated ways of reporting this Gender-Based Violence. Thank you, Comrade Deputy Speaker.

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**HON DEPUTY SPEAKER:** Honourable Minister of Finance, you can raise your concern.

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**HON MINISTER OF FINANCE:** Thank you, Honourable Deputy Speaker. Maybe on the lighter note, I just want to know from the Honourable Minister, when she said that there are Members in this House who are abusing their spouses, whether she is including herself as well (*laughter*)

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**HON DEPUTY SPEAKER:** It is fine. You can ignore that one. Thank you. The Secretary will read the First Order of the Day.

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**COMMITTEE STATE - MARINE  
RESOURCES AMENDMENT BILL [B.7 – 2015]**

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**SECRETARY:** Committee Stage - *Marine Resources Amendment Bill* [B.7 – 2015].

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**COMMITTEE STAGE - MARINE  
RESOURCES AMENDMENT BILL  
HON ESAU**

**HON DEPUTY SPEAKER:** Does the Honourable Minister of Fisheries and Marine Resources Move that the Assembly now goes into Committee?

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** I so Move, Honourable Speaker.

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**HON DEPUTY SPEAKER:** Who seconds? Any objection? Agreed to. I will now call on the Deputy Chairperson of the Whole House Committee to take the Chair. Honourable Evelyn !Nawases-Taeyele.

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**ASSEMBLY IN COMMITTEE**

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**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** The Whole House Committee is called to order. The Committee has to consider the *Marine Resources Amendment Bill* [B.7 – 2015].

I put Clause 1, any discussion? Any objection? Agreed to.

I put Clause 2, any discussion? Any objection? Agreed to.

I put Clause 3, Any discussion? Any objection? Agreed to.

I put Clause 4, any discussion? Any objection? Agreed to.

I put Clause 5, any discussion? Any objection? Agreed to.

I put Clause 6, any discussion? Yes, Honourable Attorney-General.

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**COMMITTEE STAGE - MARINE  
RESOURCES AMENDMENT BILL  
HON SHANGHALA / HON ESAU / HON SCHLETTWEIN**

**HON ATTORNEY-GENERAL:** On Clause 6, which introduced Paragraph 39(a)(b) of that 39(a) it could read, in keeping with the comments made by the Minister of Finance – *applicant's certificate of good standing from the Ministry of Finance in respect of all taxes*. I so submit.

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**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** Honourable Member, you are then suppose to have an Amendment towards that change you want to make and in the absence of that, I am afraid whether we can take your proposal on board. Honourable Minister.

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** Thank you, Comrade Chairperson of the Whole House Committee. I think we will take cognisance of that when we come with the comprehensive Amendment of the whole Bill because presently we do not have any Amendments.

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

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**HON MINISTER OF FINANCE:** Honourable Chairperson, could I request the indulgence of the House and ask the Honourable Minister then to re-table the Amendments tomorrow. We have a chance tomorrow to have the proper *Amendment Bill* before the House and that would be my request, because to agree to this now where we have had consensus would be opening a procedure that is not correct. That is my request. Thank you.

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**COMMITTEE STAGE - MARINE  
RESOURCES AMENDMENT BILL  
HON ESAU / HON MAAMBERUA**

**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:** Honourable Minister, do we have your consensus on that one?

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** If that is an issue, for sure, I have no problem with that - to prepare an Amendment on this very Clause 6 as proposed.

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**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:** Yes, Honourable Maamberua.

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**HON MAAMBERUA:** I am not sure what the direction is going to be or the conclusion, but I wanted to also react to that proposal by saying that; *the certificate of good standing from the Ministry of Finance in respect of all taxes*, I think is going to be misleading and misinterpreted, because the land tax certificate may only be issued by the Ministry of Lands, but if we put in a Law in respect of all taxes, then I think we will have a problem unless if we maybe specify and say; *all taxes under the purview of the Ministry of Finance*, but if you leave it open as *all taxes*, then we would be talking about the land tax as well, if we are talking about the all taxes. *(interjection) Yes, under the hospices of Ministry of Finance.*

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

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**COMMITTEE STAGE - MARINE  
RESOURCES AMENDMENT BILL  
HON ESAU / HON SHANGHALA**

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

Thank you very much, Comrade Chairperson. After having listened to Comrade Maamberua, I think I am buying into what he is saying we should not give a blanket statement. I think the income tax is fine, we know how to approach this matter and I think that we have the *Income Tax Act* that the people should comply with. I propose that it remains as submitted (*intervention*)

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**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:** As is?

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** As is, yes. Thank you.

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**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:** Thank you. With that, I foresee that we have a consensus as the House on that one. Honourable Attorney-General.

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**HON ATTORNEY-GENERAL:** Madam Chairperson, I do not want to stand in the way of progress; perhaps my off-the-cuff formulation was a bit inept, it could have been polished with a better reflection, however, if that is the consensus of the House, I do not want to stand in the way of progress and I withdraw. Thank you.

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**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:** Any objection? None. Agreed to.

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**THIRD READING - MARINE  
RESOURCES AMENDMENT BILL  
HON ESAU**

I put Clause 7, any discussion? Any objection? Agreed to.

Title put and agreed to.

I shall report the Bill without Amendments.

Honourable Deputy Speaker the Committee has gone through the Bill [B.7 – 2015] as set forth in the accompanying copy and agreed to it without Amendments.

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**ASSEMBLY RESUMES**

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Bill reported without Amendments.

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**HON DEPUTY SPEAKER:** Does the Honourable Minister Move that the Bill be now read a Third Time?

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** I so Move.

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**HON DEPUTY SPEAKER:** Who seconds? Any objections? Agreed to. Any further discussions? None. Does the Honourable Minister wish to say something?

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** Thank you, once more, Comrade Deputy Speaker. I would like to thank

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RESOURCES AMENDMENT BILL  
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everybody who has supported the *Amendment Bill* and there is always room, whenever there is anything that was omitted, that can be accommodated in the next round of Amendments of this very Bill because we are living in a dynamic society and things are changing. Therefore, as things change we have to adopt our Laws in the context of change. I thank you very much.

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**HON DEPUTY SPEAKER:** I now put the question that the Bill be now read a Third Time. Any objection? Agreed to.

The Secretary will now read the Bill a Third Time.

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**THIRD READING – MARINE  
RESOURCES AMENDMENT BILL [B.7 – 2105]**

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**SECRETARY:** *Marine Resources Amendment Bill [B.7 – 2015].*

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

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**RESUMPTION OF DEBATE ON OLD AGE HOMES IN NAMIBIA**

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**SECRETARY:** Resumption of Debate on Old Age Homes in Namibia.

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**DEBATE ON OLD AGE HOMES IN NAMIBIA  
HON DIENDA / HON SHANGHALA**

**HON DEPUTY SPEAKER:** When the Debate was adjourned yesterday, Tuesday, the 7<sup>th</sup> of July 2015, the question before the Assembly was a Motion by Honourable Dienda. The Honourable Attorney-General adjourned the Debate and he now has the Floor. You have the Floor, Attorney-General.

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**HON DIENDA:** Honourable Deputy Speaker, I want to put in a complaint. My Motion is not a **Motion on Old Age Homes in Namibia**. My Motion was; **Old Age Homes in Namibia is it a Blessing or a Curse**. What is written here is not what my Motion is all about. This misinterpretation needs to be corrected.

---

**HON DEPUTY SPEAKER:** Yes, I do remember when you Move it, it was just like what you have said now. I am sure it would be corrected. They will correct it. They are saying they normally shortened the title of the Motion, but this is not long. I give the Floor to the Attorney-General.

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**HON ATTORNEY-GENERAL:** Madam Deputy Speaker, I see you have made a Ruling. I in turn had a question in reaction to what the Honourable Member has just indicated. Perhaps then this is a new Motion and that we could terminate discussion on this Motion.

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**HON DEPUTY SPEAKER:** Come again?

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**HON ATTORNEY-GENERAL:** It seems that the Motion that she intended initially to have discussed is an entirely different Motion from

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this one. The thrust of that discussion would move in a different way as opposed to this one, which seeks to have certain decisions taken by this House, is it not perhaps better if we terminate that discussion, and she files a new Motion and we start afresh.

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**HON DEPUTY SPEAKER:** No, they will just correct it. Sorry Honourable Attorney-General, the Table Office must just correct it because I do remember that when she motivated the first time, she said exactly what she had just said. You can just proceed where you stopped yesterday.

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**HON ATTORNEY-GENERAL:** Yesterday when the time ran out, I was in a thought process that would lead to a suggestion that perhaps this Motion be treated in the similar fashion that the Report, which we just witnessed being tabled by the Committee of Parliament ended up.

In the thrust of that discussion, I was saying, we have specific Ministries, Offices and Agencies dealing with certain matters, such as the social issue of Old Age Homes for the elderly, which is to my understanding as a Government, being dealt with. It was my suggestion, therefore, that that issue be perhaps, if we want to within a timeframe, given to that particular Line Ministry, to deal with it and revert back.

As I was saying, discussions should have a purpose and there should be a terminal point of the discussion. We cannot just talk in jest, although this is the House of politicians and talking is in the purview of politicians, but I thought within the spirit of outcomes based approach to issues, perhaps this discussion could be better dealt with, once we have something placed before the House from that relevant Line Ministry. That was the proposal I was making, Madam Deputy Speaker.

I suggest that perhaps, we spare ourselves the repetition of work and allow

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that the discussion terminates and the matter be seized and within the realm of the relevant Government Office Ministry, to deal with and revert back. I so submit.

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**HON DEPUTY SPEAKER:** The Minister of Health is not here, but the Deputy Minister is here. I recognise the Deputy Minister, would like to say something?

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**HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES:** I just want to say that perhaps a better way is by referring that Motion to the Committee responsible for social welfare and they can also come to us to obtain additional information because we might not have a conclusion on specific issues, we will just provide information.

They will investigate, talk to the elders themselves, talk to Leaders within the communities and try to give a direction at the end of the day. It will not serve any purpose for us to give our information on what we are doing but then the Motion is talking about other people rather than us who are in the Ministry. I, therefore, concur with the Honourable Attorney-General by saying that the Motion should be referred to a Committee.

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**HON DEPUTY SPEAKER:** You concur or you differ? (*Laughter*)

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**HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES:** I concur with the Honourable Attorney-General.

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**HON !NAWASES-TAEYELE**

**HON DEPUTY SPEAKER:** Did you understand what he was saying? It is fine. It is the same. Any further discussions? Do you still want to take the Floor? Honourable Attorney-General.

---

**HON ATTORNEY-GENERAL:** I wanted to formally just thank my Colleague for giving me and expressing for me in the right language and terminology what I intended to say (*laughter*) Being a newcomer has its disadvantages you see, so I stand corrected and fully endorse what she said and the benefit out of that, as you would have seen, is that the discussions gets to go into more detailed specific issues and those issues are result oriented, as opposed to mere discussions. So, I fully support her.

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**HON DEPUTY SPEAKER:** Good. Any further discussion?

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**HON !NAWASES-TAEYELE:** Deputy Speaker, I am afraid if I allow the House to go as the two Colleagues are proposing in conflict with what the Deputy Prime Minister was trying to explain yesterday that there has already been a similar Motion, that we should maybe give an opportunity to the relevant Ministry with other stakeholders and revisit the recommendations that emanated from the previous Public Hearings which were conducted.

She has explicitly stated that we cannot go back with the same issues to the public. We will again be asked questions in the contrary to say - *you were already here on the very same subject matter, what more do you want us to say?* I, therefore, think that maybe because of the Members coming in and out, there has been some communication gap. So, the advice was that we go back, seek for this records and see now best we can handle this issue on the Table, Honourable Deputy Speaker. Thank you.

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HON MBAI**

**HON DEPUTY SPEAKER:** Any other person who would like to take the Floor, apart from the Mover? I recognise Honourable Mbai.

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**HON MBAI:** Thank you very much, Honourable Deputy Speaker. I am a bit confused now because I have prepared my contribution against the background of Old Age Homes and the content of the Motion under discussion and the proposal as suggested by the two Honourable Members differ completely from what we have been doing all the time up until today. I prepared myself based on the Motion on the Table. So, do I just continue?

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**HON DEPUTY SPEAKER:** If you did not take the Floor before, just take the Floor and say what you want to say.

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**HON MBAI:** Thank you very much. I shall continue. Honourable Deputy Speaker, Honourable Members, I rise to make a contribution to the Debate under discussion. I was, and still entertain the opinion that the best way is to have a brief discussion on the said Motion and refer it to the relevant Committee for a comprehensive discussion, research and interaction with all stakeholders in order for us to Debate the recommendation from the Committee.

But nevertheless, Honourable Deputy Speaker, I am certainly delighted after listening to what has been said in this august House, because issues pertaining to older persons are very close to my heart. I am for that matter one of them and I am here to represent them in this House.

Honourable Deputy Speaker, Honourable Members, I believe you agree with me that a true measure of a caring society is how best it values and protects its Senior Citizens, women, Persons Living with Disabilities,

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orphans and all vulnerable members of the society. Therefore, it is important not to debate the issue of old age persons in isolation but rather discuss it within the context of *poverty eradication*.

There are in our society, unfortunately, people with absolute wrong perceptions about the Government. Some members of state Institutions regard themselves as the Government of today and it is why some people demand for Government to take responsibility for each and everything.

Government is all of us, from the President, the Executive, the Legislature and all the citizens out there, it is our Government – the Government of the people for the people. Therefore, it is our responsibility as the Government to facilitate, coordinate, streamline a concerted effort from all sectors of society in comprehensively addressing the needs of older persons.

We can never boast to be free while the Senior Citizens of our country who brought this freedom, continue to suffer and do not enjoy all the Rights enshrined in our Constitution.

The reality in most of our communities is that the older persons continue to bear the burden of providing care and support an increasing number of Orphans and Vulnerable Children, caring for their own chronically ill children and facing the financial burden with limited resources at their disposal. We have heard of horrifying stories of the abuse and neglect of older people within their own families and in residential facilities. We, the Government, must take decisive actions to deal effectively with challenges facing older people in this country. I am proud about the intervention of the increment of N\$1,000.00 for the Social Grants. It is a move in the right direction and it is, therefore, very essential to create centres and monitor their conditions in their various communities. For us to make sure that the Grant really improve their living conditions, we should also initiate home-bound elderly programmes and strengthen Mobile Health Services that will target the elderly.

My short message to all our citizens in this country is that we care and

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**HON JAGGER**

love you all. Thank you for your contribution towards building this Nation, educating the young generation and sharing your skills and expertise with us. With this, Honourable Deputy Speaker, I support the Motion and request that the Motion be referred to the Committee of Gender Equality and Family Affairs. I so Move.

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**HON DEPUTY SPEAKER:** Thank you. Although I recognise the Mover of the Motion, Honourable Dienda, if possible, I would like you to be the last to respond. I recognise Honourable Jagger. You are next, perhaps you can turn the light off.

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**HON JAGGER:** Thank you, Honourable Deputy Speaker. Honourable Members, I rise to join the choruses of all those who have sung on the Motion by Honourable Dienda, which is currently on this Floor for discussion.

A key issue in aging is social integration. It is the extent to which a person is actively connected with his or her family and, of course, the community. Some of us who lost aged parents, still miss their presence and us being surrounded by them, and still up to today, value such presence. We cared for them until they left to the mansion prepared for them in heaven.

Honourable Deputy Speaker, research has shown that the vast majority want to die at their own homes, even if that home seems not to be the best that can give comfort to a person. Our homes give meaning and that gives meaning to the old age citizens as well.

Talking about the pros and cons, is it a curse or is it a blessing? Old age citizens feel depressed, they feel lonely, they feel isolated and they feel abandoned in Old Age Homes. They rarely go out in many occasions and are not very much visited by their family members. In Old Age Homes,

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they should now start a new life and adopt to their new environment. Those taking care of them might not have the passion to take care of them because in any case, it is not their parents; it is not their relatives.

Honourable Deputy Speaker, we read heartbreaking stories in the media where old aged are maltreated and I make reference to the story in the newspaper of yesterday, where the residents of the Old Age Home in Rehoboth; *the Annelie Olivier Old Age Home alleged that they are treated like animals and that their complaints are dismissed.*

Disadvantages like cost is involved and if we have followed that story, an old aged woman said that the pension that she gets, I must mention it, she said she must buy panties, and that is not enough because she had only old ones that she had to do away with. She cannot even afford to buy new ones.

Cost is involved and that comes from the pension. When you employ the personnel in Old Age Homes, that also comes with cost and the elderly have to cover up from their pension money to pay accommodation fees and for their needs.

Another disadvantage is that this is not a family house and whatever is provided in an Old Age Home in terms of building a warm family relationship or a warm family spirit, that is still not a family environment. The old, the sick, the bedridden, they prefer to be looked after by their own children or next of kin.

Another disadvantage is trained personnel. Many of those who are employed are not well trained, they are not well skilled to take care. When it comes to the sick, they are not nurses, they do not know how to treat the sick. They do not have skills to work with the old aged persons.

Safety is not secured. We follow the newspapers where we have just learnt last week that an old aged stabbed another to death. Where is the safety coming from? The person that was supposed to look after them, the Matron, went to town and when she came back she found the deceased in

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a pool of blood. She asked the one who committed the crime, why did you stab your colleague? He said what he has said, *the other one angered him*. Safety is, therefore, not secured.

Honourable Deputy Speaker, if one weighs the pros and the cons of Old Age Homes then it is more a curse than a blessing. People do not enjoy life, as I said earlier on, that is not a family home. It is, therefore, Honourable Deputy Speaker, that I request that, as earlier speakers have alluded to, we engage our communities in which the children of these old aged citizens live. These are the communities that have voted us into Parliament. What is so difficult for us to go back, talk to them and enlighten them on what the old aged are experiencing in the Old Age Homes.

Honourable Deputy Speaker, I would, therefore, propose that the Motion be handled in the same way as the Motion of Honourable Venaani was handled; that it be referred to the relevant Ministries. The information received by the two Committees – Human Resources and Community Development and Natural Resources, this morning was very enlightening as to what the Ministries of Land Reform, the Ministry of Urban and Rural and the Ministry of Justice are doing in terms of land and land related matters. We should, thus, refer the Motion to the Ministries concerned and we need to know what they are doing.

Honourable Deputy Speaker, I concur with the speaker who talked about going back to the communities. We know what is going on, we read the papers and we follow the news. If we go back to the communities, they will give us the same information that we already know about. Therefore, let the relevant Ministries take it on, bring it to the Standing Committee of Gender or whichever Committee is advised and let them enlighten this Committee as to where the Ministry stands in terms of Old Age Homes in our country. I so submit, Honourable Deputy Speaker, and I thank you.

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**HON DEPUTY SPEAKER:** I like the way you paved the way. You

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HON KAVETUNA**

firstly, responded to the question of the Motion and at the end you made a remarkable recommendation. Thank you. Now I will give the Floor to Honourable Kavetuna, the Deputy Minister of Health and Social Services, again.

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**HON DEPUTY MINISTER OF HEALTH AND SOCIAL**

**SERVICES**: Thank you very much, Honourable Deputy Speaker. In concurrence with what the Chief Whip has said and what my Colleague has said, coupled with the recommendation of the Deputy Prime Minister, I would like to say, unfortunately, the modality in order to this Motion either back to the Ministry or to the previous consultations and other recommendations that have been effected before, is by way of sending it back to the Committee. That is the bottom line. One cannot send it directly to the Ministry. You cannot do otherwise. You must refer it to the relevant Committee with the specifications of what relevant Committee has to do.

I am, therefore, saying that this Motion should be referred to the relevant Committee in order for the relevant Committee to consult with the Table Office on recommendations of the previous Motions of this nature, and secondly, to consult with the Ministry responsible for Old Aged Affairs, which is our Ministry – to call us in and do the consultation. Finally, that Committee is the one that will bring feedback to this House in order for us to approve whatever the recommendations of the previous Committee were.

It is on that basis that I will still advice that the Motion should be referred back to the Committee on Social Affairs but with a specification that they must not do an outreach but rather go back to the recommendations effected in the previous discussions of this nature and to call in relevant Ministry to come and provide more information. I so Move, Honourable Deputy Speaker.

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HON DIENDA**

**HON DEPUTY SPEAKER:** Thank you for that input, but I need to clear my mind. Honourable Jagger, can you assist me, for example, the deliberations that you have had today with the Sector Ministries, how did it happen that they called you? What was the procedure? I just want to know.

---

**HON JAGGER:** Thank you, Honourable Deputy Speaker, the Motion was referred to the Committees. It was referred to the Committees, based on what the Right Honourable Prime Minister has informed the House that there is a Special Cabinet Committee that could look into land and land related matters.

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**HON DEPUTY SPEAKER:** It means that it was referred to the Committee and instead of going to consult the grassroots, the Sector Ministries came to brief you?

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**HON JAGGER:** Yes, and that is my proposal, why can we not follow the similar procedure?

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**HON DEPUTY SPEAKER:** Your proposal is clear. I just want to be clear on the procedure. In the absence of further discussions, I now give the Floor to Honourable Dienda to reply.

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**HON DIENDA:** Thank you, Honourable Deputy Speaker. Honourable Speaker, my mother taught me something and it was; reading and reading. When you go to the toilet, go and read, at least you are doing something.

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HON DIENDA**

**HON DEPUTY SPEAKER:** What are you saying? Honourable Dienda, where does the toilet fit in?

\_\_\_\_\_

**HON DIENDA:** The toilet? You are doing nothing, so read.

\_\_\_\_\_

**HON DEPUTY SPEAKER:** Honourable Member, please go ahead and respond.

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**HON DIENDA:** Honourable Sioka, please explain to your people, you are just laughing.

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**HON DEPUTY SPEAKER:** You have the Floor to respond now.

\_\_\_\_\_

**HON DIENDA:** Honourable Deputy Speaker, let me first read Page 7 of my Motion – *“First of all, let me state that it is indicative of how much our Nation has neglected Old Age Homes and old people that we still rely on and apply an old Act from 1967 passed by the colonial Government. I think vast legislative and policy change is required to truly bring about meaningful change to the way we administer and deal with Old Age Homes.*

***In that regard my recommendations are as follows:***

- 1. That this Motion be referred to the Standing Committee on Gender Equality, Social Development and Family Affairs.*

2. *That the Committee looks into the matter whether the current pension which is being given to the elderly is being correctly used to cater for them, and whether there are no other forms or mechanisms in which the pension can be distributed so that the pension money is not abused by the family members and actually goes directly towards catering for the needs of Senior Citizens.*
3. *That the Committee further looks into the possibility and legality of alternative means of payment of pension, besides merely a monthly lump sum.*
4. *That Old Age Homes be directly subsidised by the Government as it is stipulated in the Aged Pension Act, 1967 (Act 81 of 1967) because there is no other policy.*
5. *That the Committee holds meetings with the elderly both the ones who are currently staying in Old Age Homes and the ones who are not living in Old Age Homes.*
6. *That the Committee looks into, and research the general attitude of children and grandparents; into the care of Senior Citizens and their opinions on Old Age Homes as a viable option for their parents upon retirement.*
7. *That the Committee consults NGOs, Faith-Based Organisations and other relevant stakeholders on this matter.*
8. *That the Committee reports back to this august House with their findings and recommendations for further action.”*

These were my recommendations.

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**HON DEPUTY SPEAKER:** Are you through?

\_\_\_\_\_

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**HON DIENDA**

**HON DIENDA**: No, I am not through.

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**HON DEPUTY SPEAKER**: I know. Will you allow him to say something? Yes.

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**HON MINISTER OF AGRICULTURE, WATER AND FORESTRY**:  
The Honourable Member is relatively doing well, but we are interested in the response so that we can dispose of the item and not repeat what you said.

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**HON DIENDA**: You did not listen when I read it the first time, that is exactly my problem. Listening is a skill.

Honourable Deputy Speaker, listening is really a skill. I have asked.

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**HON DEPUTY SPEAKER**: Just summarise and say; *on the basis of that, I want a, b, c, d to happen.*

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**HON DIENDA**: I do not want to respond to every contribution. I do not want to do that. Thank you, whether negative, positive; I am a positive person, I will not cry about negative things. I thank you very much for your contributions and I request that this Motion be referred to the Committee of Gender Equality, Social Development and Family Affairs.

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**HON DIENDA**

**HON DEPUTY SPEAKER:** So that the Committee can go and consult the stakeholders including the elderly and others (*interjections*). No, just wait please, but there are other recommendations as well, for example, Honourable Jagger has stated that it can be referred to the Committee, but instead of going to consult the stakeholders, you can have a discussion with the relevant Sector Minister. It is fine. At the end of the day, I will ask the House how they feel. Do you still want to talk?

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**HON DIENDA:** Yes, Honourable Deputy Speaker, with all due respect I cannot understand, if it is referred to the Committee, I looked up on the Motion of 1990 and I stopped at 1997, I could not find it because I want that Motion to be referenced in conjunction with this one. I want it to be included in this one, but you have to consult. You will sit with the Minister and have a talk show and what not, and the Minister will need evidence coming from us about the things that we have found on the ground. One needs consultations, we have to communicate with people so that we can tell the Minister this were our findings. And the Ministry also has to get back to us.

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**HON DEPUTY SPEAKER:** I am not the one who is going to decide. It is you who will decide.

---

**HON DIENDA:** But it is fine, if you want to do it that way. It is a new Parliament.

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**HON DEPUTY SPEAKER:** No, no, I am talking now. It is the Honourable Member who should decide. It is only that I need to be clear when I am going to divide the House because at the end of the day, I have

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**HON SIOKA**

to divide the House.

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**HON MEMBER:** But we are not divided.

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**HON DEPUTY SPEAKER:** Do you want to comment? Honourable Doreen Sioka, then Honourable Peya and the Attorney-General.

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**HON MINISTER OF GENDER EQUALITY AND CHILD**

**WELFARE:** Comrade Deputy Speaker, mine is just a question for clarity. What I wanted to know is between the one talking about the Committee on Gender the other one, Social Affairs. To which of the two Committees are we referring to because if it is going to Gender, I think the Motion has to come to me because what I know is that it should perhaps be Social Affairs. I do not know the names, which you have given to Committees. Which Committee is the Motion going to be referred to because immediately you say Gender that would be my Motion, that is, if you mention Gender only? Thank you.

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**HON DEPUTY SPEAKER:** The Committee?

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**HON DIENDA:** Honourable Deputy Speaker, when I consulted the staff I told them this is a social Motion, which is Human Resources and Community Development, Gender is Family Affairs. They said it is Family Affairs and Family Affairs deals with these kinds of Motions. Old Age Homes are falling under the Ministry of Health, therefore, it is a family affairs.

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HON MUSHELENGA**

**HON DEPUTY SPEAKER:** Does it mean that you only have one Committee in mind or Sectoral Committees.

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**HON DIENDA:** The Gender Committee deals with family affairs. If it is not Gender, then I will send it to the relevant Committee, whatever that relevant Committee is.

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**HON DEPUTY SPEAKER:** No, she just wants clarity. Honourable Mushelenga.

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**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION:** Thank you very much, Honourable Deputy Speaker. We are basically having two points on the way forward with regard to the Motion. The Mover of the Motion has suggested reference to a Parliamentary Committee. There were other Members who made contributions and suggested an Amendment to what the Mover of the Motion proposed and there is nothing wrong with that.

However, the dilemma is that the Ministry where the Motion is being referred to as amended by the other Members, the Deputy Minister is here and she has indicated that perhaps that would not be necessarily the only thing that we should do, but rather that the Committee interrogate the Motion. I do not know whether I am hearing the Deputy Minister correctly. We, therefore, stand to be guided by the Line Ministry, there is no use for us to be pushing something when the Line Ministry is advising us otherwise. Thank you.

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**HON DEPUTY SPEAKER:** Honourable Attorney-General.

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HON SHANGHALA / HON DR NDJOZE-OJO**

**HON ATTORNEY-GENERAL:** Thank you, Honourable Deputy Speaker. In line with the comments just made by the Deputy Minister of International Relations and Cooperation, may I humbly request the owner of the Motion to consider that if it goes to the Committee, that that Committee whichever one it is, engages the Ministry and to not consider that that engagement of the Minister or the Ministry is an exercise in futility because if there would be a need to engage any other third party, that decision could be done in consultation with that Minister so that we may also utilise resources effectively and efficiently.

Sometimes I think we send a wrong message as if there is no individual Line Department of Government responsible. I am only responding to the comment she made that the Minister would also require evidence. I fully agree with her, but that discussion of whether there is a need to engage and go out there to meet those who are in Old Age Homes or those who are not in Old Age Homes or those who are about to become old so that they become susceptible or qualify for Old Age Homes or other care, whichever, that that discussion be done by that Committee with the Minister and as I indicated, and I thought as the Chairperson of the previous Committee has indicated, there is much to be gained. I thank you.

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**HON DEPUTY SPEAKER:** Thank you. Can we understand one another? There are many people who would like to come in now. I recognise Honourable Dr Ojo.

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**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION:** Thank you, Honourable Deputy Speaker. I think we were in concurrence somewhere in the middle of this discussion and the concurrence is, we all agree that this Motion should be referred to the relevant Parliamentary Committee. That is the basic understanding and once it has been referred, there will be a consolidation expected from what

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HON BEZUIDENHOUT**

this Motion is suggesting and what the previous attempts had been, and when it has been looked at by the relevant Committee, the relevant Committee will then decide what to do with it.

They will write a Report and if there is a need for them to consult further, they will do that and that Report will be brought to this House with a consolidated view. I think that is the way we should go.

The next thing is to refer this to the relevant Committee, whatever that relevant Committee is. Sometimes there is also a need for consolidation of Committees because they are not just separated. Depending on what is in the Motion, they will then decide which Committee or Joint Committee can sit. I thank you, Deputy Speaker.

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**HON DEPUTY SPEAKER:** It seems like there are different views. The House agrees that it should be referred to the relevant Committee, but the bone of contention is that the other people are saying that the Sectoral Committees should go directly to the grassroots and the other view is saying no, they should first go and consult the Line Ministry. This was proposed by Honourable Jagger. This is not what I am saying, it is what I have heard from different people. That is the bone of contention. Otherwise, I could not have wasted your time to be here.

Quickly, Honourable Bezuidenhout, Honourable Mutorwa and then Honourable Nauyoma.

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**HON BEZUIDENHOUT:** Thank you, Honourable Deputy Speaker. I do not think we need to go round and round. The responsibility of Parliament is to use, as a first instance, its own mechanisms, which are the Parliamentary Standing Committees. You leave it to that Committee to take its responsibility by deciding what they will do. I do not think that this House can decide to leave the Committee system and go straight to

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**DEBATE ON OLD AGE HOMES IN NAMIBIA  
HON MUTORWA**

the Ministry. That is not part of the culture. You refer it to the Committee and the Committee decides in their own right what is their thought process and what is the way forward and then they consult the House. They can consult any individual and any Institution as long as they come back to this House. Thank you very much, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Honourable Mutorwa.

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**HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:**  
Comrade Deputy Speaker, I am also in line with what Dr Ojo has stated here. We are 25 years old now, the general Terms of Reference of Parliamentary Committees are clearly articulated under Article 44 of our Standing Rules and Orders. There is no contradiction.

The principles, as the Deputy Minister of Health has stated, are emphasised under this Article. Refer it directly to the Committee, that is the power of this House and it is for the Committee under the Terms of Reference here, to see in terms of executing that task where to start; whether they can start with the Line Ministry in consultations or whatever, that is for the Committee to decide and then we make progress. We do not need to waste time.

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**HON DEPUTY SPEAKER:** Honourable Nauyoma.

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**HON NAUYOMA:** Mine was taken care of.

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**CODE OF CONDUCT AND DECLARATION OF  
MEMBERS' INTERESTS  
HON SHANGHALA**

**HON DEPUTY SPEAKER:** We have exhausted this discussion. I now put the question that the Motion be adapted. Any objection?

When I say *adapt* it means – I am following the terminology that if I say *adapt* it means refer. I now put the question that the Motion be adapted. Any objection? None. Agreed to.

The Secretary will read the Third Order of the Day.

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**RESUMPTION OF CONSIDERATION OF THE CODE OF  
CONDUCT AND DECLARATION OF MEMBERS' INTERESTS**

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**SECRETARY:** Resumption of Consideration of the Code of Conduct and Declaration of Members' Interests.

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**HON DEPUTY SPEAKER:** When the Debate was adjourned on Thursday, the 2<sup>nd</sup> of July 2015, the question before the Assembly was the Code of Conduct for Members of Parliament by the Honourable Speaker. The Honourable Chief Whip of the SWAPO Party, Honourable Evelyn !Nawases-Taeyele adjourned the Debate on behalf of the Attorney-General. You now have the Floor, Honourable Attorney-General.

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**HON ATTORNEY-GENERAL:** Thank you, Madam Deputy Speaker. It is correct that the Chief Whip of the Ruling Party adjourned the Debate on my behalf and subsequent to that adjournment, I would like to report to this House that there has been some consultations with the relevant Parliamentary Committee comprising of all the Political Parties

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represented in this House.

Before I continue, may I just indicate that it is important that it be acknowledged that it is held important by every Member of this House that there should be a mechanism for the Declaration of the Members' Interest, there are no doubts about that. In fact, the Members of this House, through the relevant Committee had in fact even placed the deadline that such declarations be done.

This is not a new thing. I think we are all aware that the Constitution itself in Article 59 provides for a legal framework in which such declarations would be made. Having been part of the Induction Programme of the Members of this Sixth Parliament, I took time to read the *Code of Conduct and Declaration of Members' Interest* and have found it to have certain impracticalities, which may render the effective implementation of this Code of Conduct and Declaration of Members' Interests a problem.

Those relate to the manner in which they are structured in such a way that every other continuous declaration as would befall a Member in the ordinary performance of a Member's duties, either as a Member of a Committee or as a Member of the Executive, for all Members of the Executive are first Members of the National Assembly before they are Members of the Executive and, therefore, are bound by these Rules that would be contained in the Code of Conduct and Declaration of Interests.

Certain terminologies in the Code of Conduct are not consistent with the terms and definitions, which exist in other Laws that are regulating similar or related activities in the society. In addition to that, if one has regard to the fact, as I indicated that the framework for the declaration is envisaged in the Constitution itself, there is a need to align that this Code of Conduct conforms to the Constitutional framework. And for these reasons, the consultations that occurred produce the consensus that during the recess of this House, the Attorney-General would be consulting with all the relevant Political Parties and that, before this House resumes its Business that

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consensus would be garnered around the Amendments to this Draft Code for its tabling in the National Assembly once we resume Business.

Therefore, I suppose it is only apt, Madam Deputy Speaker, to Move that this matter for discussion of the Code of Conduct and Declaration of Members' Interest be held in abeyance until we are able to resume with the Amendment to be considered. I so submit.

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**HON DEPUTY SPEAKER:** The House will go into recess from tomorrow up to the 9<sup>th</sup> of September 2014. You stated that you will try your level best to consult everybody and by the 9<sup>th</sup> of September 2015, you will be able to present the final product. Is that what you said?

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**HON ATTORNEY-GENERAL:** Madam Deputy Speaker, it may be my wish and I hope to fulfil that wish, provided that the duties of the Members who are in other Committees are available. On my part, I will be able to have dispatched through them that version that could be considered once we resume. However, whether or not they would have consented to its new formulation is another thing.

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**HON DEPUTY SPEAKER:** I am coming to that. We are going to resume on the 9<sup>th</sup> of September 2015, and reasonably after the consultations the final product will be discussed here and we will probably agree to it during the course of September and set a deadline after we agree – by when all the Members should have filled in the form before or at the envisaged deadline.

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**CODE OF CONDUCT AND DECLARATION OF  
MEMBERS' INTERESTS  
HON VENAANI**

**HON ATTORNEY-GENERAL:** Madam Deputy Speaker, may I be able to propose on the Floor, right now, that we consider the date of the last Business Day of October as a practical day?

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**HON DEPUTY SPEAKER:** Honourable Venaani.

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**HON VENAANI:** I want to beg to disagree a little bit with the Attorney-General's proposal that we have the whole of July and the whole of August to consult, let us put the commitment of this House that by the end of September the forms are filled because I do not want to create a perception that the Members of Parliament are looking for loopholes not to declare their interests.

Therefore, what we need to do is to tie ourselves to a date. October is very far because it will be four months. By the end of September, everybody should have submitted the forms. That way we will agree, otherwise (*intervention*)

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**HON DEPUTY SPEAKER:** It is fine. Honourable Minister of Works and Transport.

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**HON MINISTER OF WORKS AND TRANSPORT:** Thank you Honourable Deputy Speaker. It is not on the issue under discussion.

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**HON DEPUTY SPEAKER:** Do we agree that the end of September is

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the due date for everybody to fill the form, that is, the deadline to hand in the form? So agreed.

We will then revisit this Motion after the recess, as long as we agree that the due date for the submission of the forms is the end of September. So agreed.

We have come to the conclusion of that item. I will now give the Floor to Honourable !Naruseb. Honourable Minister !Naruseb.

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**HON MINISTER OF WORKS AND TRANSPORT:** Thank you, Honourable Deputy Speaker. Having missed out on the entire last week because of sickness, I probably must have missed out on how the *Civil Aviation Bill*, which was referred to a Standing Committee of Parliament, was dealt with because we gave a deadline that it was supposed to have been reported back to Parliament before the 9<sup>th</sup> of July 2015.

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**HON DEPUTY SPEAKER:** I think it was referred to the Committee of Economic and Natural Resources. Is Honourable Nekundi or the Deputy here? Honourable Venaani, do you have something to say because you are the one who referred it. I do remember that.

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**HON VENAANI:** Honourable Speaker, I was elbowed out of the Committee, but be that as it may, on a serious note the information that we got this morning from our Chairperson was that consultations were made with the Minister who was sick. We have already done extensive work on the *Civil Aviation Bill*. We had roughly two Public Hearings that took the whole day, where various inputs were made.

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We are also looking at meeting other two groups, but the Chairperson assured that the discussions took place with him and the Minister, and the Minister gave concurrence that when we resume by the 9<sup>th</sup> of September 2015, we would refer the Bill back to the House. That is the information that we got.

To my surprise, the Minister is saying he was not in the office. Perhaps you have your two Deputies, you must consult the one who was consulted but the Minister's name was mentioned, perhaps he meant the Deputy Minister.

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**HON DEPUTY SPEAKER:** Your comment, Honourable Minister.

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**HON MINISTER OF WORKS AND TRANSPORT:** Thank you. I can recall that Comrade Nekundi mentioned issues in that regard, but I was not sure whether it ended up on the Floor of the House.

That having just been an unofficial consultation, I was apprehensive that the Bill would probably lapse and I do not want that. That is why I raised it on the Floor of the House officially so that I can get an official response. That is what I have done.

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**HON DEPUTY SPEAKER:** What is the way forward then? Can we have the Report back by tomorrow? The message can go to the Chairperson and all those Members who belong to that Committee. Yes?

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**HON MINISTER OF WORKS AND TRANSPORT:** I am told that if it is with the Committee, apparently, it will not lapse but my appreciation

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was that if it has not ended on the Floor of the National Assembly and then where such extension was given, then I did not want to start the process all over. That is what I did not want to do.

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**HON DEPUTY SPEAKER:** Thank you. Honourable Kavetuna, do you want to say something?

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**HON DEPUTY MINISTER OF HEALTH AND SOCIAL WELFARE:** No, I just want to propose the way forward. I just want to say, since the information that we got from the Committee is that they still have to consult and they were anticipating to bring back the Bill to the House at the opening of the next Session, maybe what the House should do now is to consider whether it is possible to extend not to tomorrow, because even if they bring tomorrow, what will happen to the Bill? It will just go back to the Minister and just be there. It is, therefore, better that they finish the consultations with all the stakeholders that they have identified and bring it back on the 9<sup>th</sup> of February 2016, when we are going to resume.

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**HON DEPUTY SPEAKER:** But I think, we still need some confirmation from the Chairperson of that Committee tomorrow in order to map out the way forward.

With that, we have come to the conclusion of the Deliberations. I will now like to ask Honourable Nangolo Mbumba to adjourn the House until tomorrow, at 14:30.

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**ADJOURNMENT  
HON MBUMBA**

**HON MBUMBA**: Honourable Members, Honourable Deputy Speaker having been so hard working, we now adjourn until tomorrow 14:30 sharp.

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**HON DEPUTY SPEAKER**: The House is so adjourned. Thank you.

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**HOUSE ADJOURNS AT 17:30 UNTIL 2015.07.09 AT 14:30**

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**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
WINDHOEK  
09 JULY 2015**

The Assembly met pursuant to the adjournment.

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

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**HON DEPUTY SPEAKER**: Please be seated. Any Petitions? Report of Standing or Select Committees? I was told somebody will say something on a Report of a certain Committee. Other Reports and Papers? I recognise the Honourable Minister of Finance.

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

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

- (i) Regional Council for the Hardap Region for the Financial Years ended 31 March 2012 and 2013;
  - (ii) Town Council of Otavi for the Financial Year ended 30 June 2014;
  - (iii) Town Council of Helao Nafidi for the Financial Year 30 June 2014;
  - (iv) Town Council of Ruacana for the Financial Year ended 30 June 2014;
- Town Council of Omuthiya for the Financial Year ended 30 June 2014; and lastly

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**ORAL QUESTION  
HON MAAMBERUA**

- (v) Village Council of Berseba for the Financial Year ended 30 June 2014.

I so Move, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Please table the Reports. Any other Reports and Papers? Notice of Questions? I recognise Honourable Maamberua. Is it an Oral Question?

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**ORAL QUESTION**

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**HON MAAMBERUA:** Yes, it is an Oral Question – just a very small one to the Honourable Minister of Health and Social Services and I just want to give a very small background because I have observed one place here in Namibia.

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**HON DEPUTY SPEAKER:** Where?

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**HON MAAMBERUA:** A place and this place is poorly maintained which is a place with a disgusting environment, no customer care charters, infested with cockroaches and mice, rats. It is actually an abomination, the clients of these place are not happy at all. The emergency section at this place is actually in disarray. People arrive at that place at about 08:00 in the morning only to be attended to around 10:00 at night, standing the whole day there. It is a complete disaster and a disgrace to the Nation of Namibia, that is that place. (*Interjection*)

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**RESPONSE TO ORAL QUESTION  
HON KAVETUNA**

**HON MEMBER:** What is the place called?

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**HON MAAMBERUA:** This place is Katutura Hospital. The question to the Minister of Health (*interjection*)

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**HON MEMBER:** The Minister is not here.

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**HON MAAMBERUA:** The Deputy Minister is here. For how long are we going to keep the Namibian taxpayers under those horrible conditions at the Katutura Hospital? When are you going to improve the situation; the care, the hygiene, the treatment and the image of the Katutura Hospital? Thank you.

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**HON DEPUTY SPEAKER:** Honourable Deputy Minister of Health and Social Services, would you like to react to that?

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**HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES:** I do not see the urgency of the question. An Oral Question is supposed to be very urgent, because of something that is life threatening and I do not see it in that question and Honourable Maamberua has been questioning these things since he came to Parliament and he had been responded to. I do not have an answer for that.

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**RESPONSE TO ORAL QUESTION  
HON !NARUSEB**

**HON MAAMBERUA:** Honourable Deputy Speaker, it is an emergency and it is an urgent question because the people are suffering at the Katutura Hospital. I have been asked by the clients of the Katutura Hospital to ask this question because it is a daily occurrence, even right now if you leave Parliament and go there, you will witness our people suffering at Katutura Hospital. The question, is therefore, very urgent and it must be answered.

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**HON DEPUTY SPEAKER:** Proceed Honourable Minister, just talk.

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**HON MINISTER OF WORKS AND TRANSPORT:** I did not consult the Rules, so I would not probably cite the exact Rule under which I am rising, but I am simply rising on a Point of Order to really appeal to my Good Friend that as much as he refers to people's lives being under threat because of the unhygienic conditions, allegedly, at the Katutura Hospital, some of us are on daily visitors to that hospital and I will tell you why we are always visiting on a daily basis.

My wife works there as a senior sister in the maternity theatre and I can tell you that the conditions at Katutura Hospital is not the way you sketched them. I appeal to you, Honourable Maamberua, all of us here have the best interest of the masses of our people out there, but when we want to make a point, we should try to be reasonable and not paint a picture that is totally out of synch with the reality out there.

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**HON DEPUTY SPEAKER:** I am not going to allow you, you have said what you wanted to say. Allow the other people to have the Floor as well.

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**UNOPPOSED MOTION  
HON CALEY**

**HON MAAMBERUA**: I have to react to that one please, please, because somebody must actually tell me which of my points is not correct. Are there no mice at Katutura Hospital? Are there no cockroaches at Katutura Hospital? Is the out-patient not in disarray?

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**HON DEPUTY SPEAKER**: I am not going to allow any other questions. Notice of Motions? None. Message from the Head of State? Yes, Honourable Caley. Let us listen to the Notice of Motion.

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**UNOPPOSED MOTION**

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**HON CALEY**: In the absence of the Chairperson and the Deputy Chairperson of the Parliamentary Standing Committee on Economics and Public Administration, I rise to Move an Unopposed Motion to Report in terms of Rule 20(b) of the Standing Rules and Orders that the Parliamentary Standing Committee on Economics and Public Administration was tasked to scrutinise and report back to this House on the *Civil Aviation Bill* [B.1 – 2015] within this First Session of Parliament.

The Bill was tabled by the Honourable Minister of Works and Transport on the 10<sup>th</sup> of June 2015. Since the Bill was referred to the Committee close to the end of this Session, the matter should not be addressed to report back within this Session.

I, therefore, plead for the indulgence of the Assembly to grant the Committee additional time to properly investigate this matter and to report back by the end of September. I so Move, Honourable Deputy Speaker.

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**UNOPPOSED MOTION  
HON !NARUSEB**

**HON DEPUTY SPEAKER:** It is an unopposed Motion, I am sure that you have consulted the Honourable Minister. Honourable Minister.

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**HON MINISTER OF WORKS AND TRANSPORT:** Thank you, Honourable Deputy Speaker. I have the full understanding for the reasons why we were not able to meet the date that we have agreed upon, all of us jointly. Could I, perhaps also, equally beg the indulgence of the Committee Members and the National Assembly Members that if it is reasonable, for us to be ready with the start of the next Session of Parliament, please? Thank you.

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**HON DEPUTY SPEAKER:** On the 9<sup>th</sup> of September 2015. So agreed.

Message from the Head of State? None. Ministerial Statements?

I was informed by two Ministers, the Minister of Presidential Affairs and Minister of Justice that they are having some Ministerial Statements to make. I also see the that the Ministers of Finance and the Attorney-General have Ministerial Statements to make. I will start with the Minister of Justice then the Minister of Presidential Affairs and then the other two Honourable Members can follow suit.

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**MINISTERIAL STATEMENTS**

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**HON MINISTER OF JUSTICE:** Thank you very much, Honourable Deputy Speaker. Honourable Deputy Speaker, I rise to make a Ministerial Statement in response to the Embassy of the United States in Namibia's 2014 Human Rights Report.

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**MINISTERIAL STATEMENTS  
HON DR KAWANA**

It is common cause that every year, the Government of the Republic of the United States of America, through its Embassy in Windhoek publishes a Human Right Report on Namibia. Some parts of the Report covers the alleged Human Rights Violations by the Namibian Government.

It is, therefore, only logical for the Namibian Government to exercise the right of reply to some aspects of the Report. Due to the fact that the Report covers a wide range of issues, only the most pertinent will be addressed in this Statement.

The Report covers areas such as arbitrary or unlawful deprivation of life; disappearance; torture and other cruel inhuman or degrading treatment or punishment; prison and detention centre conditions; arbitrary arrest or detention; role of the Police and security apparatus; arrest procedures and treatment of detainees; denial of fair public trial; civil judicial procedures and remedies; freedom of speech and press; internet freedom; freedom of peaceful assembly and association; freedom of movement; internally displaced persons; protection of refugees and stateless persons; election and political participation; corruption and lack of transparency in Government; financial disclosure; Government attitude regarding international and non-Governmental investigation of alleged violations of Human Rights; and women. Those are some of the issues which are covered in the Report.

It has been noted that although some parts of the Report truthfully reflect the true situation that is prevailing in Namibia, that is, a reflection similar to what is prevailing in other democratic countries, we have also noted that some parts of the Report are full of contradictions. These contradictions will be addressed in our response.

The Report under “Prison and Detention Centre Conditions” alleges on Page Two (2) that, and I quote – “*Conditions in detention centres and police holding cells remained poor. Nationwide, prisons built to hold 4,475 inmates held 4,314 prisoners.*” If what is stated is true, then such detention facility, wherever it is located still has an additional capacity of **One Hundred and Sixty One** (161) persons. On Page 3 of the Report it

is stated that and I quote – *“The Ombudsman’s Office reported that authorities gave prisoners three meals per day and provided adequate sanitation, potable water, space, bedding, toiletries and washing facilities. Each prison had a clinic with a nurse, and inmates with serious health conditions were referred to State Hospitals.”* This information Honourable Deputy Speaker, Honourable Members, contradicts what is stated above.

On Page 4 of the Report, the Report continues contradicting itself. For example, it is stated that and I quote; *“Record keeping of prisoners was adequate. The Government investigated and monitored prison and detention centre conditions. Prisoners and detainees had reasonable access to visitors and access to religious observances. Victims of prison abuse were able to pursue legal remedy.. The Government continued to grant local and international NGOs access to prisons and prisoners.”*

Another contradiction has been noted on Page 5 of the Report regarding the “Role of Police and Security Apparatus.” For example, it is stated that – *“Civilian authorities maintained effective control over NamPol, and the Government has effective mechanisms to investigate and punish abuse and corruption.”* This indeed, is correct because the Ministry of Safety and Security publishes Annual Reports which show how many Police Officers have been arrested and charged for crimes, including corruption and how many have been dismissed due to misconduct. However, the same Paragraph of the Report states that; *“Police corruption and impunity caused some problems.”*

Under the heading “Corruption and Lack of Transparency in Government,” it is stated that – *“The Law provides criminal penalties for corruption by officials; however, the Government did not implement the Law effectively, and officials sometimes engage in corrupt practices with impunity.”*

Under the same heading on Page 13, there is a subheading titled *“Corruption.”* What is stated under the subheading contradicts the conclusion that I have quoted above. For example, it is stated that; *“The*

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**MINISTERIAL STATEMENTS  
HON DR KAWANA**

*ACC, Prosecutor-General's Office, NamPol, Auditor-General's Office, Financial Investigative Centre at the Bank of Namibia, Public Service Commission and the Ombudsman's Office are responsible for combating corruption. The ACC and Ombudsman's Office receive and investigate corruption complaints from the public. The Financial Investigative Centre investigates and reports suspicious money transfers. The Public Service Commission investigates corruption complaints in the Civil Service's hiring process. The Auditor-General's Office also investigates corruption and turns cases over to the Prosecutor-General's Office and NamPol for further investigation and criminal prosecution where appropriate. The organisations actively collaborated with Civil Societies, conducted thorough investigations and operated both effectively and independently. During the year, the ACC conducted several investigations into corruption. According to a local monthly magazine that tracks corruption, there were 453 cases of corruption before the Courts since 2005."*

Therefore, this goes to show that where there is clear evidence of corruption, the Law normally takes its course. To conclude that officials engage in corrupt practices with impunity is totally misleading.

The Report further states that;— *"The National Assembly has not adopted a Parliamentary Code of Conduct to make the Annual Declaration of Financial Interests a requirement. Civil Society Organisations charged the Law did not preclude Government Officials from engaging in private business that caused a conflict of interest with their Government duties and propose Amendments to do so. Parliament discuss those proposals, but did not take action by year's end."*

Honourable Deputy Speaker, it is common cause that the old financial disclosure requirement is under review. To say that the National Assembly has not adopted a Code of Conduct on disclosure of interests is misleading. The Office of the Speaker can show that Honourable Members of this august House made declarations in the past. The current delay is merely caused by the review of the process and indeed it was only yesterday, that we addressed this particular matter.

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**MINISTERIAL STATEMENTS  
HON DR KAWANA**

Honourable Deputy Speaker, no Government which claims to rule on the mandate of its people can tolerate violation of Human Rights with impunity. Namibia is fully committed to respecting and protecting Human Rights. Indeed, in many respects, our Domestic Laws aimed at protecting Human Rights are even stricter than some of the international instruments which the Namibian Government has acceded to or adopted. The colonial history and the brutality of the successive Colonial Regimes has taught us to protect and defend Human Rights. This is our experience because before our Independence on the 21<sup>st</sup> of March 1990, the entire Namibian Nation was a victim of Human Rights violations.

Today Namibia is at peace with itself, we have adopted the Policy of National Reconciliation, we are one of the most democratic countries on the African Continent. However, we are also fully aware that as a developing country, we are still faced with many challenges such as poverty, hunger, ignorant and lack of adequate health facilities. These are the greatest violators of Human Rights today in our Republic. We will continue to adopt measures which protect and promote respect for Human Rights. Our primary objective is to ensure that all Namibian citizens, without discrimination, should enjoy the fruits of our Independence.

Honourable Deputy Speaker, I can only conclude with what is stated in the Report on Page 14 – *“A number of Domestic and International Human Rights Groups generally operated without Government restriction, investigating and publishing their findings on Human Rights cases. Government Officials were somewhat cooperative and responsive to their views. The Ombudsman Office, NamRights, and ACC reported NamPol cooperated and assisted in corruption and Human Rights investigations.*

*NamRights and the Legal Assistance Centre (LAC), both independent organisations, were the primary Human Rights NGOs in the country and Police regularly met with both. The Legal Assistance Centre often assisted the Police with Human Rights training and helped women and children and child protection units provide legal assistance for victims in cases of Gender-Based Violence and rape.*

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**MINISTERIAL STATEMENTS  
HON KAPOFI**

*There is an autonomous Ombudsman with whom other Government agencies cooperated. Observers considered him effective in addressing some corruption and Human Rights problem.”*

This goes to show that we are an open society. The Government has nothing to hide. We, therefore, hope that the next Report will not be full of contradictions and will Report the reality as they are obtained in Namibia. I thank you.

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**HON DEPUTY SPEAKER:** Thank you. Honourable Minister of Presidential Affairs. Honourable Kapofi.

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**HON MINISTER OF PRESIDENTIAL AFFAIRS:** Honourable Deputy Speaker, Honourable Members, firstly, I would like to apologise to my voice, I do not know what happened - maybe it is winter.

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**HON DEPUTY SPEAKER:** But we can hear you.

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**HON MINISTER OF PRESIDENTIAL AFFAIRS:** I rise to speak about an issue which stands at the heart of the ongoing process of nation building, peace and stability and the realisation of our vision to create a society where *no Namibian is left out*. I am talking about the imperative of promoting the spirit of Policy National Reconciliation. This Policy was conceptualised and is still being vigorously pursued to ensure that from the date of Independence onward, our people embrace one another as compatriots, as brothers and sisters, focused on building a new nation, a safe Namibian house for all who live in it.

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**MINISTERIAL STATEMENTS  
HON KAPOFI**

By its very nature, National Reconciliation requires an ongoing, robust, serious and mature discourse aimed at promoting mutual respect, acceptance, tolerance and understanding amongst all Namibians.

Madam Deputy Speaker, during the month of May this year, as the Baster Community was preparing for the Centenary Commemoration of the historic Battle of Sam /Khubis, the Leader of the Workers Revolutionary Party, Mr Hewatt Beukes wrote a letter to the media degenerating the SWAPO Party and casting aspersions on our President, Dr Geingob.

The letter was totally disrespectful and, therefore, unacceptable. Its tone and content showed utter disregard and disdain towards the Presidency as a constitutional national institution and, indeed the person occupying that high office. Mr Beukes misguidedly appropriated himself the authority to purportedly bar the Head of State from attending the Centenary Commemoration of the Battle of /Khubis.

Yes, it is true that our Supreme Law guarantees all Namibians the freedom of expression and other Fundamental Rights. That is why it is celebrated as one of the *most enlightened* National Constitutions in the world. However, we also know that those Rights must be exercised in a responsible manner at all times. It is such common sense that is to be expected from a person such as Mr Beukes.

Honourable Deputy Speaker, Dr Geingob, our President, was democratically and overwhelmingly elected as President of all Namibians. He is the embodiment of sovereignty, which no patriot should find fit to besmirch. In fact, he is the mirror that reflects Namibia here at home and outside the country.

Like other citizens, the President is free to go anywhere in the country and attend any event he so wishes. The same held true for the Sam /Khubis Commemoration.

The insinuation by Mr Beukes should be seen for what they are: attempts to take us to the past of Bandustans, back to segregation. However, this

true is self-evident: Namibia was founded as a Unitary State. One unit. Article 1(1) of our Constitution is very clear on that score. Namibia is no longer, and will never again be divided along racial and tribal lines, as it was before Independence. Our Constitution has done away with, and roundly rejected the ethos of *Apartheid*. It has done away with “Homelands” of “Bandustans” and with “*Gebiets*.” We will never go back to that ugly past. We are now, ***One Namibia One Nation***. The results of democratic elections since Independence underscore the desire of Namibian nationhood overwhelmingly.

Honourable Deputy Speaker, I would like to ask: Despite his protestations and aspersions, was Mr Beukes disingenuous with his missive to the media? Why did he not attend the Sam /Khubis Commemorations? That is a question.

It should be pointed out that after the Sam /Khubis Centenary Commemorations, the organisers of the Festival, led by the Chairperson of the Festival Committee, visited the President at State House. They came in the spirit of National Reconciliation, in the spirit of ***One Namibia One Nation***. They also apologised to the President for the unfortunate and misguided utterances by Mr Beukes.

The Policy of National Reconciliation, which was introduced by the SWAPO Party, opened a new chapter. This was needed for healing and forgiving as we started to build a new Nation, which was scarred by many years of a bitter struggle for Independence.

This Policy set a tone for peace and stability. It remains the bedrock for the continuing task of nation building, today and tomorrow.

At Independence, measures such as *Amnesty Proclamation No. 13 of 1989*, were put in place to grant amnesty from prosecution to people of Namibian birth, their children and spouses, who were living outside Namibia immediately prior to the 6<sup>th</sup> of June 1989 and who subsequently returned to the country through designated entry points. This proclamation was intended to remove any fear that returning Freedom

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Fighters would be prosecuted for their actions taken during the Liberation Struggle.

Furthermore, under the *Amnesty Proclamation No. 16 of 1989*, amnesty was granted to members of the South African Police, the South West African Police, the South African Defence Force and the South West African Territorial Force, for their acts which amounted to criminal offences. Even members of the most notorious “*Koevoet*” were not prosecuted for their crimes against the Namibian people.

Honourable Deputy Speaker, in the spirit of National Reconciliation, the segregated civil service was unified after Independence. In the spirit of National Reconciliation, the former adversaries who fought on the opposite side were integrated to form one National Defence Force – some of those people are here – one National Police Force and One Correctional Service. This visionary decision which unites our country has served Namibia well. No one, including Mr Beukes, should be allowed to reverse the progress we have achieved over the past 25 years.

We are at a historical juncture in our democracy, where we have declared an all-out war against poverty. Our people should not seek to derail this process by making incendiary statements, which may undermine National Reconciliation and the other goals we aim to achieve.

As a country, we have had 25 years of peace and stability. The making of inflammatory statements and accusations are not in the best interest of our country and her people. They are not helpful. They will only whip up unnecessary emotions and open the healing wounds inflicted on our Nation by the tyranny of *Apartheid*.

In the words of our President, he likes to say; *peace seems to be boring*. However, we must all be aware that the cost of instability and social unrest can be unfathomable.

Lastly, Comrade Deputy Speaker, I want to conclude by saying; *those that saw the wind, will reap the storm*. I thank you.

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**HON DEPUTY SPEAKER:** Thank you for your Statement. I now recognise the Honourable Minister of Finance.

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**HON MINISTER OF FINANCE:** Thank you, Honourable Deputy Speaker. Honourable Members, I rise today to brief the Parliament and the people on the recent concluded Article IV consultations with International Monetary Fund (IMF). The Honourable Members will appreciate that, as a general practice, every year the IMF undertakes this exercise, which is called Article IV Consultations and they are done with all and within all Member States. The purpose of these consultations are to review recent economic developments in the Region but also in respective economies and to identify risks and vulnerabilities of the respective domestic economies within their Regions. This is a general practice and that was the purpose of the Article IV Consultations also this time.

Honourable Members, this year, the consultation noted that Namibia's economy has experienced robust growth and recovered well out of the global financial crisis. It projected that economic growth for this year would be around 5%. Moreover, the price stability has been maintained and was supported by the fixed exchange rate regime. Robust Private Sector consumption and investment and the country's supportive fixed policy and help sustained jobs and the growth of the economy.

The Report further highlighted that given the above developments, there is increase pressure on the external balance while real estate prices remain elevated. With the substantial increase in import demand, mainly emanating from infrastructure development of both the Public and Private Sectors, the trade account deteriorated and international reserves continue to declined. The significant rise in house prices over the past years, as already pointed out in some of the earlier assessments, is attributed to structural factors, such as organisation, shortage of supply of housing and serviced land are the most important amongst others.

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The mission has identified three main policy challenges to the economy namely, high house prices, low level of reserves and the decline in SACU revenue. Honourable Deputy Speaker, Honourable Members, these challenges are not new, as they have been already identified by the Government and the Bank of Namibia during previous years. In 2011, following the Bank of Namibia symposium on housing, some measures were already taken by Government in order to address some of the weaknesses in the housing market.

One of the key risks of housing market is to the Financial Sector is that there is an over exposure of the Banking Sector to mortgage loans. This risk has already been identified and some appropriate structures and policy actions have been put in place. Measures that have been put in place include declaration of a Financial Sector Stability Committee, which consist of the Ministry of Finance, the Bank of Namibia and NAMFISA. This Committee monitors the vulnerabilities and risks in the Financial Sector on a continuous basis and stress-testing of different payers in the Financial Sector are regularly undertaken to inform appropriate policy interventions in good time.

A comprehensive Report is published on an annual basis and the most recent one was released in June 2015, which I brought to this House. At the moment, I have a pleasure to share with you that, despite the perceived overexposure of the Banking Sector to the mortgage loan, the non-performing loans have declined and are at a very low rate, which is below 4%. Overall, the Financial Sector has survived all stress-tests and remained robust and as well capitalised.

On the supply and demand side for houses, Government, through the Cabinet Committee on Land Matters has reported recently to the Standing Committee on Land and Social Issues on a comprehensive set of legal and policy matters, most of them are implemented while some are attended to as a matter of urgency.

Honourable Members, with regard to the low level of reserves, the Government has also undertaken measures to boost the level of reserves in

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the medium to longer-term. Some of those measures taken by Government include the Growth at Home Strategy that was approved by this House in the previous Parliament, which amongst others focuses on building and improving the productive capacity of the economy through value addition of its raw material. This strategy will culminate in some level of import substitution, which will reduce pressures on the country reserves. We have also invested in infrastructure in the Power Sector, which would substitute power that is currently bought by power that is generated here. Also, both my Ministry and the Bank of Namibia are currently working on a research paper which looks into further ways of building up our reserves.

With regard to the Southern African Customs Union (SACU) it is important to highlight that SACU receipts remain a significant contributor to both Government's revenue as well as to the country's foreign reserves because they are paying in rand. Going forward, SACU receipts are estimated to decline largely due to the slowdown of the South African economy. This in turn has effect that imports volumes are lower and income out of custom tariffs on imports is reduced. This reduction, of course, will have some implications to the Budget and reserves. Going forward, we have to thus implement appropriate measures to mitigate this risk.

For now, I am glad to share with you that during my Budget Statement in the beginning of this year, some fiscal consolidations measures have been included and some expenditure reduction and revenue enhancement measures were announced, and this will help to mitigate risks emanating from such a decline.

Further, Honourable Deputy Speaker, let me conclude by saying that with the recent global financial crisis, the Namibian Government through its various structures, has continued to monitor developments in the Financial Sector closely. The robustness of the Financial Sector is regularly monitored and stress-tested. And to further build and strengthen measures already put in place, the Government through the Bank of Namibia, has in fact invited the IMF to provide technical assistance to support us in our

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efforts to establish an effective macro-prudential policy framework in Namibia and for Namibia. The objectives of the mission was to provide an assessment of potential risks that may face the Namibian financial system, and provide advice to the Bank on the key issues related to implementation of an effective macro prudential framework.

The mission was successfully completed by the end of June and medium term action plan for consideration by the Bank of Namibia, which covers key elements of the macro-prudential policy framework, has been prepared.

Finally, Honourable Deputy Speaker, we are fully aware of the challenges facing the country and appropriate policy action has already been identified and some already implemented to deal with these issues. I am looking forward to reflect on them during the Midterm Review when we have a relook at some of these risks. I thank you.

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**HON DEPUTY SPEAKER:** Thank you, any reaction or comments to that? Honourable Maamberua.

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**HON MAAMBERUA:** Thank you very much, Honourable Deputy Speaker. I also wish to subscribe to some of the attempts by our Government to address some of those concerns of the IMF, particularly the ones regarding the revenue from SACU and filling the gaps that might be left by the reduction in the SACU revenue.

However, I think I have two or three questions.

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1. Would you shed light as to why the IMF mission was not concerned so much with the issue of the fact that 10% of the Namibian people owns approximately 80% of the economy of Namibia.
2. Why is the IMF not concerned with the total structure of the Namibian economy and only concerned with the housing prices. What is actually behind that?
3. Is there any reason why the IMF did not express itself with regard to the vexing issue here in Namibia and, that is, the skewed land distribution in this country, which of course, also influences the housing prices and other property prices? Is it perhaps an indication that the IMF was doing cherry picking on issues that are specific to the type of things that the IMF is known for, specifically contributing to the downfall of some of the economies in Africa under structural adjustments and all these other programmes that have actually seen many African countries fail under the Brettonwood Institutions?

Thank you.

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**HON DEPUTY SPEAKER:** Honourable Venaani.

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**HON VENAANI:** Thank you very much, Honourable Deputy Speaker. I must say from the onset that we hold the view that it is a good thing that our Government continues to submit themselves to this IMF Article IV Reports for Consultation because it just gives us a better gaging environment to gage ourselves to the international experts on how our economy is doing and I am further aware that we are not debating the Midterm Review of our economy's performance, but there are three matters which come to a person's mind that are very worrisome.

Firstly, it is a fact that we have low reserves, and yet we are telling

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ourselves that we are ready to fill that gap with a Growth at Home Strategy. We are very good at policy creation as opposed to implementation.

As we are speaking, we have a SACU receipt downfall, we have a policy that must fill a certain gap, but how far are we with this Growth at Home Strategy? With which products have we started already? Can we quantify and say that they are able to fill the gap – with 40% of the fish that goes out of the country? If you are saying you want to answer a problem with a remedy, people must home themselves around that remedy that it is justifiable and it is able to fill that gap. I am not so much convinced at this point in time, that our Growth at Home Strategy is going to fill that gap.

Secondly, is the question of power: You raised something very fundamental, saying that we are going to create power, I assume you meant Kudu Gas, so that we can be able to export a lot of power. That is in a hopeful situation. The capacity of Kudu Gas is there, but do we have N\$10 billion to invest in the Kudu Gas as we are speaking now or is it just a hope that we have, but the money is not there? I want to ask the Minister of Finance, do we have the resources ourselves internally and externally, from our own resources as a country, to finance Kudu Gas, and in the event that Kudu Gas does not become operational come 2019, what is the backup plan?

Lastly, on the issue of housing: I also want to give credit where it is due; that the Government has met the Parliamentary Committee on the Motion I moved and that the Cabinet was already working on some Amendments of Legislation, but on a question of housing, I do not see the question of addressing the proliferation of access to urban land. I do not know how we want to decrease house prices, if we do not have a proliferation of more serviced land available.

I really want to know; what is IMF's take on us subsidising urban land and would they support such a programme? Do they have programmes in place to support our Government financially, to be able to finance a

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proliferation of more land? Because housing prices cannot come down, if we do not have more ervens and we need to avail more land. Therefore, even if we regulate rental and do a, b, c, d; the bottom line is the economy of supply and demand and if we do not over supply, the demand would always still reign supreme. With these few remarks, I want to submit. Thank you.

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**HON DEPUTY SPEAKER:** Yes, Honourable Minister.

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**HON MINISTER OF FINANCE:** Thank you very much Honourable Members for the question, but I think Honourable Venaani is correct that we are not in the General Debate of a Midterm Review. Therefore, some of these questions may be better discussed during the Midterm Review, but let me just direct to some of them.

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**HON DEPUTY SPEAKER:** Would you like to comment before the Minister responds?

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**HON MINISTER OF ECONOMIC PLANNING AND DIRECTOR-GENERAL OF THE NATIONAL PLANNING COMMISSION:** Yes, Honourable Deputy Speaker, I wish to make some further comments before the Minister responds.

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**HON DEPUTY SPEAKER:** You can go ahead.

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**HON MINISTER OF ECONOMIC PLANNING AND DIRECTOR-  
GENERAL OF THE NATIONAL PLANNING COMMISSION:**

Thank you, Honourable Deputy Speaker. Just to add some more information, especially with regard to the issue of the low international reserves that we have in the country. I also want to say that the idea of the IMF visiting Member Countries is not necessarily to tell Member Countries how to run their countries, there are specific Terms of Reference why they come here, and specifically, they look at some of the aspects of how the economy is being run, but not necessarily to look at every policy issue.

The issue of the reserve – we have reserves because without having reserves you cannot import. You need reserves in other currencies for you to be able to buy goods and service from other economies. While we should be worried about the low level of reserves, I think we should also have comfort in the fact that over the last 18 or 24 months, we have been importing a lot of goods and services, especially in the Mining Sector where we are building new mines and those mines need to import a lot of machineries to be able to operate. However, the fact is also that those mines are still not in operation and, therefore, by the time they start exporting, for example, gold and uranium – by the time they start exporting their goods which they are producing, that will also boost our level of reserves and, therefore, while we should be worried, maybe we should also just take comfort that by the time we export, the balance will increase. I so submit, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Thank you. Honourable Minister, you now have the Floor.

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**HON MINISTER OF FINANCE:** Thank you very much. I think that was an important piece of information and I would thank the Honourable Minister for having mentioned that.

*Honourable Maamberua* asked why the IMF is not concerned about the skewness of the economy and why it did not take the whole economy into consideration, all aspects of it, and why it did not specifically address the skewness in the land ownership. I think Honourable Maamberua knows very well that the IMF comes every year and they look at the total Budget that we have. They look, every year, at the Financial Sector and its stability, but they also every year identify a certain aspect that they feel, at that point in time, is important to highlight. I can say that the IMF ever since agreed with us that we have to implement measures to balance out the skewness of the economy, balance out the skewness in income distribution and, yes, they are very much aware about the need for an effective land reform. We have agreed on these measures and as you know, we do implement measures in all of these aspects.

In fact, our overriding policy like Honourable Kapofi has said is that *no one should be left out* and that is nothing else, but inclusive policy that also filters down to the Financial Sector. What one can also say is that, and that was maybe part of the question whether the IMF is always right, no, their advice is not always right and there are glaring examples where they had it wrong. I, therefore, think it is very correct to say that the IMF does not dictate to us what to do, but as Member States we benefit from their analysis and we then can either agree or not agree with their advice. In this case, we do share that there are risks that are emerging that need to be addressed.

*Honourable Venaani*, thank you for supporting us. You talked about the low reserves and wanted to know whether the Growth at Home Strategy is the policy strategy that will help us. I think it is one of a number of strategies that we can deploy. There are several other options that we can take that would bring relieve to the low levels of reserves and in the comprehensive Report of the IMF, they mentioned some of them, which

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we will share once it is published.

We must also realise that yes, some policies and some strategies take some time to grip. With the Growth at Home Strategy we ought to realise that it is not a *big bang* that would next month solve our limited productive capacity. However, we must take the first step and if we want to industrialise, we must all support it, because industrialisation and the ripple effect of getting more value out of the raw materials, getting a better share of the value in value chains, is where our economy growth is embedded in. That is where we can create more jobs and that is where we can address the skewness of the economy. It is a structural reform that we have to embrace and I think, I would appeal to you Honourable Venaani, that instead of being the doubting Thomas, be the champion of it, because it will help us to bridge many of these challenges that our economy still have.

On power generation; I think it is not in my ability to tell you whether Kudu is on or off. What I can tell you, however, is that in the Budget we have made resources available within the Budget, but also from balance sheet that will enable us to create the necessary power generation to avoid falling into a load shedding process or into a gap where we run dry. That assurance I can give you.

I can also give you the assurance that we are looking into how we, in the most cost effective way, can create that generating ability that would give us enough power so that we can industrialise and grow, instead of engaging in load shedding or shortages in power supply. Power supply has been identified in the NDP4 as one of the key enablers that the economy must embrace. We have to have enough reliable and affordable power for our Industries and citizens, if we want to build the Industry and also, if we want to improve our living standards. I think the resources that we have made available in the Budget, or in the MTEF for that matter, are enough to secure that. But whether that is Kudu Gas or whether that is Baines Hydro or something else, let us see how the phasing in of these different projects would come.

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You also mentioned the housing and access to land and whether we want to get support from the IMF. I think we do not envisage that we would be borrowing from the IMF. Their instruments are not for these purposes and that is not one of the areas that we want to move in. However, as we have reported to the Standing Committee, there are a number of legal and policy matters that are right now being implemented to relieve the pressure on land and I think it is not so much on the revenue side – land *per se* that is not available, but it is the serviced land that is not available. There is, therefore, a demand and supply gap that needs to be filled. Some resources have been given in the Budget to supplement resources and Local Authorities to service land. We are thinking about other ways as in the Report, how we can make that more affordable, make that cheaper, but increase the volume of serviced lands to become available to our citizens that are in need of shelter. There are different structures, how we want to go about for social housing *vis a vis* housing that is paid for by the owner and this depends on the affordability, but I think we have a pretty good idea of what the policies are that need to be implemented, what the legal framework must look like if we want to implement it and the House will soon see a whole range of Amendments of Clauses or legislation which speak to this very problem. I think I have answered all the questions. Thank you very much.

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**HON DEPUTY SPEAKER:** Thank you. Honourable Attorney-General, do you have something to say?

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**HON ATTORNEY-GENERAL:** Thank you, Madam Deputy Speaker. Following the tragic death of 13 year old Fred Savage on the 27<sup>th</sup> of June 2015, many messages were conveyed to me, as the Attorney-General, requesting the Attorney-General to approach the Supreme Court on an *ex parte* basis to have the Supreme Court declare the keeping of Pit Bulls illegal in the Republic of Namibia. Those that felt strongly about the banning of the said breed of dogs, approached the Prime Minister amongst

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others, to request me to bring the *ex parte* application.

This only reflects the deep concern with which members of the public reacted to the gruesome death of young Fred Savage. Everyone I interacted with shared the sense of loss for the family and friends of late Fred Savage, and during this time of great sorrow, I hope that I speak for all when I say, please be comforted by solace in our Lord's grace. Such an unnecessary loss of life should never occur again. Not in that fashion.

Given the continuing requests, and so that we may educate one another and avoid such loss of life, I find it apt that I inform the Namibian Nation of the Laws and Regulations that govern the ownership of dogs. In several countries across the world such as Germany, Britain and Australia, specific dog breeds are considered to be dangerous. These breeds are either banned or their ownership is strictly regulated. These prohibitions are enforced through special Laws in addition to the general regulations which most countries, including Namibia, have concerning the ownership of any dog.

The dog breeds that are generally accepted to be dangerous are the following:

- American Pit-bull Terrier
- American Staffordshire Terrier
- English Staffordshire Terrier
- Staffordshire Bull Terrier
- English Bull Terrier
- American Bulldog
- Rottweiler
- Bullmastiff
- Boerboel

Citizens who own the dangerous dogs I listed, often argue that these dogs are not inherently dangerous, but are raised to be aggressive by uninformed owners. It could, therefore, be difficult to gainsay, that an outright ban on the ownership of such dogs will not solve the problem of

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aggressive dogs in the city.

Therefore, a better solution is to strictly regulate the ownership of dangerous dogs. One can consider what other countries have done to regulate the ownership and create local regulations on par with international standards.

American owners must be at least 21 years of age, for example; take out liability insurance to the sum of \$100,000; and private homes must display a warning sign.

In Russia dangerous dogs are subject to mandatory registration. The housing and walking of dangerous breeds is prohibited for disabled people; un-matriculated persons; and minors.

The British are required to muzzle and leash dogs in public places. Further requirements are that the dogs must be registered, be covered by an insurance policy, be spayed, stamped and have a tracking chip.

In Namibia the *Local Authorities Act, 1992* authorises Local Authority Councils to regulate the ownership and keeping of dogs in their areas. Municipalities such as Swakopmund, Walvis Bay, Arandis, Rehoboth and Katima Mulilo have done so from the Regulations for the control of dogs in Municipal Areas, 1968. This regulation reads as follows:

***10. Vicious or Dangerous Dogs:***

*(a) No person keeping a vicious or dangerous dog shall allow it to be in any street, on any road or in any public place unless it is on an effective lead or is muzzled. If any such dog, whether licensed or not, attacks persons, animals or other dogs, an authorized officer may seize it and deal therewith in accordance with the instructions of the Council.*

*(b) Any person keeping a dog that can be vicious or dangerous, shall take the necessary precautions to prevent such dog attacking any person visiting the premises for the execution of his duties at all reasonable*

*times;*

*(c) notwithstanding the provisions of sub-regulation (b), any person keeping a dog that can be vicious or dangerous shall erect at every entrance to the premises a notice board with the words "Pasop vir die hond/Beware of the dog" in legible writing. Such notice board shall at all times be kept in a legible condition.*

### ***12. Incitement of Dogs***

*No person shall incite or encourage any dog to attack, hinder or frighten any other person or any other animal.*

### ***17. Penalty.***

*Any person who contravenes the provisions of these regulations shall be guilty of an offence and shall on conviction be subject to a fine not exceeding two hundred [Namibian Dollar] or to imprisonment not exceeding one month. (Laughter)*

More specifically the *Animal Protection Act, 1962*, under Section 10(1)(b) dog fighting is prohibited. Dogs that have been trained to fight are a danger to the public. The dogs which are raised as household pets do not pose a threat to the public when the owners take proper precautions in terms of the existing regulations. Rooting out illegal dog fights will go a long way to ensuring that the public is safe from the negative behaviour of these dangerous breeds.

Therefore, considering the legislation, which is already in place the solution to a safer relationship between dangerous dogs and the public lies in the enforcement of the existing legislation instead of creating new legislation for an isolated incident.

Rather than creating new legislation the best option currently, would be to amend the penalty under the Regulations for the control of dogs in

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Municipal Areas, 1968. If the consequences of improper dog ownership were higher, citizens would rethink flagrantly disobeying the law.

In the event that further regulation of dangerous dog breeds becomes necessary it would be advisable for specific legislation to be promulgated to which the entire country must prescribe. Municipalities will then not be left to regulate the ownership of dogs as they see fit any longer. And some have just opted not to regulate.

In summary, the current solution to ensuring that such a heartrending incident is not repeated lies in abiding by and enforcing the existing legislation and regulations.

Madam Deputy Speaker, I have also provided some research into the specific efforts made by other countries and have provided at the end, a tutorial gallery of those animals so that one can have a look at them and such could be availed to the Honourable Members of the House for their consideration. I thank you. (*Applause*)

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**HON DEPUTY SPEAKER:** Thank you. Yes, quickly Honourable Maamberua.

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**HON MAAMBERUA:** Thank you, Honourable Deputy Speaker. Firstly I wish to extend my condolences to the family of the child who was killed by these vicious, dangerous and aggressive dogs.

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The rationale that we cannot prohibit or ban certain breeds of dogs, because it is actually not the owners all owners who breed them to that level of becoming dangerous and it is only some breeders and some dog owners who contribute to that, I think it is a dangerous argument. I would want to believe that all the breeds that have been identified as vicious, dangerous and aggressive should just be banned from Namibia.

I cannot see any justification, even when you look at the legislation which is in place, these Municipal Bylaws that are there about – *keep the dog muzzled* and *the insurance*, cannot protect and it is not the first time that children in this country have been attacked by dogs, elders or old people and even grownups have also been attacked. I do not think we can just rely on the current Laws that we have in the country to protect our citizens against these vicious and dangerous dogs. I would humbly request the Attorney-General or the relevant Ministry to propose a legislation to ban some of these dogs like it is done in some other countries. That is my submission.

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**HON DEPUTY SPEAKER:** I think this question of the vicious dogs is very, very important. Maybe as we resume in September, someone can Move a Motion in that regard. It should be debated shortly and we can pave the way forward.

With this, we will now go to the questions. Can start with Question 29? the Deputy Minister is likely to leave the House to be on time for his flight. Honourable Smit, would you like to put the Question to the Deputy Prime Minister and Minister of International Relations and Cooperation? Honourable Smit, please stand up and say *yes*.

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**HON SMIT:** Yes, I put the Question, Honourable Deputy Speaker.

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**RESPONSE TO QUESTIONS  
BY HON SMIT  
HON MUSHELENGA**

**HON DEPUTY SPEAKER:** I recognise the Honourable Deputy Minister?

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**RESPONSE TO QUESTION**

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**QUESTION 29:**

**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION:** Honourable Speaker, I rise to respond to the question by Honourable Nico Smit on the situation in Burundi.

On the 25<sup>th</sup> of April 2015, the Ruling Party, National Council for the Defence of Democracy Force for the Defence of Democracy (CNDD-FDD), announced the nomination of the incumbent President, His Excellency Mr. Pierre Nkurunziza, as its presidential candidate for the poll envisaged to take place on the 15<sup>th</sup> of July 2015, and the Parliamentary elections that took place on the 29<sup>th</sup> of June 2015.

Following this announcement, violent street demonstrations ensued amidst heightening political tensions in Bujumbura, the capital city of Burundi, resulting in the subsequent closure of independent radio stations, physical and economic infrastructural damages, unfortunate deaths, with scores injured. The resultant situation of insecurity triggered the fleeing of more than 110,000 Burundians to the neighbouring countries of Tanzania, Rwanda and the DRC.

The issue of President Nkurunziza's right to stand for a third term as President of Burundi was premised on an interpretation of the country's Constitution; a Constitutional Court Judgement affirming conformity of the exercise in line with the Constitution's Provisions. Notwithstanding this, the impartiality of the Court came under scrutiny by the opposition subsequent to the fleeing to Rwanda of the Vice-Chairperson of this

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institution, who alleged having received death threats because of his refusal to sign the Judgement in question.

Calls were made to encourage dialogue and consensus aimed at finding an amicable solution to the crisis relative to the preservation of the letter and spirit of the August 2000 Arusha Peace and Reconciliation Accord, which established the conditions for the organisation of free, fair and credible elections.

These were further reinforced with the dispatching of a High Level Mission of the Panel of the Wise, led by Mr. Edem Kodjo, the former Secretary General of the OAU, to consult with all competent national stakeholders. The Special Envoy of the UN Secretary-General for the Great Lakes Region, His Excellency Mr. Said Djinnit on the 5<sup>th</sup> of May 2015, travelled to Burundi, to mediate in the conflict with the objective of brokering a political consensus on all issues related to the electoral process.

These mediation efforts were later reinforced by representatives of the East African Community (EAC) and the International Conference on the Great Lakes Region (ICGLR) as facilitators premised on the realisation of a political dialogue on the impasse.

A Summit on the situation in Burundi on the 31<sup>st</sup> of May 2015 recommended that the elections be postponed for a month and a half in order to allow the security situation to improve

While President Nkurunziza was at an EAC Summit on the 13<sup>th</sup> of May 2015, in Dar es Salaam, Tanzania, a coup attempt was made by some soldiers led by Mr. Godefroy Niyombare, a top Burundian general sacked from his powerful position as Intelligence Chief.

Initially the elections were postponed for 10 days. However, donors then suspended their support to the electoral process, and the Government said that it intended to find the means to organise the elections on the

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scheduled date, especially through the mobilisation of domestic resources.

The Parliamentary poll in Burundi was then postponed and took place on the 29<sup>th</sup> of June 2015, and the Presidential poll envisaged to take place on the 15<sup>th</sup> of July 2015, seeing that the mandate of the current administration ends on the 26<sup>th</sup> of August 2015.

In response to **Question 1:** I would like to submit that our position is anchored in the values enshrined in the Namibian Constitution, namely the democratic elections of the representatives of the people based on the constitution, the Rule of Law and justice. It is, therefore, important that elections are held before the expiry of the mandate of the current administration, in order to avoid a vacuum in government.

Namibia, as a Member of the African Union Peace and Security Council, stresses that only dialogue and consensus, in accordance with the Arusha Agreement and the Constitution of Burundi, will make it possible to find a lasting solution to the crisis and appeals to the Burundian actors to lend their full cooperation to the efforts made. To this end, Namibia supports the position of the East African Community, that elections be held in Burundi where the political situation on the ground so permits.

Besides this, there are concerns raised by Burundi's neighbours, especially Rwanda who is on record of having expressed serious concerns about the deteriorating political situation in Burundi, worrying that the Rwandan rebels operating in eastern DRC could take advantage of the current unhelpful situation to destabilise Rwanda.

With regard to **Question 2:** Allow me to remind Honourable Smit that Namibia will be a member of the Peace and Security Council until April 2016. The Honourable Member can be rest assured that Namibia is integral to the finalisation of all statements by the African Union Peace and Security Council, and that its views are so represented. Namibia does not, therefore, need to make a separate pronouncement on any issue stated by the Council.

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Regarding **Question 3**: As the Honourable Members know, the Namibian Constitution, from preamble to the last word, guards the Human Rights of the Namibian people. It is the express responsibility of the Ministry to base all our foreign policy statements and principles upon that Constitution and the Namibian institutions which support it, including the Ombudsman, the Ministry of Justice, Ministry of Labour, etcetera.

Namibia is also a Member of the Human Rights Council, which will be until 2016, where it firmly advocates for Human Rights in line with the Namibia Constitution. Namibia's membership and its work on the Human Rights Council is testimony to the importance that Human Rights and violation thereof, plays in our foreign policy. I thank you.

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**HON DEPUTY SPEAKER**: Thank you. Any follow up question?

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**HON SMIT**: Honourable Deputy Speaker, I would like to thank the Deputy Minister for his answers. I am satisfied and I am happy to have this document.

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**HON DEPUTY SPEAKER**: Question 18 is the Question put by Honourable Maamberua, to the Minister of Urban and Rural Development. Would you like to put the question?

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**HON MAAMBERUA**: Thank you Honourable Deputy Speaker, I would like to put the question, but I would like to remind the House that as you recall last time, I brought to the attention of this House that my question

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was mutilated.

The question appearing on the paper is not the exact question that I have posed, because I have raised several concerns regarding the inappropriate manner and concerns of the public with regard to land allocation to the elite at the Municipality, and those different concerns that I put in my question have been taken out. I would expect that the Minister, in her answer, will answer my question taking that into account.

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**HON DEPUTY SPEAKER:** Honourable Minister, you have the Floor.

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**QUESTION 18:**

**HON MINISTER OF URBAN AND RURAL DEVELOPMENT:**  
Thank you very much, Deputy Speaker for the opportunity and the Honourable Member who posed the questions, as well as the Honourable Members in the House.

The Honourable Member is saying that it looks as if his questions are not stipulated as asked – if I have understood you correctly.

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**HON DEPUTY SPEAKER:** He said the questions were diluted. Just try to respond.

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**HON MAAMBERUA:** Not by you, by them.

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**HON DEPUTY SPEAKER:** By the Table Office, not by him.

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**HON MINISTER OF URBAN AND RURAL DEVELOPMENT:** Oh, the questions were diluted by the Table Office?

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**HON DEPUTY SPEAKER:** Yes. What should we do now? Should she proceed to answer them as they are? You can respond in the way you prepared your response.

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**HON MINISTER OF URBAN AND RURAL DEVELOPMENT:** Thank you very much, Honourable Deputy Speaker. The matter being as stated by Honourable Maamberua, I have, of course, received the questions as provided by the Secretariat and that is how I tried to respond to them. However, should the Honourable Member feel that my response is not satisfactory, you are welcome to pose follow up questions next time, but not today. Thank you.

Honourable Maamberua, you have requested me to give you some responses on many concerns expressed regarding the manner in which Municipal Councils allocate land, especially in Windhoek.

In general, I wish to correct that the position and the consequent deliberate actions that the Government and SWAPO Party are pursuing in respect of the land issue is not necessarily as a result of individual or isolated concerns expressed in the media, but we are informed by our policy stance and commitment that dates back to the time of our bitter struggle for our Independence. Having said that, let me now respond to the specific questions.

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**Question:**

**To re-assure the citizens about these concerns would you, as Minister responsible for Urban and Rural Development, recommend to His Excellency President Geingob to set up a Commission of Inquiry regarding these matters of skewed land allocation in the municipalities with special emphasis on Windhoek?**

**Answer:**

A commission of inquiry is an option, but for now I will continue to use and first exhaust all the powers vested in me to deal with matters related to applications for, and allocation of land by Local Authorities, not excluding the City of Windhoek. Honourable Member, I just want to tell you that when I say I am going to deal with all the applications, I mean my words. It should go out there that all the Municipalities, Town Council, Villages Council and Settlements should – they go the other way, those applications will not enjoy my signature. I will still repeat my words and I will die repeating those words. Since I understand exactly what you are saying about outcry for land out there, this is a caution – any Honourable Member responsible to process applications with regard to land and is not going in accordance to the directives that I have given as entrusted with the Ministry of Urban and Rural Development, those applications will not enjoy my signature.

**Question:**

**Alternatively, would you Minister, institute a broad investigation into these matters?**

**Answer:**

I have partly already responded to this question. A number of forensic investigations have already been commissioned into suspected or reported irregularities or mismanagement at some Local Authorities. To be

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specific, in terms of Omaruru, Cabinet has already pronounced itself and the Minister of Information and Communication Technology has already been given the go ahead by Cabinet to pronounce the outcome of the decision by Cabinet. If it is not done yet, it is on the way, it is with the Minister of Information and Communication Technology.

A team was dispatched to Okahandja and Keetmanshoop. The initial team consists of my officials and when it becomes desirable, we will initiate a proper investigation by a forensic team.

**Question:**

**Could you order the Municipality of Windhoek to immediately hold on the allocation of big land as the investigations are ongoing?**

**Answer:**

As a Lawmaker, my action will be guided by the outcome of the investigation and it will be in accordance with the Law. As such, I wish to seek legal advice from the Attorney-General on the outcome of the investigation and recommended actions.

I just want to emphasise something here: As I am at the helm of this Ministry I expect that we all change our actions and behaviours because I do not want to be a dead person in the eyes of others. I can only be good if other's actions are good. I think the message is very clear.

**Question:**

**Would you order that contracts relating to all inappropriately allocated land be annulled?**

**Answer:**

My earlier response applies here as well, I, therefore, do not need to repeat

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myself.

With that, Honourable Maamberua, I hope that I have satisfactorily responded to your questions. If my response is not clear enough, you may pose other questions, but not today. Thank you very much, Honourable Deputy Speaker, Honourable Members.

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**HON DEPUTY SPEAKER:** Any comment, Honourable Maamberua?

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**HON MAAMBERUA:** Thank you, Honourable Deputy Speaker. I should also thank the Minister for answering the questions the way it has been reframed by the Table Office, but I have very serious doubt as to whether the Minister was actually answering the questions in the context of the concerns that I have indicated because it does not seem to be the case.

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**HON DEPUTY SPEAKER:** She did answer in terms of the way the questions were put to her.

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**HON MAAMBERUA:** Exactly, Yes. In order to clear the air, may I, therefore, just briefly state what those concerns were.

The first one was that there are concerns that Councillors at all levels from the Mayor to the Deputy Mayor at the Windhoek Municipality allocate themselves land directly or indirectly, through companies registered in their names and relatives and so on.

Another concern was that there are big portions of land being allocated to

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politically well connected individuals and their companies at the Windhoek Municipality. And another concern was about the size of land allocated to individual companies, which are just too big, for example, 50 hectares and more. Fifty hectares means 50 football pitches allocated to only one company.

Concerns that at this rate and size of land allocation, that Windhoek could soon run out of land available for residential, industrial and institutional development. Also concerns about administrative staff allocating land without Council approval; concerns about technical and legal advice not being considered by Politicians, Councillors and, therefore, decisions taken against such advice. These are the concerns that should actually have informed the questions to be answered in that context.

My last small clarification, did the Minister actually say that you have instituted an investigation regarding these concerns, specifically with regard to the Windhoek Municipality or not, or were you referring to Okahandja and other Municipalities? What about Windhoek Municipality?

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**HON DEPUTY SPEAKER:** Before you sit down, are the concerns in your follow up questions, as you have just read them now, in the original format as the ones you had on the day when you put your questions?

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**HON MAAMBERUA:** This is the original paper, yes, indeed. The Honourable Minister can just clarify that. I did not understand her properly.

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

Honourable Member, I told you that you and I are both lawmakers and I said, as the lawmaker, maybe I should read to you what I wrote; as a lawmaker, I cannot just come here and tell you things that I was not advised on legally. I understand accurately what you are saying, some of those allegations that you have just mentioned are on my table, but I was not yet legally advised.

Therefore, I cannot give you accurate answers in the manner you expect them. I cannot. I first have to wait for the Attorney-General to advise me on the best way to go about this. However, it seems that you have extra information that I do not have, could you perhaps, please provide me with the extra companies, names, etcetera. I do not have some of this information, since you have seemingly done your research, I need you to assist me please. Thank you.

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**HON DEPUTY SPEAKER:** Yes.

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**HON MAAMBERUA:** Thank you. I wish to thank the Minister for her honest and straightforward reply, and attitude, of course. Indeed, these are the media information that we all have access to; the names of the companies and individuals, and how they got these land allocated to them as well as the sizes have been reported in the media and that is my source.

I do not have access to the Council minutes at the Municipality, I am sure the Minister will be in a better position to access that information, but the media reports are here, I have made copies and it is on that basis that I formulated my questions.

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**HON DEPUTY SPEAKER:** And that is why she said you can provide her with the additional information so that she can beef up her consultation with the Attorney-General.

Question 30 is the one by Honourable Smit, however, both the Minister and the Deputy Minister are not here.

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**HON SMIT:** If the Minister or the Deputy Minister is not here, I would request that the question stand over.

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**HON DEPUTY SPEAKER:** You can put the question again when we resume on the 9<sup>th</sup> of September 2015.

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**HON SMIT:** Oh, will I will ask her again during the next Session?

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**HON DEPUTY SPEAKER:** Yes.

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**HON SMIT:** Thank you.

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**HON DEPUTY SPEAKER:** Let us now move to the Notice of Motion. The Notice of a Motion is the one by the Honourable Minister of Finance. Does the Honourable Minister move the Motion?

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

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**HON DEPUTY SPEAKER:** Who seconds? Any objection? Agreed to. Honourable Minister, you have the Floor.

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**HON MINISTER OF FINANCE:** Thank you, Honourable Deputy Speaker. Honourable Members of Parliament, we are talking about the Amendments of the SACU Agreement of 2002 and the background information – Namibia acceded, soon after Independence, to the 1969 SACU agreement and that was done in April 1990, to become a full Member of the older Custom Union in the world. At that juncture already, Namibia had called for the overall democratisation of the SACU agreement, a call that was in fact fully supported by all SACU Members.

It was followed by protracted negotiations that culminated into the current SACU Agreement of 2002, which was signed on the 21<sup>st</sup> of October 2002, in Gaborone, Botswana. This was indeed a milestone event underlining the agreement, which came into force only on the 15<sup>th</sup> of July 2004, with the then prevailing international trade relations laying the foundations for enhancing balanced economic development in the Sub-Region whilst establishing an equitable revenue sharing arrangement for customs and excise duties collected by Member States and paid into a common revenue pool; hence, creating effective, transparent and democratic SACU Institutions, which for the first time in the Council of Ministers, as a supreme decision-making authority on SACU matters. So, in the

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Agreement, the Council that was the supreme body.

Honourable Deputy Speaker, even the regional and continental integration agenda has amongst others, been provided for in the Abuja Treaty and more recently, in the African Union initiative and the recognition by SACU Heads of State and Government that SACU should remain a viable Institution and could play an important role as a building block of integration. A new SACU vision and mission was adopted by our Heads of State in April 2010.

At that summit of the 22<sup>nd</sup> of April 2010, our Heads of State decided to institutionalise the summit as an Institution that promotes the collective interest of, and provides ultimate strategic guidance to the SACU. This was soon followed on 25 March 2011 by SACU the Heads of State endorsing five priority areas to underpin the broader SACU Work Programme of transforming itself into a reasonable regional integration, capable of promoting equitable development, namely: Regional Industrial Development Policy; Unified Engagement in Trade Negotiations; Trade Facilitation Matters; Development of SACU Institutions; Reviewing the Revenue Sharing Arrangements - that is, not only the formula but the whole arrangements.

By April 2012, given the fragile global economy recovery at that time and elevated unemployment in many parts of the world, our Heads of State re-endorsed the five priorities and added another two priority areas to the set of five making it seven and the two new ones were: Trade in Services; and Strengthening the Capacity of the SACU Secretariat.

Our Heads of State also noted that the SACU Council of Ministers has streamlined the Work Programme on regional industrial development as an overarching objective of the SACU Work Programme, which included eight priority sectors with potential for cross-border collaboration and out of the eight, Agro-processing and the Automotive Sector, including automotive components manufacturing, were identified for immediate cross-border cooperation where projects could be piloted.

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Honourable Speaker, Honourable Members, it is against this background that I now come to the main issue, namely the summit noted that the Council of Ministers has developed modalities for institutionalising the meetings of SACU Heads of State and Government and agreed that this would require an Amendment to the SACU Agreement of 2002. Council recommended that the Summit should be integrated vertically into the SACU structures and that the Summit should be at the apex of the SACU Institutions. Heads of State and Government thereupon signed the proposed Amendments of the SACU 2002 Agreement on the 12<sup>th</sup> of April 2013. The institutionalisation of the Summit is effected by the proposed Amendments of Article 3, amending Article 7 of the SACU 2002 Agreement, thereby adding Summit to the list of established institutions of SACU. The proposed Amendments Article 4 by, insertion of Article 7 into the SACU 2002 Agreement, provides that the Summit would be deciding on matters referred to it by Council.

Furthermore, the Summit shall receive Reports on the work of the Council and shall meet once a year. The Summit may hold extraordinary meetings at the requests of any Member State. The Chairperson of the Summit shall be held in turn by each Member State for a period of 12 months in the same order as that of Council. Subject to Article 42 of the SACU 2002 Agreement the proposed Amendments also provide for Council to furthermore prefer legal instruments for the implementation of the Provisions of the Agreement to the Summit for decision as per Article 43. The Summit shall determine its own Rules of Procedure. The Draft Procedures, already developed by Council will be considered by Summit once it is institutionalised.

The other Amendments may be regarded as consequential, but nevertheless, are important. Article 5 of the Draft Amendment effects changes to Article 8 of the Agreement by removing references to the Council being the supreme decision making authority of SACU. Council retains the overall responsibility for the functioning of SACU institutions and formulation of policy mandates as set out in article 8(2) of the Agreement. Consequential changes of the numbering are also brought

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about.

The proposed Article 6 sets out the changes to Article 10 of the Agreement to allow for the SACU Secretariat to provide support and foreign nation's services to the Summit. The changes to Article 13 of the SACU 2002 Agreement are set out in Article 7 of the Draft Amendments. These include amending Sub Article 4 to make provisions also for Summit to request the Tribunal once established, to consider any issue and furnish Summit with its recommendations. The change to Article 13(6) reflects the role the Summit may play regarding the settlement of disputes. Consequently Member States shall refer matters to the Tribunal to the Council. In addition, the Council will have the discretion to request the Summit to consider the disputes and differences with a view to achieving an amicable settlement.

Article 8 of the Draft Amendment sets out the changes to Article 43 of the Agreement, which recognises the inclusion of the Summit as an institution of SACU. The Amendments to the Agreement will be considered by Council and adopted by a decision of the Summit.

Article 9 makes provision for the entry into force of these Amendments similar to that adopted for the entry into force of the SACU Agreement itself. The Amendments will enter into force 30 days after the deposit of instruments of ratification by all Member States.

Honourable Deputy Speaker, Members of Parliament, Article 45 of the SACU Agreement of 2002 states that - this Agreement shall be ratified by signatory States in accordance with their respective Constitutional procedures. whilst Article 63(2)(e) of the Namibian Constitution provides as follows – *“National Assembly shall further have the power and function, subject to this Constitution:*

*(e) to agree to the ratification of or accession to international agreements which have been negotiated and signed in terms of Article 32(3) thereof.”*

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Honourable Speaker, with those introductory remarks, I appeal to the House to support these Amendments and ratify it accordingly. I thank you.

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**HON DEPUTY SPEAKER:** Any discussions? Honourable Venaani.

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**HON VENAANI:** Honourable Deputy Speaker, I am rising on a Point of Order on the subject matter, not on him being on the Floor?

Honourable Deputy Speaker, this is a very important Agreement that this House must accede to. We have not even seen the face value of the Agreement and we have not read it. I do not know whether the Honourable Members on this side of the aisle have the Agreement? We do not have the Agreement. Today is the last day of Parliament and we know that there are new dynamics within SACU where South Africa itself is also pushing for certain agendas in SACU, so as an oversight body it would be very difficult to ask a Legislator with ordinary firmness to accede to something that we just got a notice of yesterday, we have not received a copy and we have to accede. That would make a mockery of Legislature in this country.

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**HON DEPUTY SPEAKER:** Can I say something? I was actually just about to raise the same concern. Can I finalise and then you come in? As he said, it is very important. It is not the first time for this Assembly, I do not want to use the term I have in mind, but some agreements of this nature, either international or continental agreements, the Parliament should understand them, we should read and debate them. However, since these Amendments were submitted the day before we are going on recess, I have a problem. I was just about to say that.

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HON SCHLETTWEIN**

We should thoroughly understand these things, debate them and make comments etcetera. Do you have something to say?

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**HON MINISTER OF FINANCE:** Honourable Deputy Speaker, I think we want to make the problem bigger than it is because we have acceded to the SACU Agreement. There is no substantive change to the Agreement that has already been ratified and that has been enforced up to 2004 when it came into force. The only thing that we are amending is the summit that we are instituting, which replaces the Minister of Council as the supreme decision making body with Heads of State, so there is no other Amendment to an Agreement that we, in this House, have ratified and that we are working with. I do not know why it is so complicated, there is no other thing that we are amending. We are just saying the Summit will now be the supreme decision making body of SACU in an Agreement that we have acceded to and that it will meet once a year. That is all what the Amendments are about.

I, therefore, appeal that we look at it. As I promised, I will make a substantive statement on SACU somewhere in the next Session and we can debate other SACU matters like Honourable Venaani has mentioned then, but this Amendment would be necessary for our Head of State to participate in a Summit that is institutionalised.

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**HON DEPUTY SPEAKER:** Can I say something? Yes, it is okay. I am not saying that we are not going to ratify this at the end of the day, but the majority of the Members of Parliament are new. For the old Executive Component it is okay, they know SACU, but the new Members do not know. Even if it is an old one, if you are not in that field you do not even try to read those things. I am not saying we are not going to ratify it, I will

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assist with the ratification, but in the future, these things must be thoroughly understood by everybody. (*Interjection*) Yes, the Executive component understands but not the rest of the people, especially those who are new.

Yes? Would you like to take the Floor, Honourable Maamberua?

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**HON MAAMBERUA:** (*Interjection*) I know how to take the Floor. Thank you, Honourable Deputy Speaker. I subscribe to your position and also to the position of Honourable Venaani. I think, procedurally speaking, this is not the right way to ratify these international agreements, irrespective of the magnitude of the Amendment because we need to express ourselves, we need to understand these issues. Perhaps if I have to depart from a personal position, I was the Chief Negotiator, on behalf of Namibia for this Agreement that was successfully signed by the Heads of State in 2002, in Gaborone, Botswana. I was also the Chairperson of the Steering Committee that put together the bid on behalf of Namibia to contest with other countries in SACU for the hosting of the Headquarters of SACU and Namibia, on the basis of our well designed, well argued bid managed to get the Headquarters of SACU located in Windhoek.

I did not do all these things without my Minister of Finance then, he, of course, was the person at the helm of the institution and credit also goes to him. On the Amendments being suggested, as I said, I am departing from my own personal knowledge of what that particular aspect is all about, and I would not need further convincing in order to allow that Amendment to go through. My position is, therefore, that if there is no objection, that we ratify that and I can give assurance that it is actually going to the benefit of Namibia than otherwise. Thank you.

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

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HON DR KAWANA**

**HON MINISTER OF JUSTICE:** Thank you very much, Honourable Deputy Speaker. May I appeal to the Leader of the Opposition, and I know he is a patriotic and very understanding Namibian.

SACU's Headquarters is here in Namibia. We are faced with a number of issues whereby Namibia stands to lose in terms of its revenue as you even heard during the Budget Debate and just a few minutes ago, the Honourable Minister of Finance repeated that, and the IMF also expressed that concern.

There is a new SACU Headquarters building, that I suppose the Honourable Minister has completed now. In my opinion, the basis of the Amendment, unless the objection is maybe that what the Honourable Minister of Finance is saying is not true – initially, in terms of the Treaty, these issues used to be decided at the Ministerial level and we now want to elevate that to the Heads of State level, whereby at least some of these benefits will come the Namibian way because when it is at the Heads of State level, they will be understanding and you know that the Heads of State in SACU are very close to each other. We hope that some of the issues that Namibia as well as other countries have expressed concern on, will be attended to at that highest level.

In the national interest, I really appeal to my Honourable Member, the Honourable Leader of the DTA to have that understanding and I take his point (*intervention*)

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**HON DEPUTY SPEAKER:** Can we listen to the comments of Honourable Kawana, please? Please let us listen to what he is saying.

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**HON MINISTER OF JUSTICE:** I take note of his point and he is correct, but this is now an issue of national interest, because very soon that building, the Headquarters which is hosted by Namibia, has to be opened

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and His Excellency the President needs to invite his Colleagues to come and during that period, they will be able to exchange ideas on some of these issues where Namibia has expressed some concern in terms of revenue. I, therefore, really appeal to Honourable McHenry Venaani, as a nationalist, for the sake of national interest, I plead with him. (*Laughter*)

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**HON DEPUTY SPEAKER:** Thank you. It is fine. I recognise the Honourable Attorney-General, Honourable Sacky Shanghala.

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**HON ATTORNEY-GENERAL:** Madam Deputy Speaker, much of what I wanted to say has already been eloquently, underlined and underscored by the Minister of Justice and I just want to indicate that, unfortunately for the time between our recess and coming back, we would be forbidden from the activities that would happen as we have not yet, in terms of our own Law been able to put the President in the position that he can attend. That can only be to our detriment and without wasting much time, I would just like to underline the plea that Honourable Dr Kawana has so eloquently made to the son of the soil, the Leader of the Opposition (*laughter*) that he can maybe allow us to move forward on this one.

While we tender our apologies, we really know that at least the paper should have been here and at least the Deputy Speaker would maybe look into modernising Parliamentary procedures so that electronic documents can be made available. Thank you very much.

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**HON DEPUTY SPEAKER:** It is already there. Okay, proceed Honourable Minister Mutorwa.

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HON MUTORWA / HON VENAANI**

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

Thank you, Comrade Deputy Speaker. Likewise, as a Member of the Executive, I am quite familiar with the broader aspects of this very important organisation, and as such, I would not like to stand up here and give a contrary view, at least in terms of policy, but I just want to put two questions to my Colleague just for us to have a better understanding on the nitty-gritties only, not on the principle.

The Amendments were adopted in 2002 and it is now 2015. I just wanted to find out whether, on our side as Namibia, there were any problems, any difficulties, any challenges why, between 2002 and now, we could not have done what we are doing today at the technical level there? That is one.

Two – the concluding part of the Minister’s Motivation Statement, if I understood correctly, was saying that the Agreement that we are ratifying will come into effect after all Members have ratified, if I understood correctly. Therefore, the question is, at this stage, how many Members have already ratified? In terms of those who know the nitty-gritties of this very important Institution, what is the likelihood that all Member States will ratify? Other than that, I definitely do support the ratification, but I think it is also important to get clarity on these nitty-gritties. Thank you.

---

**HON DEPUTY SPEAKER:** Thank you. I, once more, recognise Honourable Venaani.

---

**HON VENAANI:** Honourable Deputy Speaker, I hear the concerns from both sides of the aisle. We are a House of lawmaking and I want to save the process, because the Rules are very clear, you cannot accede to any Protocol without tabling it here. That will be illegal, even if we sit and say, *yes, we have done it*, it can be challenged in a Court of Law and that

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HON VENAANI**

procedure would come back here. Therefore, to save time, let us adjourn this Debate and move to the next one while in the mean time we obtain one single copy that we are going to table here and make sure that the procedures of the House are protected; because it is the decorum of the House that needs to be protected. The argument in Court would be that the Legislators were either drunk or they were not thinking properly and they acceded to something that they did not have a copy of. (*Interjection*)

---

**HON MEMBER:** But the Amendments were tabled.

---

**HON VENAANI:** They were not.

---

**HON DEPUTY SPEAKER:** Can I say something? The Honourable Minister of Finance tabled it, before the Table Officers. In a normal situation, of course, legally he must table it, but it is only that the copy was not distributed.

(*Interjection*) Who is supposed to do what? Can we listen to one another please? I thought that after the tabling, the Ministry concerned is supposed to have copies that are distributed.

---

**HON VENAANI:** So the Table Office has let us down?

---

**HON DEPUTY SPEAKER:** It was tabled, the only thing that was missing is that the copies were not distributed.

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HON MBUMBA / HON NAUYOMA**

Okay. Is there still anyone who would like to take the Floor? Honourable Senior Member, Honourable Mbumba.

---

**HON MBUMBA:** Thank you very much, Comrade Deputy Chairperson. I think we have found a formula how to overcome whatever concern we have.

In the first place, we should really have made arrangements that the copies are available and that procedures are followed, but we should also concede, that being the seat of the Headquarters, we have certain responsibilities. It will be the most embarrassing situation for the meeting to be called and the host President cannot be there or cannot chair the meeting in his own country because his own Parliament failed to approve the document.

The Cousin has been very kind, if it were me in those days, I could have talked more, but we have found a formula now, let us endorse that, let the copies be made available and let us approve this Amendment to the SACU documents. Thank you very much.

---

**HON DEPUTY SPEAKER:** Any other comments? Honourable Nauyoma, I did not see you.

---

**HON NAUYOMA:** Honourable Speaker, I think it is becoming a tendency from the Executive Component of our Chamber to bring these documents here just to be rubber stamped and some of us cannot afford to be associated with these kinds of arrangements. These things are known for a long time, but only when you know you are in a corner, you want to rush things in this fashion. In the end, we are going to embarrass

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HON NAUYOMA**

ourselves just because people are not doing what they are supposed to do. We cannot be used to *d'accord* (*interjection*) Not necessarily – to *d'accord* things that we do not really understand and later on all of us will look stupid in the end.

We must sometimes be brave enough and say; *look we have to take things that are necessary and we cannot just dance to the tunes of other people.* Now we must push everything through without due consideration of key issues just because other people are coming. I think that must really go out very clear (*intervention*)

---

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

---

**HON MINISTER OF WORKS AND TRANSPORT:** Can I just want ask my Young Brother a very small question?

---

**HON DEPUTY SPEAKER:** Do you accept the question Honourable Nauyoma? Yes, proceed.

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**HON MINISTER OF WORKS AND TRANSPORT:** Honourable Younger Brother, you cited examples of things being pushed through, since you joined the National Assembly, how many such incidences did you witness?

---

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HON KAPOFI**

**HON NAUYOMA:** I think there are a lot of things that are being pushed around, even now, you were just pushing through the *Aviation Bill* to go through, it is only that we have rejected the idea of *Aviation Bill* to go through this side (*laughter*)

(*Interjection*) Yes, because you wanted the Committee to pass the Bill without due consideration and we have refused to do that. It is only that it does not involve the President, otherwise an appeal could have been made to say; *please the President will be embarrassed* and things like that.

I think we must just do things in a proper way, otherwise we cannot agree on some of the arrangements. I thank you.

---

**HON DEPUTY SPEAKER:** Thank you. We still have another item before us, which is at the Committee Stage, otherwise it will lapse. I recognise the last speaker on this point, Honourable Minister Kapofi.

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**HON MINISTER OF PRESIDENTIAL AFFAIRS:** Comrade Deputy Speaker, I just want to appeal that we save time. Those of us who sit in Cabinet have seen this recommendation twice and I thought that we should allow the other Members to really express themselves instead of ourselves. I just want to say that; Colleagues this matter was already presented to us and I would like to thank Honourable Venaani for agreeing to the Amendments. Thank you, Chairperson.

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**HON DEPUTY SPEAKER:** Thank you. Honourable Minister, please briefly, because we still have another item on the Order Paper.

---

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HON SCHLETTWEIN**

**HON MINISTER OF FINANCE:** Thank you very much, Honourable Deputy Speaker. First of all, my apologies that not enough copies of the document were made available I think it was because of the lateness of the time.

Secondly, I just want to acknowledge that my predecessor, in terms of being a Permanent Secretary before me, has done that by and large. I also want to reassure the House that the benefits are obvious and it is not a substantive Amendment to the Agreement itself.

As to the questions of *Honourable Mutorwa*, I think you might have misunderstood me, it was the Agreement that was signed in 2002, not the Amendments. That agreement came into force in 2004, and the lapse between 2002 and 2004 was the ratification process of that Agreement.

The Amendments were agreed by our Heads of State in 2013, and again, it is the ratification process that is now unfolding. Namibia is the last one to ratify it, all the others have ratified. That was the information, and again, Members of the Opposition, thank you very much, I appreciate your understanding. Thank you.

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**HON DEPUTY SPEAKER:** I now put the question that the Motion be adopted. Any objection? None. Agreed to.

The Secretary will read the Order of the Day.

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**RECONSIDERATION – UNIVERSITY OF  
SCIENCE AND TECHNOLOGY BILL [B.2 – 2015]**

\_\_\_\_\_

09 July 2015    **RECONSIDERATION – UNIVERSITY OF SCIENCE  
AND TECHNOLOGY AMENDMENT BILL  
HON DR NDJOZE-OJO**

**SECRETARY:**    Reconsideration – *University Of Science And  
Technology Bill* [B.2 – 2015].

---

**HON DEPUTY SPEAKER:**    Does the Honourable Deputy Minister of  
Higher Education, Training and Innovation Move that the Assembly now  
consider the Bill?

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**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING  
AND INNOVATION:**    I so Move, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:**    The Assembly will now go into  
Committee. Any objection? Agreed to. I will call on the Deputy  
Chairperson of the Whole House Committee to take the Chair.

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**ASSEMBLY IN COMMITTEE**

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**DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:**    The Whole House Committee is called to order. The  
Committee has to reconsider the *University of Science and Technology  
Bill* [B.2 – 2015]. I put Clause 1. Any discussion? Honourable Deputy  
Minister?

---

**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING  
AND INNOVATION:**    Thank you, Honourable Chairperson of the Whole

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HON DR NDJOZE-OJO**

House Committee. The Bill has been distributed to you.

1. **In the Bill**, Substitute the name “*Namibia University of Science and Technology*” and the acronym “*NUST*” for the name “*University of Science and Technology*” and the acronym “*UST*” wherever it appears in the Bill, respectively.

---

**DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** Can the Honourable Deputy Minister table the Amendment? Any objection? Agreed to.

I put Clause 4. Any discussion? Honourable Deputy Minister.

---

**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION:** In Clause 4, substitute the following Sub-Clause for Sub-Clause (2):

“(2) *The University may:*

(a) *with the approval of the Minister, receive money or property by way of donation or bequest or in the trust and may control, use or administer it or deal with it in any other manner subject to those conditions, if any, of the donation, bequest or trust which are consistent with the objects of the University;*

(b) *commercially develop any discovery, invention or intellectual property for the purposes of promoting business and innovation and assisting the University in the execution of its functions.”*

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HON DR NDJOZE-OJO**

**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:** Please table the Amendments, Honourable Deputy  
Minister. Any objection? Agreed to.

I put Clause 7. Honourable Deputy Minister.

---

**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING  
AND INNOVATION:** In Clause 7:

(a) Substitute the following Paragraph or paragraph (d) of Sub-Clause  
(2):

*(d) two are staff members, one with a vote as elected by the employees of  
the University as provided for in the statutes and who are not members of  
the Council by any provision of this Section.”*

(b) Delete Paragraph (g) of Sub-Clause (2); and

(c) Substitute the following Sub-Clause for Sub-Clause 7:

*“(7) Expect for a non-Namibian who is a Member of the Council by  
virtue of his/her office:-*

*(a) a non-Namibian who is not a permanent resident in Namibia may not  
be appointed or elected as Member of the Council, if there is a qualifying  
and capable Namibian; and*

*(b) if there is no Namibian who is qualifying and capable of being  
appointed or elected as Member of the Council, a non-Namibian may be  
appointed or elected with the approval of the Minister.”*

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TECHNOLOGY AMENDMENT BILL  
HON VENAANI**

**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:** Please table the Amendments, Honourable Deputy  
Minister. Yes, Honourable Venaani.

---

**HON VENAANI:** Honourable Deputy Chairperson of the Whole House  
Committee, I just want a clarification. How do we establish that there is  
no Namibian who might qualify to serve in the Council, because there  
must be clear Rules on how the Council can determine that there is no  
Namibian who does not qualify – because we have seen that in our higher  
learning institutions, what I would term deliberate hiring of expatriates  
from other countries, and then you wonder how these searches are being  
done to quantify and quality that there is no Namibian present. Can I just  
get that explanation so that we know that the Council would not bend the  
arms of the Rules?

---

**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:** Yes, Honourable Deputy Minister.

---

**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING  
AND INNOVATION:** The specific Amendment to that Clause is  
precisely addressing that issue. What will happen is, after the Law has  
been passed and gazetted, we will regulate as to who should and how you  
determine that there is no qualifying Namibian. Therefore, this just to  
allow for a space, so that if there are qualifying Namibians, they could  
apply for those jobs, and I think we will do that at the regulatory level.  
Thank you.

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HON DR NDJOZE-OJO**

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

I put Clause 10. Any discussion? Honourable Deputy Minister?

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**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING  
AND INNOVATION:** In Clause 10:-

(a) Substitute the following Paragraph (c) of Sub-Clause (2):

*“(c) he or she is removed from office by the Minister under Sub-Section (3) or his or her nomination is withdrawn by the body who nominated such member for appointment;”;*

(b) Insert the following Sub-Clause after Sub-Clause (2) and renumber the rest of the Sub-Clauses:

*“(3) The Minister may on the recommendation of the Council, remove a member from office if the Minister is satisfied after the member having been heard that such member:-*

*(a) is incapacitated by physical or mental illness; or*

*(b) is for whatever other valid reason incapable of efficiently performing his or her functions as member of the Council.”; and*

(c) Substitute the following Sub-Clause for Sub-Clause (3):

*“(3) If the office of a member of the Council becomes vacant before the expiration of the term of such member, the vacancy is filled for the unexpired portion of the term of office of such member as soon as practicable and with due regard to Section 7.”*

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HON DR NDJOZE-OJO**

**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:** Please table the Amendments, Honourable Deputy  
Minister. Any objection? Agreed to.

I put Clause 12. Honourable Deputy Minister.

---

**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING  
AND INNOVATION:** In Clause 12, substitute the following Sub-Clause  
for Sub-Clause (3):

*“(3) The Vice-Chancellor in his or her absence, the Deputy Vice-  
Chancellor acting during the absence of the Vice-Chancellor, is an **ex  
officio** member of every Committee established under Sub-Section (1).”*

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**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:** Please table the Amendment. Any objections? Agreed  
to.

I put Clause 14. Honourable Deputy Minister.

---

**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING  
AND INNOVATION:** In Clause 14:-

(a) Substitute the following Sub-Clause for Sub-Clause (2):

*“(2) to the conditions of employment, privileges, period of office, powers  
and functions of a Deputy Vice-Chancellor are determined by the  
Council.”; and*

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HON DR NDJOZE-OJO**

(b) Delete Sub-Clause(3).

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**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** Please table the Amendments, Honourable Deputy Minister. Any objection? Agreed to.

I put Clause 15. Any discussions, Honourable Deputy Minister.

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**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION:** In Clause 15, substitute the following Sub-Clause for Sub-Clause (1):

*“(1) The Academic governance and quality assurance, organisation and superintendence of teaching, including assessment and learning, community engagement and research are vested in the Senate of the University.”*

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**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** Please table the Amendment. Any objection? Agreed to.

I put Clause 23. Honourable Deputy Minister.

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**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION:** In Clause 23, substitute the following Sub-Clause for Sub-Clause 4:

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HON VENAANI**

*“(4) The Vice-Chancellor, in agreement with the Chairperson of the Council, may suspend the Students’ Representative Council as prescribed in the statutes, if the Vice-Chancellor thinks it fit in the best interests of the University.”*

---

**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** Please table the Amendment, Honourable Deputy Minister. Any objections? Honourable Venaani.

---

**HON VENAANI:** We want our Institutions of Education to be democratic. Elected representatives, these people are elected by the student community. They represent a certain, what do you call it? A certain Constituency that plays an integral part of the academic training. Without students there is no University. However, to leave them at the peril of the head of an institution for their existence – I think the body that should determine that should be much bigger than one individual.

If in the event that a student body is becoming unruly, then at least the Council can play that role, but to leave this mandate in the hands of one person, it does not border well to the question of democracy in itself because in all Institutions of Higher Learning, all the Universities that we attended, as we attended Colleges, there is no head institution who is happy with the Student Council, because it is a matter of demand – it is like an employer and employee relationship. The students are demanding better training, they are demanding *this* and *that* while the head of the institution is looking at the competing needs of that institution.

I, therefore, think that for us as Legislators in a democratic country to come here and tell that our new University Students Representatives are at the peril of the Head of an Institution, that is so wrong. There is

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HON DR NDJOZE-OJO**

everything wrong with it and I think I am objecting to this proposal.

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

---

**HON VENAANI:** (*Interjections*) No, that we know.

---

**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:** No dialogue please. If the Honourable Attorney-  
General wants to take the Floor, he can do so.

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**HON VENAANI:** (*Interjections*) Yes, but the whole Council can make  
that decision and not do that, but not the Vice-Chancellor alone.

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**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:** Yes, Honourable Deputy Minister, can you provide a  
clarification on that point please?

---

**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING  
AND INNOVATION:** Yes, thank you very much. You see, whatever  
removal – I think we have talked to that in Clause 7, how somebody could  
be removed by the nominating body or something. They could do that,

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but if the Vice-Chancellor has a problem with, let us say, the President of the Representative Body, he cannot do it alone, he has to consult with the Council. But, if it has to appear that, in consultation with the Council, it will help the opposition, then we can also induce that.

However, it is assumed that the Vice-Chancellor would first discuss it with the Council and the Council would then recommend. Even the statute also state that, but if there is any Amendment that could strengthen that position, I would not mind accommodating it.

---

**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:** Can you take the Floor Honourable Venaani.

---

**HON VENAANI:** I think we can withdraw this Amendment and just give it to the Attorney-General just to strikeout *Vice-Chancellor* and put *Council* there. Strikeout *Vice-Chancellor* then we continue.

---

**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:** Does the House agree with that? We move on. Any objection to that Amendment? None. I think we have agreed to the Amendment. I put Clause 23.

---

**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING  
AND INNOVATION:** In Clause 23, substitute the following Sub-Clause for Sub-Clause 4:

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*“(4) The Council may suspend the Students’ Representative as prescribed in the statutes, if deemed fit in the best interests of the University.”*

---

**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** Honourable Deputy Minister, please table your Amendment.

---

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

I put Clause 24. Any discussions? Honourable Deputy Minister.

---

**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION:** In Clause 24, substitute the following Sub-Clause for Sub-Clause (1):

*“(1) The Council may establish such academic units, including faculties, schools and departments or such other units as it determines on the recommendation of the Senate.”*

---

**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** Honourable Deputy Minister, please table the Amendment. Any objection? Agreed to.

I now put Clause 26. Any discussion? Honourable Deputy Minister?

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**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING  
AND INNOVATION:** In Clause 26, substitute the following Sub-Clause  
for Sub-Clause (3):

“(3) The University may by resolution of the Council on recommendation  
of Senate and without examination, confer a degree *honoris causa* upon a  
person whom the Council on recommendation of Senate, considers worthy  
of such a degree.

---

**HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE  
COMMITTEE:** Please table the Amendment, Honourable Deputy  
Minister. Any objection? Agreed to. I shall report the Bill with  
Amendments.

Honourable Deputy Speaker, the Committee has gone through Bill [B.2 –  
2015] as set forth in the accompanying copy and agreed to it with  
Amendments.

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**ASSEMBLY RESUMES**

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Bill reported Amendments

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**HON DEPUTY SPEAKER:** Thank you. Having considered the  
Amendment, the Assembly has now finally passed the Bill and, therefore,  
concluded the Business on this item.

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HON DR NDJOZE-OJO**

I shall now, in terms of Article 75(3), refer this Bill to the President to deal with it under Article 56 and 64 of our Constitution. (*Applause*)

This brings us to the conclusion (*interjection*) sorry to do what?

---

**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION:** I want to say thanks.

---

**HON DEPUTY SPEAKER:** To say thanks? Okay you can do that.

---

**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION:** Thank you, Honourable Deputy Speaker. I prepared a thank you note.

Honourable Deputy Speaker, Honourable Members, allow me to thank you all sincerely for your invaluable input into this Bill. May I also use this opportunity to thank the National Council, the House of Review, that worked tirelessly and reviewed the Bill with Amendments. These Amendments, together with your invaluable inputs have enriched the Bill, and the Minister and I, are in fact delighted at the prospect and look forward to having a new Namibia University of Science and Technology (NUST), that will help us propel new innovative developments in Higher Education and it will help us not only to educate and train, but most importantly, to innovate for the future. I thank you. (*Applause*)

---

**HON DEPUTY SPEAKER:** This brings us to the conclusion of the last

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**ADJOURNMENT  
HON MBUMBA**

day of the First Session of the Sixth Parliament. We are now going into recess up to the 8<sup>th</sup> of September 2015.

Before I give the chance to the appropriate person to adjourn the House, I just want to wish all of you protection and that the Almighty's guidance in ensuring your safe return.

With this, I give the Floor to the Senior Honourable Member, Honourable Nangolo Mbumba, to adjourn the House until the 8<sup>th</sup> of September 2015.

---

**HON MBUMBA:** Thank you very much, Honourable Deputy Speaker. I say *thank you* to all the Honourable Members of this august House for their hard work. Democracy is beautiful because we find ways to correct our mistakes jointly – the final product will always be a product we will be proud of.

Having said that, we are now free to go to our places, do some other work with our hands and hopefully come back on the 8<sup>th</sup> of September, with the blessing of the Almighty. Thank you very much.

---

**HON DEPUTY SPEAKER:** Thank you. The House is adjourned until the 8<sup>th</sup> of September 2015.

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**HOUSE ADJOURNS AT 17:40 UNTIL 2015.09.08 AT 14:30**

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## **QUESTIONS AND ANSWERS**

## QUESTIONS AND ANSWERS

### QUESTION 01:

Honourable Venaani asked the Honourable Minister of Agriculture, Water and Forestry:-

In view of the fact that many Regions are lagging behind in their poverty index and many citizens are suffering from unemployment and under development. One of these Regions is the alarming Ohangwena Region.

1. May the Minister appraise this august Assembly as to the current underground water reservoir capacity in the Ohangwena Region and if utilised, how much irrigation project capacity will be created?
2. In view of this wealth of aquatic resources, how many jobs and food capacity could be created?
3. How many Regions can benefit from this water reservoir and what is the actual cost to access this reservoir?
4. Has the Ministry engaged the Angolan Authorities on the use of these waters and if the answer is in the affirmative, may the Minister share the agreements?
5. May the Minister further share information on other underground water reservoirs that exist in the country that can enhance modernisation of our Agriculture Industry through irrigation projects and in particular the Eiseb Block Water Reservoirs?

---

### ANSWER

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

Thank you, Comrade Speaker for giving me the Floor to respond to this question that was asked long time ago. Of course, we were dealing with the Budget and there was no time to deal with it. My response, therefore, has been ready since April.

## QUESTIONS AND ANSWERS

A Joint Project of the Ministry of Agriculture, Water and Forestry and the Germany Geo-Science Agency (BGR), undertook to investigate the groundwater resources in the Cuvelai Basin. The project is being implemented over three phases since 2009. The first phase stretched from 2009 to 2011 and that phase focused on studies and surveys, as well as planning, as to how the project had to be implemented. Phase two stretched from 2012 to 2013 and it focused on drilling and analysis of the drilling results, while phase three, which started last year has to stretch up to 2017. This phase will focus on consolidation, capacity building and sustainable management, and the utilisation of the aquifer in question.

### **The Progress to Date is as Follows:**

1. Water of a significant amount is detected in an aquifer, which is, according to the studies named Ohangwena II below the normal ground water aquifer, which is Ohangwena I, at a depth of about 350 to 400 m below the surface. There is quite a significant amount of water at that level. (*Interjection*) Yes, even the water that we get from Kombat, the borehole there is 400 m deep.
2. The water quality west of Eenhana is poor due to high levels of fluoride presence in the water.
3. The areas east of Eenhana such as Omundaungilo have better water quality and is already being used at a small scale by NamWater.
4. A test well-field is constructed at Ondobe to supply about 800,000 m<sup>3</sup> of water. The infrastructure at Ondobe includes:
  - Production boreholes;
  - Pipelines to convey water to NamWater Schemes; and
  - A de-fluoridation plant to get the fluoride out of the water.
5. Most of the infrastructure is already in place except the pipelines.
6. Production boreholes at Omundaungilo is up and running and the communities as well as Government Institution in the village are

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already utilising the borehole water at this stage, but, of course, as I said, the last stage is the determining phase in terms of utilisation at a larger scale.

The estimated cost of the infrastructure development is N\$1,000,000,00. This is now at Ondobe.

The infrastructures stated above are meant for domestic water use only – the one that is already in existence at Ondobe - that is, for household use and livestock watering.

With regard to job to be created, the construction works require a limited number of workers expected not to be over Two Hundred (200). However, more jobs will be created, if the irrigation initiative proves to be viable, later in the future.

The beneficiary Region or Regions will be determined by the plans that will be put in place after all studies have been successfully completed.

### **Plan Measures and the Way Forward:**

1. The possibility of using water for irrigation is still to be investigated scientifically considering the water quality and soil condition in the area.
2. Students from the Polytechnic – the Namibian University of Science Technology and UNAM, as well as young Geo-hydrologists from the Department of Water Affairs in the Ministry, are being coached and trained by the German Expatriates to build the necessary capacity, in order to be able to manage the groundwater source in the medium and long term time frame, after the German Expatriates have left in 2017. We are very comfortable, because when I look at some of the activities in the Ministry, particularly in the Directorate of Extension and Engineering Services, most of the Projects that we are implementing are being done by young Engineers who are trained locally here at the University of Namibia and the Polytechnic of Namibia. We, therefore have that confidence.

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3. Consultations with the Angolan Authorities, obviously, are almost completed to pave the way for the joint management of the resource, because in as much as it is discovered here, it might extend to the other side underground, as it is a trans-boundary groundwater aquifer. Comrade Speaker, I thank you.
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**HON SPEAKER:** Thank you very much. Honourable Venaani.

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**HON VENAANI:** Honourable Speaker, I just have a quick, brief question just to elucidate a point.

Honourable Minister, you spoke about the fluoride in the water, would that mean that this water cannot be used for irrigation purposes? If it is not good for human consumption, would it not be good enough for irrigation purposes?

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**HON SPEAKER:** Honourable Minister, would you like to respond to that question?

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**HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:** I made mention of fluoride to indicate that some of the water that was discovered there has a lot of fluoride and it is, obviously, not good enough for human consumption, that is what scientists tell me. I am not a scientist in that area - that is why they are de-fluoridating it, but whether it is suitable for irrigation, I do not want to venture into that, I have not consulted those experts who are knowledgeable in terms of this aspect, so I have to be on the safe side, do you understand? Thank you.

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## QUESTIONS AND ANSWERS

### QUESTION 02:

Honourable Venaani asked the Honourable Minister of Agriculture, Water and Forestry:-

Due to the overuse of our South African neighbours of the Orange River waters stretching from Lesotho and its feeding tributaries.

1. What is the agreement reached between our two Nations' Water Commissions and how long will this situation be allowed to continue?
2. What is the maximum water wage capacity that we are allowed to use - are we currently over or under capacity?

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### ANSWER

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

Thank you, Comrade Speaker once again. Well, I am not so sure about the use of the word in the preamble to the question where Honourable Venaani is talking about *overuse* of water. That is your word, but I am not commenting on that one. The substance of the question is as follows:

The Water Sharing Agreement on the Lower Orange River has been discussed at the Permanent Water Commission (PWC), between Namibia and South Africa for quite a long period of time, actually for about 20 years. Hitherto, no agreement could be finalised as the two parties cannot as yet, agree on the volume of the free allocation and the principle to arrive at a cost of water used by Namibia - capital and/or operation and maintenance. That is the end of the response. The negotiations are still ongoing.

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**HON SPEAKER:** Thank you very much. Do you want to continue?  
Yes.

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

In principle, Namibia wants the Agreement to acknowledge her property rights, that is, our natural and historical rights to the waters of the Orange-Senqu River - the current use of about 50 m<sup>3</sup> at no cost. Additional water needs could be met from existing dams in South Africa, for which Namibia has already contributed to capital cost and, therefore, only operation and maintenance cost be charged on temporary basis, until such time that the dam at Noordoewer is developed to further regulate the Orange River for downstream users and the environment.

As such, the PWC already agreed that the Parties' understanding on the principles of cooperation regarding current and future equitable and reasonable utilisation, joint development and management and the design, construction, operation and maintenance of joint infrastructures in the Lower Orange River, be recorded in the Memorandum of Understanding (MoU). A draft MoU has been finalised and each Party should consider it at Country level – and that is what is happening - to allow for easy negotiations, on equitable and reasonable use of the Orange River's water.

Namibia, currently uses about 50 m<sup>3</sup> of water from the Orange River and South Africa about 2000 m<sup>3</sup>. With the current plans to develop more irrigation schemes on our side, like Tadjieskopje and other Projects that we have on the Namibian side, that figure of 50 m<sup>3</sup> will have increase. We have to increase our share of the water.

A Study on the feasibility of the Noordoewer - Vioolsdrift dam is being carried out jointly by Namibia and South Africa, and it is expected to be completed in early 2017, after which, the dam design and construction can, and should start. Thank you very much.

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

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**HON VENAANI:** Not entirely.

## QUESTIONS AND ANSWERS

**HON SPEAKER:** Thank you. I think we are in the process of increasing our access to water utilisation and I am sure with time that will happen.

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### QUESTION 03:

Honourable Dienda asked the Honourable Minister of Urban and Rural Development regarding the Municipality of Okahandja:-

1. How much money did the Municipality receive from Government for the Build Together Programme during the Financial Year 2011/2012?
  2. Furthermore, what portion of this money has been spent, and how many houses were built? May the Minister kindly provide the House with a detailed Financial and Progress Report pertaining to this project?
  3. Can the Minister explain the amount of N\$3,656,674.00 (Three Million, Six Hundred and Fifty-Six Thousand, Six Hundred and Seventy Four Namibian Dollars), which was allocated as interest from internal loans during the Financial Year 2011/2012?
  4. How many erven were sold during the Financial Year 2011/2012 and to whom and for what amount and for what amount?
- 

### ANSWER

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

Thank you very much, Honourable Deputy Speaker, Madam Loide Kasingo. As the first voice of the Minister of Urban and Rural Development in this Chamber, let me congratulate you Comrade Deputy Speaker, the Speaker in *absentia* and all the Honourable Members. Yes, we are up to task and we are here to deliver.

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I rise to respond to the questions that have been posed to the Ministry and to myself by Honourable Dienda last time.

Without wasting much of the time, I definitely want to go straight to the responses. Honourable Dienda wanted to know how much did the Okahandja Municipality received from the Government for the Built Together Programme during the Financial Years 2011/2012. I would like to respond as follows:

From our records, as the Ministry responsible for the Okahandja Municipality, no funding was provided to the Okahandja Municipality by the Ministry, or the Central Government for that matter for the Built Together Programme during the Financial Year 2011/2012.

The next question; the Honourable Member wanted to find out what portion of this money has been spent and how many houses were built, as well as whether I can kindly provide the House with a detailed financial and progress report pertaining to this project – As I have indicated already, no funds were budgeted for and provided to the during the Financial Year 2011/2012 as per our records. I think the two question are self-explanatory. I do, therefore, not need to give any detailed Financial Report.

There were again questions posed by Honourable Dienda requesting the Minister to please explain the amount of N\$3,656,674.00, which was allocated as interest from the internal loans during the Financial Year 2011/2012 - The information received from the Okahandja Municipality indicates an amount of N\$3,656,674.00 as referred to in the question posed by the Honourable Member. However, an analysis of the document for 2011/2012 Budget that was submitted to the Ministry of Urban and Rural Development by then Ministry of Regional and Local Government, Housing and Rural Development, indicates that Okahandja Municipality only indicates a provision for interest on internal loans in a total amount to N\$1,854,460.00.

According to Section 84 Sub-sections(4) and (5) of the *Local Authorities Act, 1992* (Act 23 of 1992) as amended, it is required that the Minister

## QUESTIONS AND ANSWERS

authorise the Annual Budget of Local Authorities of part 2 Municipalities, Towns and Villages. In this connection the Budget that was submitted by the Okahandja Municipality for 2011/2012 only indicated an estimated amount of N\$1,854,460.00 as interest from internal loans. The difference indicates the variance between the Budget estimate and the actual, which variance indicates that the Municipality did not stick to its Budget as approved.

The Ministry will definitely request for an explanation from Okahandja Municipality in this regard. However, for the benefit of the other Members I would just like to maybe explain that internal loans of the Municipality are those loans that are to be utilised for emergency services, cemeteries, street lights, cleaning services and all these types of things, and this is not money that comes from outside but internal money that is used for those type of services to be provided to the community.

The Honourable Member also wanted to know how many erven were sold during the Financial Year 2011/2012, to whom and for what amounts. Before I address the question that has been asked, I wish to point out that in terms of Section 30(1)(t) of the *Local Authorities Act*, 1992 (Act 23 of 1992) as amended, Local Authorities are obliged to seek and obtain prior approval of the Minister for all sales or leasing of land.

Having said this I now wish to respond directly to the question posed as follows: From the records of the Ministry five (5) industrial erven were sold to First Wall Property for a purchased price of N\$1,624,032.00. On top of those ones, four (4) industrial erven sold again to Popular Bricks Investments for a purchased price of N\$837,650.00 and there were also 4,458 hectares of business erven that were sold to Oban Investment 1288 Pty Ltd during the period under review. For the erven that I have mentioned, I am not going to read erven numbers and their sizes, etcetera but the Honourable Member is invited to view or if the Honourable Member maybe wish to want to get the details, I would be able to afford you with the copy of what I am talking about. Thank you.

I, however, requested Okahandja Municipality to provide me with the information on the issues raised by Honourable Dienda. To my surprise,

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the information provided by the Municipality indicates that the Municipality has sold more erven, both serviced and un-serviced, than the few that I have just referred to.

The Council of Okahandja have to provide me with an explanation on this because I am following up the issue. I send my officials to Okahandja to obtain documents from the Municipality to prove that all the land sale transactions that it has indicated its Report to me have been approved by the Minister as required by Law but so far, no such proof could be found or be provided by the Municipality. I will definitely get to the bottom of this. As a matter of fact, I am informed that my predecessor already commissioned a forensic investigation on Okahandja Municipality and investigation is under way and a Report hereon is awaited. I will definitely pursue this matter.

Before I conclude, I would like to say that this matter of allocating erven the way we want and the way we wish is a story of the past during my administration as a Minister (*applause*)

In conclusion, I should thank you very much Honourable Dienda for the question and I promise that I will get to the bottom of what obviously appears to be a gross irregularity and it will be felt everywhere and not only by Okahandja Municipality. The serviced erven sold during 2011 and those sold in 2012, I have the list and their prices thereof. I am not going to read all of them but the Honourable Member is always welcome to have the copy of what I am talking about. In the nutshell, this is your response but I am not done. Thank you very much for your kind attention.

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**HON DEPUTY SPEAKER:** Any follow up question?

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**HON DIENDA:** Honourable Minister, I am very satisfied thank you.

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## QUESTIONS AND ANSWERS

### QUESTION 04:

Honourable Venaani asked the Honourable Minister of Mines and Energy:-

In view of the fact that we import high volumes of electricity from our neighbouring Republic of South Africa, having notice that there is a current power crisis with their power utility Eskom, and the current periodic load shedding in many of their cities, may the Minister answer the following:

1. What capacity of electricity do we import from South Africa and how are we influenced by their current power crisis?
2. May the Minister further appraise this House on the current general picture of our electricity generation capacity and the economic demand we have to keep up with?
3. A few years ago our power utility NamPower, loaned their Zimbabwe counterparts millions of dollars to help our sister Republic jumpstart one of their power plants. How much of these funds were loaned to them and how much was paid back? If no repayment was made, when do we expect payment from them?

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### ANSWER

**HON DEPUTY MINISTER OF MINES AND ENERGY:** Honourable Speaker, Honourable Members, before I provide the answer to the question; this being the first time that I speak in this august House, allow me first and foremost to thank the Almighty God for according me this opportunity.

Let me also thank His Excellency Dr Hage Geingob, the President of the Republic of Namibia for having trust and confidence in me in appointing me as the Deputy Minister of Mines and Energy in the Republic of

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Namibia. I feel very much privileged and humbled to join the growing number of Members of Parliament for the next five years.

I consider it a privilege because I am given an opportunity to serve my country at the national level and I do not take lightly, the great responsibility and expectation from me to deliver quality services to our people. I believe that the Namibian people deserve nothing less than the best.

Let me then proceed with the responses to the questions. On the **first Question** by Honourable Venaani on what the capacity of electricity is that we import from South Africa and how we are influenced by their current power crisis:

I will respond by saying that Nampower and Eskom have two agreements - the bilateral one and the supplementary agreement. Both of these agreements are functional and they can provide the capacity of 300 megawatts respectively. They will both come to an end in April 2017. In the latter agreement, Eskom has introduced the right to terminate should Nampower exceed the allowable import energy value. This agreement also introduced curtailing the supply capacity to the same percentage level of reduced supply experienced in the Republic of South Africa. In case that happens, Eskom will curtail all export to Nampower. This then means that, if Eskom is reducing supply to South Africa by 10%, then the supply to Namibia should also be reduced by 10%.

In case where Eskom is unable to supply Namibia, Nampower is notified to start up a local generation and procure emergency energy on the market. The energy supply sources for 2013/2014 Financial Year indicate the reliance on Eskom that has decreased as follows:

From 27% to 12% for the total supply mix and from 45% to 21% for the import.

The total energy supply for the country in the past Financial Year reflect as follows:

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We are getting 40% from Ruacana, but from Van Eck, Paratus and Anixas we are not getting anything because they are for contingent planning. Eskom from South Africa is 12%, Zesco from Zambia is 11%, ZESA from Zimbabwe gives us 26% and 12% from Agrekko Mozambique.

The total supply is 101% due to a 1% of energy that was sold into the Region from Namibia. Nampower optimises its supply sources to ease the burden from the Eskom system by dispatching its own sources and buying from the region during the time when Eskom system is constrained.

On **Question 2**, which requires the Minister to appraise the House on the current general picture of our electricity generation capacity and the economic demand we have to keep up with:

Let me first provide background information on this question. The Ministry of Mines and Energy identified the need to develop a National Integrated Resource Plan (NIRP) for the Namibian electricity supply Industry mandating the Electricity Control Board (ECB) to lead and manage the project.

This project officially commenced in July 2011, as a prerequisite to addressing the security of supply and also given the rapid pace of the Power Sector reform and the strong interest shown by the investors to enter Namibia's power generation market. The National Integrated Resource Plan is a 20-year development plan for Namibia's Electricity Supply Industry, spanning from 2012 to 2031. It provides a projection of Namibia's expected future electricity demand and then identifies a mixture of resources required to meet the country's electricity energy needs in an efficient and reliable manner at a lowest reasonable cost.

The demand as per the NIRP is expected to grow from an observed 544 Megawatts recorded in 2014, to close to 900 Megawatts by 2021, and 1,124 Megawatts by 2031. The average annual demand growth for the first ten years, that is now between 2011 and 2021, is expected to grow thereafter.

Namibia is considering demand side management initiatives, including a

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programme for the replacement of domestic efficient incandescent bulbs with the energy efficient type such as the Light Emitting Diode or the LED bulb. Demand management participation, that is, reducing supply load of large power user on agreed terms and then a programme to roll out solar water heaters.

### **Current Generation Facilities:**

1. Ruacana Hydro Power Station - the largest electricity generation facility in Namibia is the Ruacana Hydro Electric Plant that is located in the Kunene River along the border with Angola. The station was commissioned in 1978 and consists of three 80 Megawatts hydro generators and a fourth unit of 92 Megawatts, commissioned in May 2012 for a total installed capacity of 332 Megawatts. The output capability of this plant is highly seasonal and dependent on the Kunene River's water supply.
2. Van Eck Coal Power Plant - the other main generating facility in the country use fossil fuel. The Van Eck Coal-Fired Power Plant was commissioned in 1973 and is located near Windhoek. It has an installed capacity of 120 Megawatts, using 4x 30 Megawatts generators. A refurbishment program plan is underway to extend it life, and to increase the operational capability to 180 Megawatts.
3. Paratus Diesel Power Station, which is located in Walvis Bay and has a total rating of 24 Megawatts. The station has a "Black Start up" Diesel Generator and was commissioned in 1976. It is used mainly as a Stand-by and Peaking Power Station. Paratus runs at very high marginal cost and, therefore, it is only being utilised in emergencies.
4. Anixas Power Station - this power station is located adjacent to the Paratus Diesel Power Station in Walvis Bay. This station benefits from the new and proven technology having high efficiency and reliability and less emissions and noise than the older power stations of its type. There are three Caterpillar V16 cylinder diesel generator sets, each with a net electrical capacity of 7.5 Megawatts, giving a total of

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22.5 megawatts. The power station started operation at the end of July 2011, and was officially inaugurated in November the same year.

5. Imports - Namibia has relied on power import for a significant portion of its national requirement. Currently, Namibia is a net-importer, importing between 50% and 70% of its energy requirement from the Region, that is now the SADC Region, depending on the availability of water at Ruacana Power Station.

Eskom has traditionally been the largest source of such supply. In late 2008, Namibia entered into a five-years agreement with ZESA in Zimbabwe for the supply of 150 Megawatts of baseload and this contract ended in March this year (2015). The current import contract with end-dates are as follows:

- South Africa via Eskom - it will end in March 2017, that is the off-peak of 300 Megawatts and the supplementary of 300 Megawatts;
- Zambia through ZESCO - 50 Megawatts and it is going to end in 2020;
- Zimbabwe through Zimbabwe Power Corporation is going to end March 2025; and
- Mozambique through Agrekko, 115 Megawatts and this is going to end this year - 2015.

Negotiations with regional national utilities Mozambique, South Africa, Zambia and Zimbabwe are currently underway for the replacement of the 115 Megawatts contract that we are losing with Agrekko. Should Nampower experience any supply shortage in the short run, Namibia will have to buy this energy on the Day-Ahead Market called DAM - from the Region at emergency prices, which are normally high. The situation is expected to improve once Kudu Power is commissioned in 2019.

## QUESTIONS AND ANSWERS

6. Future Generation Facilities - throughout the Southern Africa Development Community Region, substantial shortage of energy is being experienced at this stage and this situation will prevail for some years until enough new generation has been built. Although a number of generation plants and planned, most of these plants will only start generating after 2017. The current Agrekko 115 Megawatts contract that will expire in 2015, will leave Namibia with a capacity gap of approximately 115 Megawatts.

Nampower has since secured an 80 Megawatts contract with Zimbabwe Power Company. The effective generation capacity outlook in Namibia contains the following generators excluding import as referred to above.

- Temporary Generation - the system will need a further 70 to 260 Megawatts of generation capacity in the year 2016, prior to the commissioning of the Kudu Plant.
- Renewable Power Stations - 2016 - a Concentrated Solar Power of 50 Megawatts, a Photovoltaic Solar 30 Megawatts, 70 Megawatts Solar PV and other renewables, numerous small installation with capacities of up to 5 Megawatts each.
- Gas Power Stations - 2019 - Kudu Gas is going to give 884 Megawatts whereby 484 is going to be used locally and 400 Megawatts for regional off-take.
- There is a Hydro Power Station that is called Baynes Hydro and it is going to give us 300 Megawatts and that is anticipated to take place in 2022. This is the bilateral agreement between Namibia and Angola.
- Demand Side Management - Namibia is considering the following Demand Side Management - the LED replacement programme of the bulbs, the demand management participation and the solar water heater rollout.

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Then **Question 3:** two years ago, our power utility Nampower, loaned the Zimbabwe counterpart millions of dollars to help our sister to jumpstart one of the power plants. The question was about how much of this plant was loaned and how much was repaid back.

**Response** – The Power Supply Agreement response between ZESA and Nampower started in 2008, and continued to supply the same energy of 150 Megawatts until February this year. This agreement has been reliable and the supply has been met. The amount of loan that was granted by Nampower to ZESA for the purpose of rehabilitating the Hwange Power Station amounted to U\$40 million at an interest rate of 1%. This money was repaid within five years as initially planned and the total amount was repaid in 2014.

The total value of energy supplied to Namibia during the period was costing N\$1.4 billion. The deal was favourable for the country because it was a reliable source of supply that we got from Zimbabwe and it also had low energy tariffs compared to the rest of the Region.

Honourable Speaker, Honourable Members, I hope that I have sufficiently answered the question posed to the Minister of Mines and Energy by Honourable Venaani. I thank you. (*Applause*)

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**HON SPEAKER:** Thank you very much. I know we have a number of questions to deal with. That was Question 4. We have Question 5 before us. Is there a follow up to the responses Honourable Venaani?

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**HON VENAANI:** Honourable Speaker in view of the fact that the Honourable Deputy Minister is a new Member of the House, I shall pose the direct questions to the Minister of Mines and Energy. There are follow-ups but I do not want to engage her at this time. It is her Maiden reply, therefore, I will let her be.

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## QUESTIONS AND ANSWERS

### QUESTION 05:

Honourable Venaani asked the Honourable Minister of Mines and Energy:-

1. What downstream benefits could be accrued from Namibia setting up a refinery in the northern Regions from Angolan oil?
2. Will there be any down price effect that could stimulate the northern Regions' economy? If the answer is in the affirmative, may the Minister appraise this august Chamber?
3. Has there been any conclusive agreement between Namibia and Angola to date on the matter of oil refinery or access of Angolan oil products.
4. Will the Minister agree with the assertion that our Namibian negotiating team has no broader understanding on the business values and strategic approach on how our counterparts conduct business and this negatively influences the process in the negotiations? If this assertion is correct, how does the Minister intend to mitigate the situation and to put the talks on course?
5. May the Minister appraise this august House on the current diesel and petrol prices in our neighbouring Republic Angola and how a refinery may influence our future oil prices in general?

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### ANSWER

**HON DEPUTY MINISTER OF MINES AND ENERGY:** Honourable Speaker, Honourable Members, let me thank you once again for the second chance to respond to the questions as posed by Honourable Venaani.

The **first question** was to find out about the downstream benefit that

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could accrued from Namibia if a refinery for Angolan oil is set up in the Northern Region. For the benefit of other Members of the House who might not properly understand the downstream term - in the Oil and Gas Industry we talk about *upstream* and *downstream*. Downstream refers to the conversion of crude oil into other products and selling them.

Honourable Speaker, the Government of the Republic of Namibia, and by extension the Ministry of Mines and Energy, has no plans of setting up an oil refinery in the Northern Region to refine Angolan oil or any oil for that matter. It is not in our immediate plans at this stage. What we know though is that the Angolan has plans to set up a refinery in Lobito, in Angola, in the foreseeable future. If this happens, we will have to see how Namibia can benefit from such a refinery, but we have to cross that bridge when we get there.

The **second question** was whether there are any down price effects that could stimulate the Northern Region's economy, and if the answer is in the affirmative, the Minister needs to appraise the House. Due to the fact that the first question is not in the affirmative, it nullifies the second question.

Honourable Speaker, Honourable Members, on the **third question** as to whether there have been any conclusive agreements between Namibia and Angola to date on the matter of oil refinery or access to Angolan oil products; the answer is that: The two countries signed a Memorandum of Understanding in June 2013, to cooperate in the field of Petroleum. Currently, we are engaged with the Angolans for them to supply Namibia with crude oil so that we can swap it with refined products on the international market for Namibia's consumption. Discussions are at an advanced stage and I will appraise the House of the outcome at a later stage.

Honourable Speaker, Honourable Members, the **fourth question** deals with the assertion that our Namibian negotiating team has no broader understanding on the business values and strategic approach on how our counterparts conduct business and this negatively influence the process in the negotiation. If the assertion is correct, how does the Minister intends

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to mitigate the situation and put the talks on course. My response to this would be to say that the stated assertion is not correct. There are various sensitivities on the Angolan side that have to be taken into consideration, for example, the Angola crude allocated to Namibia should not compete with the rest of the Angolan crude on the market.

Secondly, Angola crude oil should not be swapped with refined petroleum products from countries that do not have cordial bilateral relation with Angola. The Namibian team has to demonstrate to the Angolan counterpart that they are ready for the transaction to go ahead. That also means entering into a separate agreement with the Angolan National Oil Company and drawing up a robust business plan.

The **last question** dealt with the current diesel and petrol prices in Angola, which currently stands at 0.55 cent US Dollars per litre and 0.76 cents US Dollars per litre for diesel and petrol, respectively.

Angola is Africa's second largest oil producer. It has increased fuel prices by an average of 25% to reduce subsidies and boost Government spending. The International Monetary Fund (IMF), asked Angola to cut fuel subsidies to achieve social benefits by replacing fuel subsidies with targeted cash transfers to compensate the most vulnerable household for any increase in fuel prices. Again, let me use this opportunity to clarify that our current engagement with Angola is not about refinery *per se*, but rather on Namibia getting crude oil allocation from Angola. We are hoping that the crude oil could be obtained on favourable terms from the Angolan Government.

Honourable Speaker, Honourable Members, I hope that I have sufficiently answered the questions posed to the Minister of Mines and Energy by Honourable McHenry Venaani. I thank you.

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

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## QUESTIONS AND ANSWERS

**HON VENAANI:** I thank the Honourable Member and assure her that Venaani never ask questions about things he does not know.

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**HON SPEAKER:** Good. Anyway you are together in this House and from time to time, you can continue having private conversations.

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### QUESTION 06:

Honourable Maamberua asked the Honourable Minister of Basic Education, Sports and Culture:-

I acknowledge with thanks the removal of the Reiter Denkmal which was replaced with Genocide Statue last year.

1. Is the Minister aware that in Windhoek, in front of the Municipal Offices the Statue of Curt von Francois was erected under the dubious distortion of history purporting him to be the founder of Windhoek? Could it be possible that the man who arrived in Windhoek mid-October 1890, could be regarded as the founder of Windhoek while Jonker Afrikaner had settled in Windhoek decades before him?
2. Is the Minister aware that the statue of Von Francois faces Berlin, indicating paying allegiance to the Kaizer and his military decoration called the iron cross is visible on his uniform?
3. Is the Minister and Government not aware that colonial Statues of this nature represent celebrations of atrocities committed during colonial times and the upholding of white supremacy, even after Independence?
4. Could the Minister inform this House as to what Programmes are in place to remove all colonial Statues from open public places?
5. Is the Government not aware that Von Francois being one of the

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Governors of German South West Africa was responsible for, what I regard as the phase 1 of genocide in Namibia, which is:

- He ordered an attack on 13 April 1893 on the Namas under the leadership of Hendrik Witbooi at Hoornkranz, with the following words “..*The object of this mission is to destroy the tribe of the Witboois ..*”
  - The order was to exterminate the people (±1000 people that included women and children).
  - The attack was an ambush in the early hours of the morning.
  - Von Francois’s men also seized eighty women. They were brought to the new German fortress in Windhoek – that is the place called Alte Feste – and distributed among the troops as house slaves. Though it is reported that there is no record of their ultimate fate or how they suffered, Von Francois is said to have argued that their capture and abuse was ‘*an appropriate form of punishment.*’
6. Would the Minister, therefore, agree that the statue of Curt von Francois is an abomination?
7. Is it not time that this Statue and others, representing colonial personalities of brutal and inhumane characters be removed before the end of this year from public places?

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### ANSWER

**HON MINISTER OF EDUCATION, ARTS AND CULTURE:** Thank you very much, Honourable Speaker. Honourable Members of the House, let me firstly, thank Honourable Usutuaije Maamberua for this important question he posed to me on the 16<sup>th</sup> of April 2015.

The matters raised by him are definitely important and, therefore, a cause

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for reflection and introspection, considering that we are marking 25 years of democracy and Independence from the yoke of colonialism. Indeed, the legacy of colonialism in Namibia has been one of many recorded and untold atrocities against our people.

As an ongoing process of our nation building, it is the view of our Government that the legacy of *Apartheid* and colonialism should continue to be addressed, particularly the distortion of significant historical aspects, such as the ones raised by Honourable Usutuaije Maamberua. However, with Independence also comes reconciliation and nation building, which means Namibian of all persuasions, including descendants of settler communities, have become part of our new nation building process. This does not mean that I seek to justify the incorrect reflection of our history, but merely that the heritage of our Nation should be balanced, fair and reflective of where we are coming from, both negative and positive.

In short, Honourable Speaker and Members of this House, I am saying that while history must be corrected where misrepresented and distorted, it is never less important that we acknowledge our heritage.

In respect to the question posed by Honourable Maamberua, I wish to reply as follows:

Honourable Maamberua is definitely correct in his observation that, if history is to be told correctly, it is our known historical fact that Jonker Afrikaner found /Ai /Gams - Hot Springs around 1840. In my understanding, and yours too, that was the foundation of Windhoek. Therefore, Honourable Maamberua it will not do justice to our history to say that Curt Von François founded Windhoek, as he settled in Windhoek some four decades after the Orlam Nama led by Jonker Afrikaner settled in present day Windhoek /Ai /Gams.

Furthermore, I wish to state categorically, that this statue is not a national monument in terms of the relevant Provisions of the *National Heritage Council Act, 2004 (Act 27 of 2004)*.

In my view, the direction the statue face and the decorum it may have

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enjoyed under previous colonial authorities bears no significance in regard to the view of our present day society, at least not for me as a descendant, and I equally believe, not for you as a descendant, neither for any other Namibian.

I am informed that the statue was erected on the 18<sup>th</sup> of October 1965, apparently in celebration of the 75<sup>th</sup> Anniversary of Windhoek. I can only infer from this fact that it was not erected as a direct celebration of colonial atrocities, but perhaps out of a distorted notion of the founding of Windhoek, which we dispute. Therefore, it can in no way be a celebration of German colonial atrocities by the Government of the Republic of Namibia, not now, not in the future.

Honourable Speaker, the role of my Ministry is to preserve and protect all items of historical significance that are proclaimed in terms of the relevant Provisions of the *National Heritage Council Act*. I have indicated earlier that this monument does not form part of our register of items of significant heritage and thus, the statue's value is but a novelty, which tourists and others may frequent as they like.

Since the defacing of statues in South Africa occurred, many Namibians now raise the issue of the removal of colonial statues here at home. It is really time that we get rid of the syndrome that when South Africa sneezes, we catch a cold. As Minister of Education, Arts and Culture, I would urge Namibians to stop copying from the so-called revolutionaries either in South Africa or elsewhere and follow our own thinking and actions. Considering the fact that the statue does not fall under the Provisions of the *National Heritage Council Act* and that it was erected by the then Municipality of Windhoek in 1965 to mark the 75<sup>th</sup> Anniversary of the City, I would advice that the City of Windhoek may consider evaluating the historical economic and novelty value of this statue and weigh that against the painful past that Namibians have suffered under the hands of the people like Von François.

In conclusion, Comrade Speaker, Honourable Maamberua, let me say that I know the history of our country and I am fully aware of the painful past we come from. I am not unsympathetic to the issue you raised, but I think

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we must take cognisance of the fact that we live in a country where Law and Order is supreme and not a country where you wake up one morning and decide to remove statues at will.

You will agree with me that there is a need for a collective, well-thought through and systematic response to colonial artefacts. Let us engage as Lawmakers on the best modalities to deal with issues such as the ones you raised in question. However, I otherwise, agree with you on the sentiments, if I would not be the first one who feels more aggrieved by the atrocities that has been meted out against my blood, my flesh and my bone. Thank you. (*Applause*)

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

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**HON MAAMBERUA:** Thank you very much, Honourable Speaker. In my normal tradition of responding to answers, I would be systematically go from question to question, but in this particular instance, I have to admit that I am so much moved by the honesty and the way the Minister has actually related herself to the question and to the history, and the direction that she has suggested we should take as a country. Therefore, I would not want to be technical in my response or to my reaction, rather than to express my profound appreciation of that very good answer that was provided by the Minister and I thank you very much. (*Applause*)

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**HON SPEAKER:** Thank you. When the House is united, it pleases the Speaker.

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### QUESTION 07:

Honourable Maamberua asked the Minister of Higher Education Training and Innovation:-

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The congratulatory advert by UNAM in the local newspapers of Thursday, 02 April 2015 caught my attention because this publicly funded institution has used these funds to place adverts to congratulate members of the Ruling Party who have made it to the Legislature and to Cabinet. My questions to the Minister need to be contextualised in my relationship with UNAM, because I am not an obscure, non-entity insignificant persona who could easily have been forgotten.

Despite the facts that an UNAM official came to interview Parliamentarians, including me at Parliament to confirm who had worked or studied at UNAM, I a SWANU member was nevertheless excluded from the advert in reference. For this contextualisation I have to mention the following:

1. I was a staff member of UNAM at Namibia Institute of Social and Economic Research (NISER) from 1992 - 1993 March. (*Interjections*) no, I was a Researcher at that time. I had already finished my studies in the United Kingdom where I obtained a Masters Degree in Accounting and Management Science. It is from the University of Nambia 1993, where I was:
  - Recruited to join African Development Bank (ADB), as an Advisor to the Executive Director of Southern Africa
  - I published a book together with Yaron, Gil and Gertie Jansen - *Rural Development in the Okavango Region of Namibia: An Assessment of Needs, Opportunities and Constraints* in 1992 under the auspices of UNAM
  - Helped to secure funding for the Information Resource Centre at UNAM from African Development Bank
2. Rejoined UNAM from 2003 – 2010
  - Was a Senior Lecture and the Head of Department (HOD) of Accounting, Auditing and Taxation for 3 years
  - Was member of the Senate and Council

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- Completed a Master of Law degree (LLM) - Economic Law with UNAM
  - Introduced the Post Graduate Diploma Internal Auditing at UNAM
  - Introduced the Certificate / Diploma in Accounting at UNAM
3. Still part of UNAM in 2008
- Charged with violating UNAM Council's Resolution C/07/387/27 of 27 November 2007. Which says that UNAM staff members shall not hold office in political parties
  - Was never dismissed
  - Was elected to Parliament whilst still a staff member of UNAM in 2009

### Questions:-

1. Is the Ministry in a position to explain why UNAM is pursuing me through exclusion?
2. What is the Ministry's policy regarding this UNAM policy of barring staff members from holding positions in Political Parties?
3. Is there such a policy in the education sector? Are teachers/lecturers in other institutions, for example, the Polytechnic, Colleges, etcetera prohibited from holding positions in Political Parties?
4. Why did UNAM choose to congratulate only SWAPO MPs, yet in their advert they have the following caption and I quote - *"Congratulations UNAM Ambassadors - The University of Namibia heartily congratulates members of the Executive and the Legislative Branches of the Republic of Namibia, with special recognition to our Alumni and former staff members."*
5. It is public knowledge that there are staff members of UNAM holding

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political positions in several other political parties, in my view why has UNAM not charged them with their regulations? Would you agree with me that this is selective morality?

6. Does the Ministry condone this UNAM policy?
7. Would the Minister tolerate that a publicly funded institutions promote one Political Party at the expense of others, using public resources?
8. Honourable Minister, do you not think that this act of UNAM gives a perception that it is being used by members of a certain Political Party as a springboard for the advancement of their political careers?
9. In your view, does a public institution that behaves in this manner deserve public funding?

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## ANSWER

**HON MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION**: Thank you, Deputy Speaker. Again, this is the first time I am rising in this House and, therefore, I would like to congratulate you, Deputy Speaker for your election and indeed also the Speaker for his election, and I also want to congratulate everyone who has been elected to their respective positions. Congratulations.

With regard to the questions posed by the Honourable Member, the first question was: **Explain why UNAM is pursuing me through exclusion.**

To respond; the advert was meant to congratulate those in Cabinet and not the rest of Parliament. The intention is to issue another advert that will take care of all UNAM *alumni* in Parliament. Patience is, therefore, expected from your side.

The next one, questions the Ministry's Policy regarding UNAM Policy of barring staff members from holding political positions in Political Parties.

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The policy does not prohibit the holding of positions in Political Parties but has some limitations, including promoting party politics positions on campus and conducting party politics on campus. I think we need to differentiate between that. The policy does not prohibit members from becoming members of Political Parties. All that is prohibited is actually to engage in political activities on campus.

The third one: **Is there such policies in the Education Sector?** That is the policy of barring staff members; the *Public Service Act* that regulates the affairs of the Public Service clearly stipulates this in Section 30.

It says the following: - *“The staff member can engage in political activities but they are prohibited to do the following in the discharge of their duties to perform any act that influences impartiality - staff members in management are prohibited to preside over political meetings or to be an office-bearer of a Political Party.”*

Section 30(a) stipulates that - *a staff member is elected to the National Assembly or Regional Council will be deemed to have resigned from the Public Service.*

The fourth question: **Why did UNAM choose to only congratulate SWAPO Members of Parliament.** I think that was covered earlier by the fact that, indeed they chose to congratulate Cabinet Members and not so much everyone who is in Parliament.

**Are there staff members of UNAM holding political positions?** Indeed, in my consultation with the Institution, they indicated that they are not aware of such staff members.

**Does the Ministry condone this Policy?** I think we need to realise one thing and this is the fact that UNAM is a juristic body with legal powers to make operational policies and their policy is in line with the *Public Service Act*.

**Does the Ministry tolerate that Public Funded Institutions promote one Political Party?** Again, I think that you are taking this out of context.

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This was one advert and the intention for this advert has already been explained. The Institution has used its allocation to train many Namibians in different tiers of our Public Service. Some in Cabinet, others Parliamentarians but as I said earlier, indeed the advert was meant to congratulate Cabinet Members and perhaps as they said, the one for the Parliamentarians is in the offing.

The last but one question: **Do you not think that this Act of UNAM gives a perception that it is being used by the Members of a certain Political Party as a springboard for the advancement of their political advancement.** This is an unfounded statement and I think that is the best I can say.

**Does the Institution deserve to get public funding?** Yes. Higher Education is such a critical area that we cannot afford to sidestep. Therefore, we all know that it plays a very important part in the social economic development of our country, hence it is critical that UNAM is funded. Thank you.

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**HON DEPUTY SPEAKER:** Thank you, Honourable Minister for the respond. Any follow up questions or comments.

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**HON MAAMBERUA:** Thank you, Honourable Deputy Speaker and I would also like to thank the Minister for answering the question albeit with some necessity to seek further clarification and perhaps to make some corrective comments. Actually, my first follow up question is the advert that was issued read as follows: ***Congratulations UNAM Ambassadors, the University of Namibia heartily congratulate Members of the Executive and the Legislature Branches of the Republic of Namibia with special recognition to our alumni and former staff members.*** It was, therefore, not specifically Cabinet Members.

The Legislators including myself, and the others who are not Members of

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Cabinets were not included. They only congratulated certain people and not others. Be that as it may, if the other advert for the Members of Parliament who are not Cabinet Members is on its way, I trust that this will come and of course is long overdue and I have no doubt in the statement of the Minister.

The follow up question is the one relating to the *Public Service Act* that prohibits Civil Servants to be active or to hold positions in Political Parties and that one is clear. It is only for staff holding management positions. It is only for management categories. My question was, and that is why it is a follow up question; are teachers who are not in management, if it is to be aligned with the *Public Service Act*, are teachers and others also prohibited through an Education Policy or by the Ministry of Education in this case because the *Public Service Act* does not prohibit primary school teachers and all other teachers, and anybody lower than the management category to hold positions in Political Parties and we have examples that we can cite?

My question still is; as far as the Education Policy is concerned, are teachers prohibited or to hold positions in Political Parties or is it only UNAM staff and the management in the Public Service. Those are the follow up questions. Thank you very much.

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**HON DEPUTY SPEAKER:** Honourable Minister, maybe you can just respond to the last question.

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**HON MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION:** Thank you, Honourable Maamberua I think the substantive question that I could gather from the Honourable Member's Statement is the last one that he made and that is a new question and I think it will be unfair for the Honourable Member to expect me to respond to that right here. Maybe I will defer that one to next time.

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### QUESTION 08:

Honourable Dienda asked the Minister of Urban and Rural Development:-

1. How many tenders have been awarded so far in all 14 Regions, to whom were they awarded and what is the monetary value of each?
2. What is the amount of houses that have been awarded per tender?
3. How many houses have already been completed and already been handed over to the owners?
4. How many houses remain outstanding and by when will all these houses be completed?
5. What criteria is used to determine and choose the potential owners from this scheme?

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### ANSWER

**HON DEPUTY MINISTER OF URBAN AND RURAL DEVELOPMENT:** Thank you, Honourable Speaker for granting me the opportunity to answer this question on behalf of my Minister.

The question is coming from Honourable Dienda - **how many tenders have been awarded so far in all fourteen Regions? To whom were they awarded and what is the monetary value of each?**

The total number of companies that have been awarded constructions tenders by the National Housing Enterprise, the implementing agent for the initial Phase 1 of the Mass Housing Development Programme is 22. However, work only started at 21 sites, excluding Omuthiya in the Oshikoto Region.

Regarding the reasons where the Housing Projects are being implemented,

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I wish to clarify that, while the intention was to have at least a Project implemented in each of the fourteen Regions of the country, namely the Regional Capitals, this was found to be not possible mainly due to funding as well as the unavailability of serviced land.

The remaining Regions of Omaheke, Kavango East, Ohangwena and Oshikoto are not covered under the current initial Phase 1 of the Programme and will be prioritised in the next Phase. However, I wish to point out the Housing Construction Project at Rundu in the Kavango East - these Projects were initiated as a Turnkey Projects and the Government appreciates the participation of the Private Sector.

The total monetary value of all the tenders that have been awarded under Phase 1 of the Programme is N\$2,723,900,018,350 (Two Billion Seven Hundred and Twenty-Three Million, Nine Hundred and Eighteen Thousand, Three Hundred and Fifty Namibian Dollars).

### **What is the amount of houses that have been awarded per tender?**

The total number of houses that are planned to be constructed under the entire Phase 1, which is over a two-year period - the Financial Years 2014/2015 and 2015/2016 is 9,304 houses.

### **How many houses have already been completed and already handed over to their owners?**

Here I can mention that a total of 1,468 houses of various categories have been constructed as at June 2015, of which 221 have been handed over to identified beneficiaries in Walvis Bay, Oshakati and Mariental last year, 2014. There is a table that I can show you. In Erongo - Walvis Bay there were 89 houses, Oshana - Oshakati 92 houses, in Hardap - Mariental there are 40 houses and the total is 221.

### **How many houses remain outstanding and by when will these houses be completed?**

The total houses planned to be constructed is 9,306. The total constructed to date is 1,468. The total to be constructed is 7,838. From the total number of houses so far constructed totalling 1,468; 797 of these houses are still in the process of being connected to bulk municipal services systems. You will find these houses in Swakopmund, Keetmanshoop, Karasberg, Mariental, Rehoboth, Oshikuku, Katima

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Mulilo and Khorixas. The main constraints are financial and technical capacity on the part of the Local Authorities.

I can just give you the breakdown of the number of houses completed, but not yet connected to municipal services - in the Regions of Erongo - Swakopmund, the number of houses is 285, with no services at all. //Karas Region - Keetmanshoop 135, with no electrical connections. Still in the //Karas Region – Karasberg 69, with no electrical connections. In the Kunene Region - Khorixas 41, with no electrical connections. Hardap - Mariental 60, with no electricity, water and sewer connections. Hardap - Rehoboth 62 with no electricity, water and water metres. Omusati - Oshikutu 78, awaiting NORED's inspection on electricity connections: Zambezi - Katima Mulilo 67, with no electricity, water and sewer connections. The total number is 797. Services need to be provided before the handover.

The Number of houses that are ready for handing over, although not specifically asked, I wish to add that some 412 houses of the total completed houses of 1,468, are fully connected and ready to be handed over to the beneficiaries. This is the difference left, after subtracting the 221 houses that have already been handed over and the 797 houses that are yet to be fully connected to municipal services, from the total of 1,468.

**What criteria is used to determining and choose the potential owners for this scheme?** The criteria that are to be followed in the selection of beneficiaries and allocating houses for which construction has been funded by the Government's Social houses are as follows:

- Applicants/beneficiaries must be Namibian citizens.
- Applicants/beneficiaries must be at least 21 years of age.
- The applicant/beneficiary must be a first time home owner.
- Applicants/beneficiaries must submit a Police declaration of not owning a house.

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- Applicants/beneficiaries must provide a proof of income - pay slip or sworn statement of income from a Commissioner of Oath or a three month bank statement, including Pension Grants.
- These houses may only be sold after ten years of continued occupation.
- These houses must not be rented out; and
- No shacks to be built on the plots.

The lists of beneficiaries that are funded by the Government for the Social Houses are compiled by the Local Authorities to whom residents who are in need of housing, but are unable to secure such houses through the conventional market system, submit applications.

The Ministry and the respective Local Authorities jointly use those applications to verify the details of the listed candidates. The Ministry has directed Local Authorities to ensure fairness in the selection and allocation process and also argued that all the key stakeholders in the Regions - Governors, Regional Councillors and Local Authorities work together and are involved in this process as a team.

Honourable Speaker, Honourable Members, these are my direct responses to the specific questions posted by Honourable Dienda and I wish to thank the Honourable Member for the questions.

I, however, wish to give a brief update to this august House on the status of the implementation of the Mass Housing Development Programme. The current status of the Programme implementation - I wish to inform this august House that I, on the 27<sup>th</sup> of May 2015, issued a directive to NHE to hold any further construction of houses under the Mass Housing Programme until further notice. The reasons for this intervention are as follows:

I would like to assure this august House that the Mass Housing Project shall continue, but here are issues that must be ironed out to make it easier

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for the end users of the product we intend to provide. Government is determined to provide houses to the needy and also to meet its obligations, but I must repeat myself that the end user must be happy. I thank you Honourable Speaker and Honourable Members.

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**HON SPEAKER:** Thank you very much. Honourable Dienda do you want to have a go?

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**HON DIENDA:** Honourable Speaker, the 400 houses that are ready to be handed over, is there already a waiting list for them or can people still apply for these houses?

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**HON SPEAKER:** Yes, Honourable Deputy Minister. You have the Floor.

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**HON DEPUTY MINISTER OF URBAN AND RURAL DEVELOPMENT:** Honourable Speaker, as I have indicated, the allocation of these houses is jointly administered by the Local Authorities, Governors, Regional Councils and the Ministry, therefore, there will be beneficiaries when these houses will be handed over. Thank you.

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**HON SPEAKER:** It is work in progress. Well, I suppose if there are further announcements to be made, you will be able to do that as part of the response to the question. She would like to know whether there is a standing list of people who have already been identified, if not, is this to be done at a later stage?

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**HON DEPUTY MINISTER OF URBAN AND RURAL DEVELOPMENT:** Yes, Honourable Speaker. The lists of beneficiaries are there with the Local Authorities, as the houses become available – from 1 to 200, for instance, the beneficiaries will then move in.

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**HON SPEAKER:** Okay - So there is a standing list where people will be drawn from? Thank you very much.

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### **QUESTION 09:**

Honourable Jahanika asked the Minister of Urban and Rural Development:-

1. What is the timeframe the Honourable Minister is authorised in accordance with *Local Authority Act* of 1992 as amended to suspend Councillors?
2. Why did the Honourable Minister failed to implement the former President instruction in June 2014, at the State House that the Minister should finalised his investigation within 30 days which will enable him to take appropriate actions against the Councillors, whether to dismiss them if found guilty or re-instate them if they are not guilty and pay them backdated from December 2013?
3. Why was the Honourable Minister not happy with the forensic audited report which was conducted by a professional audit firm PriceWaterhouseCooper?
4. What was it, which the Honourable Minister wanted to see in the report, which was not there when he sends back the report?
5. Honourable Minister, do you not think that delaying the finalisation of the case is denying the Omaruru residents their democratic rights to be

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governed by the Councillors of their choice as it is happening elsewhere in all towns?

6. Honourable Minister, do you not think the suspension of Omaruru Councillors was politically motivated in order to prevent the Opposition Coalition from continuing running the Town Council as they performed better than those who were running the Council before them?

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### ANSWER

**HON MINISTER OF URBAN AND RURAL DEVELOPMENT:** Yes, Honourable Jahanika, thank you very much for the questions, through you Honourable Deputy Speaker. I rise to respond to your questions with regard to:

*What is the timeframe the Honourable Minister is authorised in accordance with Local Authority Act of 1992 as amended to suspend Councillors?* The answers are as follows:

The *Local Authority Act, 1992* (Act 23 of 1992) as amended have not stipulated a specific timeframe in respect of the suspension of Councillors by the Minister. The length of the suspension will really depend on the nature and extend of issues to be investigated. Among others, the severity of identified or suspected transgressions and the availability of the records and the parties who have, and are required to be interviewed and to provide requisite evidence or information.

Having said that, let me provide a bit of a background on the matter, especially for the sake of the other Members of this august House and also to give a brief general update on the matter. The Councillors of Omaruru Municipality were suspended on the 16<sup>th</sup> of December 2013, Government *Gazette* number 336 of 2013 in terms of Section 92(2)(a) and (b) of the *Local Authority Act, 1992* (Act 23 of 1992) as amended. The Councillors are still on suspension to this day. As an interim measure, the Minister,

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my predecessor, appointed a retired former Chief Regional Officer of Erongo Region Mr Linus //Garoeb as the Minister's representative to fill the vacuum left by the suspended Councillors. With the help of the Office of Auditor-General, the Minister enlisted the services of PriceWaterhouseCoopers to carry out a forensic investigation, which investigation kicked off in June 2014.

Due to various challenges, especially difficulties in assessing supporting documentary proof, the audit took longer than anticipated and the Consultants could only present their first initial Report to the Ministry in December 2014. The Ministry reviewed the Report, which was presented by the auditors and provided feedback on the completeness of the investigation and resultant Report.

Among others, the auditors informed the Ministry about some challenges that they encountered such as in assessing the information that were required to carry out their investigation. In order to assist the Minister to make an informed decision on the matter, it is crucial that the forensic investigators have access to all the information that they were required to carry out and complete their assignment. I wish to inform this august House that I have now received the latest Report, which I am studying and should finalise as a matter of urgency. Procedurally, the Report also have to be cleared by the Office of the Auditor-General. Let me now move onto the other questions posed. I think that one is clear.

**Why did the Honourable Minister failed to implement the former President instruction in June 2014, at the State House that the Minister should finalised his investigation within 30 days which will enable him to take appropriate actions against the Councillors, whether to dismiss them if found guilty or re-instate them if they are not guilty and pay them backdated from December 2013?**

As I have pointed out, due to factors beyond the control of the Ministry and the forensic auditors such as the difficulties in accessing the records at Omaruru Municipality and lack of cooperation from some of the parties who were approached to provide information in some cases, the investigation has taken longer than anticipated. I am informed that His

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Excellency the President was duly informed of the challenges. My predecessor, Honourable Namoloh may wish to provide any further clarity and unfortunately he is not around. I proceed.

**Why was the Honourable Minister not happy with the forensic audited report which was conducted by a professional audit firm PriceWaterhouseCooper?**

The purpose of the investigation is not to make the Minister happy but rather to provide information that adequately address the agreed scope and deliverables of the investigation and will enable the Minister to make an informed decision.

**What was it, which the Honourable Minister wanted to see in the report, which was not there when he sends back the report?**

As I have just pointed out, and Honourable Member will most probably agree; an investigation is commissioned and conducted on the basis of a defined scope or Terms of Reference with defined expected outputs. As such, the resultant Report has to be assessed on the basis of, or against such fact parameters. Again, as I have earlier pointed out, the auditors were not able to access all the information that they required to cover all aspects of the scope of their assignment and their Report was thus found to have some gaps, which as I have said were as a result of factors beyond their control. This is the feedback that the Ministry provided to the investigation team and the team agreed to go and address the remaining aspects and come back to the Minister.

**Number five: Honourable Minister, do you not think that delaying the finalisation of the case is denying the Omaruru residents their democratic rights to be governed by the Councillors of their choice as it is happening elsewhere in all towns?**

It is not correct to suggest that there is a deliberate delaying of the process Honourable Member. As I have attempted to explain, there was a need for a comprehensive forensic investigation and that such investigation could not be finalised as anticipated by the Ministry due to factors beyond the

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control of the Ministry and the investigation team.

In response to the reference to the governance Honourable Member, I wish to point out that as a matter of fact the interventions by the Minister was exactly triggered by the fact that the suspended Council of Omaruru was found, or suspected to be conducting itself in a manner that was not in the interest of those residents of Omaruru who elected the Council to serve them. This view is supported by the fact that a good number of residents of Omaruru have lodged complaints and allegations of all sorts against the Council and it is these allegations that are being investigated so that the Minister can make an informed determination of their validity and the corresponding corrective measures. I wish to add that in the meantime, that is while the investigation is underway, the management team under the leadership of Mr Garoeb and with the assistance of the Ministry is administering the affairs of the Council and resolving matters as well as putting in place proper systems and procedures to ensure that this Institution is back to normality. I must point out that the team constantly has to deal with complaints and lethal challenges brought against the Municipality by members of the public, residents and service providers who are aggrieved or negatively affected by the actions and decisions of the Council under the leadership of the suspended Councillors and Chief Executive Officer.

**Question 6: Honourable Minister, do you not think the suspension of Omaruru Councillors was politically motivated in order to prevent the Opposition Coalition from continuing running the Town Council as they performed better than those who were running the Council before them?**

My response to this one is a big **NO**, Honourable Member. As you know amongst the suspended seven Councillors are also three SWAPO Party Councillors who are also suspended. As to whether or not suspended Council, properly ran the Town Council, I would say - let us await the findings of the investigation but for sure the numerous serious allegations complaints and other factors that were considered and necessitated the suspension, and the investigation suggests that all was not well in Omaruru under the suspended Council of both SWAPO and other

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Members together. I wish to add that the suspension of the Council in totality was a last resort after the Minister has exhausted all possible avenues to get the Council on course.

In conclusion, I wish to thank the Honourable Member for the questions and I assure this august House and the public out there that I have committed myself to pick up where my predecessor left and namely, to ensure that the investigation is wrapped up and the decision taken is as soon as possible and I can just not do, if I do not have it all, I must get the facts right. Comrade Deputy Speaker, thank you very much and once more, thank you very much, Honourable Member for your questions.

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**HON DEPUTY SPEAKER:** Any other follow up questions? Honourable Jahanika, you have the Floor.

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**HON JAHANIKA:** Thank you, Deputy Speaker and thank you Honourable Minister. I have two additional supplementary question to the old questions.

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**HON DEPUTY SPEAKER:** Provided they do not need additional responses.

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**HON JAHANIKA:** No. **Can the Minister be specific as to what was not in the Report when it was send back?** That is the first follow up question.

The second follow up question is - **who was actually responsible for the investigation?** because I am having two letters; the first one from the Minister and the second one dated February from the Permanent Secretary stated that the forensic investigation was conducted by the Auditor-

## QUESTIONS AND ANSWERS

General's Office. I have two letters but I can unfortunately not show you now, however, I can give you later on - that states that the Ministry and the Minister was saying that the forensic investigation was conducted by the Auditor-General's Office. They were never referred to PriceWaterhouseCoopers until during the training. I did ask the Auditor-General himself and was only then when I knew that the whole information that I was given by the Minister and the Permanent Secretary was not correct all along. Who is what now?

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**HON DEPUTY SPEAKER:** Yes?

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**HON MINISTER OF URBAN AND RURAL DEVELOPMENT:**  
Thank you very much, Honourable Member for the additional questions. I think the additional questions should also be provided to me as you have done, Honourable Member before, to enable me to do further research on the questions.

Secondly, having listened to what you have just said, it is as if you like transparency but you are saying you do not want to give what you are having. I think for transparency sake, you should provide what you have to enable me to provide transparent answers. Thank you, Honourable Member.

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**HON JAHANIKA:** I would like to correct her.

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**HON DEPUTY SPEAKER:** Let me hear your correction.

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**HON JAHANIKA:** I did not say that I will not give the letter. I said

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that, unfortunately I did not bring the letter with me. I can give it to you later on.

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**HON DEPUTY SPEAKER:** That is why, on that basis, she probably first wants to see the letter and then she will be able to respond.

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### QUESTION 10:

Honourable Venaani asked the Deputy Prime Minister and Minister of International Relations and Cooperation:-

Since the passing of the former Libyan President, Muammar Gaddafi in 2011, the country has been in political turmoil and various factions or groups have been fighting for the control of Libya. Most political commentators refer to this as the “*Second Libyan Civil War.*”

During 2014, two groups that enjoy support from the majority of the populace began to come to the fore and it can now generally be said that the country is led by these two groups, each being in control of specific areas and parts of the country.

In the past, Namibia has expressed support for the erstwhile Gaddafi-led Libyan Government, and the time has now once again come for us to clearly state our position and indicate which of the two factions or groups we officially recognise as the legitimate and Sovereign Government of the State of Libya.

Having noted with concern that former President of Namibia, His Excellency Hifikepunye Pohamba publicly refused to recognise the Transitional National Council and only recognised the Gaddafi Regime, it is imperative that we now publicly state our stance and have an unambiguous and concise foreign policy. Thus I ask-

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1. Do we recognise the Council of Deputies, also sometimes referred to as the “*House of Representatives*” based in Tobruk and led by Abdullah al-Thani, which seems to enjoy the most international support and recognition?
2. Or do we instead recognise the New General National Congress (NGNC) based in Tripoli and led by Nouri Abusahmain?
3. Who occupies the Libyan Embassy in Namibia and does that occupant have legitimacy? Which group does that occupant represent?

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### ANSWER

**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION:** Honourable Speaker, Honourable Members, I respond to the question posed by Honourable Venaani and just to refresh the memories of some Honourable Members that I am seeing asking, the questions is on Page 23 - Question 10. The answer is as follows:

Namibia suspended diplomatic relations with Libya in 2011 with the ouster of Muammar Gaddafi up until such time as the new democratic Government is elected in Libya.

As per Cabinet submission dated the 22<sup>nd</sup> of October 2012, the issue relative to the recognition of the new Libyan Government was discussed in Cabinet consequent to the General National Congress Elections, that is, the Parliamentary Elections that took place on the 7<sup>th</sup> of July 2012. The General National Congress was elected by popular vote and took power from the National Transitional Council (NTC) on the 8<sup>th</sup> of August 2012.

The African Union Observer Mission concluded that elections were free, fair and transparent. In addition, the European Union Election Observer Mission also concluded that the voting process was largely peaceful and smooth, although technical delays and violence erupted in several locations.

## QUESTIONS AND ANSWERS

At the beginning of 2014, Libya was still governed by the General National Congress led by Nouri Abusahmain as its President. With conclusion of the mandate in January 2014, the General National Congress refused to step down and unilaterally extended its power.

On the 14<sup>th</sup> of February 2014, General Khalifa Hafter, a Libyan General and the Principal Commander of the opposing side, which is the House of Representatives or Council of Deputies, ordered the General National Council to dissolve as its integral mandate has become to an end, calling for the formation of a Caretaker Government Committee to oversee new elections. The General National Council ignored its demands, and this is where the conflict escalated.

On the 6<sup>th</sup> of November 2014, the Supreme Constitutional Court in Tripoli declared the Council of Deputies dissolved. The Cabinet Committee on Defence, Security and Foreign Relations, on the 24<sup>th</sup> April 2014, deliberated on the issue relative to the recognition of the new Government of Libya to seek approval on the Government's proposed position that Namibia could take.

The Cabinet Committee on Defence, Security and Foreign Relations, subsequent to the submissions of the above, did not pronounce itself relative to the normalisation of relations with Libya, notwithstanding the latter's readmission into the African Union. Hence, before the following answers.

**Question 1:** The answer is no - seeing that their mandate which was transitional, seized with the holding of the July 2012 elections.

**Question 2:** The answer is yes - seeing that Namibia has always maintained that the formation of a democratic Government in Libya is of paramount importance to the normalisation of the diplomatic relations with that country and this has happened subsequent to the mentioned elections.

**Question 3:** Considering that Namibia and Libya maintained normal relations with the latter's Embassy still operational in Windhoek, a recommendation was made to Cabinet to grant recognition to the Libyan

## QUESTIONS AND ANSWERS

Interim Government in the light of the July 2012 elections, which were subsequently declared free, fair and transparent, both by the Observer Missions of the AU and the EU.

The current occupants of Libyan Missions are duly appointed officials of that Government prior to the escalation of violence in that country. Namibia has not severed diplomatic relations with Libya and neither have Libyan diplomats been expelled. It was just a level of engagement that is forever being scaled down. I thank you.

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### QUESTION 11:

Honourable //Gowases asked the Minister of Labour, Industrial Relations and Employment Creation:-

The plight of our women who walk on foot for kilometres in the rain and sun from different Constituencies of Windhoek, particularly informal settlement and townships to receive services at Khomasdal Main Offices of Social Security Commission irks me. Women are the ones who fall pregnant and give birth and experience 90% of problems relating to sustaining their newborns and families in this regard as well as domestic workers related scenarios.

Can the Minister look into the possibility of establishing sub-offices in the highly densely populated areas of Tobias Hainyeko Constituency, Moses Garoeb Constituency and Samora Machel Constituency in order to make lives easier for our people and women folk, especially in accessing these services?

I sincerely believe that in modern technology and cyber age, offices are linked to computerised databases and the decentralisation of services to sub-offices will be an added value to current service delivery. Bring services closer to the people.

## QUESTIONS AND ANSWERS

### ANSWER

#### ORAL RESPONSE

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**HON DEPUTY MINISTER OF LABOUR, INDUSTRIAL RELATION AND EMPLOYMENT CREATION:** Comrade Deputy Speaker thank you very much. My Minister is not here today but I would like to take the opportunity to join the calls of all those Honourable Members who have congratulated you and the Speaker on your election in your respective positions as Speaker and Deputy Speaker. I would also like to extend the same to the Honourable Members of the National Assembly.

The question by the Honourable Member to the Minister to look into the possibility of establishing sub-offices, in our view is a fair one and it is a question that resonates with the views of the Ministry. We shall surely investigate and provide appropriate responses at the appropriate time. Thank you very much.

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**HON DEPUTY SPEAKER:** Does it mean that the question is deferred?

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**HON DEPUTY MINISTER OF LABOUR, INDUSTRIAL RELATION AND EMPLOYMENT CREATION:** No we will revisit her suggestion.

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**HON DEPUTY SPEAKER:** Any follow up question, Honourable Member?

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**HON //GOWASES:** Honourable Deputy Speaker, I am a little bit confused.

## QUESTIONS AND ANSWERS

**HON DEPUTY SPEAKER:** Yes?

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**HON //GOWASES:** Thank you, Honourable Deputy Speaker. I will wait for a response in writing. Thank you very much.

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### WRITTEN RESPONSE

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**HON MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION:** Thank you, Honourable Speaker. I thank Honourable Clara //Gowases for her questions and interest in the issues of Social Security - regarding the provision services to our women in the rural areas.

The question read like this - The plight of our women who walk on foot for kilometres in the rain and sun from different Constituencies of Windhoek, particularly informal settlement and townships to receive services at Khomasdal Main Offices of Social Security Commission irks me. Women are the ones who fall pregnant and give birth and experience 90% of problems relating to sustaining their newborns and families in this regard as well as domestic workers related scenarios.

Can the Minister look into the possibility of establishing sub-offices in the highly densely populated areas of Tobias Hainyeko Constituency, Moses Garoeb Constituency and Samora Machel Constituency in order to make lives easier for our people and women folk, especially in accessing these services?

I sincerely believe that in modern technology and cyber age, offices are linked to computerised databases and the decentralisation of services to sub-offices will be an added value to current service delivery.

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The answers are as follows: Social Security has adopted a deliberate policy to decentralise its services to the Regions in line with the Government's Policy of decentralisation. However, the decentralisation of services is done with the following considerations in mind:

1. The economic activities within a particular Region and town;
2. The social economic conditions of the residents; and
3. The distance to access the existing nearest Social Security office.

Inspectors are considered before a decision is taken for the permanent opening of a service point for Social Security. In Windhoek, Social Security has two permanent offices in Khomasdal and at the Central Business District. In addition, Social Security intends to have offices in each Regional Capital that will serve as Health Centres of Social Security operations in that Region. However, at present Social Security does not have offices in the Regional Capitals of Erongo - Swakopmund, Kunene - Opuwo, Kavango West - Nkurenkuru and Oshikoto - Omuthiya.

For Social Security to establish one permanent Satellite Office accommodating a maximum of six staff members, it will incur monthly running cost of about N\$350,000.00, translating into an annual total expenditure of about N\$4.2 million.

At present, Social Security has seven offices outside and further five branch offices in different Regions. This high running cost resulted in some of the Social Security offices being cross-subsidised, hence permanent presence requires not only a high density of members, but also economic activity to sustain the establishment of such permanent structures.

In areas like Tobias Hainyeko, Moses Garoëb and Samora Machel Constituency where Social Security does not have permanent structures at the moment, Social Security services in such areas are on a periodical basis throughout the year with targeted inspection and mobile visits.

At this point in time, these areas are being serviced by the mobile vans which are fitted with the necessary equipment to ensure service delivery on the spot. Currently, Social Security has two vans, which are being

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utilised extensively to reach the most remote areas where Social Security does not have offices to provide services to these members.

As part of the Social Security strategy, it intends to reduce travelling distances to its offices to less than 300 kilometres radius. These offices would be empowered to render outreach services to the communities in all the Constituencies covering a range of Social Security services such as public education, registration campaigns, claims administration and compliance enforcements.

Because of the vastness of these Constituencies, the office will only be able to rotate these services based on the need identified in collaboration with these communities and other stakeholders. An impression should thus not be created that each Constituency would be served daily, by the Social Security office, but this shall be effected as and when it is served.

As a matter of fact, Social Security has identified the need to improve national service coverage as one of its strategic priorities.

In relation to Maternity Leave Benefit, which is one of the leading benefit type offered by Social Security, when Social Security was established, this benefit was paid at a rate of 8% of the female employees basic salary with a maximum of N\$2,400.00 per month then. As we are speaking today, the Maternity Leave Benefit is payable at 100% of the employees basic wage with a maximum of N\$10,500.00 per month. Social Security has increased this amount to N\$12,000.00 per month with effect as of the 1<sup>st</sup> of March 2015, and further improvement is anticipated in the next three to five years, when the possibility of removing the ceiling all together will also be investigated.

Finally, Social Security is committed to execute its objectives in line with its vision and mission while adhering to its core values to provide Social Security benefits and associated services in a financially responsible manner so as to ensure the sustainability of the fund. Improving benefits and introducing benefits for sections of the population not yet covered subject to funding, sustainability and ability to administer, are key considerations. Access to services and benefit as well as innovative ways of collecting contributions are required, to ensure that maximum

## QUESTIONS AND ANSWERS

population coverage is achieved.

Alignment with community organisations to access rural areas, cell phone communication and benefit administration, will increase the ability to deliver quality service to the maximum number of people. In line with this global trend to embrace Information and Communication Technology, Social Security is in the process to engage the Virtual Office Solution that will ensure Social Security's presence and improve access to service delivery in most of the areas where they do not have permanent infrastructure at the moment.

Therefore, Honourable //Gowases' concern of lack of permanent structure in this area is noted and would be addressed as part of the long-term decentralisation strategy of Social Security services. I thank you Honourable Members.

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

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**HON //GOWASES:** Thank you, Honourable Minister for your effort in answering my question.

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### **QUESTION 12:**

Honourable Kavekatora asked the Honourable Minister of Urban and Rural Development:-

It is on record that, in November 2014, the Presidential and National Assembly elections were conducted in terms of the *Electoral Act, 2014* (Act 4 of 2014). This Act specifically provides in Part 5 – Conduct of Elections, Subpart 7 – *Voting at Polling Stations*, Clause 97, Sub-Clauses (3) and (4) the following:

*“(3) The use of voting machines referred to in Sub-Section (2) is subject to the simultaneous utilization of a verifiable paper trail for every vote cast*

## QUESTIONS AND ANSWERS

*by a voter, and any vote cast is verified by a count of the paper trail.*

*(4) In the event that the results of the voting machines and the results of the paper trail do not accord, the paper trail results are accepted as the election outcome for the polling station or voting thread concerned.”*

Moreover, in the country of its manufacture, the EVMs, have been ruled unacceptable. Indeed, in the reportable case, in the Supreme Court of India Civil Appellate Jurisdiction (Civil Appeal No 9093 of 2013, Arising out of SLP (Civil) No 13735 of 2012). Dr Subramainian Swamy (Appellant) versus Electoral Commission of India (Respondent) the Supreme Court of India ruled as follows:

*“29) From the materials placed by both sides, we are satisfied that the ‘paper trail’ is an indispensable requirement of free and fair elections. The confidence of the voters in the EVMs can be achieved only with the introduction of the ‘paper trail.’*

*EVMs with VVPAT system ensure the accuracy of the voting system. With an intent to have fullest transparency in the system and to restore the confidence of the voters, it is necessary to set up EVMs with a VVPAT system because a vote is nothing but an act of expression which has immense importance in a democratic system.*

*30) In the light of the above discussion and taking notice of the pragmatic and reasonable approach of the ECI and considering the fact that in general elections all over India, the ECI has to handle one million (ten lakhs) polling booths, we permit the ECI to introduce the same in gradual stages or geographical-wise in the ensuing general elections.”*

My questions, therefore, are:

- 1) What is your view, Honourable Minister, on the use of the EVMs without paper trail in all forthcoming elections (i.e. by-elections, Local and Regional Authority elections, as well as Presidential and National Assembly elections)?
- 2) What is your timeline and projection of when Namibia will comply

## QUESTIONS AND ANSWERS

with the peremptory stipulations of the *Electoral Act*, as cited above?

- 3) In the light of the Supreme Court Ruling of India, in respect of the use of EVMs in India, the country of origin of EVMs, is it not prudent to revert back to the time proven manual system, which provides a baseline prove in the event of electoral challenges?
- 4) Honourable Minister, do you think that the use of EVMs will provide the voters with the best possible options, in the event of the voter wanting to vote, but with the expressed intention to spoil his or her vote?

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### ANSWER

**HON DEPUTY MINISTER OF URBAN AND RURAL DEVELOPMENT:** Once again, thank you, Honourable Speaker. Honourable Members, Honourable Speaker, the question that was raised was:

**What is your view on the use of the EVMs without paper trail in all forthcoming elections?**

The **Answer** provided is: The Electoral Commission of Namibia (ECN) has officially and successfully used the Electronic Voting Machines in its current form in the following elections:

1. Endola Constituency by-election
2. Ohangwena Constituency by-election
3. Bukalo Local Authority election
4. Otjinene Local Authority election
5. Windhoek West Constituency by-election
6. 2014 Presidential and National Assembly elections

The results of all the above mentioned elections were widely accepted by all the contesting Political Parties and candidates as well as the voters and not one single incident or malfunction of these machines was reported during the said elections. Our experience has shown that voters of all ages

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have no problem using the EVM's because of its simplicity and a user friendly interface.

**What is your timeline and projection of when Namibia will comply with the peremptory stipulations of the *Electoral Act*, as cited above?**

First of all, Sub-sections 3 and 4 of Section 97 of the *Electoral Act*, 2014 (Act 4 of 2014), have not come into operation yet, therefore, they cannot be considered peremptory stipulations in terms of the Law. Most importantly, Honourable Members should bear in mind that the process of acquiring the EVM's started already way back in 2006. At that time the idea of a Voter Verified Paper Audit Trail was not even conceived in India. The Namibian EVM's were designed and manufactured in accordance with our own specifications, which did not factor in the use of a Voter Verified Paper Audit Trail.

Let me further state that the Voter Verified Paper Audit Trail is not even being formally used in all parts of India for elections by the Electoral Commission of India. Instead, in line with the Supreme Court of India's decision the Voter Verified Paper Audit Trail is *"introduce the same in gradual stages or geographical-wise in ensuing general elections."*

The ECI is only running some trials on an experimental basis with a view to add this functionality to their EVM's in future. Similarly, the Electoral Commission of Namibia will be required to do some preliminary groundwork before advising on a timeline by which such functionality would be implemented.

**In the light of the Supreme Court ruling of India, in respect of the use of EVMs in India, the country of origin of EVMs, is it not prudent to revert back to the time proven manual system which provides baseline prove in the event of electoral challenges? This is now the 3<sup>rd</sup> question.**

A serious misconception has been created by sceptics of the EVM with regard to its ability to produce a paper trail in the event of a dispute. In fact, the EVM can be commanded to produce a printout clearly showing to which candidate or Political Party each and every vote has been cast.

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Therefore, as stated earlier, we have full confidence in the use of the EVM in its current form, and there is thus no need to revert back to the manual paper based method of casting votes.

This is the 21<sup>st</sup> century and our election management body is required to maintain a dynamic and vibrant electoral process. For your information, a high profile delegation from the Electoral Commission of Lesotho will be visiting Namibia with a specific objective to learn from our experience with the EVM. The Electoral Commission of Botswana has already shown a high interest in this voting technology and staff members of the ECN recently visited Botswana to share information about the EVM.

The 4<sup>th</sup> question - **Do you think that the use of EVMs will provide the voters with the best possible options, in the event of the voter wanting to vote, but with the expressed intention to spoil his or her vote?**

The ECN has been conducting a very comprehensive voter education campaign since the time when manual paper based voting was conducted with a specific objective of minimising of eradicating spoiled ballots. It is thus not in interest of the ECN for a single vote to be spoiled even with the use of the EVM's. During the 2009 Presidential and National Assembly elections, the number of spoiled ballots was equivalent to the votes needed for one seat. Do you want this to happen to your Political Party?

Fortunately, with the EVM's the possibility of spoiled ballots is zero. Thank you.

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**HON SPEAKER:** Thank you very much. Honourable Kavekatora, do you have issues that you want to take up? Yes.

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**HON KAVEKOTORA:** Honourable Speaker, let me start off by thanking the Honourable Minister for attempting to answer my questions - it was a very good attempt. **Question 1** for the Honourable Minister is:

*Is the Honourable Minister aware of the fact that our Electoral Laws for*

## QUESTIONS AND ANSWERS

*good intentions calls specifically for the utilisation of the Electronic Voting Machines, commonly known as EVMs with paper trail? Is the Minister aware of that, that there is a Legal Provision in our Act?*

**Question 2:** *Is the Honourable Minister aware of the fact that the reason why the EVMs with paper trail in India is being introduced incrementally is because of financial consideration and nothing other than financial consideration? I thank you, Honourable Speaker.*

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**HON SPEAKER:** Thank you. That sounds like additional questions and I thought you are seeking clarification, but I will leave it to the Deputy Minister to choose whether to respond or not to do so? Honourable Deputy Minister, would you like to have a go at it?

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**HON DEPUTY MINISTER OF URBAN AND RURAL DEVELOPMENT:** Yes, I think this can stand over until the next round of questions comes. Thank you.

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### QUESTION 13:

Honourable Smit asked the Minister of Higher Education, Training and Innovation:-

In 2012, the Government of the Republic of Namibia through the Ministry of Education made the decision to abolish Colleges of Education, that is, Teachers' Training Institutions as well as the Basic Education Teaching Diploma known as BETD. The Colleges of Education were then absorbed by the University of Namibia and those either already pursuing or planning on undertaking studies towards the teaching qualification were thus compelled to enrol for a Bachelor of Education qualification at the above mentioned tertiary education institutions.

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On May 7, 2014, the New Era Newspaper reported that the Minister of Education Arts and Culture, Honourable Katrina Hanse-Himarwa stated publicly that the phasing out of the Basic Education Teaching Diploma was a mistake; as was the abolishment of the Colleges of Education. The Article cite the University of Namibia's much more stringent admission requirements as a reason why many applicants were not able to secure admission to the Bachelor of Education Programme.

Furthermore, it references the fact that those pursuing a qualification in education now have to compete with all other tertiary students applying for funding from Government; whereas in the past all those enrolled at Teachers' Training Colleges received full Government Scholarships as justification for the Honourables Minister's concession that the Government has made a mistake in this regard. It is puzzling that the Honourable Minister of Education, Arts and Culture would make such a statement, simply because the subject thereof does not fall within the scope of her Ministry. Teachers' Training and Education and Tertiary Education fall under the Ministry of Higher Education, Training and Innovation. I thus I ask:

1. Does the Minister of Higher Education, Training and Innovation agree with the statement made by the Honourable Minister of Education, Arts and Culture and if so;
2. What is the Ministry of Higher Education doing in this regard?
3. If the Minister of Higher Education does not share the sentiments of the Minister of Education, Arts and Culture, will the situation as it relates to teachers' training and education remains as it is?
4. What plans are in place to improve the quality of teachers' education and training, and
5. What is the Government doing to address the critical shortage of teachers in Namibia?

## QUESTIONS AND ANSWERS

### ANSWER

**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION**: Honourable Speaker thank you very much for the opportunity and I just want to indicate to the House that this is the first time I am speaking and I do not intent to link this to my maiden speech.

It is going to wait but at the request of the Minister, I will answer the question. Honourable Speaker, Honourable members firstly, I wish to thank Honourable Smit for the three questions asked. However, before I venture into answering the three questions specifically as that, allow me to give a brief background to help contextualise and establish the rationale for the nature of the four qualities of education with the University of Namibia. The Advisory Council on teachers education and training act started to review teacher education and training in 2006. Act was primary established among other things to advice the Minister of Education on a direction of the teacher education and training at the then four qualities of education at Ongwediva, Rundu, Caprivi, and in Windhoek. These advisory bodies act undertook the teacher education reform program, which recommended that the four qualities be matched with the University of Namibia faculty of education.

A number of studies were conducted and highlighted challenges in education system and findings reveal then that the general education system was not effectively preparing learners to contribute meaningfully to Vision 2030. For instance it was found that learners at both upper primary and junior Secondary levels had poor numerously and literacy skills. More over the basic education teachers diplomat BETD was found to be lacking sufficient content and with no well articulated progression path for those who needed to study further.

Furthermore, for many years the college struggled to establish an identity for themselves in tertiary Institution within the structure of the Ministry of Education in terms of management, funding, support and quality assurance. These problems and others pointed squarely at the inadequacy in the teacher education training in the country. Honourable Speaker, Honourable members an improved and quality education system was identified as the fundamental vehicle for equipping citizens with requisite

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knowledge, competences and skills to support the knowledge economy, reduced unemployment and to ensure long-term sustainable development in the country.

The advisory council on teachers education and training acted under the able chairpersonship of the late Doctor Mwese Venaani Tjitendero the founding Speaker of this August House. May his soul continue to rest in peace and rise in glory make credible recommendations, which were implemented on April 1<sup>st</sup> 2011. The four qualities of education were matched with UNAM's faculty of education. Subsequently, the BETD was gradually phased out and replaced by the bachelors of education BA Degree. The benefits of the matcher are evident to all.

Quality assurance mechanisms are in place, improved qualification of teachers educators with Bachelors Degree, Masters and PHD are bound, research output has increased, efficient use of resources are applied, proper governance structures with clear support structures are in place, improved infrastructures such as library resources, laboratory and ICT centres have been built or upgraded, high standard of assessment have been put in place, lower primary phase improved in the teaching of literacy and numeracy, teacher education specialisation in pre and lower primary now focus on effective teaching and literacy numeracy, proper articulation mechanisms which are clearly marked out from one level to the other are in place to ensure continuity for further studies.

I would also like to state that the matcher was aimed at quality rather than quantity. Nonetheless, the matcher in itself did not cause or bring out the shortage of teachers in the country but to enhance quality. It is true that there was shortage of teachers even before the matcher and there are still. Having said that, the Ministry of Higher Education Training and Innovation concurs with other stakeholders that the critical shortage of teachers need urgent attention and interventions. There is clearly room for improvement in this respect and we as the Ministry responsible for education and training are having our hands on making sure that this critical muscle of educators is put in place of adequate qualitative and quantitative education provision throughout our beloved country Namibia.

Now to answer the specific questions as asked, I would like to answer as

## QUESTIONS AND ANSWERS

follows. Question one, does the Minister of Higher Education Training and Innovation agree with the statement made by the Minister of Education Arts and Culture and if so, what is the Ministry doing in this regard. The answer is as follows. Looking at the quality of teacher education and training in our country today, it is matter of pride and we speak with pride and confidence. When I say the matcher has transformed and say teacher education on the right path it is in the interest of Namibia and all the citizens to unconditionally enhance quality and teacher education and training as we explore and venture into accelerating approaches to address the quantity question.

In 2014 the first batch of over 120 students graduated with BA Degrees from the University of Namibia well grounded in their respective subjects of expertise and methods suited for lower and primary school levels. The matcher was effected four years ago and it would be allowed to consolidate to reach its full momentum and intended impact. Question two, if the Ministry of Higher Education Training and Innovation does not share the same sentiments, will the situation remain as it is as it relates to teacher education and training. Teacher education and training is key in unlocking, sharpening and harnessing the citizenry knowledge, competences and skills for development.

Uniformity and standardisation are key to these unlocking processes. All academic programs at UNAM including the teacher education and training programs are subjected to curriculum reviews after three to four years and benchmark on best practice regionally and internationally. All academic programs must be registered on the Namibia Qualification framework at the right level of the NQF under Namibia Qualification Authority, which is the NQA. However, one major challenge facing Namibia currently is unqualified and under qualified teachers within our school system.

These categories of teachers are receiving attention from both Ministries of Education. The Ministry of Education, Arts and Culture has already send a word to the regions to identify teachers who fall in this category so that their upgrading can take place. A joint Committee of both our Ministries is in place to work out modalities of running a teacher upgrading program without disrupting the teaching schedules of the affected teachers. The two Ministries of Education are thus hard at work

## QUESTIONS AND ANSWERS

to put in place a program to reduce the number of unqualified and under qualified teachers in the school system.

In the University of Namibia and National Institute of Education Development NIED are fully involved to work out the detail modalities of how best to tackle this problem. Question number three, what plans are in place to improve the quality of education and training and what is Government doing to address the critical shortage of teachers. To a certain extend answers to questions 1 and 2 above address this third question. Nonetheless, may I buttress the fact that the Ministry of Higher Education Training and Innovation is aware of its mandate to educate, to train to quality and to innovate.

The Ministry of Higher Education Training and Innovation is seized with this matter and we are currently looking at an earlier submission by UNAM faculty of education to then Ministry of Education to find a common ground on how best to make forward arrangements on this critical issue so that this critical issue is at the centre of our core business and Ministry and we are aware of it and we take responsibility for it.

Honourable Speaker, Honourable members and specifically Honourable Smit may I assure you that as soon a common understanding is reached and resources found, we will respond to the problem of teachers shortage head on. The idea is to institute these as early as next year, which is 2016. Thank you for your kind attention. Thank you, Honourable Speaker.

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### QUESTION 14:

Honourable Smit asked the Minister of Labour, Industrial Relations and Employment Creation:-

The local media have recently reported that the SWAPO Party's 2014 Elections Manifesto identified certain Economic Sectors to be strictly reserved for Namibians only. These are taxi driving, hair dressing and related beauty salon jobs; as well as a number of jobs and roles in the Retail, Catering and Textile Sectors. This comes from a Cabinet decision

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to implement the SWAPO Party's 2014 Election Manifesto as the Government's bible; meaning that, all Ministries, Departments and Agencies were instructed to implement the above into their strategic plans.

When asked whether this decision extended to the reservation of certain Economic Sectors strictly for Namibians, the Deputy Minister of Information and Communication Technology, Honourable Stanley Simataa is reported to have confirmed this. According to the media, Honourable Simataa also stated that the different Government Ministries, Agencies and Departments would need to determine how they are to carry out the above Cabinet Directive.

While it is commendable that Cabinet is attempting to do something about unemployment, it must also be noted that this particular initiative is somewhat short-sighted. A number of jobs identified to be reserved for Namibians, specifically taxi driving and to some extent hair dressing and its related jobs, as well as roles in the Retail and Catering Sectors, either form part of the informal economy of our Sectors in which casualisation takes place. This means that the jobs to be reserved for Namibians are informal, vulnerable, low waged and are likely to offer very little social benefits. These kinds of jobs do not provide a sufficient platform for socio-economic advancement.

It has also come to light that the Ministry of Labour is empowered, through the appropriate Legislation to exclude non-Namibians from engaging in any Economic Sector or activity where Namibians are adequately able to operate. This means that the reservation of certain

Economic Sectors and roles within the Sectors strictly for Namibians, can be done through the appropriate Minister's discretion.

More importantly, the Minister is able to make such a determination based on the labour market trends and other related information. I thus ask; since this low wage, vulnerable and informal jobs for Namibians will result in job creation that is unlikely to translate into secure, stable and long-term employment:

1. What is the Ministry doing to formalise the Informal Sector and to

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extend social perfection to those employed in the Informal Economy?

2. Considering that Namibians have in the past complained of foreigners employed to do work that Namibians can do at construction sites, especially those run by Chinese Construction Companies; most recently the downing of tools by the Namibian workers at the Chinese owned Husab Mine. Why has the Ministry of Labour, Industrial Relations and Employment Creation not moved to ensure that public infrastructure projects create work solely for Namibians where that work can adequately be performed by Namibians?
3. Why has the Ministry of Labour, Industrial Relations and Employment Creation stood idly when Construction Firms employ foreigners at the expense of Namibians?
4. Why are jobs in the Construction Sector not identified amongst those to be strictly reserved for Namibians?

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### ANSWER

**HON MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION:** Thank you, Honourable Speaker, and I also want to thank Honourable Smit for the questions. The first question reads as follows:

**What is the Ministry of Labour, Industrial Relations and Employment Creation doing to formalise the Informal Sector and to extend social protection to those employed in the informal economy?**

**Answer:** The Government in general, and the Ministry of Labour, Industrial Relations and Employment Creation in particular, is very much aware of the fact that almost 60% of the Namibian labour force works in the informal economy. Namibia's second National Labour Policy states that: "*the informal sector faces a host of challenges, including lack of recognition, lack of inclusion in decision-making, lack of skills and capital to move beyond survivalism, low wages, lack of access to finance, lack of*

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*social protection, poor health and safety, etcetera. However, the informal economy presents opportunities for employment creation and thus will be systematically supported.*” Our Ministry, therefore, has committed itself to support the process of transition to formality, including the extension of social security to the informal economy.

To this end, in reporting to the President at the end of May this year, I committed our Ministry to carry out the following strategic intention: *“To develop a strategy, in conjunction with other institutions of Government, the Private Sector and civil society, to facilitate the transition of the informal economy to a formal economy and the extension of labour and social protection to Informal Sector workers and to implement the strategy.”* The transition is a complex and cross-cutting challenge that will require all of the afore-mentioned institutions, including those representing the informal sector, to work together.

Our work on the extension of Social Security to the informal economy began quite some time ago. The proposals being developed to establish the Social Security National Pension Fund will include the informal economy. In addition, research is about to be conducted jointly by our Ministry, the Social Security Commission, the National Statistics Agency and the Ministry of Trade and Industry to determine, among other things how to best provide other Social Security Benefits, such as Maternity, Sickness and Death Benefits to the informal economy.

I would also like to inform the Honourable Member that the vulnerability of informal economy workers and the realisation of the potential of the informal economy is not only a challenge to the Namibian Government, but it is an international challenge. The ILO adopted in June of this year a new International Labour Standard-Recommendation 204 on the Transition from the Informal Economy to the Formal Economy - which will give critical guidance to our work in this complex area.

**Why has the Minister not moved to ensure that public infrastructure projects create work solely for Namibians, where that work can be adequately performed by Namibians?**

**Answer:** This august House enacted legislation to ensure that, in filling

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positions of employment, preferential consideration should be given to Namibian citizens first, provided that such Namibian citizens meet the requirements of the job, that is, they are suitably qualified. The *Affirmative Action (Employment) Act, 29 of 1998*, provides for employers to give preferential treatment to Namibians before they consider employing expatriates. However, I must point out, Mr Speaker, that work permits for expatriates to work in Namibia, are granted by the Ministry of Home Affairs and Immigration and I trust that the Immigration Selection Board only issues work permits to Non- Namibians when suitably qualified Namibians are not available. If employers adhere to the relevant Laws that govern the hiring of expatriates and these Laws are effectively enforced, I believe that infrastructure projects could take many Namibians off the street as employment opportunities that are created by these projects should only be reserved for Namibian citizens.

### **Why has the Ministry stood by idly while Chinese Construction Firms have employed foreigners at the expense for Namibians?**

**Answer:** Honourable Smit has chosen to single out Chinese Construction firms as the only culprits in this regard. I am not convinced that it is only Chinese construction firms that employ foreigners. I am aware of fishing companies, commercial banks, mining houses and other private companies, which employ expatriates, sometimes, without having advertised the vacancies to test the local market for suitably qualified Namibian candidates. As I indicated in my earlier response, the mandate to grant work permits does not fall within the ambit of my jurisdiction, but the Ministry of Labour, Industrial Relations and Employment Creation does what it can to enforce the Laws that fall within its mandate.

### **Why are jobs in the Construction Sector not identified among those to be strictly reserved for Namibians?**

**Answer:** I have already alluded to the fact that the Law requires employers to give Namibians preferential consideration when filling positions of employment. This Provision of the Law applies to all Sectors of employment, including the Construction Sector. The challenge is not the absence of the policy directive or legislation, the challenge could rather be that of enforcement.

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I trust that I have satisfactorily responded to Honourable Smit's questions. I thank you.

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**HON SPEAKER:** Thank you. Honourable Smit, any particular aspect you want to query?

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**HON SMIT:** Thank you, Honourable Speaker. I would like to thank the Honourable Minister for his answer, especially on question 1, I think the answer that the Minister provided is very promising, we will monitor the situation and I would that hope that things will happen as the Minister has anticipated.

On questions 2, 3, and 4 - I accept the Minister's responses to that. I also accept that some parts of the question are not actually in this area of responsibility, so I will come with another question to the Minister of Home Affairs and Immigration. Thank you, Honourable Speaker.

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### **QUESTION 15:**

Honourable Venaani asked the Right Honourable Prime Minister:-

As a footnote, we find ourselves in a situation where large sectors of our society are increasingly frustrated by what is widely perceived to be greed of certain elite and/or well-off individuals, when it comes to the acquisition of, and access to land and other properties. My questions relate to a certain Government property situated at Erf 3, Dolfyn Street, Swakopmund.

Right Honourable Prime Minister, I acknowledge that the said question should be directed to the Ministry of Works and Transport, however, I pose this question to the Right Honourable Prime Minister because the issues that are raised are issues of governance and relate to the potential misuse of power and misappropriation of Government property. The question is as follows:

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It is a fact that the former Honourable Speaker of this House has previously acquired ownership over Government residential property, a certain No. 5 Burg Street, Klein Windhoek, through a Government's alienation scheme. It is against this background that I ask the following questions:

1. Has the former Right Honourable Speaker, Dr Theo-Ben Gurirab acquired the property situated at Erf No. 3, Dolfyn Street Swakopmund? Alternatively, is he in the process of doing so?
2. What is the market value of the said Swakopmund property?
3. If the first question is in affirmative, what is the purchase price agreed upon between the Government and the said Honourable Member for the Swakopmund property?
4. What is the Government Policy on Government Leaders and Senior Government Officials acquiring more than one property under the alienation scheme, given the fact that prices under that scheme are below market value?
5. What comprises the retirement benefit packages for a retiring Prime Minister, Deputy Prime Minister, a retiring Speaker of the National Assembly and a retiring National Council Chairperson, respectively? Further, what procedure was followed in determining the composition of such packages?

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## ANSWER

**RT HON PRIME MINISTER:** Thank you, Honourable Speaker. Honourable Members, Honourable Venaani asked four questions concerning Government Policy on acquisition of Government fixed property by public officials and made specific reference to one Erf No. 3 in Dolphin Street in Swakopmund.

He also asked about the retirement benefits of the Prime Minister, the Deputy Prime Minister and the Speaker of the National Assembly,

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respectively. Taking note of the fact that Government's fixed properties are administered by the Ministry of Works and Transport, a fact that Honourable Venaani acknowledged in the introduction to his questions, I advise that the Honourable Member directs his questions concerning Government fixed properties to the relevant Minister.

On the question as to what the post-retirement benefits are for the Prime Minister, Deputy Prime Minister and Speaker of the National Assembly, I would like to answer as follows:

The *Members of Parliament and Other Public Office-Bearers Fund Act, 1999* (Act 20 of 1999) provides that all Public Office-Bearers and others designated by the President, may subscribe to a Pension Fund from which post-retirement benefits, that is, pension benefits as determined in the Act and the Rules there under, are paid out to them.

Further to that, in 2008 the President, on the recommendation of the Public Office-Bearers' Remuneration and Benefit Commission, approved special additional retirement benefit for the positions of the Prime Minister, the Deputy Prime Minister, the Speaker of the National Assembly, the Chairperson of the National Council and the Chief Justice. These benefits include a transport benefit, domestic worker's benefit, benefits for provision of state security and also benefit for the provision of secretarial services to these office holders.

The provision of these benefits includes a Sunset Clause, which limit their provision to a five-year period post retirement. I believe that the document is a public document because this is a Report that was made to the President and the President approved in terms of the relevant Act of Parliament. Thank you.

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**HON SPEAKER:** Thank you very much. Honourable Venaani, do you want to follow up?

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**HON VENAANI:** Yes, please. Honourable Speaker, I want to thank the Right Honourable Prime Minister for being evasive, in my view. That is

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my view and I am here to express my views.

Right Honourable Prime Minister, you are the Leader of Government Business. As head of Government Business in this House, any question that is of national interest can be posed to you, any question, and if you look at Parliamentary (*interjection*) Yes. There is no question, if it is posed to the Right Honourable Prime Minister, especially if it is posed from my end here - it would mean that there is no question that you can refer to a Minister and say that a Member must repose that question. It is the responsibility of the Prime Minister to engage our society as the Head of Government Business. However, the reason why I asked this question - and perhaps I need to clarify (*interjection*) No, I have not overburden her.

This is one of the Prime Ministers who is never asked questions asked, however, the reason why I asked this question Honourable Speaker, is not about the individuals who are involved, but it is for us as a State to craft our policies in such a way that they do not need to raise questions. For example, we need to have a Law in this House that determines retirement benefits. You know these things are happening in other countries, but to have a retirement benefit that is just subscribed in a Government public paper that says a Prime Minister is only entitled to benefit for five years.

As a society in our country, we need to debate that and make sure that we have legislation in place to protect our own people and to protect our own statehood. I will not put another question Right Honourable Prime Minister, make time as the Leader of Government Business to reflect on those questions. Thank you very much.

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**HON SPEAKER:** Thank you, I think the Prime Minister does not have to have a second bite. I think she responded. You took up the issue and basically restated. Can I then, with your permission, move on to the next question? Prime Minister, do you want to come back?

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**HON PRIME MINISTER:** Thank you, Honourable Speaker. I would

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like to respond to the last comment of Honourable Venaani.

Firstly, with regard to the requirements for the Prime Minister as Leader of Government Business in the House to answer to all questions that are put to Government, I believe that it is not the intention of the Rules - that Members of the House can opt to insist that specific questions dealing with issues that are administered by Ministers who are present in this House and can answer questions, should be answered by the Prime Minister because questions are intended to seek information. That is all. And if that information can be provided, which the Ministers can do, there should be no reason why a Member should be concerned that that information is provided by the Line Minister and not by the Prime Minister, unless if these questions are not really intended to seek information. (*Interjection*) They were intended to achieve something else, that is the impression that is being created here.

I maintain that, as Leader of Government Business in the House, I am ready to provide leadership to the Members of Government who are Members of this House, but I do not intend to substitute for Cabinet Ministers in terms of responding to questions that are posed to them because in terms of the Constitution, the Ministers have the responsibility to account for how they administer the work of the offices to which they are deployed - themselves in this House, outside, as well as to the President. That is on that first point.

On the second point where the Honourable Member advocates that the post-retirement benefit of the aforesaid Office-Bearers ought to be prescribed in an Act of Parliament, I do not necessarily agree with him. We have an Act of Parliament that prescribes the benefits of the President and the former President, but we have another Act that says - the benefits of other Public Office-Bearers would be determined by the President on the recommendation of the Commission.

We can, therefore, not use up the powers of the Commission that is established in terms of an Act that we passed, to try and determine our own benefits through an Act that we passed in this House. I think it is a contradiction. There is no intention that these benefits, for now at least, would be prescribed in a separate Law. It is the intention of Government

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to leave these benefits to be determined by the President on the recommendation of the Commission and I do not really think that there is anything wrong with that. Thank you.

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**HON SPEAKER:** Thank you very much. I just felt there was a Convention governing the issue of division of labour, but if the Honourable Member insisted on calling on the Right Honourable Prime Minister to respond, she is also entitled to say - *please direct the question to the relevant Minister* and I think that is what happened. The issue is clear, it is stated, so we move on. Merci beaucoup.

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### QUESTION 16:

Honourable Dienda asked the Honourable Minister of Presidential Affairs:-

It is common knowledge that the Council of Churches Of Namibia (CCN) and the Churches in Namibia were seen as the ecumenical arm of SWAPO during the Liberation Struggle and many of the CCN staff ended up as Members of Parliament while others became CEO's and high ranking officials at Parastatals.

Honourable Speaker, Church Leaders at that time played a very important role during the Liberation Struggle. They gave food, shelter and some of them were even jailed because of their involvement.

In view of this, can the Honourable Minister please inform this august House why the majority of them are not being recognised as veterans or being given veteran status?

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### ANSWER

**HON MINISTER OF PRESIDENTIAL AFFAIRS:** Comrade Speaker,

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Honourable Members, I want to read the question that was raised to us, if I can still find it. I do not know, perhaps the Honourable wanted to ask the Prime Minister (*laughter*) because what is in the paper here says - *in view of this, can the Right Honourable Prime Minister inform this august House why the majority of them are not being recognised as veterans or being given veterans status?* But the paper that was circulated had Minister of Presidential Affairs written on it with a pen. However, I have taken the responsibility to respond accordingly, if I may, Comrade Speaker?

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**HON SPEAKER:** Yes.

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**HON MINISTER OF PRESIDENTIAL AFFAIRS:** Honourable Speaker, Honourable Members, I rise to respond to a question that was posed by Honourable Dienda. For the record, I wish to restate the question posed by Honourable Dienda as provided to me in writing. The question was framed as follows: I quote - *“It is common knowledge that the Council of Churches (CCN) and the Churches in Namibia were seen as the Ecumenical arm of SWAPO and many of the staff of CCN ended up as Members of Parliament, while others have become CEOs and high ranking officials of Parastatals. Church Leaders at the time, played a very important role during the Liberation Struggle. They gave food, shelter and some of them were even jailed because of their involvement. In view of this, can [ I am now going to put my title there] the Honourable Minister of Presidential Affairs please inform this august House why the majority of them are not being recognised as veterans or being given veteran status.”*

Honourable Speaker, the Honourable Members will recall, that when His Excellency Dr. Hage Geingob reorganised the Executive Branch after taking office, he place the veterans affairs issues within the Presidency.

Honourable Speaker, it is an incontrovertible historical fact that our National Liberation Struggle was waged by Namibians from all walks of life and sections of the population, at home and abroad. The struggle was waged on multiple fronts: military, diplomatic and political. Namibian

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clergy, teachers, doctors, nurses, students, young people, subsistence farmers, workers and communities made selfless contributions to this cause. Thousands suffered torture, detention, imprisonment and many others sacrificed their precious lives.

It is also no secret that the Government of the independent Namibia has consistently recognised and applauded the invaluable contributions and selfless sacrifices made by Namibians in all parts of the country to break the chains of *Apartheid* colonialism.

These contributions by Namibians, including those made by members of the clergy and their congregations, will never be forgotten. I wish to state that these noble contributions should not be necessarily categorised. Our people participated in the struggle as patriots. It does not matter whether they acted as individuals or belonged to a particular group or institution.

I wish to thank Honourable Dienda for raising this important national issue. The recognition of veterans and the awarding of veterans' status are regulated by two pieces of legislation. These are: the *Veterans Act, 2008* (Act 2 of 2008) and the *Veterans Amendment Act, 2013* (Act 3 of 2013). Honourable Members,

Section 28(1) of the *Veterans Act* provides that a person who wishes to be registered as a veteran or dependent of a living or deceased veteran of the Liberation Struggle of Namibia, must apply to the Veterans Board for registration, in the prescribed form and manner.

Furthermore, Section 5(2) of the *Veterans Amendment Act*, defines a veteran as:

“(2) ... a person who –

(a) was a member of the liberation forces, provided the person was above 18 years of age on 21 March 1990;

(b) consistently and persistently participated or engaged in any political, diplomatic or underground activity in furtherance of the Liberation Struggle up to the date of independence; or

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*(c) owing to his or her participation in the Liberation Struggle was convicted, whether in Namibia or elsewhere, of any offence closely connected to the struggle and sentenced to imprisonment, provided the person continued with the Liberation Struggle activities after being released.”*

It is, therefore, important to point out that the relevant laws do not make provision for categories of persons to be granted veterans status. That is not part of the Law.

What the Law states is that registration for veteran status is open to any person, and I repeat, *any person who consistently and persistently participated during the Liberation Struggle*. The Law only makes provision for individual persons to register. It does not provide for institutional or group registration. Thus, it is not possible to all Church Leaders, as suggested by Honourable Dienda, or any other group of persons, to be granted veteran status as a group. Those who qualify, have to register as individual persons according to the guidelines laid down in the Laws, which were passed by our Parliament.

In terms of Section 28 of the *Veterans Act, 2008* a written response is given to each applicant for veterans' status, stating whether the application has been approved or declined. Where an application is declined, the applicant is informed of the process of appeal against the decision of the Veterans Board. Such applicants may appeal to the Appeal Board.

I wish to inform the House that the process of applying for registration of veteran status commenced in 2008. To ensure full coverage and access, the process has been conducted at Constituency level in all Regions of the country. The process is continuing. It was never declared as concluded. This is a deliberate decision of Government to ensure that all Namibians who qualify get a chance to register.

Comrade Speaker, to date, Twenty Nine Thousand, Three Hundred and Three (29,303) persons have been granted veterans' status. These persons represent a cross section of our society, including former PLAN Combatants; teachers; communal farmers; students; the youth; workers; doctors; nurses and yes, Church Leaders, to mention a few. As I speak, a

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further Eighteen Thousand (18,000) applications have been vetted by the National Vetting Committee, and will be considered by the Veterans Board as provided in the Act.

Lastly, I would like to request those persons who participated consistently and persistently in the national Liberation Struggle and have not yet applied, to do so. I would also like to commend those veterans who have applied, for their patience, while their applications are being considered.

Honourable Speaker, Honourable Members, during the process of registration and vetting quite a large number of fake Freedom Fighters have been detected (*laughter*) and as such their applications rejected forthwith. It is very clear that some people want to be part of this historical chapter not for the purpose it was created for, but for material gain. Why does someone want to be what he or she is not?

Once again, I wish to express my appreciation to Honourable Dienda for raising this important matter, which is so dear to the hearts of all our people. Our Government is fully committed to assisting and attending to the welfare of all veterans of our national liberation struggle. They stood firm, in the face of danger so that Namibia can be free. Comrade Speaker, Honourable Members, thank you for your attention.

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**HON SPEAKER:** Thank you. The Honourable Member is not here. Honourable Muharukua, do you want to insist. Thank you. Do you at least want to say thank you to the Honourable Member?

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**HON MUHARUKUA:** Honourable Speaker, I was once told that I was not here and born, so I suppose, I will not even attempt to go there. (*Laughter*)

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### QUESTION 17:

Honourable Mbai asked the Honourable Minister of Urban and Rural Development:-

The intention with the implementation of decentralisation was among many other things, to improve service delivery. It was hoped that the regional structures will become render services and make decisions that have a bearing on the people at the local level to speed up service delivery.

Progress in the implementation of Decentralisation Programmes in all Regions has been painfully slow.

1. Where are we currently as a country?
2. What is the Honourable Minister envisaging to do this time around in order for all phases of decentralisation to be implemented without any further delay?

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### ANSWER

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

Thank you very much, Honourable Speaker for the chance. I also thank the Honourable House, and particularly Honourable Asser Mbai.

Honourable Members, I would like to thank Honourable Asser Mbai for the questions on the progress made in the implementation of the Decentralisation Policy of 1998 and the *Decentralisation Enabling Act, 2000* (Act 33 of 2000), as well as the measures that are being deployed to accelerate the process. I thank the Honourable Member for his interest in the decentralisation process and it is also my belief Honourable Member, that the basic functions that impact on the lives of our citizenry should be considered for decentralisation or delegation as a matter of urgency.

As the Honourable Members of this august House are aware, sub-national Government structures, namely the Regional and Local Authorities

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Councils have been created in accordance with Article 102 of the Constitution of the Republic of Namibia. This constitutional Provision was re-enforced through the enactment of the *Regional Council's Act*, 1992 (Act 22 of 1992) and the *Local Authorities Act*, 1992 (Act 23 of 1992) as amended, which show the establishment of Regional and Local Authority Councils and related executive and administrative structures.

While there is a shared recognition of the important role of sub-national governance as transmitting belts of service delivery by the Central Government to the grassroots, it is important to recognised that, and I underline that, that Namibia is a Unitary State, and the system of Government as it is the case here - we are talking about the Unitary State. The nature of decentralisation should then be understood in that context.

Honourable Member, in the future, if this is not very clear, you could also engage so that we can at least explain further what the meaning thereof is.

Let me now respond to the specific questions. Honourable Member, you posed two questions to me. Where are we as a country in respect to decentralisation? In response, I wish to report the progress under the following headings. To answer the questions of the Honourable Member, I would like to give a brief reflection of the progress made as follows:

**The Level of Readiness of Decentralising Line Ministries** - Ministries that are at the advanced stage of decentralisation or delegation and other Ministries with functions that are earmarked for decentralisation. We now start with decentralising Ministries that are ready. The following Line Ministries have decentralised functions by way of delegation:

1. Ministry of Education, Arts and Culture - the identified Education Functions, primary and secondary education; adult education and library services where gazetted in May 2009 and delegated to the 13 Regional Council with effect from the 1<sup>st</sup> of April 2009. In line with the Cabinet Decision No. 3 of the 17<sup>th</sup> of February/09/007 and the *Decentralisation Enabling Act*, 2000 (Act 33 of 2000).

The delegated functions were handed over to the 13 Regional Councils in 2009 and 2010. Special accounts were opened for decentralised

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functions by each Regional Council into which the Ministry transfers funds to enable the performance of the delegated functions on a quarterly basis.

2. Ministry of Works and Transport have also done so - the identified Maintenance Function was gazetted in May 2009 and delegated to the 13 Regional Councils with effect from August 2009 and in line with the Cabinet Decision No. 3 of the 17<sup>th</sup> February 2009/007 and the *Decentralisation Enabling Act, 2000* (Act 33 of 2000).

The delegated functions were handed over to the 13 Regional Council in 2009 and special accounts were opened for decentralised functions by each Regional Council into which the Ministry transfers for the delegated function on a quarterly basis.

3. Ministry of Agriculture, Water and Forestry - the delegation of Rural Water Supply by the Ministry to the 12 Regional Councils, with the exception of the Khomas Regional Council, was approved by Cabinet with effect from the 1<sup>st</sup> of August 2007 and gazetted on the 17<sup>th</sup> of September 2007.

However, to date the function has not been actually handed over to the 12 Regional Councils. Maybe you will have a question - what I have heard is that the function was delegated as gazetted, but then it was recalled. If you have some questions, we will discuss them later. The implementation of the delegation process of the Rural Water Supply Function to the 12 Regions, excluding Khomas, was temporarily put on hold by the said Line Ministry after discussions on the operational mechanism at various levels. The Ministry has, however, reaffirmed its commitment to the implementation of the Decentralisation Policy.

### **The Other Ministries that are at an Advanced Stage of Delegation or Decentralisation:**

4. Ministry of Information and Communication Technology - the functions of Print Media and Audio Visual Production has been identified for decentralisation and the delegation to the Regions was approved by Cabinet in 2014 and was also subsequently gazetted in

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February 2015. The Ministry is currently busy conducting information sharing sessions with its regional staff members in preparation for handing off the said function to the Regional Councils. Thank you.

5. Ministry of Gender Equality and Child Welfare - the Functions of Community Development, Early Childhood Development, Child Welfare and Gender Equality have been identified for delegation. The Ministry undertook most of the preparatory activities and it has since obtained approval of its regional structures, and will proceed with a Cabinet submission once they have dealt with the remaining administrative modalities.
6. Ministry of Land Reform - the following Functions of the Management and Administration of Resettlement Areas, Management and Control of Communal Land, Land Acquisition and Land Use Planning and Provisions of Valuation Services and Advice and Cadastral Survey and Mapping have been identified for decentralisation.

The submission to Cabinet for delegation of the identified functions have been prepared as required in terms of the *Decentralisation Enabling Act, 2000* (Act 33 of 2000). However, further consultations are being undertaken before Cabinet approval is obtained.

I would further like to give the following information to you, Honourable Member and the Honourable House.

**Other Ministries with Functions Earmarked for Decentralisation** - these Ministries have not decentralised any function to the Regional Council or Local Authority Council, but have only deconcentrated structures in the Region and report directly to the Ministries Headquarters which are centrally located here in Windhoek.

Some of them are just embarking upon preparations to decentralise, but are far from delegating any function. These are:

- Ministry of Sports, Youths and National Services;
- Ministry of Agriculture, Water and Forestry;

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- Ministry of Health and Social Services;
- Ministry of Industrialisation, Trade and SME Development;
- Ministry of Fisheries and Marine Resources;
- Ministry of Labour, Industrial Relations and Employment Creation;
- Ministry of Poverty Eradication and Social Welfare - just created;
- Ministry of Mines and Energy;
- Ministry of Environment and Tourism.

Mind you, Defence and Safety and Security shall never be decentralised. They belong to their Centre.

**Question 2:** Honourable Members, **what is the Honourable Minister envisaging to do this time around in order for all phases of decentralisation to be implemented without any further delay?**

The Government, through Cabinet and the Ministry of Urban and Rural Development will continue to guide and facilitate the process in phases of the decentralisation in the country. The Government through the Ministry of Urban and Rural Development is pursuing the following measures that have been sanctioned by Cabinet:

- (a) The revival of the task force of Permanent Secretaries on decentralisation whose responsibility is to set and monitor targets on decentralisation, harmonise activities of, and between the various stakeholders and conduct regular consultations with the Regional Council.
- (b) Actively spearhead decentralisation by identifying by way of period or biannual reviews and to identify constraints in the process; and
- (c) To collaboration with the office of the Right Honourable Prime Minister to provide biannual updates on the progress of decentralisation to Cabinet.

I wish to take this opportunity thank the former Prime Minister, now His Excellency the President, Dr Hage Geingob and the current Prime Minister, Right Honourable Sara Kuugongelwa-Amadhila for their keen interest and steering role on decentralisation matters. They call on my

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office almost on daily basis to determine the level of progress and ascertain what I can do to at least to cater for the basic needs and provide the basic functions to all.

With this, Honourable Member, I think I have answered your questions. Thank you very much, Honourable Speaker for the chance. (*Applause*)

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**HON SPEAKER:** Thank you very much. Honourable Mbai, would you like to raise one or two points or to thank the Minister?

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**HON MBAI:** Honourable Speaker, thank you very much. I would like to thank and appreciate the response from the Honourable Minister. I believe and have full confidence that in her able leadership, the Ministry will attend to the outstanding issues pertaining to the implementation of decentralisation. I thank you very much. Thank you.

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### QUESTION 18:

Honourable Maamberua asked the Minister of Urban and Rural Development:-

Honourable Minister, many concerns have been expressed in the media and elsewhere regarding the manner in which the Municipal Councils allocate land, more especially the Windhoek Municipality. Amongst concerns expressed about the inappropriate manner in land allocation include the following:

1. Concerns about Councillors at all levels, that is, Mayors, Deputy Mayors etc allocating themselves land directly or indirectly.
2. Concerns of big portions of land being allocated to politically well-connected individuals and their companies.

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3. Concerns about the size of land allocated to individual companies, sometimes up to 50 hectares to one company - that is about 50 football pitches – to just one company.
4. Concerns that at this rate and size of land allocation, Windhoek could soon run out of land available for residential, industrial and Institutional development.
5. Concerns about administrative staff also allocating land without Council's approval.
6. Concerns about technical and legal advice not being considered by politicians and Councillors and, therefore, decisions taken against such advice.
7. The Honourable Minister has also been quoted by a weekly paper about her dissatisfaction about land allocation to the elite by the Oshakati Town Council.
8. Concerns have also been expressed about Councillors allocating land to family members and friends.

Implications of the above cited concerns include the following:

- (a) Windhoek could run out of building spaces in a few years.
- (b) Allocating so much land to individual companies is tantamount to deprivation of opportunities to other residents of Windhoek.
- (c) Since habitat is a Human Right, depriving others of land or habitat space is a violation of Human Rights.
- (d) Should this trend continue unabated, the gap between the rich and the poor could widen with dire consequences on inequality and poverty.

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Therefore:-

- (i) To assure the citizens about these broad concerns, would you as the Honourable Minister responsible for urban and rural development, recommend to His Excellency President Geingob to set up a Commission of Inquiry regarding these matters of skewed land allocation in the Municipalities with special emphasis on Windhoek? Or
- (ii) Alternatively, could you as Honourable Minister institute a broad investigation into these matters?
- (iii) Could you order the Municipality of Windhoek to immediately hold on the allocation of big land as the investigations might be on-going? Or
- (iv) Would you order that contracts relating to all inappropriately allocated land be annulled?

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**ANSWER**

### REMARKS BY HON MAAMBERUA

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**HON MAAMBERUA:** Thank you Honourable Deputy Speaker, I would like to put the question, but I would like to remind the House that as you recall last time, I brought to the attention of this House that my question was mutilated.

The question appearing on the paper is not the exact question that I have posed, because I have raised several concerns regarding the inappropriate manner and concerns of the public with regard to land allocation to the elite at the Municipality, and those different concerns that I put in my question have been taken out. I would expect that the Minister, in her answer, will answer my question taking that into account.

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## QUESTIONS AND ANSWERS

**HON DEPUTY SPEAKER:** Honourable Minister, you have the Floor.

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### MINISTER'S RESPONSE TO QUESTION 18

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**HON MINISTER OF URBAN AND RURAL DEVELOPMENT:**  
Thank you very much, Deputy Speaker for the opportunity and the Honourable Member who posed the questions, as well as the Honourable Members in the House.

The Honourable Member is saying that it looks as if his questions are not stipulated as asked – if I have understood you correctly.

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**HON DEPUTY SPEAKER:** He said the questions were diluted. Just try to respond.

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**HON MAAMBERUA:** Not by you, by them.

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**HON DEPUTY SPEAKER:** By the Table Office, not by him.

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**HON MINISTER OF URBAN AND RURAL DEVELOPMENT:** Oh, they were diluted by the Table Office?

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**HON DEPUTY SPEAKER:** Yes. What should we do now? Should she proceed to answer them as they are? You can respond in the way you prepared your response.

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## QUESTIONS AND ANSWERS

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

Thank you very much, Honourable Deputy Speaker. The matter being as stated by Honourable Maamberua, I have, of course, received the questions as provided by the Secretariat and that is how I tried to respond to them. However, should the Honourable Member feel that my response is not satisfactory, you are welcome to pose follow up questions next time, but not today. Thank you.

Honourable Maamberua, you have requested me to give you some responses on many concerns expressed regarding the manner in which Municipal Councils allocate land, especially in Windhoek.

In general, I wish to correct that the position and the consequent deliberate actions that the Government and the SWAPO Party are pursuing in respect of the land issue is not necessarily as a result of individual or isolated concerns expressed in the media, but we are informed by our policy stance and commitment that dates back to the time of our bitter struggle for our Independence. Having said that, let me now respond to the specific questions.

### **Question:**

**To re-assure the citizens about these concerns would you, as Minister responsible for Urban and Rural Development, recommend to His Excellency President Geingob to set up a Commission of Inquiry regarding these matters of skewed land allocation in the municipalities with special emphasis on Windhoek?**

### **Answer:**

A commission of inquiry is an option, but for now I will continue to use and first exhaust all the powers vested in me to deal with matters related to applications for, and allocation of land by Local Authorities, not excluding the City of Windhoek. Honourable Member, I just want to tell you that when I say I am going to deal with all the applications, I mean my words. It should go out there that all the Municipalities, Town Council, Villages Council and Settlements should – they go the other way, those applications will not enjoy my signature. I will still repeat my words and I

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will die repeating those words. Since I understand exactly what you are saying about outcry for land out there, this is a caution – any Honourable Member responsible to process applications with regard to land and is not going in accordance to the directives that I have given as entrusted with the Ministry of Urban and Rural Development, those applications will not enjoy my signature.

### **Question:**

**Alternatively, would you Minister, institute a broad investigation into these matters?**

### **Answer:**

I have partly already responded to this question. A number of forensic investigations have already been commissioned into suspected or reported irregularities or mismanagement at some Local Authorities. To be specific, in terms of Omaruru, Cabinet has already pronounced itself and the Minister of Information and Communication Technology has already been given the go ahead by Cabinet to pronounce the outcome of the decision by Cabinet. If it is not done yet, it is on the way, it is with the Minister of Information and Communication Technology.

A team was dispatched to Okahandja and Keetmanshoop. The initial team consists of my officials and when it becomes desirable, we will initiate a proper investigation by a forensic team.

### **Question:**

**Could you order the Municipality of Windhoek to immediately hold on the allocation of big land as the investigations are ongoing?**

### **Answer:**

As a Lawmaker, my action will be guided by the outcome of the investigation and it will be in accordance with the Law. As such, I wish to seek legal advice from the Attorney-General on the outcome of the investigation and recommended actions.

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I just want to emphasise something here: As I am at the helm of this Ministry I expect that we all change our actions and behaviours because I do not want to be a dead person in the eyes of others. I can only be good if other's actions are good. I think the message is very clear.

### **Question:**

**Would you order that contracts relating to all inappropriately allocated land be annulled?**

### **Answer:**

My earlier response applies here as well, I, therefore, do not need to repeat myself.

With that, Honourable Maamberua, I hope that I have satisfactorily responded to your questions. If my response is not clear enough, you may pose other questions, but not today. Thank you very much, Honourable Deputy Speaker, Honourable Members.

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**HON DEPUTY SPEAKER:** Any comment, Honourable Maamberua?

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**HON MAAMBERUA:** Thank you, Honourable Deputy Speaker. I should also thank the Minister for answering the questions the way it has been reframed by the Table Office, but I have very serious doubt as to whether the Minister was actually answering the questions in the context of the concerns that I have indicated because it does not seem to be the case.

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**HON DEPUTY SPEAKER:** She did answer in terms of the way the questions were put to her.

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**HON MAAMBERUA:** Exactly, Yes. In order to clear the air, may I, therefore, just briefly state what those concerns were.

The first one was that there are concerns that Councillors at all levels from the Mayor to the Deputy Mayor at the Windhoek Municipality allocate themselves land directly or indirectly, through companies registered in their names and relatives and so on.

Another concern was that there are big portions of land being allocated to politically well connected individuals and their companies at the Windhoek Municipality. And another concern was about the size of land allocated to individual companies, which are just too big, for example, 50 hectares and more. Fifty hectares means 50 football pitches allocated to only one company.

Concerns that at this rate and size of land allocation, that Windhoek could soon run out of land available for residential, industrial and institutional development. Also concerns about administrative staff allocating land without Council approval; concerns about technical and legal advice not being considered by Politicians, Councillors and, therefore, decisions taken against such advice. These are the concerns that should actually have informed the questions to be answered in that context.

My last small clarification, did the Minister actually say that you have instituted an investigation regarding these concerns, specifically with regard to the Windhoek Municipality or not, or were you referring to Okahandja and other Municipalities? What about Windhoek Municipality?

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**HON DEPUTY SPEAKER:** Before you sit down, are the concerns in your follow up questions, as you have just read them now, in the original format as the ones you had on the day when you put your questions?

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**HON MAAMBERUA:** This is the original paper, yes, indeed. The

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Honourable Minister can just clarify that. I did not understand her properly.

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

Honourable Member, I told you that you and I are both lawmakers and I said, as the lawmaker, maybe I should read to you what I wrote; as a lawmaker, I cannot just come here and tell you things that I was not advised on legally. I understand accurately what you are saying, some of those allegations that you have just mentioned are on my table, but I was not yet legally advised.

Therefore, I cannot give you accurate answers in the manner you expect them. I cannot. I first have to wait for the Attorney-General to advise me on the best way to go about this. However, it seems that you have extra information that I do not have, could you perhaps, please provide me with the extra companies, names, etcetera. I do not have some of this information, since you have seemingly done your research, I need you to assist me please. Thank you.

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**HON DEPUTY SPEAKER:** Yes.

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**HON MAAMBERUA:** Thank you. I wish to thank the Minister for her honest and straightforward reply, and attitude, of course. Indeed, these are the media information that we all have access to; the names of the companies and individuals, and how they got these land allocated to them as well as the sizes have been reported in the media and that is my source.

I do not have access to the Council minutes at the Municipality, I am sure the Minister will be in a better position to access that information, but the media reports are here, I have made copies and it is on that basis that I formulated my questions.

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**HON DEPUTY SPEAKER:** And that is why she said you can provide her with the additional information so that she can beef up her consultation with the Attorney-General.

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### QUESTION 19:

Honourable Muharukua asked the Minister of Agriculture, Water and Forestry Honourable John Mutorwa:-

The Veterinary Cordon Fence (VF) west of Etosha is favourable for forest. As a result, cattle from the north of the VCF will inevitably graze south of the VCF, especially during times like this where the area north of the VCF has been exposed to four consecutive years of drought. We have lately seen the killing of not less than 15 cattle of farmers from Kaoko Land belonging to at least three different farms all of whom were not consulted prior to the killing and not compensated for their loss.

Thus, I ask the following the question:

1. Were the cattle that were killed tested for FMD? If so, did they test positive?
2. Is the Government going to continue with the practice of killing cattle that go through the VCF from the north to the south, even if they are found not to have Foot and Mouth Disease?
3. Is the Government committed to pursuing the practice of killing people's cattle without informing them of its intention to kill or the reason therefore? The Government's continuous delay to erect a buffer zone between Namibia and Angola exposes farmers north of the VCF to FMD infected cattle that may originate from Angola. In light thereof, does the Government have any intention to compensate farmers whose livestock is killed because it has tested positive to FMD?
4. Lastly, do the elephants that carry grass and sand back and forth across

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the VCF pose a risk of transferral FMD? If so, is the risk of one elephant crossing the VCF not greater than that posed by one cow? If there is indeed such risk, what does the Government intend to do to minimise the risk posed?

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### ANSWER

**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:** Honourable Speaker, Honourable Members of this August House, I rise to respond to the questions raised by Honourable Muharukua.

Following the outbreak of Foot and Mouth Disease (FMD) in Ohangwena on the 11th May 2015, the whole of the Northern Communal Areas, that we refer to as NCA, was declared a Control Area in terms of Section 19 of the *Animal Health Act*, 2011 (Act 1 of 2011). This gave veterinary officials powers to enforce stricter measures in order to curb further spread of this dreadful disease, including restrictions on the movement of animals, animal products and other potentially infectious materials.

These measures were announced publicly through various media and people were requested to cooperate accordingly because the country stands to lose billions of Dollars if the Beef Industry collapses due to the FMD. It is therefore important that veterinary officials and all other stakeholders do everything within the law in order to safeguard this important Industry. It is, therefore, of paramount importance that all Namibians are aware of the high stakes involved in the control of this disease.

It is against this background that I wish to respond to the specific questions by Honourable Muharukua as follows:

1. The 15 cattle that were killed tested for FMD and we are awaiting confirmatory results from the World Animal Health Organisation (OIE) reference laboratories. It should be noted that the animals also carry a risk for lung sickness since the areas south of the Veterinary Cordon Fence (VCF) are free of this disease whilst cattle north of the

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fence are not free and as a result get vaccinated, annually against lung sickness. Unfortunately, there is no definitive test for lung sickness in the live animal because the organs that are lung and lymph nodes, are required to culture the organism. The animals are, therefore, killed to harvest the organs for confirmatory testing.

2. High elephants activities as well as cases of vandalism in the mentioned area west of Etosha makes maintenance of the Veterinary Cordon Fence (VCF) extremely challenging. However, this does not absolve the livestock owners from their responsibilities of making sure that their livestock do not, illegally or stray, cross the VCF in contravention of movement restrictions imposed under Section 19 of the Animal Health Act, more so when the whole NCA is under threat from FMD.
3. Section 16 of the *Animal Health Act* empowers veterinary officials to destroy, without compensation [Section 30 (2) (a)], any animal which is suspected of having been in contact with an infected animal and has been found in contravention of the said Act. Simply put, animals found crossing the VCF fall under this category, regardless of whether or not they test positive for FMD or Lung sickness; and yes, veterinary officials will continue to destroy any animal that will be found to have crossed the VCF illegally as per Section 16 of the Act. The Law is the Law and it should be followed by all. In the case of lung sickness there are no reliable laboratory tests in Namibia or abroad, that can be used to determine the disease status of an animal. Therefore, livestock owners should take responsibility for their animals if we are to curb the spread of FMD to the rest of the NCA and the FMD Free Zone.
4. A fence was erected on the Namibia-Angola Border immediately after Independence, and the purpose thereof was to prevent the situation we find ourselves in as far as FMD is concerned. However, that fence was vandalised and destroyed in no time because the people continue grazing their cattle in Angola. It was, therefore, not negligence on the part of Government, but pure resistance to the presence of a fence by the people at that time. This FMD outbreak in the NCA is a sure reminder of the importance of safeguarding our borders and therefore

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protecting our cattle against FMD and other trans-boundary animal diseases.

5. Elephants, unlike cattle or other cloven- hoofed animals are not susceptible to FMD. They are therefore, in themselves, not a direct risk with regard to FMD transmission. However, elephants do pose an indirect risk, as alluded to earlier, through their damage to the VCF. In this regard, more teams have been deployed on the ground in order to repair the areas of the VCF which are under constant threat from elephants.

With this, I thank you Honourable Speaker and Honourable Members.

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**HON SPEAKER:** Thank you very much. Honourable Muharukua you would like to, yes, please.

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**HON MUHARUKUA:** Thank you, Honourable Speaker. I do have follow up questions to the Honourable Deputy Minister. The Honourable Minister referred to the fact that the owner of livestock is not relieved of the responsibility to ensure that his animals do not cross the fence. The question that I would like to pose is this - does that onus relieve the Government of its responsibility to maintain the fence, to ensure that innocent owners' animals do not cross the fence?

Secondly, the Honourable Minister has indicated that the lucrative or the livestock market South of the Redline has to be protected has to be protected. My question, therefore, is the following - is it not equally the Government's responsibility to guard the livelihood of the people that are farming north of the Redline, given the fact that these rural communities are largely sustaining themselves from subsistence farming? Honourable Minister, the next question is the following.

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**HON SPEAKER:** No, no, I think it is a supplementary question. Let the Deputy Minister respond because she was basically seeking clarifications

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and I think you have succeeded in doing that. Now I am requesting the Honourable Deputy Minister to respond. Honourable Deputy Minister.

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

Thank you, Honourable Speaker and thank you Honourable Muharukua. You want to know whether it is not the responsibility of the Government to maintain the Veterinary Cordon Fence or to keep it intact so that animals do not stray from the north to the south?

Yes, I think I have alluded to that in my response. We are busy basis rectifying the Veterinary Cordon Fence on a daily and that is not only the Ministry of Agriculture alone, but even the Minister of Environment and Tourism is involved.

You probably have some more information that the Ministry would be privy to know - if you have areas where you think that no maintenance team has been at all, please contact our office and we would be very glad to visit those areas where maintenance is not being done. However, the fact that I am stating is that we have maintenance teams and they are on the ground. If you have more information, kindly come to us so that we can talk.

Honourable Muharukua, I am not sure whether this is really a genuine question, but you know that our Beef Industry is a very lucrative market and every farmer south of the Veterinary Cordon Fence knows that very well.

While we are protecting the farmers south of the Veterinary Cordon Fence, we are also doing that for the farmers in the north and that is why the Government has made some efforts in setting up all the roadblocks, as well as initiated vaccination campaigns - and Cabinet has made an effort to approve a very substantial amount of money of about N\$200 million to contain the FMD. Therefore, I think it is not only that we are only looking at the southern farmers, but also at the farmers north of the Veterinary Cordon Fence.

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I think you will agree with me that N\$200 million is considerable amount and up to now, the Minister has been using its own Budget to contain the FMD in the north, even without the amount the Cabinet has approved. I would like to stop here, Honourable Speaker. Thank you.

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**HON SPEAKER:** Thank you very much. I know there is an opportunity for the two Honourable Members to have a cup of tea in the meantime to continue the dialogue and I am not going to say who is going to pay. *(Laughter)*

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### QUESTION 20:

Honourable Kavekatora asked the Minister of Urban and Rural Development, Sophia Shaningwa questions relating to the Mass Housing Scheme:-

I would like to record my appreciation to Honourable Shaningwa on the general moratorium she placed on the scheme.

1. Honourable Minister, what mitigating measures have you put in place for managing potential legal costs resulting from possible breaches of contractual obligations and related cost during the moratorium?
2. During the development and design stage of the Mass Housing Scheme, has there been any thought given to the targeted and intended beneficiaries?
3. Has any assessment been made on the quantum of the targeted beneficiaries' income levels?
4. Honourable Minister, is there any appreciation of the basic housing units' design under the Mass Housing Scheme in terms of the income levels and the needs of targeted beneficiaries?

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5. Given the fact that NHE has been the implementing agency and still is for the Mass Housing Scheme - and at the same time has the mandate to built low cost housing – to what extent has cross-subsidisation taken place, if any?
6. Lastly, under the Mass Housing Scheme, how many houses have nationally been handed over since the start of the scheme because I have observed that in the town of Outjo, for instance, there are housing units constructed under the Mass Housing Scheme that have been completed but are standing unoccupied and risk being vandalised?

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### ANSWER

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

Thank you very much, Honourable Speaker, Honourable Members, and specifically Honourable Kavekatora who posed the questions to me.

Honourable Kavekatora wanted to know:

**What mitigating measures the Minister had put in place for managing potential legal costs resulting from possible breaches of contractual obligation and related cost during the moratorium of the Mass Housing Programme.**

As the Honourable Members of this august House would recall, a detailed response on various aspects relating to the Mass Housing Development Programme was given by my Deputy Minister, Honourable Klazen last week, including the reasons why it has been found necessary to put any further construction on a halt, firstly to prevent an increase in the already huge unpaid bills to contractors and secondly to allow the Government to review and rectify issues in order to avoid similar challenges in the future. However, I must inform this august House that the Mass Housing Development Programme shall continue, but I shall expect those who would be entrusted by the Government with the implementation, to adhere to financial prudence and good governance.

In addition, I wish to state that the central aim of the Programme is to

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enable the construction of houses that will meet the housing needs of our people in general, and especially the ultra-low and low-income groups, in terms of quantity, quality and pricing. It is common knowledge that the cost per square meter of the houses as per contracts signed are exorbitant and this has resulted in extremely high prices of the consequent houses built, thereby defeating the affordability goal, which I believe all of us want to achieve for our people.

The question is - should we stand by and allow this identified undesirable situation continue and even escalate? No, we cannot and should not. This will be irresponsible. Our intervention is not to unnecessarily disadvantage anyone, but simply to try to rectify a problem that is there for everyone to see, including the contractors who still have huge unpaid bills owed to them. It is a collective responsibility of every caring Namibian to play their part to make housing affordable to our people, not only the Government's. I thus, wish to seek the understanding and patience of contractors and other parties who have been affected by the halting of work in order to allow the Government and its agency to verify the situation on the ground and find a feasible solution thereto in the interest of all.

As far as possible legal challenges or claims are concerned, we will deal with any such as they come. We have one of such claims already lodged against NHE, the Government and the Minister, and we are dealing with it. It is my conviction that we all belong to this Government and shall only stand proud when our Government is standing out with pride.

### **Had there been any thought during the development and design stage about the targeted and intended beneficiaries of the Mass Housing Programme?**

Yes. In particular, the social houses that the Government decided to budget for, are meant for the ultra-low and low-income earners who applied for, and are on the list of the respective Local Authorities where they reside. The information required and provided by the applicants, including a confirmation of the applicants' income in order to enable the selection and matching to the housing units when they are built and ready for allocation.

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Additional qualification requirements were given in our response by Honourable Klazen last week.

**Has any assessment been made of the quantum of the income levels of the targeted beneficiaries?**

Yes, I have just responded on this just now. However, if there is any outcry, we shall rectify.

**Minister, is there any appreciation of the design of the basic housing unit under the Mass Housing Programme in terms of the income levels and needs of the beneficiaries?**

Yes, our desire is to facilitate the delivery of houses that meet the basic needs of our people in terms of design, quality and affordability. These are some of the key elements and desired outputs/outcomes that we want to see; and this is amongst others the one reason why the Government is intervening with a review to try to put the Programme back on course and direction where these desired outcomes can be achieved.

The houses that are being or have so far been built under the initial phase of the Programme are largely based on the designs that NHE has been using over the years. We believe there are other designs available and which can be more cost-effective and responsive to the needs of the low-income groups. Going forward, we will look into alternative designs and building materials and technologies with a view to reduce the cost of houses that are being built under this Programme and other Government supported housing development initiatives. I must, however, indicate that this time, I am not going to dance to the market forces' prices in delivering shelter to the needy citizens. (Applause) Thank you.

**Given the fact that NHE has been the implementing agency for the Mass Housing Programme, and at the same time has the mandate to build low cost housing, to what extent did cross-subsidisation take place, if any?**

There is a clear separation between the housing development projects that fall under the Mass Housing Programme and those that are part of NHE

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existing mandate in terms the *NHE Act*. The Government has directed and has been ensuring that there is no mix up. The funding for the two are also separate - that is, for Social Houses and Credit Linked Houses.

**How many houses under the Mass Housing Programme had been handed over nationally since the start of the Programme because I have observed in Outjo where housing units have been completed but standing unoccupied and risk being vandalized?**

I would like to respond as follows:

Two Hundred and Twenty-One (221) have been handed over. Four Hundred Fifty (450) houses are fully completed and ready to be handed over. Twenty (20) of the Four Hundred and Fifty houses that I have mentioned are in Outjo. We are challenged that not all the houses have been paid for and, therefore, they cannot be claimed by the NHE from the contractors. This is the reason why we, through the Ministry of Works and Transport have commissioned an assessment team of Quantity Surveyors to verify the work done and the payment due to the contractors. As I am speaking, the Quantity Surveyors are onsite. This information will enable NHE and the Government to find a solution on how the certified payment due can be sorted out. Once the payment is sorted out, all the houses that are fully paid will then be handed over by the contractors, contractually first to NHE, and then NHE will in turn notify and confirm to the Government the number and related details. That being done, Government shall then take responsibility to pay for the Social Houses, and the Credit Linked houses that are completed, Government through Cabinet shall direct the way forward.

Honourable Members, you should understand that the Credit Linked houses were supposed to be the baby of the National Housing Enterprise, which would have to go out and look for funding. That is why to date; NHE did not yet obtain funding from commercial institutions. Therefore, I am talking about – after the whole assessment from the field is done, the Government, through Cabinet, will direct what is to be done with the Credit Linked houses.

Honourable Speaker, I think these were the responses to Honourable

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Kavekatora's questions. Thank you very much for the chance.

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**HON SPEAKER:** Thank you very much. Honourable Kavekatora, do you want to raise something on the respond of the Honourable Minister? Yes, you have the Floor.

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**HON KAVEKOTORA:** Thank you very much, Honourable Speaker. Honourable Minister, thank you very much for the attempt to respond. It was a very good attempt. (*Laughter*)

Honourable Speaker, I perhaps just want to test my understanding with regard to question 1. The question is very specific in terms of wanting to find out what the mitigating measures that the Ministry has put in place are, to prevent possible lawsuits.

However, what the Honourable Minister is telling us is that - *we will deal with the lawsuits when they come*. That to me is not a prudent respond in the sense that - *dealing with it when it comes*, comes with a cost. What I am asking here is a specific cost associated question and Honourable Speaker, I must say that in the beginning I did say that I support the moratorium, but it was omitted here, which is fine.

However, supporting the moratorium does not mean that one should blindly breach contractual obligations. Contractual obligations are contracts that you enter into with other parties and as we speak now, Honourable Speaker, there is already a lawsuit that the Honourable Minister has spoken about and the possibility, if there are no mitigating measures that have been put in place, then obviously, the possibility of more lawsuits is there and that is a cost to the taxpayer. Dealing with it means that you will go to Court, you will fight it out in Court and in the Court of Law, you can either get it or you can lose the case and losing the case will be an additional cost to the taxpayer.

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**HON SPEAKER:** Honourable Member, I think you are very clear. Let

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the Minister comment because she has responded to your question. Let me allow her to come back, if need be. Is there any other issue you want to raise? I do not want us to dwell on the lawsuits. Yes, please?

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**HON KAVEKOTORA:** Honourable Speaker, you do not want to dwell to the lawsuits, but that is exactly my question - *how did we prevent the lawsuits* and the Honourable Minister did not respond and say how she prevented the lawsuits.

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**HON SPEAKER:** No, no, I do not think you would expect her to deal with that. As a responsible Minister, you have to draw a line. She cannot deal with specific possible lawsuits. If you want to talk to her in private, I think it maybe be better but not on the Floor of the House. Your microphone please.

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**HON KAVEKOTORA:** Honourable Speaker, if I pose a question and I feel that there seem to be a lack of clear understanding in her response, do I basically not have the right to explain why I am asking that particular question so that I can probe the question further?

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**HON SPEAKER:** No, no, Honourable Member, you were actually so eloquent in terms of the follow up; the follow up question that you are raising is getting us much more closer to the question of possible lawsuits and you cannot expect the Minister to deal with that in an open discussion like this because any lawsuits will not have to be addressed here on the Floor of the House. She has particular constraints that she cannot deal with it.

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**HON KAVEKOTORA:** Okay. It is Fine, Honourable Speaker, I understand that there were no mitigating measures so I leave it at that.

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My next point is on Question 4, where the Honourable Minister responded that the Social Housing would be based on NHE design. Now the NHE design was not based on Social Housing, therefore, I just want to get clarity as to how the NHE design will fit into the Social Housing concept and I think for the rest of the questions, I have already made an appointment with the Honourable Minister.

Perhaps the best way is for me to just engage her and get more clarity about some of the issues that are still outstanding. Thank you very much.

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**HON SPEAKER:** Wonderful. Honourable Minister, do you like to deal with the issue he raised?

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**HON MINISTER OF URBAN AND RURAL DEVELOPMENT:** Thank you very much, Honourable Speaker. Honourable Kavekatora and I, worked for the National Housing Enterprise.

Honourable Kavekatora was my boss and I must say that I was one of the first members of the Board of Directors of the National Housing Enterprise for four years. I think that I was inherited by the National Housing Enterprise in the way, after the expiry of my directorship, therefore, I employed him then before I became an employee (*laughter*) after which he became my boss. He knows very well that I worked for that company for more than ten years.

I was working very hard. Yes, nod your head so that I appreciate you. You know very well what we are saying when we are talking about the designs of conventional houses of the National Housing Enterprise.

The Core 8, Core 5, Core 6, Core 7 and all these types of things - you know all what we mean and how we were matching these Cores with the income levels of our customers. I do not know now, why you are pretending not to understand (*laughter*) when I am telling you about the designs of the National Housing Enterprise that you for sure know, because you were part and parcel of the team that was involved in these

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designs. Thank you very much.

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**HON SPEAKER:** Thank you. I think the two Honourable Members; Honourable Shaningwa and Honourable Kavekatora can easily go and have a cup of tea and continue with their dialogue.

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### QUESTION 21:

Honourable Nauyoma asked the Honourable Minister of Information and Communication Technology, Honourable Tweya, questions with regard to the NBC:-

1. Honourable Minister, when are we going to have the moratorium lifted for the Oshiwambo Radio, Open Line Programme – Ewilyamanguluka, in order for Oshiwambo speaking people to be able express their views like all the other people in the country?
  2. What crime did we, the Wambos commit in this country to be deprived of our Freedom of Speech for many years without any explanation?
  3. What risk does Mudukuli - the Open Line of Rukavango Service in the Kavango West and East Regions pose to be threatened by the Honourable Minister so as not to freely express their views or opinion on this programme?
- 

### ANSWER

**HON MINISTER OF INFORMATION COMMUNICATION TECHNOLOGY AND INNOVATION:** Thank you, Honourable Speaker. Honourable Members, let me first thank the Honourable Member of the APP, Honourable Nauyoma for the questions and hasten to appreciate that it is not for himself alone, but also for the information to the Nation through this Honourable august House.

Allow me to put these questions in context by referring to the Supreme

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Law, the Constitution of the Republic - Article 21 that deals with Fundamental Freedoms:

*“(1) All persons shall have the right to:*

*(a) Freedom of speech and expression, which shall include freedom of the press and other media.”*

The rest of the freedoms, that is from (b) to (j) you can read for yourselves. After those freedoms listed, in Sub-section (2), it says:

*“(2) The fundamentals freedoms referred to in Sub-article (1) hereof shall be exercised subject to the laws of Namibia, in so far as such law imposes reasonable restrictions on the exercise of the rights and freedoms conferred by the said sub-article, which are necessary in a democratic society and are required in the interests of the sovereignty and integrity of Namibia, national security, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence.”*

But Article 22 gives limitations to such Fundamental Rights and Freedoms and I quote:

*“Whenever or wherever in terms of this Constitution the limitation of any fundamental rights of freedoms contemplated by this chapter is authorised, any law providing for such limitation shall:*

- a) Be of general application, shall not negate the essential content thereof, and shall not be aimed at a particular individual;*
- b) Specify the ascertainable extent of such limitation and identify the article or articles hereof on which authority to enact such limitation is claimed to rest.”*

It is against these Constitutional Provisions that the overwhelming majority of Namibians have, since the birth of the Land of the Brave, have in their wisdom proudly invested their trust and elected the, SWAPO Party to govern them believing it will preserve and nurture our hard won freedoms and democracy. We freed all citizens to enjoy the right to trustful information that as guaranteed under our Constitution and the

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establishment Act of NBC of 1991 as a Public Broadcaster. It is the oath we all took in this august Namibian House and an oath I, as the custodian Minister, shall always uphold.

### **Question 1:**

On the Ewilyamanguluka Programme in our NBC Oshiwambo Language Radio station, it is true that a Moratorium was placed on this Programme and on all other radio stations' call-in Programmes as well. The Nation knows that the reasons for these actions were many and justified. Firstly, abuse of the airwaves to insult our Leaders both national and sub-national became a daily nuisance and intolerable.

Secondly, promotion of divisive and tribalistic tendencies in our communities did not bode well for our country's future. We need to build a strong and unified Nation that is at peace with herself, neighbour and beyond. To that end, in 2009, Cabinet instructed the National Public Broadcaster to ensure effective controls were put in place before these Programme can return to air.

Comrade Speaker, Honourable Members, I am happy to report that all Radio Stations have since re-introduced call-in Programmes over the past 2 years and our Oshiwambo Language Radio station will be next.

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**HON MEMBER:** When? Why not now?

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**HON MINISTER OF INFORMATION COMMUNICATION TECHNOLOGY AND INNOVATION:** In the further consolidation of our democracy and furtherance of Freedom of Speech, our Oshiwambo language service will re-introduce the Programme known as Ewilyamanguluka as of Friday, the 17th of July 2015. It will air on Mondays to Thursdays between the hours 19h15 and 20h00 on a weekly basis.

Further to that, and to dispel the myth that NBC tramples on rights of citizens to free speech, I want to also share with this august House a list –

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because Honourable Shixwameni, the President of the APP does not want to agree, let me give you the proper information - of the other 8 Radio Stations and the call-in Programmes that are being aired:

Radio Station	Programme Name	Air Time	Air Days	Format
1. Afrikaans Language	Sê jou Sê	16:30 – 17:15	Monday - Thursday	These are call-in and topic specific shows and host guests who often come in to comment or provide feedback on concerns/challenges raised by listeners.
2. German Service Language Radio	Telefon Hörer	18:00 – 19:00	Every Second Tuesday	Chat show/call-in followed up by feedback shows
3. Damara>Nama Language	showKhom #Gaots ra-e khom	09:20 – 10:00	Week days from Monday to Friday	Chat show/Call-in Programme followed by feedback shows
4. Tirelo Ya Setswana Language	Dilo Makwati	11:05 – 11:30	Monday - Friday	Chat show/call-in - Programme followed by feedback shows
5. Otjiherero Language	Indjo Kepu	16:05 – 17:00 and 20:00 – 21:00	Tuesdays and Thursdays	Chat show/Call-in Programme followed by feedback shows
6. Rukavango Languages	Mudukuli	19:05 – 20:05	Week days: Mon, Wed and Fri	Chat show/Call-in followed by feedback shows
7. National Language	The People's Parliament	19:00 and 20:30	Monday to Friday	Chat show/Call-in followed by feedback shows
	The 9 <sup>th</sup> Hour	09:00 and 10:00	Monday to Friday	Topic Specific followed by feedback shows
8. Silozi Language	Nako ya Maikuto	20:00 – 20:55	Tuesdays and Thursdays	Chat show/Call-in followed by feedback shows
9. Oshiwambo Language-	Ewilyamanguluka	19:15 – 20:00	Monday to Thursday	Chat show/Call-in followed by feedback shows
10. !Ha Language	TBC			

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### Question 2:

Since our successful migration from analogue to digital broadcasting on the 17<sup>th</sup> June 2015, all our Language Radio Services have been decentralised and will be available wherever you are in this Land of the Brave. They have indeed become national available to respective Language communities. That is development and progress. From my response on question 1, I believe this question is already covered.

### Question 3:

Unfortunately, the Honourable Member, Honourable Nauyoma, has not been briefed correctly and honestly. There was no threat by the Minister for the people to speak freely and voice their questions and views on the Programme of Mudukuli. In fact it is to the contrary. The Minister is obliged by the Constitution, as I quoted earlier, and the Government Policy and by the commitment from His Excellency the President, that - *no Namibians should feel left out in the Namibian House*, and I add that inclusive of our visitors, to be treated with dignity and respect as their Fundamental Human Rights.

Since you were not informed correctly, I said – *“The Programme was created for the purpose of promoting democracy, public debate and to serve as an informative platform, but should it be abused through insulting, instigating hatred, humiliating or using derogatory language towards other citizens or promoting racism, etcetera, such language will not be tolerated or allowed and the Programme will be removed from air, as it happened to other language services that are now being re-introduced.”* This is what a responsible SWAPO Party Government as fully mandates by the 80% National Assembly Voters and 87% Presidential election voters will do in the furtherance of the expressed wishes of the Namibian People.

I am pleased to inform the Honourable Member and the public at large that the residents in the 2 Kavango Regions – Kavango West and Kavango East understood me correctly and the Programme is serving its purpose.

In conclusion, Honourable Speaker, Honourable Members, with all these

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Open line Programmes in all languages, including the National Radio, should the caller fail to adhere to this good conduct to express his/her views on air, we have a new technology called a *delaying device* and the presenter at that point in time will use this device and not allow deplorable expressions to go on air. We will do that by using technology.

It is our responsibility to maintain the peace, stability and build a united Namibian Nation with respect and pride.

Finally, this august House and the Namibian House all over the republic wherein our gallant citizens find themselves, should rest assured that our Government will guard their aspirations jealously and provide them quality and timely information. There shall be no thirst for information in this country. Namibians, we shall not fail you in this regard and we shall honour the trust bestowed on us and His Excellency, the President against exclusion as clearly expressed in the 80% and 87% SWAPO Party and President Geingob's landslide victories respectively. I thank you for your attention.

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**HON SPEAKER:** Thank you. Honourable Nauyoma is there anything you want to raise, once again?

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**HON NAUYOMA:** No, thank you very much, Honourable Speaker. I think the Honourable Minister has answered. I am happy that for the last five years since that has been there, you have waited until we questioned

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**HON MEMBER:** Iyaloo!

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**HON NAUYOMA:** So that you react and it is good. There is a saying in Oshiwambo that says - *somebody will not move until he is whipped.*

The Oshiwambo speaking Members will understand that very well.

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Nevertheless, I am still not happy because this is a very big community that uses these waves, but to only have two days in a week, I think still needs some thorough reconsideration because there are a lot of people who need to be calling in and air their views.

I, therefore, think that where there are only two days in a week, whether on the National Radio or other Radio Services, the Honourable Minister still needs to look into that.

With that said, I thank you very much and I hope that what was alleged in the Mudukuli story will not be repeated. I thank you, Honourable Minister. (*Laughter*)

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**HON SPEAKER:** Thank you very much. I think both Honourable Nauyoma and the Minister have communicated sufficiently to reach a mutual understanding.

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### QUESTION 22:

Honourable Shikongo asked the Honourable Minister of Education, Arts and Culture:-

Honourable Minister, each year after the publication of the Grade 10 examination results, some learners who failed opted for re-marking and receive exciting new results to their disbelief or dismay.

For example, a learner who fails with 18 points would, after the re-marking score 5 or more points and pass.

The Questions are:

1. How accurate or reliable are these results each year?
2. How many Grade 10 learners have been deprived of proceeding to Grade 11 because of this injustice?

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How can the Ministry assist the learners whose parents cannot afford the re-marking fees of N\$120 per subject?

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### ANSWER

**HON DEPUTY MINISTER OF EDUCATION, ARTS AND CULTURE**: Thank you very much, Honourable Speaker for the chance to respond to the very important questions from Honourable Shikongo.

Honourable Members by introduction, I would like to mention that the main functions of the Ministry of Education, Arts and Culture, through the Directorate of National Examination and Assessment and Certification, are to provide national assessment and certification services for the school system, to assist in enhancing the quality of the education and monitor educational standards. Every year, a number of teachers appointed as markers, report in Windhoek for the central marking exercise. For the 2014 national examinations, the Ministry did appoint 1,527 markers for grade 10 for 35 subjects and 1,040 markers for the grade 12 - Ordinary and Higher Level with a number of 53 subjects.

To revert to your questions Honourable Shikongo, the Ministry of Education, Arts and Culture would like to inform this House that, the credibility, quality and integrity of the national examinations is maintained at all costs and at each level of marking.

I am now going to respond to the questions:

#### **How accurate or reliable are the results of each year?**

Honourable Shikongo, the results that are released every year are reliable, valid and credible. The Ministry of Education, Arts and Culture have stringent procedures when it comes to the setting of question papers and marking of the answer scripts.

Before the marking of the answer scripts starts in each component/paper, the Chief Markers, the Assistant Chief markers and the Team Leaders

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have to meet for three to four days to standardise the memorandum to the questions that are asked in a question paper. This is a framework of agreement to which all relevant markers must adhere to ensure that all processes associated with marking are performed within a set guidelines. This is done to ensure that the marking process has a consistent quality, and that any conclusions made in relation to the results are comparable with all other results in the previous years.

With regard to the memorandum, the Chief markers, Assistant Chief markers and the Team Leaders always mark a number of answer scripts to ensure that all answers required by a question are accommodated in the memorandum. The same exercise is also repeated on the arrival of markers. The markers will mark similar dummy answer scripts for discussions and finalisation of the memorandum. This is referred to as prior training and standardisation of the marking before markers are allowed to mark live answer scripts.

During the marking exercise a number of four to five markers are always allocated to a Team Leader, for supervision and moderation of their answer scripts. A Team Leader is in turn supervised by the Assistant Chief Marker who is also supervised by the Chief marker.

To ensure quality marking, Chief markers, Assistant Chief Markers and Team Leaders have a mandate of moderating 30% of the answer scripts marked by a Marker and provide corrective measures on the outcome of moderation. The primary objective of moderating an examination paper is to ensure that answers are concise and relevant to the question asked and not ambiguous; the marks allocated are fair and relative to the degree of the difficulty of the question; and that all learners are marked at the same level without discrimination and prejudice.

Honourable Shikongo, the Ministry has a mechanism in place for ensuring that the exact marks obtained by a learner are correctly captured on the computer. For this activity, a double capturing of marks at the marking venues has been introduced. The marker has to enter the marks on the primary optical mark reader forms and the staff members hired by the Ministry have to capture the same marks on the secondary optical mark reader forms.

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The two optical mark reader forms are captured separately by the optical mark reader machine and where differences in marks are identified, verification is done again by checking the marks on the answer scripts at the marking venue. This is done to ensure that the correct mark of the candidate is captured by the system.

Therefore, I wish to conclude the question by saying that the results that are released by the Ministry of Education are reliable, valid and credible.

### **How many Grade 10 learners have been deprived to proceed to Grade 11 of this injustice?**

In order to be transparent in the administration and conducting of the national examinations and to ensure that quality marking takes place, the Ministry did introduce the following services to the grade 10 and 12 learners after the release of results:

- A full-clerical re-check of the marks at N\$25.00 for Grade 10 and N\$60.00 for Grade 12.
- A re-mark of a subject at N\$110.00 for Grade 10 and N\$220.00 for Grade 12.
- An explanation of an incomplete result on the Statement of Results on request, is free of charge for both Grade 10 and 12.

The above fees are Treasury approved fees and the Ministry of Education, Arts and Culture must adhere to Treasury Instructions in the implementation of such services.

Honourable Shikongo, the re-marking of answer scripts is usually done by a different Marker, usually a Senior Marker. This ensures that a Marker does not re-mark the answer script that she/he marked during the normal marking. Historically, the Ministry has been doing re-marking of Grade 10 and 12 answer scripts on request from candidates, parents or guardians. For the past three years the re-marking outcome for Grade 10 has been as follows:

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<b>Year</b>	<b>Total Number of learners registered</b>	<b>No of applications received</b>	<b>No of changes</b>	<b>% change</b>
2012	33,428	1,284	20	1.56%
2013	34,054	1,359	12	0.88%
2014	35,592	2,013	8	0.40%

Looking at the statistics for the past years, I would like to inform the members of this house that there has been a significant degree of decrease in the change of marks or grade after the remarking exercise. This show that the marking process is properly controlled though there are still minor defects detected after remarking.

I would also like to re-iterate that the concept of allowing remarking of examination answer scripts is widely applied, not only at the levels of academic institutions, but also in industries where formal examinations are conducted. The Ministry of Education, Arts and Culture has a policy or guidelines that govern the remarking process.

The Ministry looked at the answer scripts where change in marks occurred and found the following to be causes of errors:

- Errors during carry-through of marks of incorrectly/partially correct answers. This error seems to be equally advantageous and disadvantageous to the learners, depending on the changes made.
- A detailed mark scheme makes it difficult for the markers as more alternative answers are accommodated not to disadvantages the learners.
- Poor subject knowledge of the marker was also found to be a contributing factor in some of the changes.
- It was also found that learners answer questions in bits and pieces of which some answers are missed during initial marking and this seem to contribute significantly to changes in marks or symbols.
- Deteriorating handwritings and letters and digits that have to be

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interpreted rather than read is a major challenges and equally applicable to Markers and learners.

I would like to conclude by saying that, all indicators are positive that remarking can be used as a tool to quality-assure the marking process.

Based on the historical data and analysis there had been no injustice caused to the system and the learners, as only very insignificant changes occurred to the learners who applied for a remarking.

### **How can your Ministry assist the learners whose parents cannot afford the remarking fees of N\$ 120.00 per subject?**

Honourable Shikongo, before I respond this question, let me use this opportunity to correct your statement that the re-marking fees are N\$110.00 for Grade 10 and N\$220.00 for Grade 12 per subject. The Ministry of Education, Arts and Culture has a policy in place on exemption of needy learners who are not able to pay the examination fees for Grade 10 and 12. The Examination fees are subsidized by the Government at 54% for full-time and 40% for part-time learners.

Therefore, re-marking and clerical re-check fees are Treasury approved fees and learners/parents/guardians must pay for the extra fees for the services that are applied for after the release of the results. The good news is that the cost will be refunded if the subject grade changes and no refund if it is only the mark, rather than the grade that changes. It is also worth noting that the Ministry of Education, Arts and Culture do not change the grade of the learners if a mark goes down following a remark, the original mark will be kept.

As these are secondary services, there is some monetary fee attached to them as approved by Treasury. The fees are related to the administrative costs and marker remuneration are also involved.

Therefore, the Ministry of Education, Arts and Culture cannot exempt learners, parents or guardians who would like to apply for re-marking and rechecking of answer scripts.

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In concluding, your questions, there are two main factors that affects control measures such as checking, adding and transfer of marks by another person than the Marker.

- The first one of these two factors is mental fatigue. The Junior Secondary Certificate (Grade10) marking is always a high volume of work that must be completed in a short space of time under extreme pressure of deadlines, normal “*human error*” will definitely start to exert its toll.
- The second factor, not always recognised, is the role of language when marking. As you are aware that some of the Markers might not be fluent in English as a communication language, it is always a natural tendency for these Markers to think in one’s mother tongue when marking as this commonly happens even during their teaching.

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### QUESTION 23

Honourable Shikongo asked the Honourable Minister of Education, Arts and Culture:-

This is the scenario that we are in:

- Each year a number of Grade 10 and Grade 12 teachers from various schools apply to become markers, some of these teachers teach Grade 8, Grade 9 and Grade 11 classes.
- While these teachers are on their marking mission, which they are paid for, the whole school comes to a standstill.
- The Grade 8, 9 and 11 learners are deprived of formal teaching and revision because of the absenteeism of their subject teachers.
- In the absence of these teachers, supervision timetables are drawn up for the remaining teachers at school and this also frustrates the rest of the teachers at school because they have to sacrifice their

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administration period to supervise, which lead to chaos and total disciplinary problems.

The questions are:

1. Will the Honourable Minister look into this matter and rescue or remedy this fragile situation at schools?

Can the Honourable Minister advertise the vacancies for Permanent Markers so that anybody who qualifies can apply to become Permanent Markers, or teachers who qualify may become permanent non-teaching marker, including retired teachers.

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### ANSWER

**HON DEPUTY MINISTER OF EDUCATION, ARTS AND CULTURE:** Honourable Shikongo, I will move onto your questions on Teachers as Markers.

Each year a number of Grade 10 and 12 teachers from various schools apply to become Markers, some of these teachers teach Grade 8, 9 and 11 classes and this causes a fragile situation at the school, as it was your concern.

**Will the Honourable Minister look into this matter and rescue remedy this fragile situation at schools?**

In the first place, I would like to inform the House that the criteria for appointment of teachers as Markers was approved by the National Examination, Assessment and Certification Board of the Ministry of Education, Arts and Culture in terms of Part IV of the *Education Act, 2001* (Act 16 of 2001).

The criteria are as follows:

- A teacher should at least have a three (3) years Professional Teacher

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Qualification or similar academic and professional or some other appropriate qualification according to the needs of the subject.

- A teacher should have a teaching experience of at least 3 years in Grade 10 or higher in the subject concerned. In addition to the subject knowledge, teachers should have a thorough understanding of the syllabus and should also be conversant with the technical and academic terminology of the subject in English.
- A teacher should currently be teaching the subject at Grade 10 level.
- If a person has been a marker in previous years, he/she should have obtained a C grade or better in the subject concerned during the last marking session.

In the application for appointment of markers, teachers are required to indicate if they are teaching Grade 8, 9, and 11 apart from Grade 10. The Principal of the school is the first person to recommend or not to recommend the teacher for appointment as a Marker in the subjects he has applied for. The Principal as the Head of the school must determine, the number of teachers to release for marking in consideration of the workload at the school. In most cases, only teachers who are teaching Grade 10 should be released for marking, however, there are cases where the Ministry would request the Regional Directors to intervene and release some teachers due to shortage of teachers for marking.

Teachers are appointed as markers for a particular subject component or paper. Each component is marked for a number of days not exceeding 14 days. Thus, preventing teachers from being away from school for a long time. The Ministry of Education, Arts and Culture has a marking programme that needs to be followed by teachers appointed as Markers. The marking programme starts from October each year and ends in the middle of December.

Markers report on a weekly basis depending on the marking programme. The marking programme is designed in consideration of other activities at the school level for which the Marker is still responsible for. These are activities as mentioned in your statement. The Ministry also ensures that a

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teacher is only appointed for one subject or component and not in multiple subjects as she/he must report back at the school.

Therefore, schools should not have problems in the administration and conducting of the Grade 8, 9 and 11 activities, as the principal has that authority of ensuring that the school is well managed, even if some teachers come for marking.

Honourable Members, for future developments, the Ministry of Education, Arts and Culture did a pilot electronic marking in five Grade 10 subject. This is a new development in the marking paradigm which has more advantages than the current manual marking as it reduces costs on marking, number of days for marking and number of teachers to be appointed as markers for a particular subject.

As I am addressing this House today, a submission for the technical assistance is with the Office of the Public Service for consideration for full implementation of the project in five Grade 10 and three grade 12 subjects. The number of subjects for electronic marking will be increased every year. The most important aspect is the sustainability of the project after technical assistance and capacity building of our teachers who are Markers. The outcomes of the pilot electronic marking were presented to the National Examination, Assessment and Certification Board and they were pleased with the outcome. This will also shorten the examination and marking period.

Therefore, the Ministry of Education is not sitting idle but is busy exploring some alternatives to ensure that more teaching is achieved at school level, during the marking period.

**Can the Honourable Minister advertise vacancies for Permanent Markers so that anybody who qualifies can apply to become a permanent marker or teachers who qualify become Permanent non-teaching Marker, including Retired Teachers?**

Honourable Shikongo, as I have alluded earlier in my responses, not everybody can be a Marker as it may seem to be. Marking is a technical activity that requires a person to be competent and possess sound

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knowledge of the subject to be marked. It is an exercise that requires a person to be teaching or have taught the subject at a particular level. The person must have a teacher qualification and have majored in the subjects to be marked. The person must have sound knowledge of the syllabus content and be conversant with the topics as outlined in the syllabus.

Marking is an exercise that happens once in a year from October to middle December and for a maximum of 14 days for a subject only, as I said. Appointing Permanent Markers for a once-off period will not be a solution as the Public Service Regulations does not allow appointing a person permanently for week long intervals. Also, appointing any person who qualifies without having access to the teaching syllabus and being in contact with the subject content and the learners will be detrimental to the administration and quality of the national examinations. However, the Ministry is still using retired competent teachers as Markers, but the person should have been involved in the marking process before retirement, especially in the same subject.

Therefore, as marking is a once-off activity, it will not be cost effective to appoint a Permanent Marker who will demand payment from the Government even when they are not involved with marking. The exercise of Permanent Markers is not feasible at all, as no SADC Examination Body has ever applied it, we are living in a global world.

I would like to assure the House that the administration and conduction of the national examinations is progressing well and there is nothing to fear.

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**HON SPEAKER:** Are you done?

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**HON DEPUTY MINISTER OF EDUCATION, ARTS AND CULTURE:** Yes, I am done. I thank you.

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## QUESTIONS AND ANSWERS

**HON SPEAKER:** Honourable Deputy Minister, in future just try to respond to the point, that will be sufficient and secondly, the questions are numbered, so once you are with a one question, we refer revert to the Honourable Member who has raised the question to come back at you, but now you have covered both question 22 and 23 collectively.

However, in future, please do not do that. We appreciate the response and I think after this, nobody is going to ask a question about Markers again (*laughter*) Can I revert back to Honourable Shikongo.

Honourable Shikongo, do you want to come back to some of those questions? You have the Floor.

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**HON SHIKONGO:** Thank you, Honourable Speaker. There are some points that I really need to get some clarity on, but I will make an appointment with the Honourable Deputy Minister to discuss that.

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**HON SPEAKER:** Wonderful thank you very much.

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### QUESTION 24:

Honourable Van Wyk asked the Honourable Minister of Labour, Industrial Relations and Employment Creation:-

Namibia is soon to host the first Namibia Social Protection Conference 2015, under the theme - *Towards Comprehensive Social Protection For All*.

Namibia with the implementation of the *Social Security Act, 1994* (Act 34 of 1994) has made good efforts not to only improve the conditions of service for employees but it has also to a certain extent, managed to eliminate discrimination with regard to payment of social benefits.

## QUESTIONS AND ANSWERS

However, Honourable Minister, the *Employees Compensation Act, 1941* (Act 30 of 1941) as amended, still leaves room to deprive some persons from social benefits. Honourable Minister, this is due to the fact that persons earning more than N\$81,300.00 per annum are not regarded as employees.

Honourable Minister, my questions are as follows:

1. When will your Ministry consider putting in place legislation that suits our Namibian conditions by amending or replacing the mentioned Act in its totality?
2. What is the possibility to increase the ceiling amount from N\$81,300.00 per annum to at least N\$100,000.00 per annum, in the absence of the much needed legislation?

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## ANSWER

**HON MINISTER OF LABOUR, INDUSTRIAL RELATIONS EMPLOYMENT CREATION:** Thank you, Honourable Speaker. I want to thank Honourable Jan Van Wyk for the questions and the questions are as follows:

**When will your Ministry consider putting in place legislation that suit our Namibian conditions, by amending or replacing the mentioned Act in its totality?**

The *Employees' Compensation Act, 1941* (Act 30 of 1941), which is currently applicable to the Namibian workforce and their dependants, was amended by the *Employees Compensation Amendment Act, 1995* (Act 5 of 1995).

Social Security Commission is currently in the process of reviewing both the *Employees' Compensation Act, 1941* (Act 30 of 1941) and the *Social Security Act, 1994* (Act 34 of 1994) to bring about operational efficiencies.

## QUESTIONS AND ANSWERS

**What is the possibility to increase the ceiling amount from N\$81,300.00 per annum to at least N\$100,000.00 per annum in the absence of the much needed legislation?**

Section 3 of the *Employees' Compensation Act, 1941* defines and employee as – “Any person who has entered into a contract of service with an employer, including domestic employees employed in a private household and whose annual earnings do not exceed N\$300.00.”

However, by virtue of the same Section, persons earning more than N\$81,300.00 may be brought within the scope of the Act by a special agreement entered into between the employer of such persons and the Commission.

This means that any person or class of persons, whose earnings are above N\$81,300.00 per annum, may be covered and brought within the scope of this Act, if the employer of such person or class of persons has made special arrangements with the Commission. As a matter of principle, the employer can make special arrangement to cover all their employees, regardless of their income. In fact, the Act creates room for persons whose annual earnings are above N\$81,300.00 to be brought within the ambit of the Act.

In furtherance of the objectives of the Funds, the Commission conducts annual actuarial valuations of its Funds to adjust the benefits and limits on employees' earnings. The present limit of N\$81,300.00 is a result of these valuations and will also be revised in future based on actuarial recommendation.

I trust that I have satisfactorily responded to Honourable Van Wyk's questions. I thank you.

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

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**HON VAN WYK:** Thank you, Honourable Speaker. Thank you

## QUESTIONS AND ANSWERS

Honourable Minister, yes, I am really glad to receive this information and I believe that the workers out there are also on the lookout for these Amendments. Thank you very much.

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

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### QUESTION 25:

Honourable Dienda asked the Minister of Presidential Affairs, Honourable Frans Kapofi:-

In response to my question that I have tabled in this august House, the Honourable Minister indicated the amount of people who had been bestowed with the veteran status.

I, therefore ask the following:

1. Firstly, can the Honourable Minister kindly provide this august House with a full list of the names of the people who have been granted veteran status?
2. Secondly, can the Honourable Minister kindly provide this august House with a full detailed list of the names of the people whose applications for veteran status were declined as well as the reasons therefore?

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### ANSWER

**HON MINISTER OF PRESIDENTIAL AFFAIRS:** Honourable Speaker, I am trying to locate my answers.

Comrade Speaker, I would like to respond to the questions raised by Honourable Dienda regarding the recognition and awarding of veteran

## QUESTIONS AND ANSWERS

status to qualifying persons in terms of the applicable Law. The questions are as follows:

**Can the Honourable Minister currently provide this august House with a full list of the names of people who have been granted veteran status?** That is question number one.

**Question 2: Can the Honourable Minister kindly provide this august House with a full detailed list of the names of people whose applications for veteran status were declined, as well as the reasons thereof?**

Comrade Speaker, my response will probably be similar to the two questions. Firstly, in terms of the applicable Law the application for veteran status is a voluntary exercise. Each person who may qualify chooses either to apply or not. Each person has his or her reasons for that decision. For the sake of respect for privacy and confidentiality, I do not believe it is appropriate for me to divulge the names of the persons who have either applied and have been granted veteran status or whose applications have been declined.

I believe that the Honourable Member would appreciate that respect for privacy is a Right which is protected by the Namibian Constitution. If there is a specific applicant who has requested the Honourable Member to look into his or her application, such applicant, together with the Honourable Member, may approach the Veteran Affairs Department to inquire about that kind of status.

I also believe that these response has covered both questions raised by Honourable Dienda. Alternatively, we will have to seek approval and consent of every member to allow us to publish their names. Honourable Speaker, I so submit.

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

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## QUESTIONS AND ANSWERS

### QUESTION 26:

Honourable Dienda asked the Minister of Safety and Security, Major General Charles Namoloh, the following questions:-

In the light of the prevalence of rape cases in prisons across the country specifically with reference to a recent report in the New Era of Friday, the 19<sup>th</sup> of July 2015, in which it was reported that an inmate was impregnated by another inmate while awaiting trial in Swakopmund - I previously raised these two issues during the Budget Debate and did not receive an adequate answer and that is why I am asking this question once again.

1. Firstly, how does something like this happen when male and female prisoners are supposed to be kept in separate cells? Are there no specific security measures in place to prevent this from happening as it could open up female inmates or the accused to be raped?
2. Secondly, what is the stance and/or the policy of the Ministry of Safety and Security on the provision of condoms and other birth control measures to prisoners, particularly female prisoners?

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### ANSWER

**HON MINISTER OF SAFETY AND SECURITY:** Thank you very much, Comrade Speaker.

I would like to answer to the questions of Honourable Dienda in connection with someone who got pregnant while in custody of the Correctional Services. Yes, this story is true that someone became pregnant in prison.

Someone was in custody and the inmates happen to communicate with her, because there was a hole in between their cells through which they communicated (*laughter*) It is not funny. You want the truth, is it not? But then there was also a certain Constable who was working there and who got paid to help them meet.

## QUESTIONS AND ANSWERS

**HON MEMBER:** Did he also enter through the whole?

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**HON MINISTER OF SAFETY AND SECURITY:** No, this person used the door now and brought them together, because he was paid. As we speak, this person is being investigated and is under suspension. He was suspended.

The man who impregnated the female is a Zimbabwean National who was arrested for drug trafficking and selling them in Namibia. The female inmate was detained for rape and human trafficking. This is what has happened, but there is another case.

When I went on my familiarisation tour, I found an inmate with a girl of maybe one and half- or two years and she declined to inform the prison authorities about who was responsible for her pregnancy and ultimately the father of the child. I asked her in confidence and she said – I will tell you if you come back, I do not want to reveal this because my life will be in danger as I am in this place. This is the second incident and I noticed this during my familiarisation tour. This is what has happened.

The second question is on the provision of condoms to the inmates. I do not know, if the Honourable Member is encouraging sodomy in this country. Sodomy is also an offence. If we keep on distributing condoms to inmates what are we encouraging? The majority of the inmates population do also not want condoms to be distributed. Why? Because there are people in prison who are married and their spouses are outside. If you distribute condoms in jails, does it mean that they have partners there?

This is something that is going to be very difficult for us. Of course, it is a policy - it is not the Ministry - it is a policy of the Government and it is Law that we cannot distribute condoms within the facilities and the SADC Members of Correctional Services also met and they have rejected the proposal of distributing condoms in prison facilities. I think I have answered the questions of Honourable Dienda.

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## QUESTIONS AND ANSWERS

### QUESTION 27:

Honourable Van Den Heever asked the Minister of Urban and Rural Development, Honourable Sophia Shaningwa:-

The majority of Local Authorities indicate that they are unable to render serviced land at the required national rate due to a lack of financial resources, as the bulk of the revenue garnered from property taxes and sale of essential services like water and electricity is primarily apportioned towards covering the operational expenses, and consequently very little is left for Capital Projects, for example, the servicing of land and related matters.

When perusing through the Annual Audited Report compiled by the Auditor-General on the various Local Authorities, one cannot help, but notice that the majority of Local Authorities have inherited a huge debt burden as a significant portion of the yearly Budget is earmarked for repayment of what is categorised as “*pre-independence loans*.”

Given the imperious financial situation of some of the Local Authorities, one doubt whether they have the financial capacity to carry the burden of pre-independence loans, as well as allocate sufficient financial resources to address the current urban land shortage at the same time.

I thus ask the Honourable Minister the following questions:

1. Firstly, in order to enable these bodies to function optimally and to lift the undue inherited financial burden placed on them, would it be possible to write-off or alternatively, delay or defer the repayment of “*pre-independence loans*” until such time that the national housing crisis has been adequately addressed?

Secondly, the then Ministry of Regional Local Government Housing and Rural Development drafted a Local Authorities Reform Policy, signed in July 2013 and in 2014, various stakeholder consultations were held and it was concluded that the proposed reforms would be referred to the Cabinet Committee on Legislation and thereafter to this august House for consideration and implementation. It is interesting to note that, amongst

## QUESTIONS AND ANSWERS

others, it was already suggested within that document that in order to address the financial constraints faced by the Local Authorities, pre-independence debt repayments must be cancelled. My question therefore is - what is the status quo on the proposed reform of the Local Authorities structures?

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### ANSWER

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

Thank you very much my Sister. The questions, with their introductions are as follows:

**In order to enable these bodies to function optimally and to lift the undue inherited financial burden placed on them, would it be possible to write-off or alternatively, delay or defer the repayment of “*pre-independence loans*” until such time that the national housing crisis has been adequately addressed?**

The **answer** is as follows: It is true that some of the Local Authorities still have pre-independence loan repayment obligations and that such presents a serious financial burden on them and constrains the ability of the concerned Local Authorities to deliver on basic services. In principle, yes, everything is possible. However, prudence requires that a careful analysis of the situation is first done for each of the cases before a decision can be made of whether or not there are valid grounds for a possible writing-off.

My Ministry has already written letters to Local Authorities for those who have this problem to provide proof thereof. After our analysis of this information, we will obviously have to submit the cases that we find merit in, to Treasury for final consideration and decision. There may also be a need to consult the Attorney-General and Auditor-General on these or some of the cases.

Having said that, I do, however, not see a direct connection between the pre-independence loans and what the Honourable Member called the “*national housing crisis*.” I acknowledge that we have a backlog in the development and supply of affordable housing in the country, which

## QUESTIONS AND ANSWERS

requires, and is being given urgent attention, and also that Local Authorities, as per the *Local Authorities Act, 1992* are expected and can play an important role. But in my view, the inability of Local Authorities of Local Authorities to build houses for leasing or sale is not necessarily as a result of the pre-independence loans. There are other more direct and diverse constraining factors most of which are already known to many of us.

Your other question:

**What is the status on the proposed reform of the Local Authorities structures?**

**Answer:** Since initiation by Cabinet in 2005, the Ministry of Urban and Rural Development has been driving the Local Authority Reform initiative. While the question from the Honourable Member refers to a “*Local Authorities Reform Policy signed in July 2013,*” which I was not able to establish from my enquiry and reading up, I agree that the various work and consultations spearheaded by the Ministry resulted in the existing “*Local Government Position Paper,*” which was tabled before the Cabinet Committee on Overall Policy and Priorities, (CCOPP) in late 2013. A need for further final consultations was identified and the Committee directed the Ministries of Urban and Rural Development and Finance consult each other and reach common grounds on some of the issues - six issues to be specific, especially the financial implications of the proposed reforms.

My colleague, the Minister of Finance and I, with our respective teams met on these matters two days ago and we have reached common grounds and we will be reporting back to CCOPP on what we have agreed on the six (6) issues that were referred to us by the Committee in due course.

Honourable Member, I hope I have successfully responded to the questions and believe me, we are hard at work to get it right. Thank you very much.

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**HON SPEAKER:** Thank you. Honourable Member, you have the Floor.

## QUESTIONS AND ANSWERS

**HON VAN DEN HEEVER**: Thank you, Honourable Speaker. I would like to thank the Honourable Minister for acknowledging that there is something to be done about the *pre-independence loans* and I can even come to your office, because I do have some papers on it, as well as on the Reform Policy, since the stakeholders' meeting took place in 2014, and I do not know whether there was any feedback provided on the document as such - because there were so many proposals made on that policy.

I will make a turn at the office of the Minister. Thank you very much.

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**HON SPEAKER**: Thank you very much. I encourage that direct communication there.

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### QUESTION 28

Honourable Smit asked the Minister of Education, Arts and Culture Honourable Katrina Hanse-Himarwa:-

On the 1<sup>st</sup> of June this year (2015), the Namibian Newspaper carried report titled – “*Schools Struggle with New Curriculum,*” in which it was reported that teachers at public primary schools are struggling with the implementation of the new primary school curriculum, four months into the 2015 School Year.

According to the Article, one of the most common problems hampering teaching and learning is the shortage of mother tongue textbooks. The Article also points to the fact that the *one learner/one textbook* ratio remains nothing more than a pipe dream, despite the fact that one third of the school year has already lapsed. To make matters worse, this situation is not limited to primary schools, but textbook shortages have also been experienced at secondary schools.

Thus, I ask:

## QUESTIONS AND ANSWERS

1. what is the current situation with regard to the availability of mother tongue textbook for teachers and learners across the country?
2. What measures are being taken to ensure that a delay in the provision of mother tongue textbook, if any, is being addressed and resolved to ensure that outstanding materials are delivered as soon as possible?
3. Does the Ministry of Education, Arts and Culture have any plan or measure in place to ensure that sufficient time is available for teachers and learners to work through the entire curriculum, and if so, what are these?
4. Is there a sort of a plan or measure in place to address the current situation within the Ministry of Education, Arts and Culture as it relates to planning and implementation?

How do you plan to lay a solid foundation in early childhood development if one third of the school year is interrupted by a failure on the part of Government to ensure that the requisite materials have been delivered to learners?

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### ANSWER

**HON DEPUTY MINISTER OF EDUCATION, ARTS AND CULTURE**: Thank you very much, Honourable Speaker. Honourable Members, I will run through the answers to Honourable Nico Smit's questions.

**What is the current situation with regard to the availability of new mother tongue textbooks for teachers and learners across the country?**

I would, firstly, like to inform Honourable Smit that the junior curriculum that has been implemented now, is not a totally new curriculum; it is a revised curriculum where some changes have been affected in some syllabus content. Thus, schools can still use the old books while cognisant of changes in the syllabus and innovate accordingly.

## QUESTIONS AND ANSWERS

Otherwise, the books are still being delivered to schools.

**What measures are being taken to ensure that a delay in the provision of mother tongue textbooks, if any, is being addressed and resolved to ensure that outstanding materials are delivered as soon as possible?**

As I mentioned previously, the textbooks are being delivered in schools. However, I would like to inform Honourable Smit that the delay, which was experienced this year was not caused by administrative issues, but it was a technical one.

Textbooks are developed and translated or versioned by the publishers. It is a well-known fact that the expertise in African Languages is limited in this country, because the development of African Languages has been neglected for a very long time. Translators took longer time to translate the textbooks from English to African Languages, because they also have to invent new words and/or concepts in the process of translation. Knowing this challenge, the Ministry had to do quality assurance of the work of the publishers. The quality of translated textbooks varied from very good to very bad. Therefore, the Ministry has to spend time re-translating the textbooks that were already translated by publishers. The textbooks, which were properly translated were verified quickly, but there were those requiring major work to be done, and these are the ones that caused delays. It is only after that that publishers printed and distributed the books to schools.

I would also like to inform this House that as much as we may argue that we know our languages and we have enough expertise in the country, the type of language that we use on a daily basis might not be at an acceptable level in terms of orthography and standardisation of words and terminologies.

As country, we really need to invest in the development of our African Languages and this has to be done urgently.

**Does the Ministry of Education, Arts and Culture have any plan or measure in place to ensure that sufficient time is available for teachers and learners to work through the entire curriculum, and if**

## QUESTIONS AND ANSWERS

**so, what are these?**

The Ministry develops a curriculum policy document known as the Curriculum Guide for Basic Education, which stipulates, the period allocation for each subject and the guidelines for the implementation of the entire curriculum. The Ministry also develops syllabuses, which provide guidelines on how to teach and assess learning. In addition, the Ministry develops subject policies and manuals for teachers so that teachers are informed about the expectations of each subject syllabus. Teachers develop their own schemes of work, which guide them in the preparation for their lessons and thus, determine how much time to spend on what concept.

The teacher support structures at regional levels are there to monitor curriculum implementation. They are responsible for curriculum management at regional and schools level, respectively.

**Is there a sort of a plan or measure in place to address the current situation within the Ministry of Education, Arts and Culture as it relates to planning and implementation?**

As far as the curriculum planning and implementation is concerned, the Ministry has developed a policy that aligns curriculum development and textbook development. This policy has an implementation plan detailing the review of the curriculum of each school phase and the development of textbooks. We are following this implementation plan and so far it is working well.

Honourable Speaker, the last question:

**How do you plan to lay a solid foundation in early childhood development if one of third of a school year is interrupted by a failure on the part of Government to ensure that the requisite materials have been delivered to learners?**

Honourable Member, It would not agree with you that one third of the school year is interrupted, because as I said, before the junior primary curriculum that is being implemented is not a totally new curriculum.

## QUESTIONS AND ANSWERS

Teachers received English version textbooks in January and in addition, schools have “old” textbooks that are still relevant. Those books did not become obsolete, therefore, we are not waiting for the delivery of books before we start teaching.

By receiving the new textbooks, schools will have more textbooks than before, especially in African Languages. I thank you, Honourable Speaker.

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### QUESTION 29:

Honourable Smit asked the Deputy Prime Minister and Minister of International Relations and Cooperation, Honourable Netumbo Nandi-Ndaitwah:-

Early this year, the Ruling Party of the Republic of Burundi, the Hutu National Council for the Defence of Democracy – Forces for the Defence of Democracy, announced the nomination of current President, Pierre Nkurunziza, as its candidate for the country’s then June 26 elections.

The announcement was met with local and international disapproval, citing the potential of a third term for current President to destabilise the country and re-ignite ethnic tensions, as well as widespread public protest against a third term. State and Police violence was the response to the public protests which has resulted in civilian deaths. The situation resulted in the displacement of approximately 10,000 Burundians, and public protest grew into a movement to oust the Burundian President that ultimately culminated in a failed coup d’état.

In the wake of the doomed coup attempt, more than 100,000 people have reportedly cross Burundi’s borders to neighbouring countries, fleeing the ongoing violence between the Police and Protesters.

Thus, I ask:

1. What is Namibia’s official position on the situation in Burundi?

## QUESTIONS AND ANSWERS

2. Why does the Ministry of International Relations and Cooperation consistently fail to publicly pronounce Namibia's official position in relation to Human Rights violation and crises across the world?

Is the promotion of Human Rights a factor that informs and underlies Namibia Foreign Policy?

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**ANSWER**

**ORAL RESPONSE**

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**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION**: Honourable Speaker, I rise to answer the questions as posed by Honourable Nico Smit on the situation in Burundi.

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**HON SPEAKER**: Yes, you have the Floor.

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**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION**: On the 25<sup>th</sup> of April 2015, the Ruling Party of Burundi - the National Council for the Defence of Democracy-Forces for Defence of Democracy announced the nomination for the Presidential candidate in the person of the incumbent President for the election, which was then set for the 26<sup>th</sup> of June 2015.

Honourable Speaker, I wish to actually move that we postpone the response on these questions because when it was prepared the situation was different, but the election in Burundi has taken place and the situation is different at the moment. The AU has to pronounce itself, therefore, I would wish to Move that we postpone the question and the response to next Thursday. Thank you.

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## QUESTIONS AND ANSWERS

**HON SPEAKER:** I think there is an understanding and appreciation of the fact that the developments in that country are moving almost on a daily basis and we cannot commit ourselves - we need to be updated.

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**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION:** Since the AU is still to pronounce itself, I think it is advisable to withdraw this statement (*Intervention*)

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**HON SPEAKER:** Thank you very much. I am sure Members would appreciate that. When you are ready to come back and make a Ministerial Statement, it will go a long way in responding to some of the issues raised. Thank you very much.

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**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION:** Thank you for understanding, Honourable Speaker.

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## WRITTEN RESPONSE

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**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION:** Honourable Speaker, I rise to respond to the question by Honourable Nico Smit on the situation in Burundi.

On the 25<sup>th</sup> of April 2015, the Ruling Party, National Council for the Defence of Democracy-Force for the Defence of Democracy (CNDD-FDD), announced the nomination of the incumbent President, His Excellency Mr. Pierre Nkurunziza, as its presidential candidate for the poll envisaged to take place on the 15<sup>th</sup> of July 2015, and the Parliamentary elections that took place on the 29<sup>th</sup> of June 2015.

Following this announcement, violent street demonstrations ensued amidst

## QUESTIONS AND ANSWERS

heightening political tensions in Bujumbura, the capital city of Burundi, resulting in the subsequent closure of independent radio stations, physical and economic infrastructural damages, unfortunate deaths, with scores injured. The resultant situation of insecurity triggered the fleeing of more than 110,000 Burundians to the neighbouring countries of Tanzania, Rwanda and the DRC.

The issue of President Nkurunziza's right to stand for a third term as President of Burundi was premised on an interpretation of the country's Constitution; a Constitutional Court Judgement affirming conformity of the exercise in line with the Constitution's Provisions. Notwithstanding this, the impartiality of the Court came under scrutiny by the opposition subsequent to the fleeing to Rwanda of the Vice-Chairperson of this institution, who alleged having received death threats because of his refusal to sign the Judgement in question.

Calls were made to encourage dialogue and consensus aimed at finding an amicable solution to the crisis relative to the preservation of the letter and spirit of the August 2000 Arusha Peace and Reconciliation Accord, which established the conditions for the organisation of free, fair and credible elections.

These were further reinforced with the dispatching of a High Level Mission of the Panel of the Wise, led by Mr. Edem Kodjo, the former Secretary General of the OAU, to consult with all competent national stakeholders. The Special Envoy of the UN Secretary-General for the Great Lakes Region, His Excellency Mr. Said Djinnit on the 5<sup>th</sup> of May 2015, travelled to Burundi, to mediate in the conflict with the objective of brokering a political consensus on all issues related to the electoral process.

These mediation efforts were later reinforced by representatives of the East African Community (EAC) and the International Conference on the Great Lakes Region (ICGLR) as facilitators premised on the realisation of a political dialogue on the impasse.

A Summit on the situation in Burundi on the 31<sup>st</sup> of May 2015 recommended that the elections be postponed for a month and a half in

## QUESTIONS AND ANSWERS

order to allow the security situation to improve. While President Nkurunziza was at an EAC Summit on the 13<sup>th</sup> of May 2015, in Dar es Salaam, Tanzania, a coup attempt was made by some soldiers led by Mr. Godefroy Niyombare, a top Burundian general sacked from his powerful position as Intelligence Chief.

Initially the elections were postponed for 10 days. However, donors then suspended their support to the electoral process, and the Government said that it intended to find the means to organise the elections on the scheduled date, especially through the mobilisation of domestic resources.

The Parliamentary poll in Burundi was then postponed and took place on the 29<sup>th</sup> of June 2015, and the Presidential poll envisaged to take place on the 15<sup>th</sup> of July 2015, seeing that the mandate of the current administration ends on the 26<sup>th</sup> of August 2015.

In response to **Question 1:** I would like to submit that our position is anchored in the values enshrined in the Namibian Constitution, namely the democratic elections of the representatives of the people based on the constitution, the Rule of Law and justice. It is, therefore, important that elections are held before the expiry of the mandate of the current administration, in order to avoid a vacuum in government.

Namibia, as a Member of the African Union Peace and Security Council, stresses that only dialogue and consensus, in accordance with the Arusha Agreement and the Constitution of Burundi, will make it possible to find a lasting solution to the crisis and appeals to the Burundian actors to lend their full cooperation to the efforts made. To this end, Namibia supports the position of the East African Community, that elections be held in Burundi when the political situation on the ground so permits.

Besides this, there are concerns raised by Burundi's neighbours, especially Rwanda who is on record of having expressed serious concerns about the deteriorating political situation in Burundi, worrying that the Rwandan rebels operating in eastern DRC could take advantage of the current unhelpful situation to destabilise Rwanda.

With regard to **Question 2:** Allow me to remind Honourable Smit that

## QUESTIONS AND ANSWERS

Namibia will be a member of the Peace and Security Council until April 2016. The Honourable Member can be rest assured that Namibia is integral to the finalisation of all statements by the African Union Peace and Security Council, and that its views are so represented. Namibia does not, therefore, need to make a separate pronouncement on any issue stated by the Council.

Regarding **Question 3**: As the Honourable Members know, the Namibian Constitution, from preamble to the last word, guards the Human Rights of the Namibian people. It is the express responsibility of the Ministry to base all our foreign policy statements and principles upon that Constitution and the Namibian institutions which support it, including the Ombudsman, the Ministry of Justice, Ministry of Labour, etcetera.

Namibia is also a Member of the Human Rights Council, which will be until 2016, where it firmly advocates for Human Rights in line with the Namibia Constitution. Namibia's membership and its work on the Human Rights Council is testimony to the importance that Human Rights and violation thereof, plays in our foreign policy. I thank you.

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**HON DEPUTY SPEAKER**: Thank you. Any follow up question?

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**HON SMIT**: Honourable Deputy Speaker, I would like to thank the Deputy Minister for his answers. I am satisfied and I am happy to have this document.

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## ORAL QUESTIONS

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## QUESTIONS AND ANSWERS

### QUESTION

**HON VENAANI:** Honourable Speaker, I want to ask an Oral Question to the Minister of Defence in view of international publications that are linking Namibia to something.

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**HON SPEAKER:** Yes, you may.

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**HON VENAANI:** Honourable Minister of Defence welcome back. Honourable Minister of Defence it is reported in the European international media that Namibia, Botswana and another country Kenya is intending to buy warplanes from Swedish Sub Aviation. Is this report true? Is there anything to go by because the whole of last week international media was linking Namibia to have interest in buying these aeroplanes that would cost each N\$500 Million each. Is it true or is it not true?

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**HON SPEAKER:** Let us not have a dialogue. You posed a question under a particular Rule. If it is so - if it the case, the Honourable Minister will respond according to his own information and he might defer to respond in an appropriate manner. For now he might want to respond immediately to say this is how he is going to deal with the question. Honourable of Defence you have the Floor.

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### ANSWER

**HON MINISTER OF DEFENCE:** Thank you very much, Honourable Speaker for the question. I am not aware of that. Thank you very much.

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## QUESTIONS AND ANSWERS

### QUESTION

**HON VENAANI:** Honourable Speaker, I would like to ask an Oral Question under Rule 72 of the House, to the Attorney-General of the Republic?

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**HON DEPUTY SPEAKER:** Yes proceed.

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**HON VENAANI:** Thank you very much, Honourable Deputy Speaker. In view of the fact that the Prime Minister has appraised this House that you are serving in a Cabinet Sub-Committee that is tasked with the issue of addressing housing and land availability in the country, and in view of the fact that the IMF has again reiterated their position that Namibia has to really curb housing prices in this country – I, thus, ask the following question that:-

The Prime Minister, when I moved a Motion on Alternative Housing and Urban Resettlement, said that the two Committees – the one from Parliament and the one from Cabinet would meet soon to discuss the various problems affecting the Housing Industry. I would want to know from the Attorney-General, when do these two Committees envisage meeting, how far are we with trying to address this crisis and how far has your Committee gone in addressing this housing crisis that is confronting our Republic? Thank you very much.

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**HON DEPUTY SPEAKER:** Yes, can you respond? I suppose the question falls within the ambit of those questions we regard as urgent?

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### ANSWER

**HON ATTORNEY-GENERAL:** Thank you, Honourable Deputy

## QUESTIONS AND ANSWERS

Speaker for the opportunity to respond to this important question and I would like to thank the Leader of the Opposition for the question as well.

Indeed, as the Prime Minister has indicated in this House, the Committee of the National Assembly and the Committee of Government will be meeting and I am glad to inform the House that that meeting will take place tomorrow, at 11:00. There are a number of recommendations and solutions, activities and actions that must be taken by a number of institutions and a number of Laws must be looked into. Notwithstanding, the IMF's Report, there is, of course, also a study done by the Bank of Namibia, the Law Reform and Development Commission has also worked on the issue of land and the Committee, which has preceded this current Government has been in the process of compiling its activities and action done thus far.

Therefore, without pre-empting the outcomes of that meeting, I believe that the Chairperson of the Committee, that is, the Honourable Minister of International Relations and Cooperation and Deputy Prime Minister, would be in a position to lead the delegation to the meeting, and if so decided, present a Joint Report here in the National Assembly in the fullness of time. I so submit. Thank you, Madam Speaker.

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### QUESTION

**HON VAN WYK:** Thank you, Honourable Deputy Speaker. I do have an Oral Questions for the Honourable Deputy Minister of International Relations and Cooperation.

Honourable Deputy Minister, the new Visa requirements for South Africa has come into effect on the 1<sup>st</sup> of June 2015, we know that, our primary schools usually take the Grade 7 learners to South Africa on educational tours. Some schools have already started with this process and find it quite difficult to obtain Visas for the children due to the fact that in some cases grandparents adopted the children and they do not have Court Orders to prove that they are the legal guardians of these children.

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Honourable Deputy Minister, the question is, is there no possibility for the Government to, as a matter of urgency, engage the South African Authorities to see how we can assist some of the children, as this might be a once-off opportunity for some of them to visit South Africa? I believe that Her Excellency, the High Commissioner of South Africa is prepared to look at this problem, but, of course, the Government should, from our side also engage them. This is my question, Honourable Deputy Minister. Thank you, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Honourable Deputy Minister of International Relations and Cooperation, you have the Floor.

### ANSWER

**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION:** Thank you very much, Honourable Deputy Speaker. For the benefit of the other Honourable Members who might not really know what is being asked here – the South African Government has recently taken a decision that, when minors are travelling to South Africa in the company of adults, if a minor is travelling with both parents, there must be a Full Birth Certificate. If a minor is travelling with one parent, there must be an Affidavit from the other parent or a declaration stating that – *yes, I have granted authority for my child to travel*. The reason is to curb child trafficking.

Now, what the Honourable Member is asking is that there are children who are travelling to South Africa and are experiencing problems. Firstly, the Government had communicated this information long before. I do not know, for the children that the Honourable Member is asking about, whether the schools were not aware of the South African decision, in order to make arrangements on time, that if they are faced with difficulties they will come to the Government to say – *this is what we have tried* or they just took children, ignoring the directives or the information that was given, and all of a sudden want to make it urgent.

## QUESTIONS AND ANSWERS

The Honourable Member did not help me there, so I would have appreciated if the Honourable Member could elaborate more, whether the schools had perhaps followed the procedures and were unable to meet these procedures or whether they ignored procedures and they want us to only come in now? Thank you very much, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Yes, Honourable Van Wyk.

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**HON VAN WYK:** Thank you, Honourable Deputy Speaker, Honourable Deputy Minister. It seems that the schools were not aware of these new requirements. Some of these schools also travelled to South Africa last year and they went through the same process. It is only when they visited the High Commission sometime last week, that they actually became aware of these new requirements. It seems that the information was not given through to them on time, so that is the actual reason for this request. I thank you, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Do you want to respond or is it better if he formalises it in the form of a written question?

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**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION:** I will respond to the question. Well, in that case, the schools should have approached the Ministry rather than waiting for the Honourable Member to come here, on Tuesday, to ask the Deputy Minister. The Government does not only work on Tuesdays in Parliament. The Offices of the Government work are open from Monday to Friday, 08:00 to 17:00. Thank you.

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## QUESTIONS AND ANSWERS

### QUESTION

**HON MAAMBERUA:** Yes, it is an Oral Question – just a very small one to the Honourable Minister of Health and Social Services and I just want to give a very small background because I have observed one place here in Namibia.

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**HON DEPUTY SPEAKER:** Where?

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**HON MAAMBERUA:** A place and this place is poorly maintained which is a place with a disgusting environment, no customer care charters, infested with cockroaches and mice, rats. It is actually an abomination, the clients of these place are not happy at all. The emergency section at this place is actually in disarray. People arrive at that place at about 08:00 in the morning only to be attended to around 10:00 at night, standing the whole day there. It is a complete disaster and a disgrace to the Nation of Namibia, that is that place. (*Interjection*)

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**HON MEMBER:** What is the place called?

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**HON MAAMBERUA:** This place is Katutura Hospital. The question to the Minister of Health (*interjection*)

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**HON MEMBER:** The Minister is not here.

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**HON MAAMBERUA:** The Deputy Minister is here. For how long are we going to keep the Namibian taxpayers under those horrible conditions

## QUESTIONS AND ANSWERS

at the Katutura Hospital? When are you going to improve the situation; the care, the hygiene, the treatment and the image of the Katutura Hospital? Thank you.

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**HON DEPUTY SPEAKER:** Honourable Deputy Minister of Health and Social Services, would you like to react to that?

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### ANSWER

**HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES:** I do not see the urgency of the question. An Oral Question is supposed to be very urgent, because of something that is life threatening and I do not see it in that question and Honourable Maamberua has been questioning these things since he came to Parliament and he had been responded to. I do not have an answer for that.

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**HON MAAMBERUA:** Honourable Deputy Speaker, it is an emergency and it is an urgent question because the people are suffering at the Katutura Hospital. I have been asked by the clients of the Katutura Hospital to ask this question because it is a daily occurrence, even right now if you leave Parliament and go there, you will witness our people suffering at Katutura Hospital. The question, is therefore, very urgent and it must be answered.

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**HON DEPUTY SPEAKER:** Proceed Honourable Minister, just talk.

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**HON MINISTER OF WORKS AND TRANSPORT:** I did not consult the Rules, so I would not probably cite the exact Rule under which I am rising, but I am simply rising on a Point of Order to really appeal to my Good Friend that as much as he refers to people's lives being under threat

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because of the unhygienic conditions, allegedly, at the Katutura Hospital, some of us are on daily visitors to that hospital and I will tell you why we are always visiting on a daily basis.

My wife works there as a senior sister in the maternity theatre and I can tell you that the conditions at Katutura Hospital is not the way you sketched them. I appeal to you, Honourable Maamberua, all of us here have the best interest of the masses of our people out there, but when we want to make a point, we should try to be reasonable and not paint a picture that is totally out of synch with the reality out there.

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**HON DEPUTY SPEAKER:** I am not going to allow you, you have said what you wanted to say. Allow the other people to have the Floor as well.

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**HON MAAMBERUA:** I have to react to that one please, please, because somebody must actually tell me which of my points is not correct. Are there no mice at Katutura Hospital? Are there no cockroaches at Katutura Hospital? Is the out-patient not in disarray?

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**HON DEPUTY SPEAKER:** I am not going to allow any other questions.

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## QUESTIONS ON THE STATE OF THE NATION ADDRESS [2015]

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### QUESTIONS

**HON SPEAKER:** Honourable Members, His Excellency the President is now available for questions as per Article 32(2) of the Namibian Constitution and during his interaction with the Honourable Members of

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Parliament, Rule 110 of our Standing Rules and Orders will be enforced.

Your Excellency, we are now availing the opportunity to the Honourable Members to pose questions. May I please ask Honourable Venaani to take the Floor?

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**HON VENAANI:** Thank you very much, Honourable Speaker (*intervention*).

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**HON SPEAKER:** Can I add to the fact, that you are the Leader of the Official Opposition? Honourable Venaani you have the Floor.

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**HON VENAANI:** Thank you very much, Honourable Speaker. Your Excellency the President of the Republic of Namibia, Dr Hage Geingob first and foremost, I want to congratulate you on your ascendance to become the Leader of your Party.

Secondly, I want to wholeheartedly and with all sincerity congratulate you for the bold step that you have taken to raise the Old Age Pension from N\$600.00 to N\$1,000.00. As you might be aware, our Party has remained consistent on this matter and the fact that you have taken that bold step is worthy of congratulations. However, as you spoke very eloquently and very electrifying on the new economic trajectory of hope that we as a country must put together, I want to ask you these few questions pertinent to our economy and putting it back on a much faster trajectory.

Mr President, as a direct consequence of the provisions of the *Export Processing Zone Act, 1995* (Act 9 of 1995), our country is faced with a situation where tax revenue from individual income tax is double the revenue garnered from company tax, whereas the reverse should be true. Therefore my question:

1. Given the vast majority of companies that are granted Export

## QUESTIONS AND ANSWERS

Processing Zone status, particularly in the Mining Sector, in which your Government and your Administration continue to allow mining companies to extract our valuable natural resources without value addition. Will the President continue to grant this Export Processing Zone status to mining companies and thereby enable them to continue exploiting those valuable and cherish natural resources?

2. On the questions of capital outflows and again transfer pricing: Of course, we are hearing and noticing that many international companies that are putting shop in our country are using transfer pricing as a means to avoid tax and not contribute enough to the State coffers. Since these companies are employing international tax experts to evade tax on our shores - will the President make sure that our revenue body will be equipped with tax experts to make sure that we can rake in from these needed resources that goes missing under transfer pricing?

On the question of capital outflows, Your Excellency, Mr President will your administration revisit Regulation 28 of the Pension to make sure that the billions of dollars that are leaving our country through capital outflows would be reinvested in our country for us to continue reaping benefits from the profits that are made in our Republic?

Your Excellency, I want to ask you a question on agriculture (*intervention*).

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**HON SPEAKER:** Can we then keep it to three because I see there are so many other hands? Just repeat the last one?

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**HON VENAANI:** The question I want to ask Your Excellency, Mr President, has to do with the fact that farmers, not of the *redline*, are sitting with an amount of 1,600,000 herd of cattle and the reason why they are not getting fair prices for their animals is because we need to build a buffer zone between Namibia and Angola and the potential is so immense if we do that; will your administration during your tenure commit itself to

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building a buffer zone, to make sure that farmers north of the *redline* would receive fair and good prices for their cattle? Your Excellency, thank you very much.

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

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**HON MAAMBERUA:** Thank you, Honourable Speaker, for the opportunity. Your Excellency Comrade President, I would also like to congratulate you on your election as the President of our country.

Comrade President, I have noted with appreciation, your in-depth, well informed, broad State of the Nation Address. Obviously, it covers various important issues that need to be internalised. Much as you have covered many areas, I am of the opinion that some specific issues need in-depth interrogation.

I would, therefore, in the context of your open door policy, and also if and when space and time permits, arrange to have some conversations with you, Comrade President, on the following national issues.

The first conversation is on the state of Public Financial Management but, especially on the Regional and Local Authorities. This is because of the perennial concerns, very serious concerns being highlighted in the Auditor-General Reports, particularly on the side of qualified audit opinions. Though to a less extent, this negative experience is also found at the Central Government level, I would suggest that the conversation should be around both levels - Local Government and also Central Government.

The second conversation, Comrade President, will be to deal with the issues around Genocide. Amongst other things, this could entail strategies on Reparation demands, the need for broad national discourse in an effort to conscientise Namibians in general on this important matter, and the relationship between Government and the communities affected.

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Comrade President, you have touched on the land question and on that particular issue, we have actually converged ideologically speaking, and I thank you for that.

However, the fourth conversation should actually be around the matter that seems to be illusive and that seems to have graduated to the level of what I call State Capture - and that is corruption. Over the years, the discourse around corruption has been about its manifestations but the conversations that are envisaged, Comrade President, should centre around the institution itself, whether we should resource it, the reporting channels, appointments and linkages with other accountability institutions.

Those are the three conversations that I would want to pursue with yourself and your Office because in the past these conversations have yielded positive results in the spirit of broad consultations as initiated by your predecessor. It is, therefore, also my preferred approach with your administration. I, therefore, do not have a specific question today. Thank you.

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**HON SPEAKER:** Thank you. We move on to Honourable Bezuidenhout.

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**HON BEZUIDENHOUT:** Thank you very much, Honourable Speaker. Your Excellency, my congratulations towards you and as well as to Madam Geingos for what you have achieved in your life. Thank you very much. (*Laughter*).

You have spoken very eloquently about the house and a house built on a rock. Let me take this opportunity to assure you that you have a partner in securing and ensuring that that house is functional for all its inhabitants. I pledge my full support to your Administration to achieving all the noble goals for this Nation.

I would also like to put in your head, not for an answer today, to think about the democracy aspect of our country. We have regular elections, we have good elections - and congratulations after the last elections to you

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and your organisation, but you must maybe improve it a bit more. Let us look into events, let us look at Governance, let us look at how we proceed further with regard to our democracy as a Nation. If that element comes with all the good things you have mentioned, we will have a very solid State on the African Continent.

I also think the President touched on it without spelling it out so clearly - we are a child of African Solidarity, all Africans are welcomed here and I want to use this opportunity to ask Namibians to desist and to refrain from what is happening currently in the other parts of the world, that we do not try and make other Africans victims of not feeling welcome here. They are welcome in Namibia and not try and break hands with them. Your Excellency, the question is centred around our democracy as well as the future of our elections. Thank you very much, Honourable Speaker.

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**HON SPEAKER:** Thank you very much. I call upon Honourable Mr Fleermuys.

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**HON FLEERMUYS:** Thank you very much, Honourable Speaker. I would like to find out Honourable Speaker, if it is possible that I can speak in Nama? (*Laughter*)

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**HON SPEAKER:** Can I state this very clearly? Anyone who would like to speak in any of our national languages is welcome. All that you need to do is to indicate so that we can make the necessary arrangements. You cannot just do it out of the blue. If you could have alerted me earlier, I could have made the necessary arrangements because I would like you to be understood. I am sure you are conversant in English, I am sure you can try, and I am now giving you the Floor to do that.

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**HON FLEERMUYS:** Thank you Honourable Speaker, it is not because I

## QUESTIONS AND ANSWERS

cannot speak English, I just feel confident when I speak in Nama and I accept the fact that I have not notified you of my intention early enough. Thank you very much.

I would like to ask our President, His Excellency Hage Geingob – Your Excellency, it is already 25 years after Independence and still the former TCL Workers’ Pension Fund as well as the former South West African Territorial Force (SWATF) members’ (*laughter*) Pension Fund is not yet given to them. I, therefore, wanted to find out from our President, since “*No one is supposed to be left out in Namibia,*” where are we after 25 years now? (*Laughter*) It looks like we are not Namibians.

I would like to ask His Excellency, President Geingob, so that he could take responsibility on this issue because I, and we accept that the President is Head of State and we are part and parcel of the Namibian State. Therefore, Your Excellency, I will await on you, to see what exactly you are going to do to restore these Pension Funds to the rightful owners in order to address the question of poverty in one way since, about more than 350,000 people are directly affected by that issue. Thank you very much President.

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**HON SPEAKER:** Thank you very much. I knew you will be able to make your point and you have done it, thank you very much. I am now going to move on to Honourable Mbai.

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**HON MBAI:** Honourable Speaker, Your Excellency, thank you very much.

Since your Inaugural Statement at the Independence Celebration a month ago, many more interventions ever since, created a strong confidence and belief that in your hands, and able leadership, this great Nation is heading towards a new direction.

My question, similarly to the question posed by Honourable Maamberua,

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is on the issue of Genocide. Your Excellency, the Motion on Genocide and Reparation demands tabled and adopted in this august House in 2006, experience a very slow progress.

Your Excellency, what is the advice and possible measures your High Office will consider in order to find an amicable solution in the best interests of the affected communities and Namibia as a whole? I thank you.

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**HON SPEAKER:** Thank you very much. Honourable Van Wyk, and thereafter, I would like to give the opportunity to the President to respond to the first round of questions and then we take up others so that we give him a bit of time. Thank you.

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**HON VAN WYK:** Thank you, Honourable Speaker, for the opportunity to ask some questions.

Your Excellency, you have put emphasis on inclusiveness, which our country and our people really appreciate. Mr President, my question is:

In this country we have many people who were excluded by mistake, we have those who were excluded on purpose, and of course, those who excluded themselves. Now, Mr President, my question is - what measures will your Administration put in place to reach out to these people who are currently outside? (*Interjections*) I thank you.

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**HON SPEAKER:** Thank you very much. I am now going to ask His Excellency the President to respond to some of those first questions and then we will go for the second round, if time allows.

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## QUESTIONS AND ANSWERS

### ANSWERS

**HIS EXCELLENCY PRESIDENT GEINGOB:** Thank you very much, Comrade Speaker. I used to be a Parliamentarian, and Maiden Speeches are never interrupted and you are not asked so many questions. You are welcome in a very friendly way but now I am being bombarded with so many questions (*laughter*)

I am sorry that I did not acknowledge you as the Leader of the Official Opposition Party, but I am told by the Speaker now and have it at the back of my mind. I did not say the Leader of Official Opposition, I said Leaders of the Opposition Parties - so I accept that I acknowledge you as a Leader of the Official Opposition but do not just oppose for the sake of opposing, the words must be changed.

On the tax revenue that we are losing on the EPZ status: When I was a Minister of Trade and Industry, I travelled around, initially there was some expectation that we are going to have so many EPZs and jobs will be created and so on, but when I went to Walvis Bay, there were very few EPZ companies. Some were working very well like the car manufacturing companies, but many of them closed down. Therefore, we are really losing revenue through that, because there are not so many EPZ companies since they closed down. In fact, there are less than maybe ten who are still there.

However, the EPZ status idea was started – like what middle eastern countries are doing, to allowing companies set up, manufacture and export products but creating jobs, of course, and in turn help develop our country. I must admit that that did perhaps not really work as expected because the companies are very few. When they manufacture, some of them manufacture and want to sell in Namibia, they are taxed. Automatically, they are told you will be taxed 30% because you are going to sell here. I think my Colleague, the Right Honourable Prime Minister has been there, it is not the fact that we are losing how much, but we must revisit the whole thing because it is not that effective, and therefore what we are losing cannot be that big too, since the companies are very few. They are actually closing down.

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I must also thank you for wishing me well and claiming that you are going to challenge me and ask me questions, I heard you on Television, but you only asked very friendly questions (*laughter*).

The capital outflow and transfer pricing has been an old thing used by people all over but definitely, for instance, Stocks and Stocks used to be here, and they have a company in South Africa - I just mentioned this as an example, and they make some money here, they will definitely transfer it to their accounts in South Africa and they are not registering here.

However, again the practises so sophisticated, we now have the Stock Exchange here that ultimately links to that of South Africa electronically. We think that it is an achievement, is it not? They definitely do some transfers, how do you control that? You are, therefore, right that it is a problem but how do we solve it? It is a process that exists all over the world but our Tax Officers are definitely working very hard. There was a young man who was really working on this to show how people are cheating us, but the transferring funds out of the country is going to continue. We have to reinforced, we have to be awake. I am not saying we cannot stop it, but it is a process that is very difficult to stop because of the interrelatedness of our economy with others. We are not an island, as I said. We are connected to the international global village and South Africa is our closest ally, and we have similar things, it is very easy to take the money out. I, therefore, agree with you, something must be done.

On capital outflow I will say the same thing - in a free market economy, which we have in Namibia, capital outflow is going to continue. The Law we have right now is giving 100% foreign ownership and one of the attractions was to guarantee the movements of capital like the repatriations of dividends, and that is capital going out. Therefore, the capitalist system, that is the market oriented system that we have, is going to continue but again, we must make the facilities and opportunities available here, like create foreign investment opportunities at home here so that the people do not take their money out but invest. When you look around, walking around Windhoek and elsewhere, you will see Namibians Investing. Their own money is being invested, they are constructing buildings here as you will see everywhere. I thank you for making us

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aware that it is something we must look into, but I admit it is very difficult.

The redline is an old story. The Red line was meant for many other reasons but it was in our own interests after Independence, that we are exporting our beef to the European Union's (EU's) lucrative markets and there were diseases in that area, as they claimed. The Angolan Border was also very fluid so it was very difficult to open it up at that time because then our beef quota would be cancelled in one consideration. However, that is what I was saying when we were negotiating the EPAs, I hope you could have joined me. I was saying that the beef we are sending to the European Union is only from 2% of our population. I said rightly about millions of cattle and the populations in the north, that we are depriving them from selling or exporting their beef to where the majority of people are living. This is, therefore, something that the Minister of Agriculture, Water and Forestry is definitely seized with. Unless we also go to the Angolan side maybe that cannot work. So what you can do is to also to clean up the other side in a spirit of cooperation, that way you wipe out the diseases, and people are moving freely. Right now we are threatened by the drought, our people are already crossing over to Angola for grazing. We are neighbours and the only thing is to clean the whole mess so that we can move freely. I thank you very much.

*SWANU Comrade*, thank you very much for your welcome and what you have said in congratulating me. In fact, you did not ask too much but you are talking about a national dialogue. Yes, I announced that here. I talked about land but dialogue is dialogue, which can be on anything. Maybe we can have a pattern on how we do things. Let us have dialogues like that provided that we do not just oppose for the sake of opposing in the dialogue. However, when we are dialoguing as Namibian people, in a Namibian House, *One Namibia One Nation* and holding hands, I will welcome that dialogue. The open door policies is not a joke, it is a serious approach. We will pursue it with vigour and determination and you will definitely be welcome to come and discuss.

On the question of Genocide; I was wondering whether I have to answer here or say let us have dialogue. Come and pay a visit so you can get my views because it is a sensitive matter and I would not like to be talking in

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public where I will be misunderstood. It is a very emotive thing, just like the land question so it will be good that we dialogue so that we can first find one another outside.

Yes, the question of our institutions that are corrupt - again I covered that, whether I talk about State National Institutions or Local and Regional, it is the same things. Auditors Reports are replete with some money not spent or returned to Treasury and some money missing but we must also be honest. I am not saying we are not honest, wherever there were cases of corruption, I keep on asking people to give me the cases - ODC, GIPF and Avid and Social Security are the three things they talk of but all of them are not swept under the carpet, they are with the Courts and they are being pursued. Therefore, we should not also over publicise ourselves as corrupt, people from outside listen to you and they mark that accordingly. I challenge them; where do we get the stigma from? This is from the Opposition and business people when they come and rate us, where we also see our President being honoured and that left some wondering - *how we are number one* and they have seen it.

Again, I would like to have a dialogue and explain certain things to see how we can go from there. If we do not follow what we agreed outside they will open up here, but let us start it from a good position, as you have started. I will thank you there.

**Honourable Bezuidenhout**, thank you very much for the support that you have pledged here. Yes, I do not know where the scholars are in this country. Where are the scholars? These days, I see them, they were analysing my Speech before I delivered it, but there is no single book written about our Constitution after 25 years, analysing its shortcomings - there are shortcomings but there is no scholarly work on that. Our democracy; is providing the Party list system, is it providing proper accountability, who analyses that? Who kind of unpacks the *pros and cons*? Yes, in one instance, it is very good that some of you cannot sit here if we have a Constituency based election and as a small country, we want everybody to be here - I will come to the inclusion question. If we honestly did not have that, those smaller Parties would not be here, so it is a good system in the sense that we now have seven Parties sitting here.

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However, in a first-past-the-post voting system, the winner takes everything - we can analyse that, let us debate.

Equally, the question of many other things that I would have even raised if I was outside about our Constitution and our democracy; we cannot doubt that we have an electoral democracy and there is no question about it but it is one thing to have an electoral democracy or procedural democracy, however, it is another thing that democracy translates into basis liberties both political and civil. We do have that, but how far is it? We definitely have that, do we not have it? Let us analyse and then those who are socialist inclined, like you, would say where is the economic democracy I think we can interrogate this and see what is the best.

It is one thing, when the whole socialist system has collapsed to stand up and say you are a socialist. We will think that you are not serious because the world has changed. It is like somebody is telling me, when we have stopped the war, that the people have become serious revolutionaries and want to fight (*laughter*). Let us hold hands and move onto a new Africa.

**Honourable Fleermuys**, the official language in Namibia is English. I was proposing that we must declare all our languages as official, that way Parliamentarians can stand up and use any language. Now, you basically have to first give Notice, you must be prepared - bring someone to translate and say - *look I want to speak in Nama and he can translate*, that could have been much better preparation but now you lost out. You cannot ask me questions in Damara, not Damara but in Nama.

Now on the serious one question; who is actually excluded? I am saying we all belong in this House. You are in this House, you are not excluded. Here you are! So my Statement of inclusion is here. We are sitting here from different Parties, differed colours, we are inclusive, but we are not going to bring 2 million people here, therefore, let us not also take this literally and in a ridicule manner. Somebody wrote me a letter when I kind of thanked him for the services rendered. He was on a special contract and he wrote a letter to say - "*But you are always claiming about inclusivity, why do you let me go?*" (*Laughter*) I think we are taking it at different levels. You should, therefore, not feel excluded. As to the other Colleagues who were asking for their pension - who is asking for pension?

## QUESTIONS AND ANSWERS

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**HON FLEERMUYS:** It is me.

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**HIS EXCELLENCY PRESIDENT GEINGOB:** It is you, yes. Well, Honourable Fleermuys, was it the pension that your employer was deducting when you were working and, therefore, you are entitled to it? If you are talking about the time before Namibia's Independence, we as a State are supposed to inherit the State in succession, but when we did that, I think we are not accountable for what the South African Government was doing because they did many bad things. We were fighting the war against South Africans and some of the Namibians out of their own choice joined that war on the other side. Now the problem with defeat and winning is, you know what you get after the war is over, dictation comes from the victor, it will be the history of the victor – it is *his story* that is being told, so Koevoet and SWATF history is gone (*applause*). It is gone but you are sitting in this Parliament and you are not stigmatised as Koevoet or SWATF, you are accepted as a Namibian. However, to claim certain things that South Africa was supposed to give you, go to South Africa, we are not accountable for that. There is always that talk about the money and I know this issue of the N\$36,000,000 that people are talking about that was going to be given to SWATF and our President said we are creating reconciliation, why do we not share it with all those who were fighting and then Pik Botha and the Administrator General agreed to give N\$12,000,000 to PLAN Fighters and N\$12,000,000 to SWATF and kept N\$12,000,000. We never asked him whether he was going to give this to SWATF and the other things that were administered from the bank, the bank should have paid that out but to imply that we now have the money somewhere - we are not responsible for that. Maybe some people have just gone to South Africa to see whether South Africa can provide answers but even in South Africa, there is a new Government (*laughter*). Therefore, let us just remain as Namibians, we are Namibians. You are accepted and we are together. The pension that you are going to get from here is your pension. In fact, my pension was just paid out to me now and I was with you here (*laughter*). By serving here, you will be paid your pension.

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*Honourable Mbai*, thank you very much for your comment. Again on the question of this Motion, if we understand properly, those who are concerned should come and see me and I will have my Colleagues so we can see where we can go. We started already, I do not want to start all over again from what I have said here last time, so let us discuss it outside, privately.

*Honourable Van Wyk*, I am a new comer here now, you guys are in the Parliament. Welcome to Parliament. Again, people are excluded, who are these people really? I would like to know because when I talk about inclusivity, I mean it. Perhaps you have to tell me who these people are who are outside or who are excluded? Who are they really, I would like to have a follow up question?

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**HON SPEAKER:** Can I suggest something? Make use of the opportunity of having a private conversation like some of the Colleagues have indicated and maybe then you can elaborate on some of those issues.

Can I appeal to you? Thank you very much. I think we will have another platform where we will deal with some of those issues.

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**HIS EXCELLENCY PRESIDENT DR GEINGOB:** Very good.

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**HON SPEAKER:** I am now going to move on because of time. Honourable !Auxab please.

## QUESTIONS

**HON !AUXAB:** Your Excellency Dr Hage Geingob, the President of the Republic of Namibia, Honourable Speaker, Honourable Chairman of the National Council, Honourable Members of both the National Council and the National Assembly, while congratulating His Excellency the President

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on the ascendance to the Presidency of our Republic, and having listened to the State of the Nation Address, I rise to pose three small questions to His Excellency, if I am given the consent.

Your Excellency, you have beyond all expectations increased the Old Age Pension from N\$600.00 to N\$1,000.00, which to me signifies the importance you attach to the poverty eradication and you went ahead and created a Ministry solely for the purpose of eradicating poverty. This is a very noble deed in our Namibian context.

My question, however, is; while the Old Age Pension has been increased to lighten the plight, the very same people are being charged rates and taxes by the Local Authority Councils and Municipalities. This in fact reverses the benefits through the increase - what is the likelihood of exempting the pensioners from paying rates and taxes or subsidising them for that matter?

Secondly, Your Excellency, you also suggested in the past week that all Ministers should not engage in any business practices, this is indeed laudable, however, could the same principle not be extended to the Members of the Parliament, all high ranking Public Servants like Permanent Secretaries, Governors, Regional and Local Councillors etcetera; to secure equal distribution of wealth to all Namibians?

Thirdly and finally, I am very concerned about the movements of most, if not, all the Government Offices from Khorixas Constituency to Opuwo Constituency. These institutions were providing employment to most people living in the Khorixas area. Their removal has increased the level of poverty in that area and has registered Khorixas in the stream of exclusivity. Your Excellency, are there any plans in arresting the levels of poverty caused through this act or how does your administration plan to arrest poverty, which is manmade in these specific areas? I thank you, Your Excellency.

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**HON SPEAKER:** Thank you very much. Honourable //Gowases please? Remove the card and then you put it back in. Okay.

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## QUESTIONS AND ANSWERS

**HON //GOWASES:** Thank you, Honourable Speaker. Your Excellency, the President of Namibia, Dr Hage Geingob, Honourable Speaker, Honourable Members, I feel extremely honoured and privileged to be given an opportunity to make a humble contribution in the form of advice on national issues but I will withdraw all my questions in honour of your Maiden Speech (*laughter*).

However, I have only a comment to make. I bid you to accept our humble appreciation of your approach and declaration of work on poverty. As a first bold step, you started by increasing the Old Age Pension from N\$600.00 to N\$1,000.00. Our National Budget is aimed at eradication of poverty and the Ministry headed by Retired Bishop Kameeta speaks volumes.

Mr President, I am hopeful that you will continue the discussions with the citizens, appraising them of the progress made. You started on a right note. If your team collectively supports your vision and objectives without fear and with favour, you will make a huge contribution to ensure that our resources are better spent on improving the lives of our people.

On behalf of the Republican Party and the President, Mr Henk Mudge, kindly accept our genuine congratulations on your victory of 87% of votes from the people of Namibia during the Presidential Elections with high hopes and expectations. I thank you.

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**HON SPEAKER:** Thank you very much. This takes us to Honourable Shixwameni, you have the Floor.

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**HON SHIXWAMENI:** Thank you Mr Speaker. Your Excellency Dr Hage Geingob, I actually did not want to speak today because I thought it is the Maiden Speech since my Vice President asked me this morning, “*Are we going to ask questions?*” and I said “*no, let us give him the proverbial benefit of the doubt*” and I was not mistaken.

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**HON MEMBER:** Can you withdraw the questions then?

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**HON SHIXWAMENI:** I was not mistaken, I think what I heard here is music to my ears and to the ears of many Namibians. All that we can do as Namibians is to stand firmly behind you and support that vision, without us negating from our responsibility as Members of the Opposition that – *yes, we shall keep a watch on you and your Administration.* I would, therefore, like to congratulate you for being elected as the President of the Republic and also for your assuming the position of Acting President of SWAPO. We shall make sure that we keep you monitored and that we evaluate all the projects. It is very important as you just explained, that we engage in a dialogue as a Nation.

We in the APP for today, promise you that you keep on holding the bull by its horns - the proverbial horns, and make sure that the bold decisions that you have announced so far are implemented. We shall be watching for the practical implementation of all the measures that you have announced and you have our support. Thank you very much. (*Applause*)

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**HON SPEAKER:** Thank you very much. That concludes the questions that I have taken note of. Now I call upon His Excellency the President to respond to some of those questions.

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## ANSWERS

**HIS EXCELLENCY PRESIDENT GEINGOB:** Thank you very much. They have now treated me as a person who has made his Maiden Speech. I expected that all of you will welcome me as a newcomer and, therefore, not put me to task of answering difficult questions but thank you very much.

Firstly, the easier way is that both the last speaker and the speaker before

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him did not ask questions but just made comments by way of welcoming me and giving me their support, if I do the right things. Yes, I hope we will be in touch. Whether it is the President or a Party, it is not one person that can solve all the problems, it is our House. We will live in that House, so I will welcome contributions without making you not to oppose, but there are things we have to hold hands on as Namibians. I, therefore, thank both of you very much.

Then I go to UDF, again you have welcomed me as a newcomer but you seem to be worried. You also welcomed the bold step we took to increase the pension, then you are saying, and this is not to be addressed to me only, you must address this question to all of us. We are Namibians and we have parents - where are the children of those people? Where are the family members? We are talking as if these old people are just dropped from heaven, where are their children, where are the families? In the past we did not have these kinds of pension systems, how were we maintaining our elders? Let us also interrogate that aspect. Let us start anew, including Churches and so on.

Yes, we can maybe talk about the Government not taxing them but we have different types of Governments. We have a three tier Government, this is a national Government, there are Regional Governments where you were serving for such a long time and then now Local Authorities. The shops that may ask taxes are, if in Windhoek, in a Municipal area, so it is really an issue that we can discuss because we need the revenue too to build schools. When we are increasing the pension by such a margin, we need income from somewhere so it is a matter of *a catch 22* situation but we will make it a point to see that our old people are respected, are recognised for what they have done for us who are now running around and not helping them. All of us must also teach our children, our neighbours who do not treat their parents as old people, even going to the extent of stealing the money that they receive to go and consume alcohol with it. It is our duty, all of us, to see to it that this must be stopped.

Yes, as for taxes, I can definitely not tell you untruth, it cannot happen now because these are taxes that everybody has to pay when we are buying something. It is, therefore, difficult, it is not the Government's tax that the retailers add to their products even if we are going to take that

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later on, but that is how systems work, otherwise our system will collapse.

Yes, very a good question and suggestion that what we have announced must also translate to Parliamentarians. You are new here, but Parliamentarians also declare their assets. As I was saying, sometimes it is very interesting, not Comrade Shixwameni, but the socialists of these days want to remain poor forever and some of them have been working since 21<sup>st</sup> of March 1990, but they still want to pretend that they do not have anything. If that is a case then something is wrong with you. I think Parliamentarians are declaring their assets but do not declare that – ‘*I have nothing to declare.*’ After 25 years, the form is just stating – “*nothing to declare,*” that is not declaring. Let us, therefore, declare honestly. Are you going to follow my bold example? I am living by example, I hired a company to do mine, why can we not all do it in public? Okay, I do not want to interfere with the Parliamentarians (*laughter*).

Permanent Secretaries are also supposed to get permission when they get something outside their own regular income, they declare it. However, what we are trying to do is, to see to it that we tighten this knot so that people do what they say they will do. We must see to it that the Permanent Secretaries and Civil Servants do not have two jobs because one will definitely suffer and mostly the Government will suffer. This thing of people sitting in their offices and running their business must stop and we mean it!

Thank you very much for the questions, I think you were very kind to me since I am a *new boy*. However, next time I will be ready to take all your tough questions. Comrade Speaker, thank you very much. (*Applause*)

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