

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
06 JULY 2016**

The Assembly met pursuant to the adjournment.

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

HON SPEAKER: Honourable Members, any Petitions? Reports of Standing or Select Committees? Yes, Honourable Mike Kavekatora.

**TABLING: REPORT FROM PAC
ON 12TH ANNUAL CONFERENCE**

HON KAVEKOTORA: Thank you, Honourable Speaker.

I lay upon the table a report from PAC on the 12th Annual Conference of SADCOPAC that took place on the 7th to the 12th of September 2015 for note taking.

I so Move.

HON SPEAKER: Thank you. Other Reports and Papers? I call on the Deputy Speaker.

**TABLING: PERFORMANCE ASSESSMENT
ON COUNCILS' ELECTIONS**

HON DEPUTY SPEAKER: Honourable Speaker, Honourable Members, I lay upon the table Performance Assessment and Post-Election

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**ORAL QUESTION
HON DIENDA**

Report of the 2015 Regional Councils and Local Authority Councils elections held on the 27th November 2015 for reading and note taking.

Thank you.

HON SPEAKER: Thank you. Honourable Members, just to underline something here, I note that the report tabled by the Deputy Speaker is that of the Electoral Commission of Namibia. It is being tabled in this House and as, we all know, this is a self-assessment that we all consider to be a key step in enhancing and reinforcing transparency and greatly welcomed in this House. This report I also want to add is also being shared with other stakeholders including the Head of State.

I just wanted to elaborate a bit of that, notices of questions, Honourable Dienda, please.

HON DIENDA: Thank you. Honourable Speaker I have oral question for the Minister of Higher Education if permitted the Deputy Minister.

HON SPEAKER: It is an urgent one.

HON DIENDA: Very urgent.

HON SPEAKER: Yes.

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**ORAL QUESTION
HON DIENDA**

ORAL QUESTION

HON DIENDA: Honourable Deputy Minister, the Kayek in Katutura Wanaheda in front of my house are now on strike for two weeks, and the students are just idling around without any solution for the problem. Can the Honourable Minister please inform myself this august House, and the Namibian citizens out there, what did your office do to rectify the problem of Cayeck, so that the students can resume with the studies?

I thank you.

HON SPEAKER: I am not sure whether the Honourable Deputy Minister has access to information on that, but let me offer her the opportunity to respond to that question.

RESPONSE TO ORAL QUESTION

HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION: Thank you very much, Honourable Dienda for the question meant for the Minister.

All I have to say is that I am not privy to that. Of course, I have read in the newspapers but I do not rely on newspaper news so much to reply.

I will investigate and then get back to you with a comprehensive answer as to what is happening there. Thank you.

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

HON SPEAKER: Thank you very much. We move on.

Notices of Motions? In this respect, I call on the Prime Minister please.

NOTION OF MOTION

EXTENSION OF STATE OF EMERGENCY PERIOD

RT HON PRIME MINISTER: Thank you, Honourable Speaker.

Honourable Speaker, Honourable Members I have a Motion of national importance that I would like to Move unopposed with the concurrence of this House.

The Motion is that this Assembly, in terms of Article 26(2), as I have of the Namibian Constitution resolves to extend the state of emergency proclaimed by His Excellency the President, in a diverse issued on the 28th of June 2016 for a period of six months.

I Move so, Honourable Speaker.

HON SPEAKER: Thank you. I am assuming that the House was already informed about the declaration emergency. The Prime Minister rightly brought the issue to the House. We are all familiar. Can we adopt? Thank you very much. Well done, we move on.

Messages from the Head of State, Ministerial statements. Good, the first Notice of Motion of Honourable Nekundi. Does the

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**NOTICE OF MOTION
HON NEKUNDI**

Honourable Member move the Motion?

HON NEKUNDI: Honourable Speaker, I move without notice that I am withdrawing my Motion in terms of Rule 30 of the Standing Rules and Order.

I so Move, Honourable Speaker.

HON SPEAKER: Order, order, the Honourable Member has spoken loud and clear, and the reasons are noted and well understood so decided. Thank you very much.

The second notice of a Motion is the one of Honourable Minister of Industrialisation Trade and SME Development. Does the Honourable Deputy Minister move? Who seconds? Any objection? Agreed to.

Honourable Deputy Minister has the floor.

**RATIFICATION OF ECONOMIC PARTNERSHIP
AGREEMENT BETWEEN SADC EPA GROUP AND EU**

**HON DEPUTY MINISTER OF INDUSTRIALISATION TRADE
AND SME DEVELOPMENT**: Thank you, Honourable Speaker.

Honourable Members of this National Assembly, I rise to table for consideration and ratification by this august House the Economic Partnership Agreement EPA between the SADC EPA group and European Union.

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AGREEMENT BETWEEN SADC EPA AND EU
HON VAN DER WALT**

In accordance with Article 63 and 144 of the Namibian Constitution Cabinet authorised me in November 2015 to table in the august House the EPA Agreement for ratification.

The SADC EPA group is constituted by Angola, Botswana, Mozambique, Namibia, Lesotho, Swaziland and South Africa while the EU is comprised of its 27 member states.

Honourable Speaker, Honourable Members of the National Assembly the mandate of the Ministry of industrialisation, Trade and SME Development amongst others include the following functions:

- To create favourable economic space to overcome market challenges, to transform Namibia into a globally competitive industrialised economy.
- To play a leading role in establishing effective and operational supra national regional institutions, to actively participate in international trade year lock and integrate Namibia in the global economic and to maintain sound policies that ensures effective cooperation in favour of trade relations with other countries.

The above task can be achieved through the effective participation in regional and international economic integration initiative and negotiations at SACU, SADC, World Trade Organisation, Tripartite and continental level.

Honourable Speaker, Honourable Members, the Government of the Republic of Namibia, through a dedicated EPA negotiation team, have been engaged in EPA negotiation since 2010 together with other experts from the rest of SADC and EPA group. The negotiations in the EPA were finalised on the 17th of July 2014 and subsequently the agreement was signed on the 10th of June 2016 in Kasane, Botswana by the parties.

Honourable Speaker, Honourable Members, Namibia currently trade with

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EU under a unilateral EU arrangements, which grant Namibia duty free and quarter free market access and the regulation administering such arrangement will come to an end on the 30th of September 2016.

It is, therefore, expected that come 1st October 2016 the SADD EPA should have rectified the agreement to maintain the duty free quarter free market access to the EU market.

At a recent informal meeting on the 30th June of 2016 between EU Commission officials and trade officials from the SADC EPA group based in Brussels, the EU Commission officials informed the SADC EPA group officials that the Commission commenced steps towards publishing a dedicated regulation which should remove SADC EPA group countered into the individual capacities from the EU market on 1st October 2016 if such countries have not concluded the ratification of economic partnership agreement. Such deregulation would be published on the 8th of July 2016.

In the SADC EPA group, Namibia, Botswana and Swaziland would be the only ones to be affected. In the rest of the continent Ivory Coast, Ghana and Kenya will also be affected in the same way. South Africa will continue to trade under the hospices of the TBCA minus to improve access secured as part of the EPA negotiations. The rest of the countries are these developed countries LBCs and will continue to benefit under everything but arms initiative of the EU.

Honourable Speaker, Honourable Members, in a brief EU SADC economic partnership agreement provide among others for implementation of guarantee duty free quarter free market access to the EU for goods from Botswana, Lesotho, Mozambique, Namibia and Swaziland. South Africa will also have improved preferential treatment for their products over and above what is already covered by the EU South Africa trade and development cooperation agreement.

The EU has refused to offer South Africa the same treatment of duty free quarters free markets access due to its level of economic development.

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Importantly, the EPA will guarantee one trade regime in SACU and the EU. Previously SACU trade with the EU was done in the fragmented way with South Africa having traded under the TBCA to which the rest of the SACU was not party to.

Honourable Speaker, Honourable Members in a nutshell the Economic Partnership Agreement amongst others aims to increase trade harmonisation of the trade policy implement between the parties SADC, EPA and the EU. Implement and established trade discipline between the parties, the safety in the attraction of foreign direct investment take into account the principle or special preferential treatment for developing and least developing countries in the SADC EPA group.

Contribute to the expansion of the world trade and integration of the SADC EPA group economies into the global economy and to contribute to the overall social and economic development of the institutions. The coverage of the SADC EPA EU agreement is on trade and goods both industrial and agricultural based on agreed trade instruments such a duty quarter and others conditions such as rules of origin agreed to by both parties.

The implementation of the agreement is expected to commence upon the interpretation and the depositing and instruments of re-trafficking by all SADC EPA group concrete. Given the urgency of this method to preserve continued market access for Namibia products into the EU market and also to comply with the relevant internal procedures. Namibia is expected to do her party by rectifying the EPA before the 1st of October 2016.

Honourable Members, the SADC EPA group EU Economic Partnership Agreement presented to you for ratification constitute of the main tag six Annexure and four protocols. The main tags contain the general principles and provisions while the Annexure and protocol contains a specific undertaking as follows. Annexure 1 consists of the list of custom duty of the EU on products origin in the SADC and in SACU. The Annexure provides modalities, guidelines and principles of how the

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custom duties on products originating in SACU would be eliminated and the entry into force of the EPA.

Annexure 2 constitutes the list of custom duties of SACU on products origin in the EU. The Annexure further, contained SACU principle on the elimination of custom duties on products originating in the EU. Annexure three, consist the list of custom duties of Mozambique on products originating in the EU. The Annexure further contains the Mozambique principles on the elimination of custom duties on products originating in the EU. The Annexure four, describes the treatment of agricultural safeguards.

They are the safeguards measures in the form of an import duties that can be acquired for a period of any given 12 months in the situation where Ivorian of import into SACU and agricultural products originating in the EU cause or threaten to cause serious injury in any SACU member states. Annexure five, the Annexure describes Botswana, Lesotho, Namibia and Swaziland also referred to as BLNS transitional safeguards.

Transitional safeguards are applied in the event that one of the products listed in Annexure SACU tentative products mainly agricultural products and, which originates from the EU are important into the territory of a DLNS state in quantities that caused or threaten to cause serious injuries in their market. Annexure six described sanitary and expansionary measures on priority products and sectors. Sanitary and expansionary measures ensures these parties in agreement shall face that human animal and plant health by applying regulations to ensure that the products meets the third requirement, describes the definition and concept of originating products and methods of customs administrative cooperation.

Rules of origin are rules used to determine the country or origin of important and export between parties. It is the principle and mutual administrative assistance on customs matters. It is meant to promote cooperation between the customs administrations of the parties to this agreement.

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The protocol and treatment of capital indications and trade wines and spirits and is bilateral agreement South Africa and the EU. Describe the relationship between the trade and the development cooperation agreement and the EPA, the TDCA is the bilateral trade agreement between South Africa and the EU and was negotiated before the EPAs. The trade chapter on the EPA will upon entry into force replace the trade chapter of the TDCA. That will ensure coherence in terms of trade between SACU and EU and all SACU member states will trade under one regime with the EU.

Honourable Speaker, Honourable Members, allow me now to table the abovementioned agreement its Annexure and protocol for your consideration and ratification. Your positive consideration and ratification of this agreement Honourable Members will reinforce indeed inputs emphasis to the implementation of the agreement and this ensuring the widen economic space for Namibia industries in the form of additional market access for all export products and sources for imports.

It will also ensure the continuation of Namibia's current export to the EU. The full implementation of the EPA will further confirm the position of Namibia as an attractive destination for investment and trade and with predictable and reliable legal systems.

I am counting on your usual partnership and continued support. I thank you, Honourable Speaker.

HON SPEAKER: Thank you. Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Thank you, Honourable Speaker, for giving me the floor to make my intervention on the ratification of EPA between the European Union and seven of the 15 member states of SADC.

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HON PROF KASINGO**

Firstly, let me congratulate the 7 of the 15 members states who agree to make this agreement with the European Union because I believe united we stand, divided we fall because EPA our Government has been tough on this negotiation since the current President was the Minister of Trade and Industry. I am aware of that. He is one of those people who think of start the negotiation and I am happy to note that at least 7 member states of SADC decided to be together in a group.

I have listened very carefully to the Deputy Minister when he highlighted the benefit if we ratify these EPAS but however, because of its importance I would like to know taking into consideration as he says that it was agreed upon by the SADC Head of States on the 10th of June this year. It is just in July. I would like to know as to whether there have been informative consultation with the stakeholders concerning this so that they can know in Namibia.

I take note of the urgency of this, however, I was expecting the moment it was ratified the Minister concerned could have come up with the Ministerial statement to say we have agreed upon so and so and from there some of us who are not well versed with EPAS can read about it and today we can just ratify it as easy. I just want to know what kind of stakeholders were consulted. I take note of the urgency and as I have been always saying agreement of this nature need also a thorough knowledge from the people the grassroots so that they can understand.

Many times we come most of the time I have to say most of the time we come when we are just about to adjourn and we come with the ratification.

I am not saying we are not going to ratify it but, for us who are backbenchers who are explained, because we need these things to go to the grassroots so that the people can be informed.

With this Honourable Speaker, I support with that in mind.

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HON VENAANI**

HON SPEAKER: Thank you. Honourable Venaani.

HON VENAANI: Honourable Speaker, I rise to positively support the EPA agreement that was signed by our Head of State and Government in Kasane 1st June in Botswana with the following remarks.

Honourable Speaker, the object of bringing upon free and fairer trade in the world has been somehow achieved in this trade framework. Continuously, many least developed and medium income countries are recipients of raw deals with major threatening partners. In mind one can remember the famous Mekasura agreement that was signed between United States and Mexico that perpetuating the agenda or the strong to remain stronger and the weaker to remain weaker.

One would thank wholeheartedly and to his credit now and then we should also very bold to his credit His Excellency the President or the Republic for having stood tall during the negotiations, during his time as Minister of Trade and Industry then but however, as much as we are achieving or coming closer to free and fairer trade there is inherent need to be prepared from the would be accrual benefits that we could accrue from such trade deals.

What am I trying to say? Namibia and SADC countries would be able to access duty free and quarter free access. Quarter free comes with a price tag that it is one thing to negotiate a quarter free access market. It is another thing for your Republic or your country's economic to be ready and be prepared to be able to deliver. If you look at the previous agreement that was in place, Namibia was given I think 8,000 tons of meat that we had to deliver in Europe but we were very, very below 8,000 tons that we were delivering.

One thing that needs to be addressed back home as we are ratifying this thing we must remain vigilant committed to be able to boost our

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productivity here at home so that we can be able to maximise the benefits that we could accrue from this trading deal. In minds, the Orange River water problem with South Africa should be addressed for us to accelerate more grapes to be produced by Namibia to access European markets.

If you look at Aussenkehr is one project but if you go to the other side of the border the Orange River is being used by our partners or South African our neighbours, in full capacity from Lusen to over-capacity yet Namibia is only having two projects one in Noordoewer and a little bit of Aussenkehr and that is all. I think by signing this documentation and trading agreement, that there must be consistent effort to fight for more rights for more Namibians to be able to produce grapes and products that we can produce for us to be able to benefit and maximise this quarter less market that we are about to enter.

Secondly, on this industry there should have much greater effort a much greater effort at home to give more concessional loans to farmers for them to be able to produce enough beef to be able to export. What is happening now we are sitting with some idling virgin land in our country? We are planning to take water there but there is no rush and urgency to realise that if we do not create bigger numbers of cattle in our country, this Bill would remain eroding if we are not fulfilling and maximising the benefit that we ought to maximise.

Coupled with this issue Honourable Speaker and Honourable Members, one issue that is very absent in these trade agreements is a question of capital outflows and transfer pricing by our European partners.

Even if we are signing this deal we must make it very clear to our partners that this economy the bigger economies in the world are the ones that are benefiting from elicit outflows, company that are doing transfer pricing that are coming from Europe and other Republic that are baffled and other tracking zones in the world and Africa is losing billions of dollars through transfer pricing.

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At one instance the very good thing that we have a good instrument that this one I support wholeheartedly but we must also put clauses here that protect what we are currently losing. We are envisaging to benefit more because of a quarter-less excess market that we are having but we are not also pinpointing on the losses that we are losing and I think the question of transfer pricing and illicit outflows should be addressed by all African countries when we are making trading agreements with partners across the globe.

Honourable Speaker, one issue that is very absent my dear brother Deputy Minister of Trade SME and Industrialisation Europe is at the verge of political turmoil and I thought in your introduction speech you would amend your speech to include the difficulties that we are going to get with this deal with the question of the brake cede because break cede is also giving it has a domino effect if you are looking at the political battlefield of Europe. You are seeing countries that want to follow that. How does this EPA now impact our trade relations with Britain or United Kingdom at this point in time? I thought you would raise that issue very clearly but I see no clarity on that issue. I think please help us to understand what we are doing with bread cede with this EPA agreement now.

Having said so, I also want to raise two issues, before I sit down Honourable Speaker, and that is the issue that the trading agreement between SADC and the EPAS is having a very limited period. We will have to plan post COTONOU agreement that we need to create working groups because the problem with this arrangement even at this point in time that we are signing now, is because SADC is not negotiating as a coherent team. African countries are not negotiating as there is no coherent with these negotiations.

I think every country should be able to put up now not 2020 but now to create working groups that would monitor and create a framework of what we would want to achieve five years from now on because if we do that only 2019 and 2020, then we would be late because these countries are planning in their interest because trade negotiations is about dog eating

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dog, because every country that has power want to maximise and accrue benefits for its own population.

Our country needs to create a working group and I want to see even a regional working group towards an African working group that would really talk about how we want to engage post COTONOU so that we can maximise.

Honourable Speaker with these few remarks, I wholeheartedly support this instrument and I plead to members to ratify because it is in our interest but we must also look at the people that might come our way if we are not ready. Thank you very much.

HON SPEAKER: Thank you. Honourable Tweya.

**HON MINISTER OF INFORMATION AND COMMUNITY
TECHNOLOGY:** Thank you, Honourable Speaker.

Honourable Members, I rise first to register my support for the ratification of this agreement. It is long overdue and I, therefore, want to congratulate those who made it happen one of them being our own President Doctor Hage Geingob.

we have on record the Swakopmund consensus where we raised the issues pertaining to this agreement in its original form, and we have been consistent and persistent to that call where the Europeans wanted to arm twist us as a developing and small state to their conditions. We put our foot down that if you want our products, you are not the only consumer. We needed a space where we can have policy for ourselves to develop and that took lot of convincing to our member states in SADC until we joined with the Caribbean and specifically known as the ACP.

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I remember very well that during those negotiations when we send our officials to negotiate, they would negotiate with the officials from the EU and interestingly when it was the turn for the Minister, the European Ministers were too important to negotiate with the African Ministers. They again presented the same officials to negotiate with the African Ministers as if they were Ministers.

I want to underline that it was the initiative of our own President who said this cannot be entertained. We all elected officials and that is when it was changed that the African Ministers on this EPA started negotiating with their counterparts in the EU. I think it was and it is important to put that on record that it did not come on a silver platter. The attitude of the Europeans were uncalled for and unfortunately, that relationship has been corrected.

The second that I want to say is that as SADC and AU we are in the process of integration while the EU unfortunately, is the beginning of this disintegration. As much as we may have this hope, we must keep that in mind that it may not be as we originally envisaged because it is in the process of disintegration and it is for that reason with the visionary leadership of the Republic of Namibia and especially under the leadership of Doctor Hage Geingob that we already foresaw the situation and as a country we have already opened up other markets such as China, Russia.

These markets are open and have been opened by the Namibian Government under the Swapo party leadership, Swapo party Government. Equally, the further market has been opened not only in Russia big market and in China but also in Africa Zimbabwe, Angola, Ghana and I can name. I am talking about opening a market to create enough choice for our producers so that they are not confined and caged as it were only in one market and if anything goes wrong in that market, then we panic.

As is the case now, Honourable Venaani, the neighbour here, the President of the official opposition party, I remember him putting up a very serious fight here against the Government for putting a limitation on the export of

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the winners to South Africa how he was fighting vehemently here and now you have seen what those restriction mean.

We are now panicking even more because now they said how we should export even the winners on the other side.

As a SWAPO party Government, we already started then encouraging Namibians farmers to invest in local abattoir. If we started that time, Honourable Members, we would have not been panicking by now rather start now before it is late and I want to assure the Honourable Members here and the public under a SWAPO party Government the future is secured because we already see what is there while the others have no clue what we are talking about.

This is a typical example. Growth at home was born specifically to prepare Namibians that when things go wrong I think it might be in your interest Honourable Member to listen because if you do not listen, you will repeat exactly the same mistake that Honourable Venaani did six years ago in this same House here.

For now, as a country, the abattoirs you know why they are closed, it is because of (incomplete).

HON SPEAKER: No, no, I think let us do what we normally do quiet please.

HON MINISTER OF INFORMATION AND COMMUNITY TECHNOLOGY: The abattoirs closed because they are those who do not listen to those who sees the future but they listen to those who are afraid to look forward and convince them not to believe in the future. The

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abattoirs would be in the full production because there is part of growth at home.

This particular agreement should not be seen as the only market that the Swapo party led Government has opened. The Namibians and the produces out there must see this as but one of the many markets from which they can choose.

The future is bright. The future is certain and for my Colleagues on the other side not everybody but only this part here and the corner there, this is why I am talking to you as fellow Namibians. Let us please build the Namibia House by giving them hope and encouraging them to invest in Namibia.

Honourable Speaker, we are talking about a very serious matter, this matter is not new, and I am happy that at least my Colleagues the Honourables there finally have come to the table to support the SWAPO party viewpoint.

Thank you very much for your unconditional support. I rest my case.

HON SPEAKER: Honourable Members, if you look at the clock, you would see that this is the time we normally go for tea but, for me sitting here, if you look at the items on our agenda, within the timeframe that is available to this House, I would be misleading you – or pretending yes, time management yes in most of the international Parliamentary institutions there is a limit as to how long people can intervene, but we go on and on, and then discover that we do not have much time to attend to the real business.

I would encourage you to have your tea individually to go and have tea and come back. I am not going to let you out of this place.

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HON SWARTBOOI**

We get on with the work. Yes, Honourable Swartbooi.

HON DEPUTY MINISTER OF LAND REFORM: Honourable Speaker, thank you very much. I rise to support. Speaker can we be protected from children?

HON SPEAKER: I think you must be protected.

HON DEPUTY MINISTER OF LAND REFORM: Thank you very much.

I rise to support the EPA agreement and I wish to again echo the congratulations given to Dr Hage Geingob, Minister of Trade and Industry, as he then was, who really pioneered and stood ensuring that we are able to remain steadfast as a country to ensure that this agreement eventually is signed.

Of course, what is interesting is that whereas Europe was strengthening its own unity SADC was disintegrating as it relates to the EPAS and it brings about the question about future negotiations who have major economic players around the world in relation to the strength of SADC as a unity movement of nation states that is supposed to secure development of this region.

What is of course also interesting for me is that we have not been told how we will deal with the question of British having left the EU. Shall we go and renegotiate the special agreement with the United Kingdom? What we are saying around that very, very important event that took place and I am talking about the economy of three trillion US dollars that have left the

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EU. Of course, they are still there. There are processes going on to eventually have them invoke section 50 of the Lisbon Agreement. There is also talk of Adexer the Danish and others that want to leave. How is the Ministry going to deal with some of those issues need to be clarified but I think as soon as possible?

What I think what one would have wanted to see Honourable Speaker, Honourable Members, is a quantification by the Honourable Minister about what are the volumes that we are talking about as it relates to the SADC group in terms of trade and what are the volumes that the EU bring forth as it relates to this specific agreement so that the House is able to better appreciate the importance or lack thereof of this agreement and, therefore, to ensure that we are able to study documents as thick as this so that they are not as the Deputy Speaker said tabled in the nick of times in a crisis mode that we begin to just end up saying we agree, we agree, we agree.

I, nonetheless, further also wish to highlight the fact that for those goods that will leave this country and the other SADC group members they would be duty free imports into the EU. For other goods that leaves as products from the Republic of South Africa Honourable Speaker they will then have to dealt with in relation to that country's arrangements with the European Union. Now the grape sector for instance has a difficult because the grape produced here leave from Cape Town as produce of the Republic of South Africa.

Some of these issues should have been sorted out. I hope they have been sorted but again, no international agreement addresses every aspect. That we must understand and I hope the minority opposition also understand how things work at the international level and, therefore, I must of course also urge Honourable Speaker that the agreements like this end up not benefiting everyone that would have ordinarily benefited have they been localised in respect of engaging role players at the local level.

I know in fact even this agreement that we have with the Chinese is most

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likely to benefit those that usually buy products from the communal areas such as beef, those who are better organised those who are better resources and they are the ones that are able to get most of the benefits from this wonderful agreements and the rest of those that want to enter these markets this economy the communal farmers, the resettlement farmers, the upcoming people, they end up not benefiting primarily also because they do not know but also because we do not resolve them to get the nation ready through funding, through technical assistance, through marketing assistance and all other things so that those ordinary human beings in this country can also benefit.

I mean one can see sometimes Honourable Speaker how for instance the Namibia Agricultural Union is more organised than the Namibia National Farmers Union and this is an implication but the bottom line I support this agreement fully and that we accede to it and I so submit. The concerns that we have, I will have. I do not know he probably likes brandy, but we will have tea with Honourable Van Der Walt there to discuss it.

Thank you very much.

HON SPEAKER: Thank you very much. Honourable Nekundi.

HON NEKUNDI: Thank you very much, Honourable Speaker.

This is one of the very important Motion on the table very close to my heart indeed. Comrade Speaker this is a very, very important Motion on the table. It speaks to the livelihood of the Namibian people from the economic perspective how we are able to sustain our economy within the global market.

Comrade Speaker, we are talking about Namibian market being opened up against the giant EU and the so-called EU opening up against Namibia.

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Now, Comrade Speaker, it is one of the key issues that I have and key interest on about is how this agreement will take care of the Namibian agricultural sector taking into account the 1962 Common Agricultural Policy, which provides the subsidy of the EU farmers, which state around 39% of the EU budget.

Now how are we as Namibian farmers are going to compete against the European farmers, who have access to our market yet their prices or their production are being subsidised? It is a very serious challenge, and I think it needs to be addressed as much as I support the Bill or the Motion on the table. It is very important, because our people who are in the agricultural sector might be swiped out in this cape if not being addressed in balancing our capacities and abilities. It is very, very important.

Comrade Speaker, another aspect that need to be addressed and is very serious in the context of this important agreement the European Union has what is called the EU minimum import pricing.

What it basically says it has a policy and says if you have group commodities in categories says X commodity, you cannot import is into EU market below X price. Now it is placed on their cost of production so that you are unable to compete their producers from the pricing perspective. It is another challenge that needs to be addressed.

The other aspect, Comrade Speaker, that needs to be addressed – I think one of the members have asked is; are we ready to compete on a global scale against the EU in terms of the standards, in terms of the quantity, the volumes, the economical scale of which these colleagues have been able to meet against our own producers?

It is one of the challenges and if we are unable one should ask have we done producers to producers competitive analysis to understand whether our producers are able to successfully compete and what are our comparative advantages of our individual producers against the

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Europeans. Otherwise, our producers are going to be wiped out. We must take note that Namibia in essence is a young market and is an infant stage.

We need to understand. It is very, very important to understand these aspects as we are going forward but that being said, we need to learn from the current scenario if currently we have both the boat and the box, the balance of trade. We have different balance of trade and we have different balance of payment. These are key economic indicators that tell you what are our abilities to compete on that scale and I take cognisance of what other Colleague has said.

As much as we go in that route, we must as a matter of priority invest and assist our producers regardless of the sector to be able to meet the required standard to enter the European market because those colleagues who have already met their standards which they are prescribing to us they importing to us what they prescribe as the standard. What we are exporting to them they are also again prescribing to us what are the standards what we must meet and we must balance all these aspects.

I am just saying this so that we are not caught wanting. We are not caught planning. We are not caught on a neutral. It is very imperative as I support this Motion, Honourable Speaker.

I urge that we critically analyse our comparative advantage for all scenarios in order to successfully implement this agreement more so we must have a mechanism that monitors and evaluate. We must be able to evaluate the implementation of this important agreement. If without the monitoring and evaluation mechanism, we will be at a disadvantaged side.

Comrade Speaker, I support and I hope our Colleagues has taken note of what I have stated. Thank you very much.

HON SPEAKER: Thank you. We move on time is very, very expensive

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commodity, the Attorney General please.

HON ATTORNEY-GENERAL: Thank you, Honourable Speaker, I will be very short.

Firstly, as I made the comment when the leader of the opposition was making remarks that these are our efforts past COTONOU. We are very aware of the changes and the dynamics in global trade and hence with this EPA negotiation we would remember that our position in Namibia held the position very much for other countries in particular the agricultural sector and those points I think represent a new dawn for us. Obviously, with protest and those issues come to the fore but these are issues we have to take into account of what the comparative advantages are.

We will always perhaps as an economy be in a position to import more than what we export because simply the iphone, the digital gadgets, those are high value items. They will always be better and efficient made by certain economies if we look at our labour laws and there is nothing to be ashamed of our labour laws. I think we protect our people very well but to produce a shirt in Namibia will always be higher than what you have in certain economies.

The point is; when these agreements are being concluded, we are looking at the facilitation of a better market reception of our product than previously. There is an improvement. In terms of what British presenters was historically asked by the Deputy Minister of Land Reform, well, I do not even think the British themselves know what they intend to do. They may invoke Article 50. They may be compelled by court action not to. They may in Parliament change so we do not know but if it means that the British is out of the economic unit of the EPA framework, it means of course we have to negotiate separately but it is more a daunting task for them than for us. In any event, Britain will always remain a greater economic player globally.

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If you heard of Libore it passed through London anyway. It is a very important economic partner for Namibia but when you look at this, let us just look at the agricultural alone. There are fisheries and make great inlands into the European markets already on the sidelines of the negotiations in terms of the restructuring done here and the impact it had to product into that market. Lastly, the Honourable Nekundi just made mention about standards and we have standards but our economy is an instructive economy by and large.

It has been like that. Trade with the Europeans started 1840 and we always have standards, our fish, our meat, the factories are better to the standards and we are in a position where the products are received without the fight sanitary qualifications with other economic producing blocks have. We are on top standard. When we say this maybe people think we are just defending the Government but we are some standards certain country here.

Let me not talk about the diamond industry. I do not think it helps us in the discussion on this particular EPA but I just want to make one thing very clear. The public out there, because it is being made mention by Honourable Swartbooi there that the documents should not just come and we just 'daccord' them.

Firstly, there is no emergency but the realities when we talk about Parliament being equipped and when we talk about the Parliament building, I would like to see how Honourable Dienda, Honourable Muharukua there can have somebody who have been assisting them to look at documents so that they can prepare to argue on clause 8 of the clauses that we have.

They are not in a position to do that now, and neither would be many people from the Government prepared to do that now because they have not been in the position of those who are negotiating.

This is part of the reality when we talk about the capacitating of the

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institutions as well. Thank you very much.

HON SPEAKER: Thank you. Deputy Prime Minister.

**HON DEPUTY PRIME MINISTER AND MINISTER OF
INTERNATIONAL RELATIONS AND COOPERATION:** Thank
you, Comrade Speaker.

Honourable Members, let me also thank the Deputy Minister for having introduced this important document to Parliament for ratification and also to sincerely thank our then Minister of Trade and Industry our current President for the fight that he has put up that really demonstrated that we are from the land of the brave.

I want to say Honourable Speaker the document we are finding before us may not be the best document that one would want to see. However, we have to accept that under the circumstances that are the best we could get and really, if Namibia had not put up a fight, we were going to have a worst scenario.

You recall that during these negotiations, our partners were even trying to influence our citizens in order to support their position because they were misleading them that it is your Government that is delaying even putting up deadlines by this time you are not going to trade your beef and other agricultural products and I recall some of our citizens were almost convinced and were trying to come and beg the Government but we have also to thank them because in the process they came to realise what their Government was doing.

Yes, it is true the African flow of resources is so high and to disadvantage of the continent. It is also unfortunate that as a continent we have not

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reached a point whereby we can really discuss as a group and agree. That is why now we have the EPA in different groups some for SADC but not everybody, ECOWAS not everybody. However, what we are getting on our side is something that we can seriously work on.

Of course, Africa has also realised that one of the problems that we are facing as a continent when it comes to trade and investment is the way we agree or we draw up agreements with multilateral companies and you find each country has just to take what they think is saving them at that point, however, if it could be done at the continental level, it would be able to assist the whole continent. We are trying to see whether the intervention that the United Nations Economic Commission for Africa is making in order to sensitise African countries to make sure that they have a standard and coordinate when it comes to drawing up agreements will assist the continent to move forward particularly now that we are talking about the implementation of Agenda 2063.

One of the important decision taken by the AU is for the African member states to make sure that at least 15% of our raw material should not leave the continent unprocessed because by doing so, we continuously continue to export jobs, to develop the country and our people remain unemployed. It is a good decision but the implementation is what we have to work on very seriously.

Coming to the EPA Comrade Speaker, for Namibia now definitely what is required is for us to ratify so that come 1st of October 2016 we are not left in the dark. There is no more time for negotiation on this because we have negotiated and reached the point where we have even signed. What we have to do now is just to work within ourselves in all sectors of our economy, which are included in the EPA with particular reference to the agricultural sector so that we can make the best out of it.

We can to continue to refer to the history and the past. It is very good to have the history and the past but it is also not good just to confine yourself on the past. We should really look at these documents and then draw

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programmes that will help us to benefit from it. I said it is not the best but it is not everything that is lost.

I am, therefore, also suggesting, Comrade Speaker, that the relevant Parliament Committee can also make a critical analysis of the document and then we can see how we can also educate our citizens about it and then in the process, the Government will also draw programs on how to assist our people so that the economy can benefit in the spirit of Harambee because it is only then we can eradicate poverty.

I, therefore, Comrade Speaker ask that we ratify the document but then in terms of understanding and in terms of implementation we will continue to engage one another and then find the best way we can benefit from it.

I submit, Comrade Speaker, and thank you for your kind attention.

HON SPEAKER: Thank you. Honourable Doctor Kawana.

HON MINISTER OF JUSTICE: Thank you very much, Honourable Speaker.

I rise to contribute and support the Motion before the floor of this august House and thank my dear brother Colleague and Comrade Honourable Deputy Minister for moving this Motion.

Honourable Speaker, if I had prepared a speech, I could have opened a docket against the Honourable Minister of ICT because what I wanted to say he exactly said it. Now, I do not know, being the Minister of ICT whether there is new technology to steal ideas from the Head as opposed the ideas that are put in the computer. Be that as it may, Honourable Speaker, Namibia is a small country with great and respected sons and

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daughters of this soil. One such son is none other than our first citizen the President of our Republic Doctor Hage Geingob with his diplomatic skills, which he perfected even before Namibia's independence.

Today we are proud citizens of this country that Namibia was able to push. Namibia was able to exact pressure with a view to obtaining maximum benefits from this EPA.

For this, let me join my Colleagues who have already congratulated our President to say to our President we are proud for the role that he played not only for Namibia but definitely for the EPA group the grouping that we are signing that we are acceding together with and I can say Comrade President thank you very much. We are proud for the role you have played for this nation.

Now, Honourable Speaker, one reason and one, there is a citizen in this Chamber in the name of Right Honourable Doctor Sarah Kuugongelwa-Amadhila who can attest to this being the longest serving Minister of Finance and I say Honourable Speaker one reason why Africa is the most interested continent to the World Bank and IMF is our weakness is negotiating better deals for ourselves.

We normally live until we are in such a hopeless situation before we question or we request assistance. At that age at that stage, we only say where do we sign. Sometimes we even sign a blank paper. Thereafter, conditions are put on the paper. That is the weakness of Africa and yet you see in contrast what we have now with EPA the role Namibia played, the role our President played is in contrast with the example I am giving and therefore, to me this is a monumental achievement and Namibia must be proud for this reckon.

Firstly, as I said, Comrade Speaker, Namibia is not in such a situation. We demand firstly, to understand the terms and condition. We interrogate them before we decide whether to accept or not. Honourable Speaker now that EPA has been signed, we need to coordinate Government, private

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sector. That is one phase that we have to do. Let us coordinate in order to achieve, in order to obtain maximum benefits from this EPA effort.

We must increase value addition so that we promote skills development and indeed, promote employment of our people but Honourable Speaker I have always asked myself especially when it comes to this area of industrialisation. I am of the view that we can only succeed within SACU, within SADC, within the African Union if we coordinate our efforts. To me Comrade Speaker especially given our size of population, it will not make sense for Namibia to manufacture exactly the same products that is manufactured by South Africa, is manufactured by Zimbabwe, manufactured by Zambia, manufactured by Angola.

The question is with our small population, are we able to survive when it comes to competition, when it comes to marketing. I doubt that is why I am of the view that the leaders of SADC, the leaders of SACU must learn from the EU, must learn the example of Airbus. Airbus manufactures some parts are manufactured in Germany, some parts are done in France, some parts are done in UK. Through that, collectively we can defend the industry unlike now whereby big brother down South dictate terms. Everything is manufactured there, I think time has come to share this industry. Once we do that, all of us will have vested interest.

All of us will benefit from skills development. All of us will benefit from employment rather than continuously exporting employment, exporting skills development.

With these few remarks Honourable Speaker, I wholeheartedly support the Motion and I thank you.

HON SPEAKER: Thank you. Prime Minister.

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RT HON PRIME MINISTER: Thank you very much, Honourable Speaker.

I also rise to support the approval of the ratification of the EPA between SADC and the European Union that was tabled by the Deputy Minister of Industrialisation Trade and SME Development in this House.

I would like to agree with the preceding speaker that have called for us as a country to move fast in ensuring that we position ourselves to optimise benefits to the country from this agreement and there are multiple benefits indeed that could accrue to the country if we do that but it is also important underline that these benefits would not flow by themselves unless we take deliberate measures to ensure that this happens.

I am happy to say that in fact the country has put its foot in the door already by way of a number of initiatives which when they are concluded or when they are fully operational could actually put the country in a position to also optimise benefits from this agreement, and one of those initiatives is the growth at home strategy that would enable the country to develop products that it would be able to sell to others within the region, and also internationally and, therefore, ensuring that Namibia benefit, not only from international agreement like the one that we are discussing today, but also from regional integration within which we have opened up our borders to allow for a free movement of goods across the borders within the SADC region.

Another such initiative is the industrialisation policy that would enable the country to develop and industrialise by creating industrial products that would then be able to trade with other countries.

Within the Harambe Prosperity Plan we have also set ourselves to promote the competitiveness of the Namibian economy and specific activities have been identified that are to be undertaken by public institutions as well as by the public sector to ensure that eventually our industries are in a position to compete with their counterparts within the

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region and also internationally that would seek for a market share within our economy.

I would also like to point out that while agreeing with those that indicate that because of the importance of this agreement, we need to ensure that all stakeholders are made aware of the opportunities that are created under this agreement and are indeed brought on board to ensure that they bring their part to the table that as part of the negotiation for the EPA agreement which has gone on for a protracted period they have also been consultations conducted with various stakeholders for I believe that for a good part, people would be aware of the fact that there are opportunities that are created under this agreement.

I will agree that such consultations should continue and I believe that they can continue even after we have agreed to the ratification of this agreement because we would still have to identify additional initiatives to be undertaken in order to enable us to optimise the opportunities under this agreement and identifying those initiatives would also involve consultations with stakeholders and yes such initiatives would also have to include supporting capacity building among the potential stakeholders to ensure that they are in a position to enable the country to optimally benefit from this agreement.

I also believe that I think the negotiation for this agreement has highlighted the need for Government and private sector to work together in the spirit of partnership to ensure that the public interest of Namibia is secured and that we optimise the benefit to our country and this would be no time to blame shifting and finger pointing. We should actually each identify what it is that we can do to make sure that we optimally benefit from this agreement and that this is not only the case at national level, at the level of SADC and also the African continent.

We actually have to look at how we complement each other because already during the agreement, I think it became very clear to all of us that as member states, as individual African states our chances to survive

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globalisation or to benefit from it rely in us working together as a community. If there are those who still harbour ideas of trying to prosper at the expense of others on the continent or within the region, they would pursue that approach to the peril of themselves and the rest of the region and the continent.

I think really the only opportunity that there is for us to benefit from this as a continent and as a region is to look at the complementariness that exist between our economy and actually try to exploit them instead of having terms coming here and trying to kill terms in other countries thinking that they would then prosper that way if they can supply the whole continent because how can you get rich by supplying poor people. How do they buy your products if they are poor?

The only way that you can make sure that you can actually leave of them is to nature them so that they can grow. They will then have the ability to afford more of the things that you can produce but in order for them to do that, you have also to recognise where they are able to do it better than you and provide for both themselves and yourselves and I think really this is now time for Africa to come together and try to make the best out of the EPA.

Having said that, I join others in supporting the approval of the ratification for the agreement. Thank you.

HON SPEAKER: Thank you very much.

I think we have done justice to this – just one or two observation. I would like to wholeheartedly agree with the Deputy Speaker when she spoke about the need for us to create adequate time when we are dealing with issues of this kind. I really want to agree with that, and it is a question of creating certain methodologies that will enable us to do justice to

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something like this so that we are seen to be thorough and taking into account all the relevant factors associated with something like this.

I just want to put that on record. However, I want to underline the fact that even if we ratify this document it is not the end of the road. We can still find mechanism between ourselves as an institution and the line Ministry to make sure that we create a space for further interrogation as a form of ways of raising awareness of some of the critical issues pertaining to an agreement of this kind.

That said and done, I would like to join those who acknowledge the role played by our President then the Minister of Trade in defending and promoting national interest of this country, the region and the continent of Africa. I want to put that on record. Likewise, I also want to join others in taking the opportunity to congratulate the Minister, the Deputy Minister and the team and all other colleagues who are associated with the efforts of paving the way for successful conclusion of the negotiation that led to the signing. We are now at a point where we are here to ensure that Namibia ratifies the SADC EPA with the EU.

Of course, as Parliament we are looking forward to exercising our mandate in terms of monitoring and evaluating this important agreement. With this set at the beginning and obviously we will be occupying ourselves with further endeavours to make sure that we are fully satisfied the way how EPAS are going to be implemented.

That said and done, I now revert back to the Deputy Minister. Does Honourable Deputy Minister wish to reply?

HON DEPUTY MINISTER OF INDUSTRIALISATION, TRADE AND SME DEVELOPMENT: Honourable Speaker, I am very thankful for the support. I believe that sometimes the burden in your hand is better than a double one.

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I am very proud to say today that this negotiation was spearheaded by our current President His Excellency Doctor Hage Geingob and believe me, I was part of this negotiation in Europe and it was not easy. It was really difficult and I can say to this House today that we as a nation as Namibia, we were the leaders in this negotiation.

The EU are very tough. They wanted to take the way proclamation treatments for Namibia and for all other countries by saying the developing country but at the end of the day, we stick by our guns and we overcame all the obstacles and we have signed the agreement, which I think we can be proud of.

With all this I also want to say there were many questions but I am very thankful to my senior who answered them on behalf of me. I truly believe I do not know to answer anymore, so I thank you Honourable Speaker.

I thank this House for supporting us. Thank you very much.

HON SPEAKER: Thank you very much. I now put the question that the agreement be ratified, any objection, agreed to.

The Secretary will read the first order of the day.

**RESUMPTION OF DEBATE ON SECOND
READING ANTI-CORRUPTION BILL [B.6 – 2016]**

SECRETARY: *Resumption of Debate on Second Reading Anti-Corruption Amendment Bill [B.6 – 2016].*

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HON SPEAKER: When the debate was adjourned on Wednesday, the 29th of June 2016, the question before the Assembly was a Motion by the Honourable Prime Minister that the Bill be read a second time. Honourable Muharukua adjourned the debate. I now have the pleasure to call him.

HON MUHARUKUA: Thank you, Honourable Speaker.

Honourable Speaker, being the most obedient Member and cognisant of the time, I shall not have a protracted contribution. I shall perhaps just extract two points in my intended contribution on this particular Bill and that is the elevation from Director to Director General, from Deputy Director to Deputy Director General and for creation of the Permanent Secretary and the other point is that I would like to raise is whistle blowing.

Perhaps, let me start with the first point first. Reason will dictate that if one is to be elevated in rank to be promoted in rank, it should be commensurate or result should commensurate that sort of elevation. I know that by doing what we are doing or by the introduction of the Bill, we are trying to I suppose to adhere to the constitutional provision. However, two things perhaps did not come out very clearly from the Honourable Prime Minister's motivation speech and that is namely the administrative functions would be removed from the Director General a PS would be stopped.

Now, perhaps what I would have thought would come out clearly is what is the new role that would be assumed and two, how would the removal of the administrative duties perhaps help the ACC reach its intended purpose or purposes more efficiently. If one looks at comparable offices look at the office of the what was then the development Commission the role that the Director General of that Commission had was I suppose also same political because he had to implement political policies and, therefore, justifying having a PS under him that does the administration.

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If you look at Ministers, for instance, if the Ministry is headed by a political head and we are certain that the duty of such person is to head is to ensure that the political policies of the ruling party is actually taking place and therefore, the PS does the administration but look at the office of the Attorney General. It does not have a PS but administratively the office of the Administrator General notwithstanding that.

Thank you, Honourable Members the Prosecutor General and the Attorney-General's Office, specifically the Prosecutor General's Office, the workload, in terms of administration for the Attorney General's Office, is to in my considered view quadruple the workload that the office of the ACC has notwithstanding that the ACC's job is specialised in his job yet that office does not have a PS.

What one perhaps wants to get clearly from the Honourable Member is the role that is to be assumed by the Director General. Is it going to be a political role and if so, is that suitable for that office or what role is it if it does not the administrative duties anymore and what makes this particular office more special? Perhaps not more special, what justifies him or that office having a PS given that an office such as the Prosecutor General's office with a much heavier workload including the workload of the ACC not having a PS on its own.

Moving from that point Honourable Speaker, Honourable Members I want to move. I spoke about an elevation being commensurate by results and perhaps one in this regard one would want to start by commending the Namibian people, congratulating the Namibian Government for improving our corruption side. It is evident that we are ranked amongst the best. I think we are ranked about fourth on the continent in terms of being a least corrupt society, but I also think there is one reality to that statistic and that is that whistle blowing in the Public Service makes it possible for the ordinary man to know that if I indulge in corrupt activities, someone somewhere will hear, and I would be subject to investigation and I will possibly lose my job – also the Anti-Corruption Act, and the heavy penalties that comes therewith, also ensures that the ordinary citizen and mind you I am saying ordinary citizen.

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Ordinary citizen ensures that the long hand of the law stays away from him or her as far as possible. However, I think the ACC when it relates to individuals that are closer to the powers that be, is very ineffective and that is the reality.

We have cases that come since the age or the administration of His Excellency the former President of this country His Excellency Hifikepunye Pohamba that are to date un-concluded. I think the investigations (interjection).

HON SPEAKER: Can I just ask question there, because I am now lost?

HON MUHARUKUA: Yes.

HON SPEAKER: The topic on the agenda that is what you are dealing with so you are saying the outstanding cases that have not been resolved and how does that relate to the subject before us.

HON MUHARUKUA: Honourable Speaker, I am linking results to the elevation and rank. Remember what we are seeking to do or what the Government is seeking to do well whether now in compliance with (incomplete).

HON SPEAKER: But, in a way, what you are saying actually that is why I raised it, I thought if we are elevating or reinforcing and strengthening, that should enable the institution to do precisely what you are talking about, but you seem to be raising it as a way of as if you are objecting.

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That is, if you could help me to understand that.

HON MUHARUKUA: Yes, Honourable Speaker perhaps let me conclude and the Honourable Speaker will understand what I am saying.

HON SPEAKER: Alright.

HON MUHARUKUA: If results reward must be results driven, what we do must be evidence based. What I am saying is that you have cases unresolved for ten years and the record of the ACC does it really warrant for it to get a higher status or perhaps we need to go back to the drawing board and say let us change the higher level. That is one point.

Secondly, in terms of whistle blowing, there are perhaps one aspect that one wants to draw the ACC and the nation attention to and it is the following. It is spot checks that the ACC unilaterally, on its own, without having anyone else whistle blow, or without having anyone else complain to it to be able to randomly do spot check of corrupt activities in all our Government institutions.

What am I saying? There is public on public bodies take for instance our Town Councils. There is an outcry from society almost from any angle of our Namibian society that tells land is being distributed corruptly in the country false or true but it is my considered view and I stand believe that the ACC must be able to randomly I am not saying target say an individual for any other reason.

I am saying randomly be able to do spot checks on land deals across the country. This in my view would ensure that the authorities that give land would be kept or keep themselves in check. Another example I know the

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Attorney-General and perhaps some other individuals are in charge of making or negotiating on behalf of Government on any given contract. Those contracts must also be subject to the ACC's random checking.

I remember the Attorney-General so well-articulated himself that when Honourable Ndakoloh was in question relating to the money that he went to speak to the ACC and everything was *bona fide*. The ACC need not to have anyone to inform them that wrong has been done if the Attorney-General has said that himself. By now we should have had an investigation into the Attorney-General's conduct. This is what I am talking about.

HON SPEAKER: Honourable Member, how do we know what evidence do you put on the table that they do not do that?

HON MUHARUKUA: Well, if they are doing it, then the Honourable Member would also duly inform me. As far as I am concerned, I am not aware of it.

HON SPEAKER: Yes but you are actually making a conclusive statement saying they do not do that. That is my concern. We do not know that.

HON MUHARUKUA: Is the Honourable Speaker saying that I cannot conclude?

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HON SPEAKER: I was saying the way you made your statement really made me to come back, and I do not wish to do this but when you are speaking in absolute terms – it does worry me, because you have no proof whatsoever and that is my concern. Continue.

HON MUHARUKUA: Honourable Speaker, neither does the Namibian public have the information and if it is there, I believe the relevant authority perhaps I will get to that. I shall repeat but I want to answer the Speaker first just to put him at ease. We shall be informed, but as far as I am concerned, we do not have random spot checks of public authorities for corruption and that is what I am saying. The ACC should start doing it checking randomly, keeping those that are close to the powers, keeping them on their toes to ensure that they do not engage in corrupt activities and one example that I use.

HON SPEAKER: Yes, on a point of order.

HON DEPUTY MINISTER OF FISHERIES AND MARINE RESOURCES: On a point of order, I have a question to the Honourable Member.

Honourable Member you want the ACC to go check randomly on people to check who and how and why. You just go into people's houses and you start asking randomly. Do you steal or how do you go about that?

HON SPEAKER: Can I please – I am actually worried about this whole the tone. Let me say there is no society in this world where we had similar institution with clear mandate in what they do. They are acting

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according to terms of reference. We cannot jump one day and just simply say you should do that. We cannot do that.

We are responsible institution but simply to instruct that they should do that. Is that what you are saying, no, no, please, I am simply saying the way how the Honourable Member is expressing himself worries me. Yes, indeed, because this body is functioning according to certain mandate agreed upon in this House.

Are we saying that we should revisit those mandate or to change. Is that what you are saying, yes?

HON VENAANI: Honourable Speaker, during the general debate, during any Bill there is a need for a Member of this House to engage in a general debate. Honourable Muharukua is engaging the relevant authority on asking the premises why the office is being promoted and by doing so is also raising within the confines of our rules of this House. He is saying that for ACC to be effective certain things must also be able to happen and the Speaker is saying they cannot do that.

HON SPEAKER: The point I was saying is that you are saying they should start doing a, b, c, d and as far as I am concerned, they are doing the work according to the mandate given to them already doing that. What evidence do you have but then if you are saying they are failing?

HON VENAANI: Honourable Speaker, the Government is there to inform us that they are doing it not the Speaker. The Speaker is stepping into the arena.

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HON SPEAKER: No, no, I am simply saying we cannot micro manage the ACC along the way. Can you conclude?

HON MUHARUKUA: Honourable Speaker, I think I should be allowed to get my point across and with all due respect.

HON SPEAKER: Please conclude.

HON MUHARUKUA: Honourable Speaker, I do not think.

HON SPEAKER: Please, let us have some order. Can you conclude please because we seem to be drifting on and on and I do not see the direction you are going? That is what I am saying

HON MUHARUKUA: Honourable Speaker, the problem is the Speaker is trying to tell me how to debate or how to get my points across. I believe the Government is there to answer to the assertions that I am making. If I am wrong, so be it. The Minister will answer.

HON SPEAKER: I am not taking over the role of the Minister to answer. The Minister will deal with that.

As far as I am concerned, the way how you are proceeding I am not quite clear where you are heading to because you are not addressing yourself

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clearly. You are going in a random. That is what I am saying.

HON MUHARUKUA: No, unless the Speaker does not want to hear what I am saying, but I think I am being articulate enough. I am being very articulate enough and I shall repeat what I said for the benefit of the Minister that has asked what I actually said.

Right Honourable Prime Minister, what I was saying is that the ACC is very effective in keeping the ordinary Clerk at the Ministry of Immigration, keeping the ordinary police officers in some cases in checks because we have the relevant laws that ensures that people feel the long arm of the law.

We have cases that are being investigated and whistle blowing is working very effective in terms of those that are not close to power and how can I not be clear Honourable Speaker. However, when it comes (interrupted).

HON SPEAKER: Please continue.

HON MUHARUKUA: And the Honourable Chief asked who.

HON SPEAKER: Please let us not waste time. Let us have some order please. I want you to conclude.

HON MUHARUKUA: Honourable Speaker, the Speaker took most of my time.

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HON SPEAKER: I am giving you the chance now to get on with the job.

HON MUHARUKUA: Thank you. I will not talk two minutes. I will talk until I finished. Honourable Chief, without my consent asked me the question.

HON SPEAKER: Please do not worry about that. I am saying he does not have the permission to have a dialogue with you. Go through the Chairperson. If you do not, I am not going to permit that.

HON MUHARUKUA: Thank you, but the question of who is what I was addressing. I was giving examples of what I mean by this. I mean there is a general public perception, general outcry that land allocations countrywide is corruptly rightly or wrongly but the perception is there and the allegations are there.

What I am saying is that the ACC to be effective in keeping those that are politically empowered in check must do random checks of land allocation Bills countrywide. I am talking about Permanent Secretaries. We have Permanent Secretaries that are rich not mentioning anyone that are rich perhaps overnight but we do not know their dealings.

The ACC we have not seen one ACC investigation in a conduct of Permanent Secretaries. What I am saying as a member of this House is that the ACC must randomly be able to check the conduct of Permanent Secretaries for corrupt activities, exonerate them or institute prosecution.

The other point that I got across and perhaps this is where the Right Honourable Prime Minister was asking what am I talking about was Government contract. Those that negotiate Government contracts the

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Attorney-General's office, the individuals involved, there must be random check of Government contract for corrupt practices. This in my view would allow or would force those that are closer to the powers to ensure that they are kept in check because you do not know when the thief is coming at night.

That is the point, Honourable Speaker, and I believe that is clear. Thank you.

HON SPEAKER: So you are done. Thank you. Attorney-General.

HON ATTORNEY-GENERAL: What a waste of good time. The issue here is the amendment to the statute to bring it in line with the constitutional amendment that was done, so that the position of the Head of the institution is reflected as Director General and Deputy Director General respectively and the function of administering the administration of that institution is detached from that constitutional office barrier to the Accounting Officer respectively.

With due respect, the Anti-Corruption Commission is a constitutional body which we are proud of in this Republic. It was a Minister of Government that came to this House to motivate for its creation in the first place. We are aware correct, and that is on the basis of the convention which this Minister here had to go and negotiate and the subsequent Minister and the other one came to table.

Please do not attempt to lecture us on about whether or not we are fully aware of the need for audit. We have systems in this Government. We have systems firstly constitutionally enshrined. We have the Auditor General. We have Treasury and we have good practice let alone professionalism.

It is somehow becoming a sad song sung by a broken choir on the other

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side that every time you are in Government, you are, therefore, susceptible and not qualified and perhaps collapse. They have that capacity.

HON SPEAKER: Point of order, yes.

HON VENAANI: Maybe protected from my own leader.

HON SPEAKER: Yes, please let us have some order, please.

HON VENAANI: Honourable Attorney-General if we have systems that are so effective, why the special need for an ACC?

HON ATTORNEY-GENERAL: We are a country that lives in a community of nations where we have commitments and we articulate those concessions and agreements, which bring us to the floor here for you to ratify and agree to what we have committed internationally.

I have answered your question whether you like the answer or not is not the issue. The question has been answered and you must take the spoon as it comes. Now I want you to learn something.

Firstly, the fact that you are an opposition is a fact of failure to be in Government. You hope one day to be in Government. When you become Government, it does not automatically translate that you are a corrupt person correct but what it needs.

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HON SPEAKER: I have not granted you the permission. You have the floor now, Honourable Venaani.

HON VENAANI: Honourable Shanghala, my cousin, we are not saying this side of the isle is not saying that everybody in Government is corrupt but we are saying that ACC protects the powerful. How is it possible that Tuli Mandonsela in South Africa would have taken on the President of the Republic on a wrong that has been done?

Since the inception of ACC, no GIPF is still outstanding. All these things still outstanding so we are saying ACC if it wants more power it must also do more to bring the powerful.

We are not saying Ministers are corrupt. We are not saying the President is corrupt but we are saying the powerful should also be checked and that is the reality.

HON ATTORNEY-GENERAL: Thank you for the intervention. I have not even said anything such an irregular movement on the House there.

Honourable Speaker, I think the Honourable leader of the opposition when he last walked in here may not have seen the colours on the flag. They are not South African. What is occasioned in South Africa is unique to them. What is occasioned here is ours, but if the ACC should be given powers, it should not given powers on the basis that the Government is corrupt.

HON SPEAKER: I really want order, honestly speaking, because I think is that on a point of order, yes, please.

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HON MINISTER OF HOME AFFAIRS AND IMMIGRATION:
Honourable Speaker, I would like to ask the Honourable Attorney General a question.

HON ATTORNEY-GENERAL: Yes, you may.

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION:
Honourable Attorney-General, do you not think the Honourable Members of the opposition party are jittering, because they know that when they were in the so-called Government they did all kinds of things corrupt of the first order that today when they see others in the same Government they think they are conducting themselves the way they did? Do you not think so?

HON ATTORNEY-GENERAL: Honourable Pendukeni Ivhula Ithana, it begs to ask the question is you were so-called Prime Minister of the interim Government, how you ended up having a huge media empire, vast farms and are suddenly wealthy.

HON SPEAKER: If you are speaking on a point of order, your microphone please.

HON MUHARUKUA: Honourable Attorney-General, Honourable Speaker, may I be protected from my own Members please.

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HON SPEAKER: Please let us hear each other.

HON MUHARUKUA: Honourable Attorney-General, we are living in an era where Namibians can see, can hear that you have lost a debate, and I am noticing that when you lose a debate you return to politics debate. Raise the debate. We expect you to raise the bar. Please, do not denote the importance of the Namibian people.

HON SPEAKER: I am not quite sure whether that was a point of order, yes, please.

HON ATTORNEY-GENERAL: Nonetheless, my young cousin here makes a good point and I really want to dwell into what he says in that when you have a particular Bill on the floor that seeks to amend a constitutional bodies operating legislation, to allow it to function in line with the constitutional purpose which it was created for, and the debate then degenerates into denials of history concretely placed in the setting of the making of this Republic remnant which makes you today – Colleagues, if I am debating with a zero base to start with, I must first start to put the foundation on the zero base. I am going to go upstairs. I will be on the third floor by the time you know it but in response to the discussion that went ahead and I want to conclude Honourable Speaker is to say the following:

When we have institutions such as the ACC, they are not meant only as a target for Government. Corruption occurs elsewhere yes granted. This is the developing economy and the participant in the economy by and large as the state and yes, I do agree. It would be a great thing if we have systems that allow us to eliminate the possibility of maximisation of

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corruption in these processes of either the contract negotiation, contract awards or contract performance. However, I put it to the Honourable Members of the opposition that we do have some systems and the ACC is part of that system and to also indicate, Honourable Speaker, that it is not true that members of the Executive or those who are deemed powerful are not being investigated.

I have been investigated even recently mass housing. Apparently, I received N\$3 Million. I have been investigated hold on but why must I not be exonerated if I am not honestly corrupt. The difficulty people have however is that for those of us who have deployed our minds to make our minds earn an income for us even before we come to this August House, we are here doing the national service but do not think that my presence from being Attorney-General that is where I get my bread, whaa.

That is not true. You say that but as I was indicating to you just because you are in the opposition you intended to be this side of the House. If you come this side of the House it does not mean that by your walking over or winning and coming here you are corrupt and let us treat people fairly. Let me make one penultimate last point Mr Speaker.

In the US two, three day ago a gentleman from the United Arab Emirates was arrested for a while detained because he was wearing his traditional attire. Somebody called the FBI and said this gentleman is speaking to whatever ISIS and KAIDA whatever it was and they came guns drawn. He happen to be in the country on a medical visit a businessman and now the inquiry is do we prosecute this person who has caused this individual some harm.

In Namibia here just because you are in public office you are the pinner poster for the bad recorded song that is being sung by the other side to be made your target, your dignity, your name, your great reputation as it were is now being put on display. They attack you. They accuse you easy to make but difficult to change, difficult to clear your name and I would caution that Members of Parliament in this House start saying things that people are being protected. Name the specific people are being protected.

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Name the specific investigating officer so that the Namibian police and other authorities we may take action.

Now, with regard to what you were referring to Honourable Muharukua through you, Honourable Speaker, I think the Honourable gentleman did not listen then, will not listen now but I will intend to take him out for coffee so that he maybe educated privately. My English is too complicated.

Thank you very much.

HON SPEAKER: Thank you very much. I think we are done. We move on.

We have exhausted our list now let me call upon the Prime Minister to reply.

RT HON PRIME MINISTER: Thank you very much, Honourable Speaker.

The discussions are always very interesting when they relate to the Anti-Corruption Commission. In the past, Cabinet Members were accused of attacking the Anti-Corruption Commission because it conducted investigation against them and such expressions were characterised as an attempt from the Executive to intimidate the office. What we witness today is the overlarge of attacks from the opposition party the official opposition for that matter to try and bully the ACC into targeting members of the Executive, just because in a neighbouring State a President has been taken on. I think what is happening here is now that the official opposition has established as a performance benchmark for the ACC.

The extent to which they harass member of the Cabinet and the higher they aim in Cabinet it is true. I mean as a matter of principle I believe in

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transparency and accountability but I think the way the debate has gone on today I cannot help but still disappointed because of some of the statements really that were made. I cannot be send mediocrity on the part of anyone. If the ACC need to improve, on anything I will support that that happened but when we make a statement that just because in South Africa the President has been investigated and here maybe they have not done the same it means ACC but it is a bad example my brother.

You have to agree that that is a bad example. How let me go on. I have allowed you to speak with very little interventions and I want you to allow me to speak with as little as intervention as you can manage. Now I just want to start by saying that ACC is not an administrative office established by President through a directive or through a proclamation. It is a statutory office established by an Act of Parliament that was passed by this House. That is the first point that I want to make.

Secondly, ACC as a public office is accountable to this House to Parliament. The Head of the ACC and the assistant Head of the ACC are appointed by the President with the approval of Parliament or nominated by the President and actually approved by Parliament for appointment. They are not handpicked by the President or the Cabinet and just appointed without the input of Parliament.

Now the ACC as a public body being accountable to Parliament can be subject to scrutiny in terms of its performance by this House through the appropriate Committee and I really want to encourage this House through the appropriate Committee of Parliament to if they find a need to engage the ACC or to point out any shortcoming in terms of their performance to organise a session where they call the ACC and point out the shortcomings and actually highlight to them where they feel that they should improve. I think that is very, very important.

We can also bring Motion to this House, discuss them and pass resolution to direct the ACC to take action to address any shortcoming on their part but I think for us to just take the opportunity of anything that is brought to this House concerning any office and bring substantive issues may

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actually not allow us to do justice to the issue, because I came here with a Bill only asking for certain amendments and then we went and we talked about a whole range of issues but, well, if you just want to debate for the sake of debating I am not trying to stop you from doing that.

I am only advising to say if you think there are important omission being committed by the ACC, the most effective way to deal with this issue is to deal with them in a dedicated way, in a systematic way instead of casting assertions at every opportunity that you get. That would not achieve anything.

Now I want to go to the specific questions that were posed and comments that were made. The first one was from Honourable Maamberua who is not in the House. I do not know whether that because he do not want to hear the answer or he has delegated somebody to receive the answer for him, but Honourable Maamberua wanted to know whether the Anti-Corruption Commission is a body of people. I suppose that is what he wanted to say is a Commission like the NPC or it is only a Commission in name. I believe what he wants to say is whether there is actually a number of people that constitute a Commission like you have in the Public Service Commission and the National Planning Commission, or you actually have the powers of the Commission executed by an individual person and if it is the latter, is that because the law prescribe that.

I would say the powers of the Commission are executed by the Director General after this Bill becomes an Act of the Anti-Corruption Commission assisted by the Deputy Director General and the staff but there is no body of people at the same level as you would have the National Planning Commission and the Public Service Commission if that was the question and the reason for that is because that is how the Anti-Corruption Commission is constituted in the law.

If we want to revisit that we will have to go back to the law. Then Honourable Muharukua wanted to know why the elevation of the Head of the Anti-Corruption Commission from Director to Director General and Deputy Director to Deputy Director General and the provision for the

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office to have a Permanent Secretary.

I do not see this as a case of elevation of these offices. I see this as a case of trying to align the law to the constitution. It is really a matter of designation. There are no new powers given to these offices. There are no powers taken away from them *per se*. It is really just a matter of aligning the designation to what is provided for in the constitution. Now he also wanted to know what if the role of administration is removed from the Director and given to the Permanent Secretary, what would be the new role of the Director who would now become the Director General. They would be no new role as I have indicated. The Director General would have the responsibility to ensure that the mandate of the Anti-Corruption Commission that is of preventing and combating corruption is carried out effectively and the Permanent Secretary would then deal with the administrative issues in the office.

That would then relieve the Director General of the responsibility to deal with administrative issues like disciplining staff, approving S & T, approving appointments of people. These are issues that would divert the attention of the Director General and Deputy Director General from the core mandate of the Ministry and I think in that way that would enhance the effectiveness of the office in delivering its mandate.

Now I have answered that second question. How would that assist to improve the performance of the office in terms of delivering on its mandate? I have answered that.

Then he asked Director General of NPC has a responsibility to administer policies and that is why they need the Permanent Secretary to deal with administration and Attorney General and Prosecutor General have no Permanent Secretary. Why is it that the Anti-Corruption Commission would need to have a Permanent Secretary?

I have already explained that relieving the Director General of the Anti-Corruption Commission of the responsibility to deal with administration would allow them to focus on the mandate of the office which is to

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prevent and combat corruption just as the political Heads of these other institutions were sighted are relieved of that responsibility so that they can focus on the policy aspect of the mandates of the office albeit returning still the responsibility of exercising oversight over the Permanent Secretary who is responsible for the administration.

That would also be the case with the Director General of the Anti-Corruption Commission. He would still be the Head of the office and therefore somehow the Permanent Secretary would still be answerable to the Director General in that regard.

Now, the Attorney General and the Prosecutor General not having Permanent Secretaries as far as I know these two offices are served by staff members that are in the Ministry of Justice so the Permanent Secretary of the Attorney General and the Prosecutor General is the same Permanent Secretary of the Ministry of Justice. The two do not perform administrative functions as the Director of Anti-Corruption Commission used to. They do not do that.

There was so much said here. There were a lot of things said. I must respond. Namibia is perceived to have low corruption because of whistle blowing and there being an ACC. People know there would be consequences if they do something because they would be investigated, yes but it is a problem that people at the ACC have close relations with people in powers of position because that would weaken the effectiveness of the office or is that what you or let me rephrase that one. It would be a problem if the people who are heading the Anti-Corruption Commission office have close relations with the people in high authority. Can you clarify? Thank you.

HON MUHARUKUA: For the benefit of the House, and perhaps also for the benefit of the Right Honourable Prime Minister, may I just clarify what I said?

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HON SPEAKER: Just make it precise to the point please.

HON MUHARUKUA: Honourable Speaker, once more the Speaker is telling me what to say. I do not know why even now they have to be but let me speak.

Right Honourable Prime Minister, what I said is that the problem is that the perception that we have is that the ACC is very effective to keep the ordinary citizens obtained but the closer you get to the powers the political powers whether that is at local level, whether that is at regional level, whether that be at Central Government level, the perception of public is that the ACC is not effective and I use examples of cases that are still being investigated GIPF being one of them and that is why I brought the proposals that I put forward.

Perhaps the spot-checks of certain public officers or perhaps all public officers. That is basically what I said.

HON SPEAKER: Thank you.

RT HON PRIME MINISTER: I will take that, fine. I will respond as follows:

I think perceptions would always be there. There would not be anything that we would do to ensure that there would be no perceptions. The only thing that we can do is to ensure that we have in place a system that would inspire public confidence as much as can be achieved by aligning the system that we have to best international standards, and I believe that the law that we have was at the time that it was crafted aligned to what was

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considered to be best international practices because this law was crafted after wide public consultation.

Government is not sitting in the office and just draft this law and bring it here. It practically came from outside there. We in the Executive did actually very little in terms of adjusting that law. It is a reflection of the views of the Namibian public at the time that it was passed but I also would want to invite the Members of this House as I have done in the beginning. Let the relevant Committee call the ACC. Let the relevant Committee discuss the issue at one of their Committees. Let them bring the report here and propose changes to the law.

We would be happy to look at those changes. I am saying that what would not be right is when some people want to project themselves as being more patriotic wanting better for the country and others standing in the way. That kind of approach would not help us. That is all that I am saying. Now I will proceed here. I have a right to make that remark as well and cases of corruption not being concluded.

You see it would also probably be a challenge for me to answer it very effectively because I would be able to do that only with full information coming from the records in terms of how many cases were actually brought for investigation, how many have been investigated, how many of them have had investigation concluded but I realised that there is somebody from ACC. I would say a little bit on this one but I would still go back to them and ask for a formal report that I would share with this Parliament in this regard and this information that is coming to me from the Colleague that come from the ACC is that the total number of cases on which preliminary and full investigations were conducted by the ACC is 2 646.

The total number of cases returned to other institutions you can ask that question how many of these cases involve rich people if you think that information. Ask for their names if you think it is appropriate to have their names read out here because I do not want people casting assertions. I do not have anything to benefit from defending Anti-Corruption Commission

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if they are not performing. I am only saying let us hold them accountable according to the procedures that we have established. That is all, and they are saying the total number of cases referred to other institutions and that is why they have not been concluded because they were found and the information that was provided is 1 269 cases.

The total number of cases forwarded to the Prosecutor General for prosecution 494 cases. Total number of cases finalised in our court of law 246. Total number of cases pending in court 246, so I think in this statistic there are a number of messages that the ACC is sending to us one that there are many other stakeholders that are involved in bringing issues to finality and such stakeholders would include our host who are autonomous from the Executive and not under the control of the ACC and also that unfortunately, information that is brought to them is not always complete and adequate to enable them to carry out investigation to conclusion and bring people to book.

Of course, there is a message that all of us know that at the end of the day, ACC will not just arrest anyone who is believed to be or ACC cannot find people guilty. ACC will not make sure that people are found guilty even if they are not guilty. ACC would only conduct investigations and produce their report and that report would enable these people to be brought to account only if the information that was made available to them enable them to do that and also only if there is actually a case for that person to be punished because you cannot now start to say somebody is effective only if they get people jailed even if they are not guilty.

Now I would proceed. There was mention of the GIPF case. I actually will have to check whether ACC is conducting investigation on GIPF. I will find that one out. As far as I know, there are investigations by the police and I am sure that the line Minister would be happy to provide an update to Parliament where this may not compromise the case what is the status of these investigations.

Does Anti-Corruption Commission do random spot-checks? That one I think I will also have to inquire from the ACC but what I want to say is

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that uncovering of wrongdoings is not only a responsibility of ACC. There are systems that we have put in place to achieve that and such would include the auditing that is done on annual basis by the Auditor-General. It is also possible in terms of certain laws that more detailed investigations can be carried out by designated people but again here I call upon Parliament through its Committees to advance proposals if we think that there is a need for us to strengthen the systems that we have in place.

You did not do that one just orally to say they should do spot-checks. I expect better from Parliament than a member just standing up making accusations against the person and then in the end say by the way I propose that. I would really like to suggest that the appropriate Committee of Parliament maybe the Honourable Member would make a submission to that Committee, the Committee would sit down, consider the matter, conduct consultations, submit a report. That is a better way to do things.

There was a comment, ACC need to check those who are close to the powers of people or did I get you wrong again there to those who are close to powers, ACC needs to check those who are close to powers because now they are perceived to only be checking the small guys. Now who are those ones that are close to powers? What is powerful? We shall just be clear if you want to say is it politicians. You are a politician. Let us say Members of Parliament, Members of Cabinet, Members of Judiciary.

Let us just be specific and say what we want to say and again here I recommend that let us bring that in the report. We have no interest to defend anyone but when we say the powerful and we look at Cabinet Ministers I think there we are starting assertions. It is the finger pointing blame shifting thing that is not going to help us. I am not powerful. I am a servant of the Namibian people.

ACC keep ordinary people in check. I do not really know what that means. What does it mean keep the ordinary people in check but whistle blowing working only in case of none powerful you see. I do not know which whistle blowing this one that you are talking about because as far as

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I know when you read our newspapers, when you listen to especially Emilia Manguruka there are all kinds of accusations levelled against anyone except God. You will not think that will just leave you stand so nobody can convince me in this country that if rumour mongering is what we are calling whistle blowing, nobody can convince me that the rumour mongering in this country spares politicians.

If you go to Katutura or to my village here and hear the things that they have to say about the most senior people in leadership, you will feel like fainting. Then you will say oh, where did you hear this one from. People say wonders in this country and I am sure if ACC would just bring all their records to this house and tell us what they have been told by people in this country and what even they have investigated and who, you would be surprised.

What they have done as part of those investigations you will be surprised to know what the ACC people are actually up to and against whom. You would be surprised so unless if maybe we are really saying we do not have capacity but I do not really think that the ACC is the office is just in its entirety conniving to just turn a blind eye to report of wrongdoing committed by certain people because they are occupying certain positions in Government. I mean I would be happy to be proven wrong in that case so that that can be addressed.

I would be happy to be proven wrong. I wanted to say as far as I know allegations of corruption brought against any person by any person to the ACC are fully investigated without any fear or favour unless if I am proven otherwise which I would be happy to be but I will also be happy to say that work is underway to bring to this House a whistle blower's protection Bill so that if there are concerns that people are actually not telling on certain people because they are powerful, we should then make sure that that law is powerful enough to provide protection to enable these people to have the boldness to blow the top on whatever they know.

I have already said that I do not know whether ACC does random checks. I will inquire whether they do. There was also an allegation that

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Permanent Secretaries are rich. Somebody even said that they are billionaire I do not know. Maybe they are I do not know and there is no ACC investigation and that was said exactly like that. Now it may not have been meant I will not mention the person because I do not want the person to hit the ceiling. I want to be able to finish the point that I want to make.

That was said and I think the way that it was said is not appropriate. You cannot say if a person is wealthy that is because they have done something wrong and just because they are wealthy, they ought to have been investigated by ACC and because it has not happened, ACC is not doing its work. I think that is a wrong a way to put it and otherwise, important message we want to make. Now if there is any reason to believe that that person accumulated their wealth through dubious means, then yes we will all agree that that person would need to be investigated but just to say because they are wealthy.

They must be investigated by ACC, I do not know if the shoe fit where is yours. The other point that I wanted to make is to say it is easy for us to say Permanent Secretaries but there are people who are occupying these positions of Permanent Secretaries and they number not more than 30 people so we are actually tarnishing the image of people by virtue of them occupying a certain position through this generalise remark.

Now I am sure there would be amongst Permanent Secretaries as they maybe amongst Parliamentarians, as they maybe amongst members of the judiciary, as there maybe amongst business community members, people who have committed wrongdoing. I agree that those people should be held to account but for us to just go about making reckless remarks that people using general titles they are criminals.

They do criminal and engagement in criminal activities is unfair. It is unfair that one but I as Head of Government administration would welcome any person that has information of corruption committed by a Permanent Secretary or any kind of misconduct. I would happy to receive that information and to get that information followed up on. Honourable

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Members I want you to hear that I have to provide. Please come forth. You can send your information anonymously. You do not have to put your name there. If you provide full information that would enable us to investigate, but really I do not know how you would feel if somebody just came up and say Parliamentarians are this or that but are you happy about that.

Are you happy about that? Why are you not happy if you feel justified to call Permanent Secretaries all kinds of names?

HON SPEAKER: No dialogue, no dialogue.

RT HON PRIME MINISTER: Do to others as you would want them to do to you. Now I have already said the ACC is accountable to us. If we for any reason feel that they are not doing they are not meeting our expectation, then we should call them to account.

We should held them accountable. Now AG explained a few things and the Honourable Member who fit in to the shoe also got his answer.

Honourable Members, I thank the Honourable Members who have participated in the debate. I take it that since there was no specific objective raised we are supportive of the proposals that are put on the table and I therefore request that the mover had and conclude the actual approval of the Bill that is proposed. Thank you.

HON SPEAKER: Thank you.

I now put the question that the Bill be read a second time, any objection, agreed to.

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HON SHANGHALA**

The Secretary will read the Bill a second time.

ANTI-CORRUPTION AMENDMENT BILL [B.6 – 2016]

SECRETARY: *Anti-Corruption Amendment Bill [B.6 – 2016].*

HON SPEAKER: The Secretary will read the second order of the day.

**RESUMPTION OF DEBATE ON SECOND
READING – LIQUOR AMENDMENT BILL [B.7 – 2016]**

SECRETARY: *Resumption of Debate on Second Reading –Liquor Amendment Bill [B.7 – 2016].*

HON SPEAKER: When the debate was adjourned on Tuesday the 5th of July 2016 the question before the Assembly was a Motion by Honourable Deputy Minister of Industrialisation Trade and SME Development. Honourable Attorney General adjourned the debate and I now offer him the floor.

HON ATTORNEY-GENERAL: Honourable Speaker, yesterday when we had to break off I was busy explaining the phenotype. Phenotype is a particular gene that we test for man to adapt that phenotype is important, which basically means that for those communities who were in, a certain

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beverage was introduced. You do not have to have drunk it but because your pre-ancestors those who live before you and directly consequently related to you have carried it to you, you may react to it differently and in a publication published in health of Finland titled 'it was done by Linpin'.

Alcohol in colonial Africa it was done in 1975. She did an indicative study of the type and quantities of beverages that were brought into the colonial countries and leading into the Brussels conference of 1906 where they reduced and I am getting to the issue of the Liquor Act because if you recall these alcohol that are indicated were brew traditionally were for the purposes of integrating society. It was for functions. You did not have omalubu all the time all year round.

You certainly did not have the technology to keep it fresh all through year so you had omarongos the Omarula fruit drink at a certain season when they were ripe. You did not have alcohol throughout. The first introduction of alcohol was in this part of the world was when the Portuguese traders in early 1840 met one of the Kwambi Chiefs who was a slave trader and you must hang with me. Honourable Venaani I am trying to. I understand that the newspapers are saying you are a dictator but do not worry about that.

What I was saying is that that alcohol consumption traditionally was ceremonial. It was not commercialised the way it is today and even with the advent of what is called the cuca shop. The cuca shop had the function of providing certain amenities to people at a price you could find sweets, you could find biscuits. It is not what we have today. It has moved into a simply hard core liquor sale. You walk in those places it is nothing but corrugated sheets some of them most, majority of them. If it has paving on the floor, you are lucky. If they have even a pool table you are lucky. They have a counter with a cage type of structure behind there is also sorts of alcohol and you have them one after the other, one after the other.

This is Bill is the beginning to say that where the restructures are near school, you will no longer be given that licence and that the sunset clause in it when your licence expires, it would not be renewed.

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People can make out a legal case about how we are taking away the investment. It is one thing that I am prepared to put resources to defend in our courts of law that we are defending our society from self-disintegration and self-degradation from the over consumption of alcohol. Now do not get me wrong. I enjoy a good drink on the right opportunity and in the right quantity. If I have my drink, I must tell you I will have it with a cigar so I may tribute to the children who have died for the liberation of this country.

Now when you do that and you go further. You commercialise it into the neighbourhood in the manner that we have done I can give you an example. Do not just look at Evelyn Street, and I have said that before here. When you go into a church service either for a funeral or other event in Swakopmund as an example, Walvis Bay one or other time they would be a drunken person who is coming in the society and started to become really from the effect and we have post traumatic society.

Then we avail the alcohol so quickly and if I come for you 1840 or 1870 when we say now they started to regulate the consumption of alcohol in this country for the first time, it is hardly 150 years ago. We went from loin skin to the finest single moulds. In between there it was availed but we did not adapt or socialise ourselves to accustom ourselves to how and what and what and you see from the basic way how we drink it, how we abuse it and how we celebrated. I am a strong believer and a defender that corporate citizen should grow like the brewery.

They should grow and let us remember it was Woermann who was the largest trader of alcohol into Africa and again the Germans maybe proud of the rights and how they brew their beer but I would also like to see that commensurate with more alcoholics anonymous and alcohol dependency aid program that our brewery should be a social corporate responsible citizen.

Driving out of Opuwo a very lovely picture of city or town of our country attracting a lot of tourists. You have bottles and bottles mountains of bottles of alcoholic beverages drank and in a precede environment or

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precede community which we are adulterine with alcohol and these are the things we are saying when we were regulating alcohol, we should even and I am not even going as far as saying what we did to tobacco we must do to alcohol.

You cannot smoke a tobacco in the public place. Maybe in South Africa we see the Minister is trying to bring alcohol to that level. I believe there are other evils in the society like sugar and salt, which are a problem but for now this is a beginning for alcohol to be regulated.

Now somebody made mention of how the laws would speak to one another. When and soon the gaming and gambling and the lotteries would be before this House, you will see that you will not have slot machine if you do not have a liquor licence and they speak to one another as to where they would be.

I agree that we need to even have technology assistance. People are using and I told the business community. Apparently, this is the business community. People are proud to call themselves I am a businessman because I have a chain of liquor outlets destroying and killing society and when you say we regulate alcohol and I told them by the way if you are listening to me and they should be, I do not really mind if you think I am popular or not but I think this is very honest, very important for us to take into our hearts. We are destroying our people and they will come and force political parties do not do anything about jackpots, about whatever.

They feel proud when they go home to their children my baby I have done a good job. Today, I stopped the ruling party or I stopped the opposition from talking about alcohol and gambling and gaming machines. That is what they say but at the end of the day it is self-destructive environment, self-destructive argument. We know how alcohol was introduced to confuse people and we know the impact and the effects.

I, for one, do not say that all the rapes and the murders are being occasioned because of alcohol consumption that you may find that the majority are just because we have pathologies we need to deal with and

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the inarticulate premise we are working from is that we are a society that requires healing.

The consumption of alcohol is a visual indicator to hurt the little ones and it is not only within a particular part of society. Let me give you when you have this thing that happens at the Dogershiller here in town Beer fast close to 75 000 litres of alcohol beer is consumed within a space of three days and they are proud. They are very proud. We have a problem and we need to consider the fact that as we grow and corporate citizens like Namdeb must listen. We need to be corporate social responsibility must grow.

Why do we have little, well I understand that the bottle Tasenberg is called number 1 because and when you see it marketed in Namibia it is always a number 1 and in between there, there is this bottle in there because Namibia is the number 1 larger consuming market for this wine. When we are suddenly proud of these achievements, something is wrong because that is not a positive achievement and we need to really request our business community to hold hands with us so that we can change the attitudes and perceptions of alcohol and alcohol consumption and alcohol dependents.

A phenotype may soon start to develop of alcoholism because remember it is a gene mutation. It is proven that sometimes it can be passed on to generation where people are most susceptible particularly if a child is in the stomach you are consuming, the child may soon have that phenotype so we need to really hold hands as a country and say this is what we want to do. We will face those who challenge us in court to say that this law is taking away my business. That is not a business.

Diversify yourself to something else. You cannot remain proud to be a major cuca shop owner and you say you are a businessman. With those few remarks Mr Speaker, I want to support this Bill and hopefully encourage the Ministry responsible to bring tighter measures that hopefully this House from all political parties will support to make sure that our people are protected against the dangers and evils of this alcohol.

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HON SWARTZ**

It would be that we were colonised not by our master but by their fluids, which they dumped on us. Thank you very much.

HON SPEAKER: Thank you. With the limited time at our disposal Honourable Swartz you would like to have a go.

HON SWARTZ: Thank you, Honourable Speaker.

I will not be so long. Thank you for the opportunity. I also want to contribute on that. On page 3, the prescribed hours the timeframe of our licence that is being issued to the different business the shebeens and clubs, that thing must be looked at. People do not care. They will make business right through the night.

The next thing is business people with shebeens and clubs must be limited how many alcohol to buy for that certain day not to buy two, three trucks so the people can like a club will start in Karasburg at 12 in the evening. If they come out the children tomorrow morning at 07:00, they are blind if they come out there.

We are busy losing our youths and our elderly people I will not speak to the youths. To the elderly people we have to look after ourselves because what will happen we will come back to this position and come and work because they would be no youths if we do not take this thing serious and not put it on paper and put it somewhere and the life goes on. Thank you.

HON SPEAKER: Thank you very much. The next on my list is Honourable Simataa. Maybe you can just say a word and then we call it a day.

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**ADJOURNMENT
HON PROF KATJAVIVI**

HON DEPUTY MINISTER OF INFORMATION AND COMMUNICATION TECHNOLOGY: I think so Honourable Speaker, maybe I need to take leave and then continue tomorrow. Thank you very much.

HON SPEAKER: Thank you very much. Thank you. We will continue tomorrow at the usual time.

The House stands adjourn until tomorrow the usual time.

HOUSE ADJOURNS AT 17:48 UNTIL 2017.07.07 AT 14:30
