

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
WINDHOEK  
19 OCTOBER 2016**

The Assembly met pursuant to the adjournment.

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

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**HON SPEAKER**: Honourable Members, any Petitions? Reports of Standing and Select Committees? Honourable Kavekatora.

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**TABLING: REPORT ON PUBLIC ACCOUNTS  
COMMITTEE VISITS TO DEVELOPMENT PROJECTS**

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**HON KAVEKOTORA**: Thank you, Honourable Speaker.

I lay upon the table a report by the Parliamentary Standing Committee on Public Accounts on the visits to development projects of the Ministry of Finance conducted from the 23<sup>rd</sup> to the 29<sup>th</sup> of August 2015 in Omaheke, Erongo and Karas regions for discussion.

I so Move, Honourable Speaker.

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**HON SPEAKER**: Thank you. Other Reports and Papers? Notices of Questions? Honourable Auchab.

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**NOTICE OF QUESTIONS**

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**NOTICE OF QUESTIONS  
HON AUCHAB**

**HON AUCHAB**: Thank you, Honourable Speaker.

Honourable Speaker I hereby give notice that on Thursday 27<sup>th</sup> of October 2016 I shall ask the Minister of Gender Equality and Child Welfare Honourable Doreen Sioka the following questions:

United Nations Economic and Social Council report released in March this year that Namibians tolerate and accept domestic violence while offering little protection to victims. These observations were made and adopted in March 2016.

Will the Honourable Minister appraise this August House about the reporting of the United Nations Committee on Economics, Social and Cultural Rights over limited effectiveness of the combating of Domestic Violence Act of 2003 in protecting children and victims in rural areas is correct or false? Can the Honourable Minister share with the public and the Members of this August House what the Ministry has done to establish what methods the UN Committee to come to such conclusions that is damaging the country's image?

Honourable Minister, will you agree with me that a statement by the UN Committee on Economics, Social and Cultural Right that says domestic violence and abuse are condoned or tolerated by the majority of the population in Namibia, is a serious insult to the Namibian and the country at large?

On the same day Honourable Speaker I shall ask the Minister of Safety and Security Honourable Charles Namoloh the following questions:

Africans are joining at alarming rate the notorious Islamic state movement ISIS, which has become major threat worldwide Namibians also included.

May the Honourable Minister appraise this august House and public out there how far the Ministry has progressed with the ratification of some international conventions that are ancillary and relevant to the 1999 international convention for the suppression of the financing of terrorism.

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HON KAVEKOTORA**

If any progress made, did the Ministry meet the requirements of the ancillary convention to amend few existing laws or to develop few new laws.

Can the Honourable Minister share with the August House whether Namibia is technically fully complying with international obligation pertaining the combating of terrorist activities and the financing thereof, I so Move, Honourable Speaker?

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**HON SPEAKER:** Thank you. Next is Honourable Kavekatora.

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**HON KAVEKOTORA:** Thank you, Honourable Speaker. I give notice that on Thursday the 27<sup>th</sup> of October 2016 I shall ask the Honourable Minister of Information and Communication Technology Honourable TjekeroTweya the following questions regarding the NBC.

It is my understanding that Namibia digital visual television has reached about 75% of the country's geographical area. It is also alleged that the NBC through this national project has received about 70 000 decoders to sell to the Namibian population or the local TV set owners.

About 3 000 decoders that the NBC has received from FAWEI the DTT project implementers cannot be availed. The DTT switch over project has therefore stalled because the NBC does not have the money to pay FAWEI the outstanding money for the decoders and other costs hence the following questions to the Honourable Minister:

When was this project supposed to have been completed and why do we experience this delay in the completion of the DTT role out? How much money does the NBC owe FAWEI in total for the decoders and other costs?

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HON KAVEKOTORA**

Now, that the country ran out of decoders and the NBC cannot supply any decoders to residence, what do you intend to do Honourable Minister going forward?

Is it true that those who live in areas where the complete switch over from analogue to digital was done phase complete blackout on both TV and radio signals through the NBC terrestrial network if they do not have a functional DTT decoder. What went wrong with these decoder sales revenue that the NBC ran out of money to purchase and pay for the next consignment of decoders, if it is true that this particular project was fully funded by Government through the corporation capital project?

Is it true that there were many hands involved in the decoders sales business and that the NBC has to pay institutions like Mobipay a lot of money to sell decoders on behalf of the NBC even if no decoders were sold? How much money was paid to institutions like Mobipay and why could NBC not conduct the sales of decoders themselves, I so move Honourable Speaker?

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**HON SPEAKER:** Thank you. We move on to Notices of Motions. Messages from Head of State? That said and done, I will call upon Honourable ObedKandjoze the Minister of Mines and Energy.

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**MINISTERIAL STATEMENT INTERMS OF  
RULE 98 OF THE STANDING RULES AND ORDERS**

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**ON THE ALLEGED SECRECY  
IN THE ESTABLISHMENT OF NAMDIA AND  
THE BASELESS ACCUSATIONS LAID AGAINST IT**

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**MINISTERIAL STATEMENT  
HON DR KANDJOZE**

**HON MINES AND ENERGY:** Thank you, Honourable Speaker.

Honourable Members, please allow me to speak to an issue that has recently emerged in the media, which, if not addressed and debunked sufficiently, will create an impression less desired of none-transparency and would create the impression that the alleged secrecy in the dealings of Government at the Ministry of Mines and Energy, pertaining to the alleged veil of secrecy surrounding the establishment of NAMDIA is the way we do business. I want to stand in my rebutting this issue with the necessary vigour and stand with self-defence of the facts.

In addition to the above Honourable Speaker, I also take this opportunity to further deal with the baseless and uninformed accusation levelled against the Namib Desert Diamond shortly known as NAMDIA for being totally superfluous and unnecessary and thus allegedly serving no purpose at all.

Let me also further undertake to dismiss the allegations that NAMDIA is heading Namibia down the Zimbabwe experience in the diamond business. Honourable Speaker, while enjoying the privilege of addressing this august House about the above reckless statement aimed at causing the stress and sowing confusion, I want to also dismiss with the content this reckless statement deserves as being devoid of any resemblance of the truth. Unashamedly the author further hereto alleges that this Minister is unable to exercise his delegated authority in the appointment of the NAMDIA Board members.

Honourable Speaker, in my final address while holding the privilege of the floor and the undivided attention of the Honourable Members I shall attempt to lift the persistent misunderstanding in whole around the signing of the diamond sorting valuing sales and marketing agreement between the Government of the Republic of Namibia and De Beers and the subsequent establishment of the now wholly state owned company called NAMDIA.

Honourable Speaker, Honourable Members the Government of the

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Republic of Namibia and De Beers are long standing partners in the diamond industry and that since the 1990s and our 50-50 joint venture partners in NAMDEB which does the mining on behalf of the venture and the Namibia diamond trading company otherwise known as NDTC which sort and value the diamond the NAMDEB production on behalf of the venture.

The whole diamond sorting, valuing and marketing agreement between the partners ended back in 2013. This then set in motion the negotiations mandated by Cabinet with the Government negotiating team appointed by Cabinet to negotiate with the De Beers for a new agreement between the Government and De Beers.

On May 16<sup>th</sup> 2016 the parties concluded all the negotiations on the new agreement between the Government and De Beers and on that day, the agreement was signed into place at the historic constitution room at the office of the Prime Minister. The public signing ceremony was attended by senior Government officials, representatives from De Beers and most other stakeholders from the industry. The signing ceremony was widely covered in the press by local and international media outlets.

With the sentiments hailing the conclusion of the agreement as a significant achievement for the Namibian Government Honourable Speaker, there are two key outcomes from the agreement.

Firstly, the local diamond supply by the Namibian Diamond Trading Company NDTC to the Namibian diamond cutting and polishing Industry otherwise, known as Side Holders have been drastically increased from US\$230 Million or the equivalent of N\$3.2 Billion at today's exchange rate to US\$430 Million or the equivalent of N\$6 Billion annually. You can times that figure by 10 over ten years period, which is the tenure of the agreement.

In addition, to the increased local supply the Namibian diamond cutting and polishing industry is going to be offered all the special stones, diamond having carats above 10.8 carats from NDTC though the

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agreement stipulated that no diamond right up to the border of 10.8 carats would be made available to the local industry for cutting and polishing. That has now been removed. The changes stated above are anticipated to have a significant positive impact on the economics of the local cutting and polishing factories thereby ensuring a sustainable cutting and polishing industry for the next ten years.

Other benefits include increased opportunities or job creation and the increased beneficiation of diamonds in Namibia. Back in March when we all tabled budget speeches, I actually told this House that that value has increased significantly.

In fact, diamonds that would be added value here is above 70%. To date two factories have reopened as a direct result of the new agreement namely Julius Cline Diamonds and Loritone Diamonds. In the dying days of last year when the industry was down or going very down, these factories had closed simply because the supplies were not actually meeting the economics of the factories. Now we have an opportunity for 300 jobs that has actually come to the forth.

Secondly, as I had indicated in my budget speech before this House on the 29<sup>th</sup> of April 2016, the new diamond sorting valuing sales and marketing agreement has made provision for the creation of a window on the international diamond market, which will serve to inform Government as to how much the international market is actually willing to pay for Namibian diamonds in the form of the company NAMDIA.

In accordance with that agreement, NAMDIA is to receive a purchase entitlement from NDTC of 15% of the total NAMDEB run of the Mine. The 15% purchase entitlement was deliberately earmarked for sale outside the traditional sales system whereby site holders buy diamonds from NDTC based on the De Beers price. This 15% purchase entitlement does not involve De Beers at all.

Honourable Speaker, Honourable Members, the establishment of NAMDIA is the outcome of a two years protracted negotiations coupled

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with a steadfast resolve to fulfil the Government negotiating team's mandate to establish a vehicle through which to discover on our role diamond prices of our rough diamond in the international market. Honourable Speaker let me take a moment to say that there is deliberate campaign to disseminate erroneous information out there that NAMDIA was established as a vehicle for black economic empowerment groups to sell diamonds that it was established to sell diamonds to politically connected people and benefit only the leads such hogwash.

The malicious intent further spread the notion that NAMDIA is selling our precious diamond on credit. This is very malicious and indeed devoid of any resemblance of facts or truth. The objective of NAMDIA remains that of price discovery whilst earning Government valuable revenue through taxes and dividends. The decision taken by Government was said its sovereign rights over its mineral resources in this manner as opposed to nationalising mines and resources reaffirm Namibia's position as a country that seeks to maximise the revenue and benefit from its natural resources whilst maintaining Namibia status as an attractive and investor friendly environment.

The comparison of this process by its intent to some neighbouring countries especially those that have actually been shot changed by a lack of capacity systems and processes, it is not one that can be compared to ourselves and it is totally out of sync with our capabilities in terms of processes, systems and institutional capacity.

Honourable Speaker, after the signing of the agreement the parties to the agreement resolved that the agreement would commence 90 days after the signature date in order to allow all the parties to put all necessary measures in place for the implementation of the agreement.

The Government tasked GTT otherwise known while established headed by a Permanent Secretary of the Ministry of Mines and Energy consisting of two persons from the Ministry of Mines and Energy, office of the Attorney General and the Bank of Namibia tasked with facilitating the preparedness of Government in implementing the commencement of the

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agreement. The mandate of the GTT had seized after the Board of Directors of NAMDIA was appointed by the line Minister on the 2<sup>nd</sup> of August 2016.

The Board was appointed after having called for CVs, consulted the Ministry of State Owned Enterprises and having had the endorsement of Cabinet.

To this end, Honourable Speaker, I wish to dispel in all seriousness any such accusation that the Board appointments were influenced by business people or such appointments are intended to benefit certain individuals or even the notion and powers higher than myself as a Minister has weight into such appointments.

Again, such hogwash. Again, such innuendos remain far from the truth and the fertile figment of imagination of such author. The Board of Directors were so appointed based on their skills, knowledge, expertise as well as taking into consideration the gender representation. Those born after 1990 are laughing on the other side of the House.

The Board of Directors of NAMDIA consist of Advocate Shakespeare Maziza Chairperson, Ms Tanya Hangula Deputy, Mr Chris Nghaamwa, Madam Lorenca Harases, Mr Bonnie Gonyore and Mr Venondjo Maherero then Ms Lorencia Hamwenye. The Kennedy Hamutenya Diamond Commissioner has been seconded only from the Ministry of Mines and Energy as an interim Chief Executive Officer of NAMDIA.

The Minister of Mines and Energy and GTT conducted a handover workshop to the Board of Directors during the 12<sup>th</sup> and 13<sup>th</sup> of August this year and thereafter officially handed over the operations of NAMDIA to the Board of Directors. The mandate of GTT had since seized at the point of handover to the Board.

Honourable Speaker, Honourable Member through NAMDIA Namibia has for the first time directly participated in the trade of its diamonds and has created a presence in the global downstream market.

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For your information, NAMDIA paid its first tax. Namibia has and will continue to, the Minister of Finance is amongst us and that information is public. The how much does not refute the fact that the objective of Government has been reached. We have reached successfully those objectives of Government for your information. NAMDIA has and will continue during the term of the agreement to earn Government invaluable revenue through taxes and dividends.

NAMDIA's venture in the downstream has also increased Namibia's profile as a key supplier of high quality diamonds to a knish market through industry's best practices. The information obtained by NAMDIA through sales of diamonds will provide Government with pricing and market intelligence, which will then support more effective diamond sector policy making.

This information will provide the Government with the great strategic ability to shape Namibia's destiny in a rapidly changing global diamond industry that is vulnerable to depressed commodity prices, liquidity challenges and the threat posed by the growing synthetic diamond manufacturing capacity.

Honourable Speaker NAMDIA successfully completed its first sale in September 2016 and met its sales target as set out in the NAMDIA business plan because NAMDIA is engaged in a gathering of pricing and market related information which information is commercially and competitively sensitive. The final sales margins cannot be disclosed in the public as is poses the commercial risk of competitors discovering how much NAMDIA is selling for and client finding out how much NAMDIA has made on its sale bearing in mind that each sale is a negotiated transaction between NAMDIA and the client.

Against the background of promoting transparency and good governance in the realm of Government business NAMDIA will disclose to the relevant public bodies and authorities all relevant information as and when such maybe required. Honourable Speaker and as with any state owned company, NAMDIA will release its financial statements at the end of its

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Financial Year and will declare dividends to Government in accordance with operations of the business.

Honourable Speaker, NAMDIA has sold and will continue to selling its diamond entitlement to reputable and well established international clients through an established selection criteria and that is in place as I speak to you. The NAMDIA selection criteria is aligned with industry best practices and international compliance requirements. The selection criteria covers both financial and ethical standards including compliance with the Kimberly process.

NAMDIA has entered into a temporary arrangement with NDTC to trade from the NDTC premises while its building or office accommodation is under construction. NAMDIA is expected to make payments to NDTC within a space timeframe and under no circumstances will NAMDIA buy on credit or sell its diamonds on credit.

Honourable Speaker, Honourable Members other than the capital seen funding from Government of the Republic of Namibia, to fund initial operating expenses of the company, Government will not provide funding to buy its purchase and entitlement. NAMDIA is exploring financing options from both local and international financial institutions for the purchasing of its purchase entitlements.

Honourable Speaker at this juncture and lastly, please permit me to debunk all those midst and to inform this House that NAMDIA is a sovereign strategic vehicle that would be used to sell and market a strategic resource for our very own land of the brave.

NAMDIA is not a vehicle of self-enrichment for middleman, women, or existing buyers of diamonds through the De Beers site holder system. I thank you kindly.

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**HON SPEAKER:** Thank you. We will continue with another Ministerial

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**MINISTERIAL STATEMENT  
HON SHIFETA**

Statement from Honourable Shifeta Minister of Environment and Tourism.

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**MINISTERIAL STATEMENT INTERMS OF  
RULE 98 OF THE STANDING RULES AND ORDERS**

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**ON THE GRANTING OF ENVIRONMENT CLEARING  
CERTIFICATE TO NAMIBIA MARINE PHOSPHATE  
AND CLARITY ON SANCTIONS OF COMMISSIONER**

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Thank you, Honourable Speaker.

Honourable Speaker, Honourable Members, I rise to make a Ministerial statement concerning the issue in the public.

As public officials, we are obliged provide clarity on any issues that seem to be causing confusion or any other things that are not clear.

On this Honourable Speaker, Honourable Members I want to react on the matter pertaining to the granting of any environmental clearing certificate to Namibia Marine Phosphate and also to provide clarity about the sanctions of the Commissioner of Environmental first and functions of the Minister of Environment responsible environment and also the process in which any environmental clearing certificate has to be granted or rejected.

Firstly, let me say the Ministry of Environment and Tourism does not does give licences or permits. Permits and licences are given by other competent authorities, other organs of state.

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The Ministry of Mines and Energy on this matter granted two licences to two potential operators. That was in 2010 and 2011. Now these two operators what they were supposed to do of course, now the law that has come into force that is now the Environmental Management Act, Act number 7 of 2007 which came into force in 2012. That means it came into force after these licences were granted already.

Now it is another. Before now because of what we have now in the law the Environmental Management Act is supposed to be another way around that the clearance certificate tax given prior to the licence or permit on any enlisted facilities in the Environmental Management Act.

Now on this one what had happened is that after the granting of licence to these two of course, they have to get the environmental clearing certificate perhaps to apply to the Environmental Commissioner to be granted this clearing certificate before they commence with the activities. The Commissioner within a prescribed time period has to first acknowledge receipt of this application by the proponent. Then after that within seven days the Commissioner has to react that means has to give information to the proponent that this proposal your activity as listed activity it needs environmental impact assessment or where it does not need environmental impact assessment as per section 32, then the Commissioner will either reject or grant that clearing certificate.

On this case of the two licenses holder they applied after they have dismissed their licences. The process had to take its course that means after this application, the Environmental Commissioner has to make public announcement for objection if he has to give this and before that, the Environmental Commissioner because this needed environmental impact assessment and the environmental impact assessment is to be done. Everything is done. It took time to do that. It is done. The process has been done and I want to invite the public and I do not expect lawmakers not to understand even the law that has passed here. You can go to the Ministry if you want to understand it. You are allowed to go and make inquiry there. I wanted DTA to keep quiet for you to understand.

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Now the environmental impact assessment has been done and also within the scope. After the impact assessment, the Commissioner's decision has to be based on credible scientific information and before that, the Commissioner has to make a public announcement. The notification has to be made to the public for any objection that comes from the public or any interested party or the industry that is now fishing industry and the objection was made.

That is why the process has taken long. The industry made an objection, people made objection to make objection and then the process of consultation has started. Workshop by experts, public consultations and final workshop that took place some months ago and upon that, the Environmental Commissioner has to do the review based on what expert has given him on his table and based on that, the addition has to be taken.

Now on this matter I want to inform the August House that we do not base our decision on emotion. It is true that you have people to train making this and that but sometimes if you ask what is exactly we are talking about when we are talking about phosphate Mining so what is that we are talking about. They do not even understand that. Therefore, the decision is mandate on credible scientific information not based on belief or faith or methodology.

Therefore, the process as a Minister I am happy the process that has taken place by the Environmental Commissioner and I have reviewed that to make sure that the process has taken place as is prescribed in the law. The law prescribed that process what measure to be taken at what stage. That has taken place.

Now the Commissioner's decision, that decision is based on section 37. It is not influenced by anyone because the law is just like every stage, every process that the Commissioner has to do. It is not influenced by anyone else. The Commissioner get, receive expert information and evidence and based on that, the Commissioner makes a decision.

Now the Commissioner's decision is not final. If there is anyone who is

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aggrieved by the decision of the Commissioner, that person can still appeal. There is both administrative review and judicial review on the matter, can appeal to the Minister and the Minister's adjudication is at a level of Magistrate. That means the Minister will now look both the point of law and the point of facts.

Now the Minister after the adjudication of the Minister, still anyone who feels grieved or discontent with the decision of the Minister can still apply to the higher court until the Supreme Court. The process is a long process. The issue of having sitting on environmental applications for environmental certificate is a matter of rights of persons.

You cannot deny people to have answers and I think it is clear in Article 18 of our constitution administrative justice. When there are prescribed timeframe, that person who sit there is functional as to act according to the prescribed timeframe. Otherwise, he is violating or she is violating the law. Therefore, the Commissioner has just done what he is supposed to do. There was a confrontation the process that is linked to this marine phosphate Mining and the case the one that is now granted a licence.

That is now the Namibia Marine Phosphate. Since 2012, the process has been taking place and those who have interest they were there including the competent authorities. In this case, competent authorities are Ministry of Mines and Energy and of course, the other organs like Ministry of Fisheries and Marine Resources and the industry. Wide variety of views has been put forward by different stakeholders and organs of state, interested, and affected parties.

This has reflected the interest need and values of these stakeholders. The Environmental Commissioner is duty bound to take decision taking into account this input and to objectively weigh up the risk and benefit that may arise from undertaking this and the other project. It is also of paramount importance to reach for compromise.

In these cases where interest are often conflicting and the competing has taken place in a very contested places. It is against this background that a

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decision was taken to grant these environment certificates after they were given the licence. It is now for that company to commence with mining of Marine Phosphate in a Mining licence 1170, which is stated off shore approximately 120 kilometres southwest of Walvis Bay.

This clearing certificate is subjected to a number of conditions and one of those conditions is this industry has to fund an agency that will monitor the process of this trial for three years and we have to receive reports and in the event where we find any significant impact on environment, the clearing certificate would be terminated. We do not terminate the licence. That is the duty of the competent authority. We only terminate, cancel, or suspend depends on whatever the significance of this impact on the environment.

Among these conditions of course as I said, the monitoring of environmental impact from the Marine Phosphate Mining following seabed region activities. One essential conditions of this clearing certificate would be for the institutional monitoring capacity of seabed region activities to be fully financed by the responsible company but controlled and monitored by the authority.

Currently, Marine Phosphate Mining licence holders have not been able to undertake the test mining sales, which were supposed to be done to prove that the technology they are proposing really works and we now have the opportunity to let mining licence holders undertake test mining with the environmental monitoring as part of their standard mining development process for a period of three years with possible extension of one year.

The overall aim would be to assess the opportunities for full-scale mining operation with greater integration of environmental protection measures. If the test mining proves to have greater detrimental or negative impact on the marine environment with no acceptable modification to the test mining or processing techniques to correct the problem, then Marine Phosphate Mining operations in Namibia can be suspended until such time when the industry can come up with acceptable and proven technologies in Mining and the processing of phosphate in the marine environment.

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This would be a greater opportunity and the catalyst for research especially benefiting those who are in the industry and a technological innovation here in Namibia, which can be that in the future Namibia would be future leader in this industry of phosphate mining and off show.

As the section 50(1) any person who feels aggrieved by the Commissioner's decision to grant this certificate to this project my appeal to the Minister of Environment and Tourism against this decision.

In summary, our view is that due to processes per the Environmental Management Act and a good international practice has been proved that courses have been done and also a rational decision has been reached where we are now going to have a trial because there is no any phosphate mining taking place in the world has taken place in the world. There is no way you can benchmark. There is no data. Therefore, what people are now saying and all activities, not all activities that we have when they start that you have other data. You have data that you can now analyse in order to make your decision.

On this matter, it is a matter of trial. That is why there should be a monitoring agency independent expert who would be monitoring this and would require that we get a response and upon analysing that report a decision can be taken immediately to cancel and that is in the condition of the environment certificate that anything can be cancelled and again, any organs of state according to the Act will be able. Any organ of the state is entitled to access any information to any information that is prescribed.

The institutional arrangement around oversight independence, monitoring, review and recommendation for the future are also suggested. The process is a very transparent process. If there is anyone who does not understand why the decision of the Commissioner, then you are of course as a citizen or as a company you can go and inquire from the Environmental Commissioner's office and get all the details from there. Thank you and that is the process

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**COMMENT ON MINISTERIAL STATEMENT  
HON MUHARUKUA**

**HON SPEAKER**: Thank you. I really do not want to get into a debate. These are Ministerial Statements. I would be very strict on this one because otherwise, we will just continuing but a quick one from each of you.

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**HON MUHARUKUA**: I do not know why the Speaker is anticipating that there shall be a debate. I think the Speaker is quite correct, because I will also be very strict in myself.

Honourable Minister unfortunately, or fortunately I am one of those people that really marine biology is not a field that I am interested in the knowledge of and perhaps that I am very much on the peripheries of interest but the question that perhaps jumped to me as the Honourable Minister explain one is the appeal process that the Minister is one of the people that an appeal should be made to.

However, the Minister has actually indicated his stance or his view on these licences. Does not that from an administrative point of view suggest that you have made up your mind and therefore anyone who abuse these two will either be to you or to your office would be going through the motions or would be hitting a dead rock. That is one.

Two pertaining the chronology of events the question that one wants to ask is why should it not be presumed that the agency that issued the environmental clearance certificate is only going through the motions and I am saying so because the permit was already granted by the time these individual come to seek clearance.

Question is perhaps not within your realms but still I think as a Ministry responsible and as a Minister responsible you ought to have at least inquired into that fact.

How do you people give a permit the other state agency that has been referred to how do you give a permit that devoid or in the absence of a

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**COMMENT ON MINISTERIAL STATEMENT  
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environmental clearance certificate because that just creates the impression that this company just came to the agency.

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**HON SPEAKER:** I think the two questions – let the Minister respond.

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**HON MUHARUKUA:** There is one last one just clarity. The last question pertained like I said it is not a topic that I know and this is just failing for me to understand the cumbersome statement.

One last question is that the Minister has indicated that a process has from the year 2012 commenced into an investigation of the possibility of Phosphate Mining.

Now, as far as I am concerned, I think it is quite correct that it took so long because one, perhaps no one has experience in this and it is a new field like you indicated yourself.

The question is: who is it that conducted these particular lengthy studies? Are we talking about the Ministry or any of the Government agencies?

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**HON SPEAKER:** Please leave it there. The question is very clear. It is so lengthy. Please the three questions are on are very clear. Let the Minister respond. I will ask are you going to follow the same or another issue, yes, Honourable Minister a quick response.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Very quick Honourable Speaker. That is why I was saying the two Honourable Members should listen from this case because they were not listening. I

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said exactly the same he is asking here. I answered that question if you were listening could have got this point.

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**HON SPEAKER:** The question must be brief to the point. You are asking question and elaborating. That is what I am objecting to.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** I understand fully. We were murmuring whispering there animated. I do not know why. I was saying listen I said I was only giving the process and your question that I have already stated my view or my preference whether to grant or not. That is not my function.

As a Minister, what I need to do is to make sure that the process is done in accordance to the law to interfere with the Commissioner or not even to know whether the Commissioner is giving this and that rejecting or granting. That is not my function.

It is the process that the process because it is not the Commissioner alone. I want you to read the Act if you know what section talked about the review. You know the Act. You could not have asked those questions if you knew the law the Act.

What I am saying here is that I understand your question. You are saying in fact I have already an understanding, I have already a position on the matter. I have no position in this matter. I have put the process what the Commissioner is supposed to do. That is why I was saying how the process start if you do not understand the Environment Management Act.

There are principles. Section 3 talks about the principles. If you have read that section and section 4 the functions of the Minister and section 17 the functions of the Commissioner. Now if you read those sections, you could not have asked those questions and again, the review how the review is

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done. Now I am not in the Environmental Commissioner's office. I am not sitting there even the experts who are giving the report to the Environmental Commissioners I am not there. For me if an appeal comes to me and there is no need to grant leave by the Commissioner for anybody to appeal.

The appeal anybody can just go there. They have just a process a form you fill in the form and then you appeal. I would adjudicate independently from the decision of the Commissioner. I understand that process well. Now the other question I have no change on this one. The decision of the Environmental Commissioner is that decision of that office. The second question is why the licence. I was saying you were not listening. That is why you are not even listening now.

Honourable Speaker, the Honourable Member is not interested.

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**HON SPEAKER:** You proceed because I need it for the record.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** The Honourable Member is not listening.

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**HON SPEAKER:** Do not worry.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Honourable Speaker, I stated from the beginning that an organ of state who is a competent authority prior to the after the enactment and the Act came into force the Act that is Environmental Management Act that is 2012. I stated it here there is no competent authority that can give licence or permit before a clearing certificate after that but before that, we cannot

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now retrospectively apply the law because these two licences were given 2010 and 2011 that is after 2012 when the Environmental Management Act came into force. That is why these licences were given before the Act.

Now you understood it. You were not listening. You were just murmuring there. Just admit that you were not listening. Who conducted the process, I have explained also the process here what happens. Who conducted the workshop and there is a process. How do you define that?

It is a process. If the Environmental Commissioner decided this listed activity there is a need to conduct environment impact assessment and then there is objection. That is a process again. The process start when application has been given handed in and received and acknowledgement of receipt was granted. The process starts from there. The Environmental Commissioner leads that process. There are independent.

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**HON MUHARUKUA:** The process after the environmental question, I am talking about the study not the process of application, the study.

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**HON SPEAKER:** I honestly I think that is the end of the story. As far as I am concerned we leave it at that. Honourable Member, it is your turn to ask the question.

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**HON VAN DEN HEEVER:** Thank you, Honourable Speaker. Honourable Speaker, I just want to know since I asked a question yesterday a formal question. I posed the question yesterday and the Minister came today with a Ministerial speech, which does not make sense at all even. Will I get a formal response? I know why I am saying that.

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**HON SPEAKER:** Honourable Member let me ask you question. Are you asking the Minister on the basis of the statement he made now?

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**HON VAN DEN HEEVER:** Yes. Will I get my official response on Thursday in writing so that I can respond on that as well because I know that I will get the answer on Thursday but that gave the Ministerial statement. That is all I want to know. I want a response because I posed a formal question. You cannot decide on my behalf.

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**HON SPEAKER:** You wait. You have put your question. The Minister will definitely deal with that question. Thank you very much. There is no debate.

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**HON VAN DEN HEEVER:** That is why I am saying if it comes on Thursday whether my question would be answered or dealt with, that is why I am asking and that it will not be referred to the Ministerial statement because some of the questions I asked was addressed by him and that is why I am asking. He must just give us that answer. That is all.

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**HON SPEAKER:** Fine, thank you very much. I do not wish to pre-judge. The question would be responded to as per your request. We leave it at that. For now we conclude on the Ministerial Statement and we go forward.

Right Honourable Prime Minister did you want to come in?

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**HON PRIME MINISTER:** Honourable Speaker, what I have to say is really just to make an appeal in general to the Members of the House. It can be seen to be a form of a Ministerial statement, because I have observed that in this House we raise very, very important, very complex issues under question or we query issues after a Ministerial statement is made.

We do have platform that would enable Parliament to make inquiries into complex issues and use experts to examine issues and advice the House because sometimes we query these issues in a manner really that does not create an environment for us to be appropriately informed, we end up in situation of tail made and actually, end up not being able to do justice to issues.

I thought that an issue like this one would really require for a Parliamentary Committee maybe to approach the relevant Ministry, the Ministry of Environment and Tourism on the environmental impacts of the project of the Ministry of Mines and Energy and engage them so that they have a full understanding and so that they can also be involved in this process of this monitoring that would be taking place as the initial activities of mining commence.

I would really like to appeal to Parliament to do that so that we also do not have a situation where the Honourable Member is dissatisfied. I think the Honourable Member is dissatisfied just because the context in which he is seeking clarity is not conducive maybe for him to get all the information that he need.

I take it that the Speaker in ruling the way that he did is not saying that the concerns of the Member are not important or they are unwarranted. We are only staying within the rules that we have adopted this is the only way that you can deal with the matter, but if the Honourable Member would want to pursue the issue further, I would think that the Committee approach would be the more appropriate one.

I would like really to appeal that he make use of Committees more often

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instead of them just going out there in the regions, we should also use the Committee to engage the Executive.

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**HON SPEAKER:** Thank you very much. I think that is precisely the reason why I reacted the way I did. There is no way. I am reminding you I indicated as such that we have a short question. It got to be such no introduction no nothing. If you do that, you are inviting me to cut you off and if that is what you want, you get it. All of us are human beings. Do not provoke a situation that I will do or say things that I never intended and that is precisely. We are operating within rules and we got to stick to rules. We conclude – yes.

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**HON AUCHAB:** Honourable Speaker, I just want clarity, because Right Honourable Prime Minister has come up with a very valid thing by saying that after the Ministerial Statements a Committee can be engaged, but what will be the procedure if the Ministerial statement is coming up here and there is very important issues that needs to be addressed. How will we engage the relevant Committee?

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**HON SPEAKER:** Honourable Member let me help you. What the Prime Minister is saying this interaction is not the end of the road. Our various relevant Parliamentary Committees can engage the Minister by inviting the Minister to present issues before that Committee and that could be a much more lengthy interaction, discussion, exchange of views where the Minister will even provide even further details. That is what we are talking about.

We should not use this occasion as if it is the only opportunity available to Members. That is what we are saying utilising our Committee system to deal with issues in much more in depth in order to solicit further information from the Minister and his Advisors could be available on such

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occasion. That is what we are saying so can we move on.

The first Notice of Motion is the one of Honourable Minister of Finance. Does the Honourable Minister Move that the Bill be now introduced? Who Seconds? Any Objection? Agreed to.

Will the Honourable Minister please table the Bill? The Deputy Minister, please. My eyes are to the right.

The Secretary will now read the Bill the first time.

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**CUSTOMS AND EXCISE AMENDMENT BILL**

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**SECRETARY:** *Customs and Excise Amendment Bill.*

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**HON SPEAKER:** Does the Honourable Deputy Minister Move that the Bill now read a second time?

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**HON DEPUTY MINISTER OF FINANCE:** I so Move, Honourable Speaker.

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**HON SPEAKER:** Who seconds? Any Objection? Agreed to. Any further discussion? If there is none, may I call on the Deputy Minister to reply? Motivation – yes, please do the motivation.

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**HON DEPUTY MINISTER OF FINANCE:** Thank you, Honourable Speaker. Honourable Members of the august House, the Custom Amendment Bill of 2016 seeks to introduce urgent enabling legal provision and amendment to the Custom and Excise Act 1998, Act 20 of 1998 with the aim to ensure alignment of our customs legislation with the world Custom organisation revised international convention on the simplification of harmonisation of customs prosecute.

The revised Kiyoto convention or RKC in short, this amendment would be the first of its kind to be affected on the Custom Excise Act of 1998 since its promulgation.

The proposed provision on the customs legislation are important for inclusion into the Act due to the fact that Custom and Excise laws must be sufficiently, transparent and comprehensive for its use by international traders and allow for seamless regional and international movement of traded goods.

Those amendments are furthermore necessary to modernise the Act to reflect the extensive application of electronic commerce as well as obligations of the Government of Namibia under international agreement.

Specifically the RKC mentioned above to which Namibia exceeded in 2006, the Bill furthermore seeks to update the Act to reflect the modern application of custom control and to simplify and modernise the language which current terminology used in the revised Kiyoto convention.

Honourable Speaker, Honourable Members those amendments will also adjust current provisions in the Act to improve a change of information and confidentiality among custom administration and other stakeholders.

By extending those coverage of disclosure of information and confidentiality among stakeholders nationally and internationally within a regulate framework that is internationally benchmarked. This will strengthen national enforcement capability and facilitate the functionality

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of those of all world customs organisations national, single, windows, concepts. The amendment will therefore authorise the sharing of information between custom and other governing agency involved in the clearance of goods and cognisance, enforcement measures. It will enable modernisations of custom processing procedure, in order to simplify those procedures and certainly also to facilitate transaction for compliance traders.

In more specific terms it will support and facilitate the introduction of own initial regional preferred trade scheme as a pre-crucial to a fully flagged regional authorised economic operator system thereby allowing customs to focus its resource on highly import and manufacture goods.

Honourable Speaker, Honourable Members the use of electronic technology is critical to implying modern custom procedure and technique. This amendment therefore also covers the present and future capability for electronic acceptance of documents and describe the various documents that should be able to be accepted or demanded electronically. It explains situation when the inability to launch document electronically will be allowed possible durations of such allowance and the process for paper handling of custom declarations.

It will also allow for acceptance of electronic signatures once Namibia broader legal framework on ICT information and communication technology is enacted in the operationalised.

Honourable Speaker, Honourable Members not only will those amendments focus on the abovementioned areas but they will also provide more pertinent for enabling provision for the imposition of own environmental levy through amendment to schedule 1 of the Act as and when required, the specifying of the viable rates and the general administration of such environmental levies.

Honourable Speaker, with those few remarks, I now table the Custom Amendment Bill to the House and thank the Honourable Members in

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advance for your support. I thank you, Honourable Speaker.

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**HON SPEAKER:** Thank you. I have taken note of the fact that in the last couple of weeks we have not been taking what we normally regard as the health break that is by going to tea partly because the time is over now.

As you all know but I really want to make sure that we insist on doing this as often. The Minister of Health is the first person to remind me that this is absolutely essential for our own personal wellbeing but having gone over the time, can I continue quietly and those of you who would like to go and have a cup of tea, you go quietly and come back.

We respect you that you will definitely come back so that we might continue. Do I have the consensus of the House to do that but if you insist, we will go for a break? We encourage those who wish to go quietly, have a cup of tea and come back. Thank you very much. Any further discussion? Yes, Honourable Smit.

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**HON SMIT:** Thank you Honourable Speaker, I would like to adjourn the debate until next Wednesday the 26<sup>th</sup>.

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**HON SPEAKER:** Adjourn next Wednesday. If there are people who wish to contribute tomorrow, would it be permissible for us to do so? If there are none, of course we will happily do that until next week Wednesday. So decided. Thank you. We move on.

The Secretary will read the First Order of the Day.

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**RESUMPTION OF DEBATE ON FAMILIARISATION VISIT  
TO CAPITAL PROJECTS IN OPUWO AND KUNENE REGIONS**

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**SECRETARY:** *Resumption of Debate on the Familiarisation Visit to the Capital Projects in Opuwo and Kunene Region.*

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**HON SPEAKER:** When this debate was adjourned on Tuesday on the 18<sup>th</sup> of October 2016, the question before the Assembly was a report by Honourable Jagger. Honourable Kavekatora adjourned the debate and now I will offer him the floor.

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**HON KAVEKOTORA:** Thank you very much Honourable Speaker. I will be very short.

Let me firstly thank the Committee for a very informative report that they have come up with and I am going to touch on few issues in the report that I would like to perhaps elaborate a little bit.

The first one I would like touch upon is lack of parental involvement in the education of learners in that part of the world. I think that is something that has been said all along that parents must get involved in the education of their children which is quite a reasonable demand, but I think taking it even from myself when I went to school in those areas, it was really a question of understanding to what degree does my mother or my parents understand the importance of education.

If my parents value cattle herding to be more important than education and questioning the validity of sending their children to school, then that issue

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will still remain with us and especially in that part of Namibia where the level of education is very low.

The question really is how do we as lawmakers and as Government ensure that we raise the level of understanding of our parents in order to fully understand the importance of education number one and to encourage the learners or the children to go to school. I think that is one thing that needs to be done either (incomplete).

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**HON SPEAKER**: Sorry, point of order.

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**HON DEPUTY MINISTER OF FISHERIES AND MARINES  
RESOURCES**: May I ask the Honourable Member a question please?

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**HON KAVEKOTORA**: Just go ahead.

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**HON DEPUTY MINISTER OF FISHERIES AND MARINES  
RESOURCES**: Let me start it this way: My own father, when he was attending school in those years, his father, my grandpa, did not know about school and he was asking are you still going to that thing where you sit down doing nothing and you come and eat in my house or you are going to choose to go and herd the cattle.

My question is the level of the people on the other side would probably be at the right level that sign with my grandpa I would say.

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Do you think they really understand why the children should go to school? Do they see the value of going to school and if you are suggesting that we as Parliamentarians should get involved, at what level should we get involved perhaps you should explain a bit more so that we can get involved. Thank you.

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**HON KAVEKOTORA:** Thank you very much. Honourable Minister of Tourism was blaming this side of the isle that we were not listening, but I think the only difference between your experience and my experience is that at least it was your grandfather and in my case it was my own mother who could not understand the importance of education and that is one part.

The second part of how to get involved I think that is something that requires more research for instance, the teachers who are on the ground I would feel that instead of just them focusing on giving education to the learners, they should perhaps also be empowered in a certain way to start encouraging the parents to understand the importance of education and I think it can be done in different ways.

The issue of environmental changes for instance is an example. You find that the rainfall in the western part of Kunene is dropping by the year, which makes farming almost an impossibility in those areas. In other words, basically for all practical purposes the Namib desert is coming inwards on the one hand. On the eastern side, if I may add the Omusati people are also getting into Kunene. In other words, the people of Kunene are being sandwiched between Omusati and the drought on the other side.

Farming as a long term sustainable way is not the way to go. There should be some other perhaps ways and I think by starting telling our mothers and fathers about the environment is changing maybe they would also realise that the livelihood and the life style will have to change as one of the Honourable Members said on the other side in order for them to remain

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relevant moving forward. Having said that, let me move on to the next item and that is the feeding programme offered to school in this country.

The report is saying or is suggesting that maize blend is the Namibian Government feeding program offered to school in this country. Now if that statement is true, then we are in serious trouble because I cannot see how maize blend can be categorised as a balanced diet and if learners are going day and day out consuming maize blend as the only foodstuff, then we have a real challenge and we have a real threat to the proper development of the child and that would be detrimental to what we call quality education.

The next item that I would like to touch upon is the issue of and which I agree with the report is that the increase of quarter for unqualified teachers to qualify or to get training to become qualified teachers. That area where some of us are coming from is not a very attractive place for people seeking employment. It is only attractive for those people who want to get into the Government employment system and wants they get in whether you are a doctor, whether you are a nurse, whether you are a teacher for that matter, the first opportunity for them to get out of that area they will take. The increase of quarter for local people who have a peaceable interest in that area perhaps is the way to go and I think that is a recommendation they need to be taken quite seriously.

In the report, there is a mention of various ratios in and amongst some of these schools and these ratios the teachers to learner ratio ranges from 22 to 1 up to 77 to 1. In other words in some schools and the report is mentioning Opuwo Primary School and they say that a teacher has to teach 77 learners.

Now, the question is if we are really serious about the levelling quality education is impossible for a teacher to pay attention to 77 learners. It is almost unheard of and I think that is something that has to be taken quite seriously because if we do not do that we cannot plan that we provide

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quality education for all. I think these are my few contributions but I also have to thank the Colleagues for a very good report. Thank you, Honourable Speaker.

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**HON SPEAKER:** Thank you very much. I have given an undertaking earlier before I have the Honourable Nico Smit asking the floor. I have offered the floor to Honourable Muharukua. Can I quickly do that and come back to Honourable Smit?

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**HON MUHARUKUA:** They say you win some, you lose some.

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**HON SPEAKER:** A promise is always a promise.

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**HON MUHARUKUA:** Honourable Speaker perhaps let me explain why I am to take the floor again. Yesterday I thought Honourable Kavekatora rose on a point of order unbeknown to me only to find out on the order paper that he actually rose to actually make his submission but there is one aspect that I have left out that I was going to conclude with and is that notwithstanding the success of these mobile schools and notwithstanding the fact that we actually graduate these schools into conventional schools, this is what actually happens with regards to the working relations of these teachers that commence these schools and get these schools to a phase where there are actually conventional schools.

The teacher starts a school from say 15 children to 30 children to 50 children, 100, 150 and 300 or whatever number that is required for the

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school to become a conventional school. Now all along through these phases, more teachers are coming and this teacher is regarded as a day *facto* HOD Principal. In fact, the teacher that commenced the school, in fact, it goes as far as the job description of this particular teacher would be exactly the same as the job of the Principal of a conventional school.

When this cross over come from being a mobile school to a conventional school what happens is that this post is advertised and because this person has not been an HOD by definition, has not been a Principal or acting in any sort of acting capacity to that effect by definition, he is disregarded from even applying to head the school that this person perhaps would have headed from scratch for 11 years. All of a sudden he is not good enough so perhaps as a Ministry or as part of recommendation in terms of the working environment of these teachers and also as part of the motivation as we are speaking about perhaps increasing the quarter.

Maybe we should also look into that teachers who have been heading this schools with the very same job description as conventions school Principal should at the very least if not automatically transform into the Principals of these schools of HODs of these schools should at the very least maybe in the policy of the Ministry or appointment policy of the Public Commission should at the very least be eligible to at least apply so that they can contest with other teachers, because you cannot argue that the person has been good enough for 11 years to head fellow teachers and all of a sudden now he is not good enough simply because he by title did not possess a specific title. But, by job description, it was exactly the same with others.

That is the only thing I left out. Thank you, Honourable Speaker.

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**HON SPEAKER:** Thank you, Honourable Muharukua. In fact, if you look at the new Bill by the Ministry of Education, Arts and Culture those

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issues are likely to be taken up in the profession Council that is being proposed in that Bill but obviously, the Ministry perhaps between the Chairperson of the Committee and the Ministry could look into that but it is an interesting observation that you are making there, Honourable Nico Smit.

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**HON SMIT**: Thank you, Honourable Speaker.

Honourable Speaker allow me to start my contribution by quoting from Article 20 of the Namibian Constitution which read 21(1), 'all persons shall have the right to education'. Article 22 'primary education shall be compulsory and the state shall provide reasonable facilities to render effective this right for every resident within Namibia by establishing and maintaining state schools at which primary education would be provided free of charge'.

I want to haul in on one particular aspect and I quote again, 'provide reasonable facilities to render effective this right'. What does this mean this quote? It is important to understand that merely putting an unqualified teacher under the tree with no facilities and the large group of learners sitting on blocks does in no way amount to providing reasonable facilities to render effective this right.

This in effect is a dereliction of Government's constitutional promise to the Namibian children. Access to education is not an empty phrase. Access to education surely also means access to quality education, in the same that access to health care does not mean poor health care.

In the absence of access to quality education, how does one render this right effective? Reading this report has left me very worried about whether this right is being realised by the children of especially the northern Kunene region.

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Honourable Speaker, Honourable Members people often say statistics can be used to prove anything but reading this report and remembering the widely known statistics that the Kunene region is the poorest region in Namibia makes you realise that there is a direct coloration between poverty and access to quality education. That is very clear. In today's modern competitive world one of the surest ways to uplift yourself and your family from poverty is through quality education. When access to that enabling agent is denied for large numbers of any communities, then we should not be surprised when these communities struggle to escape the vicious cycle of poverty.

From the report it is evident that in part due to the nomadic nature of the lives of the Himba people perhaps mobile teaching units are the direct response to the lifestyle of the Ovahimba people. In as far as that is a direct response to the needs of the community that must be commended.

However, the quality and infrastructure of a mobile unit must still to a large degree resemble a conventional classroom. From the report, it is obvious that this is rarely the case. As noted in the report some of the tents used as classrooms are historic relics. By their very design, these structures were not intended to host classrooms.

Honourable Speaker, Honourable Members the report clearly states that most schools and classrooms suffered from the following structural issues which might realising quality education almost impossible (a) classes are not equipped with desk and chairs.

As a result, learners are forced to sit on wooden blocks, stones and other adhoc structures. (b) teachers do not have tables to work from or write on (c) some classes do not have chalkboards, (d) there is a huge shortage of textbooks and stationery. These are already a lot of structural issues to overcome for a qualified and experienced teacher.

Now imagine by how much that challenge is compounded when as the

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report state, the vast majority of teachers at these schools are not qualified teachers but only possess Grade 10 and Grade 12 qualifications. What worsened this problem even further is that these teachers are forced to teach multiple grades for instance, Grade 1 and Grade 2 in one class simultaneously they must do so.

Unqualified teachers it is already enough of a challenge mastering the content of one school year for a teacher but when an unqualified teacher is forced to teach two school years for which they have not been trained at the same time I can only imagine that this significantly compromises the quality of education.

I am happy to read that the report notes that some of these teachers have made and continue to make efforts to improve their education and become qualified teachers. Sadly remote location of many of the mobile schools makes it very difficult for them to get access to facilities to continually improve themselves. It is just not possible for them there. In-service training too is not possible where these schools are located.

As a result, we have a vicious cycle where learners are taught under badly existent structures and even the teachers who want to improve on their qualifications are hampered by the lack of access to facilities associated with the remote locations, tough terrains and poor road infrastructures and the flowing of rivers during rainy season. How do we overcome these structural challenges? Is the question.

Honourable Speaker, Honourable Members I have one proposal to this. Government needs to directly commit itself to financially in some device qualified teachers who want to teach in rural towns like Ipembe, Okwangwati, Itoto and Omuhunga and others, failure to do so means that the situation will not change and the children of the Kunene region are being even given empty access to education if we do not change it.

More access as I have previously stated is not what the constitution

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promises the Namibian child. Government needs to honour that promise by deliberately financially incentivising teachers to move to rural areas and teach there. If we do not come with an incentive, we will not get qualified teachers there.

A special programme could be designed where teachers move to teach in such areas on a rotational basis and not necessarily long term but the reality is only a financial incentive will ensure that the best teachers are willing to teach under the challenging conditions that have been elaborated in this report.

Special housing will also have to be built for such teachers, as one cannot expect from highly qualified teachers who could easily get employment elsewhere to live in tents with no access to ablution facilities, clean drinking water or electricity. The circumstances in this report are extraordinary. An extraordinary circumstance requires extraordinary intervention. It is not enough to count the number of school going kids between the age of 7 and 16 and state that 90% or whatever of Namibian children are in school.

What does the institutional infrastructure of these schools look like? That is important. Other teachers qualify is our constitutional promise being made. If not, did stay away from using these deceiving figures to paint the picture of prosperity and success when the reality on the ground tells us that Government is failing the children of the northern Kunene.

Honourable Speaker, Honourable Members until the children in northern Kunene region are provided with reasonable and I quote from the constitution, 'with reasonable facilities to render effective right to education' that Government is failing in its constitutional mandate. I thank you.

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**HON SPEAKER:** Thank you, Honourable Doctor Haufiku.

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** Thank you very much, Honourable Speaker. I just want to make a few remarks based on yesterday's input that I will say something in respect of what Honourable Member from the other House is saying.

I think we all agree in this House Honourable Speaker that like Nelson Mandela said education is the greatest equaliser. Without it we cannot move. Without it our national goals and visions will not be achieved. Without it we cannot eradicate poverty. It is very important that we put qualities aside and face the reality of what is being reported in this document in respect of the poorest of the poor in our country Kunene region.

Even though there were obvious questions as to what the aims and objectives of the Committee were in respect of the mission, it actually opens up our eyes and I see that the recommendation of the Committee literally says what needs to be done in spite of now the fact that it does not seem to do what the title says on the cuff. I want us to pay attention to a few things on Kunene.

One is that the people there live a nomadic life. This is not just for the sake of movement. The people in Kunene region are pastoralist meaning they follow where their cattle can graze better can get better grazing so they have to follow their cattle and it is not something that is confined to Kunene area.

The difference is that in part of the country such as Omusati which is very close to Kunene people also go with their cattle somewhere else but they have their permanent structure where they live That is probably the

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difference but in Africa everywhere we follow where our animals have better chance of grazing.

That is what is happening in Kunene. Now I was just thinking as a part of recommendation that would it be perhaps possible and help us to create a grazing area which is more protected, more permanent and perhaps fenced off. Then, during and it is common grazing area not fenced off by individuals like it is happening in other parts of the country. Then we know that in times of drought or in certain times of the year the people move and take their cattle to this grazing area and we put up a permanent structure such as a school or so near this grazing area and where the people live more long.

This is one thought I was having. The other thing I was thinking of like when Honourable Kavekatora was speaking is that I think Honourable Muharukua as well the issue of parents rotating the children in attendance of classes or preventing the children from attending classes.

Obviously, we need to do more education to let them understand but I think it may also be imperative and I was asking the Attorney General if there is such law in our system that make it punishable for a parent who prevents the child from attending school because it is obviously a right issue here for the child.

All children have a right to attend school. As much as we need to inform the parents about the importance of school, we also have to tell them the consequences of those who prevent the children from attending school. I think it may help. I was looking at the report and I was rather upheld by what I have seen on page 11 Epembe Primary School tents for teaches. Page 12 the teachers living quarters, page 16 jagger kitchen, no one of us want to live in a place like that honestly speaking.

I think we need to agree that something must be done. Fortunately or unfortunately, those of us in Executives are the one who need to execute

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these things nobody else. Of course, the opposition always get mileage out of it but we need to implement measures that make differences in the life of these people.

One aspect of this situation is the vulnerability of especially young girls boys as well but girls are much more vulnerable themselves. They are the ones who are sent off for early marriage, which they literally become house slaves. They are ones who are much more prevented from attending school but an interesting statistics also came up not only as far as Kunene is concerned.

We have it that a good number of up to I think 12% of girls miss out of schools for simple things such as monthly period or menstruation and for the simple things that they do not have sanitary pad. It is for this reason that the Ministry of Health and Ministry of Education have signed a memorandum of understanding in which not only we educate the learners or introduce the school house programme, but we have entered an agreement with an NGO mainly consisting of young people mainly young girls who go out to schools there and talk to their peers, but also to distribute sanitary pads to the young girls in order for them not to miss out school.

That is one thing we are doing. I think Honourable Speaker these are some of real measures we can look at as lawmakers and Executive to improve the situation of Kunene but also other regions if we go to Kavango East for instance, you find the same thing.

In Ohangwena, you also find the thing but I think being aware all of us and practically getting involved in this program will help us a lot other than just debating the issue in the House for the sake of debating. I think the Committee did a great job I must say.

The last thing I want to mention is the issue of sanitation Honourable Speaker that we need to keep on knocking at the doors of agricultural

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Ministry and I think Health get involved as well to ensure that the majority of our people have access to just the basic ablution facility. That is the only way we can improve health. Thank you.

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**HON SPEAKER:** Thank you very much. I now turn to the presenter of the report Honourable Jagger. Do you wish to reply?

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**HON JAGGER:** I so wish to reply, Honourable Speaker.

Honourable Speaker, Honourable Members I am very, very happy for the mere fact that this report has attracted a lot of attention and much has been said.

I want to thank every Member in this August House who has risen to make a contribution in the discussion of the report. Many of you have shared your thoughts. Many of you have advised and many of you have come up with more recommendations I should say. Therefore, I want to thank you on behalf of the team that went to Kunene region in visiting the schools and more specially the mobile units and of course, on behalf of the entire Committee members of the Human Resources and Community Development Parliamentary Standing Committee.

Honourable Speaker, Honourable Members education is very close to my heart. This is actually the only job that I have ever done in my life before I came to Parliament so nothing can divorce me from education. I have been a teacher and serve the education system in different levels. It is such reality Honourable Speaker, Honourable Members that educating a child is a complex activity no doubt about it. It is equally a very stuck reality that some schools in this country have so much and other schools has so little.

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Now it seems that after one has experience something or gain knowledge about condition one becomes morally responsible to do something about it hence the recommendation in this report. I think when Honourable Jan Van Wyk spoke about his experience and feelings we really thought it is a joke but it should not be regarded as a joke. Once you enter those units you will feel sad actually traumatised by the condition under which those learners and teachers are teaching and learning.

We should not divert from the aspect that education that learners are not getting education in the Ondawu mobile units. They are getting education. Teachers despite many difficulties it was reported and it is a fact that the school has been a success in achieving its main objective and that is the objective of ensuring education to the children of those nomadic communities the Ovahimba children one of the most educationally marginalised children in this country.

I must also inform this August House that after our visit there were eight of the units that were now formally transformed into conventional classrooms. Those learners can also now benefit from all that the others in conventional schools are benefiting.

We must not forget, Honourable Speaker, Honourable Members, that school building or a school is an input and not just an input. It is a great and important input into the quality of education. When you are not in a school a conventional classroom, it is hard to achieve the main objective of quality education. Well, others are also important like the resources, the furniture, the teaching aid, a qualified teacher but school building is an input to quality education. We should not lose direction on that one.

Now, I just want to alert this House that in 2010 when the Honourable Minister late Doctor Abraham Iyambo made his consultative visits to the regions shortly after his appointment, he divided the region between himself and the Deputy Minister Doctor Namwandi and he visited Kunene region and I was part of that meeting. In that meeting, we prominently

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discussed the issue of Ondawu. When the Minister came back, a report was sent back to the regions wherein he made a clear recommendation that a Cabinet submission should be prepared for an increased budget and that was in 2011-2012 Financial Year and increase budget for the region to take care of the specific identified need of the Ondawu mobile primary school.

In 2014, when we had a meeting that we called an Ondawu indaba, we demanded that the administrative of the Ministry of Education come to the region and sit in with the traditional leadership the stakeholders *per se*, the traditional leaders, church leaders and everybody who had an interest in Ondawu. The Deputy Permanent Secretary the current one was there and he made a commitment that it is serious business that Ondawu must get the attention it so much deserves and I deliberately Honourable Speaker took into the furthest unit. After coming back, he said yes now I have seen myself it is serious business. All we say is that we call for the total transformation of Ondawu, total transformation and this depends on all of us as legislature, as lawmakers, Executive to make sure that those learners at Ondawu mobile school is transformed so that those learners also enjoy conventional educational context as experienced by their peers in conventional set ups and that is only if we increase the budget of the region the development budget for capital projects.

Having said that, Honourable Speaker, I want to thank once again the team that went with me to the regions and for every Member who has contributed to this very important report. I thank you so much.

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**HON SPEAKER:** Thank you. I now put the question that the report be adopted. Any objection? Agreed to. Thank you.

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**HON MUHARUKUA:** Objection *per se* perhaps is a query – the Honourable Mutorwa I believe made a proposal that Rule 64(5) be evoked if I am not wrong i.e. be given a specific time period with which to get a reply. I do not know at which point he will do this, but I just perhaps wanted to highlight that and remind the Speaker of that request from him.

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**HON SPEAKER:** Yes, I think we are basically looking into mechanism for undertaking the necessary follow up on the various reports that are being adopted here and of course, one of the key things that we wanted to do is that the report would be forwarded to the relevant line Ministry and further discussion would be conducted between the National Assembly and the Ministry concerned but all that is very much in line with the way how we want to deal with this report.

Definitely, I am aware that the office of the Prime Minister is equally committed to that idea what follow up mechanism do we have in place and from time to time to come back to be able to say how well have we done with the various reports that we keep on adopting in the House.

The spirit in which the Honourable Mutorwa raised that issue is very much in line with our current thinking as well. The report is adopted. We will do the necessary follow up. It is already with the Ministry of Education, Arts and Culture so we will look into that. We move on.

The Secretary will read the Second Order of the Day.

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**CONSIDERATION OF AMENDMENT OF SCHEDULE  
NUMBER 1 TO THE CUSTOMS AND EXCISE ACT**

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**CONSIDERATION OF AMENDMENT  
OF SCHEDULE NUMBER 1 TO  
CUSTOMS AND EXCISE ACT  
HON ITHETE**

**SECRETARY:** *Consideration of Amendment of Schedule Number 1 to the Customs and Excise Act.*

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**HON SPEAKER:** Does Honourable Minister of Finance Move that the amendment be considered? Deputy Minister.

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**HON DEPUTY MINISTER OF FINANCE:** I so Move, Honourable Speaker.

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**HON SPEAKER:** Thank you. The Deputy Minister you have the floor.

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**HON DEPUTY MINISTER OF FINANCE:** Honourable Speaker, Honourable Members I will postpone the matter until tomorrow or until not tomorrow but Tuesday.

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**HON SPEAKER:** Thank you. With that understanding, we postpone consideration of the matter until Tuesday next week.

The Secretary will read the Third Order of the Day.

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**RESUMPTION OF DEBATE ON  
RATIFICATION OF NEW LABOUR INSTRUMENT**

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**RESUMPTION OF DEBATE ON  
RATIFICATION OF NEW  
LABOUR INSTRUMENT  
HON DIENDA**

**SECRETARY:** *Resumption of Debate on Ratification of New Labour Instrument.*

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**HON SPEAKER:** When the debate was adjourned on Thursday the 13<sup>th</sup> of October 2016 the question before the Assembly was a Motion by Honourable Minister of Labour Industrial Relations and Employment Creation. Honourable Dienda adjourned the debate and I now offer her the floor.

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**HON DIENDA:** Thank you so much, Honourable Speaker. Honourable Speaker in November 2000 Namibia already ratified the forced labour convention 29 of 1930. The protocol 29 of 2014 to the forced labour convention is just an annexure to support the existing convention. Protocol 29 of 2014 states as follows, 'each member shall take effective measures to prevent and eliminate its use to provide to victim protection and access to appropriate and effective remedies such as compensation and to sustain the status of forced or compulsory labour.

Secondly, each member shall develop a national policy and plan of action for the effective and sustained depression of course of compulsory labour in consultation with employers and workers organisations which shall involve systematic action by the competent authority and appropriate and in coordination with employers and workers organisation as well as with other groups concerned'.

Honourable Speaker as a former trade unionist I really appreciate amendments. The protocol also states that these actions must be implemented within either 12 or 18 months after the ratification is confirmed 12 or 18 months not 12 or 18 years.

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Honourable Members, nobody in this House can be in favour of forced labour and it is good that we have ratified this. Thank you very much Honourable. I appreciate it.

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**HON SPEAKER:** Thank you.

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**HON DIENDA:** I am not finished.

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**HON SPEAKER:** Oh, sorry, sorry.

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**HON DIENDA:** Honourable Speaker, yesterday in the House I mentioned about the report that was tabled here about schoolchildren who are doing the cooking in the Kunene region.

Honourable Speaker, I want us to look into this matter because we cannot use children when there are not staff to do the job. It is also forced labour. There is nothing wrong Honourable Speaker with ratifying these treaties but we ratify the conventional of forced labour in 2000 already and even today we are still carrying on with the same mistakes.

Most of us here Honourable Speaker come from rural base communities so I am sure many of us in this House are aware of the practice of children of farm labourers being forced to also serve at manual labourers on many of these farms.

I would also like to remind the House of the duties of labour inspectors. If

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these inspectors did not do their job and visit these schools and farms, will these practices still be happening so widely? The question is since 2000 where did we fall short? Hopefully, Honourable Speaker, we will indeed develop the national policy and plan of action to combat forced labour within the next 18 months as required and this will see an end to the practice that schoolchildren and children of school going age we should be focusing on homework and studying, cooking and cleaning at under staff schools and doing manual labour on commercial farms.

Honourable Speaker, Honourable Members with these few remarks, I support the ratification of protocol number 21 of 2014 to the forced labour convention of 1930. Thank you, Honourable Speaker.

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**HON SPEAKER:** Thank you. Any further discussion on this point? There being none, does the Honourable Minister wish to reply?

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**HON MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION:** Thank you, Comrade Speaker. Comrade Speaker, what will happen is that competing authority, which you are talking about is that we are going to have our inspectors visiting several places to see whether there is forced labour in Namibia. It is being told now and then even from the UN and or even from the American Embassy one time we met, they are talking about human trafficking. They are talking about child labour and then they are also talking about forced labour but forced labour we have to study it thoroughly so that we can visit.

Unfortunately, I am not saying Honourable Members places but wherever we hear something like that we have to embark upon so that people can go and have a look at what is really in that particular area. Forced labour is

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that you are paying somebody peanuts while you are making profits by yourself. This is now the forced labour what we are talking about. This is what I am saying. I am saying not Honourable Members here but wherever we hear something, we have to go and explore whether it is true or not but the law is already now there automatically we have to implement the law accordingly.

That is all what we want to do. Thank you very much, Comrade.

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**HON SPEAKER:** Thank you very much. I now put the question that the Motion be adopted. Any objection? Agreed to.

The Secretary will read the Fourth Order of the Day.

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**CONSIDERATION OF REPORT  
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**SECRETARY:** *Consideration of Report on Human Wildlife Conflict.*

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**HON SPEAKER:** Does Honourable Kandumbu move that the report be considered. I give you the floor.

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**HON KANDUMBU:** Thank you, Honourable Speaker. Honourable Members of this August House it gives me immense pleasure and honour to motivate the report on the Committee on the stated Motion.

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HON KANDUMBU**

Firstly, the Parliamentary Standing Committee on Natural Resources wishes to express its profound gratitude to the National Assembly for providing the opportunity, mandate, support and resources to investigate and conduct public hearings on the Motion on human wildlife conflict.

Honourable Speaker, allow me in the way of motivating the report, to present a brief overview of the report so as to give you synopsis background to this Motion and the Committee approach in handling this Motion. The Motion was tabled in the National Assembly by Honourable Hamunyera Hambyuka on the 21<sup>st</sup> of October 2015 and after debate in the House it was referred to the Parliamentary Standing Committee on Natural Resources for further scrutiny and report back to this House.

Even though the Motion was initially focused on the two Kavango regions, the National Assembly decided to expand its coverage to include other regions such as Zambezi and Kunene regions where human wildlife is also prevalent. The Committee held several consultative meetings on this Motion from the 23<sup>rd</sup> April to the 14<sup>th</sup> of May 2016 in Kavango East and West region, Zambezi and Kunene.

The meetings were aimed at gathering information about destruction of cultivation crop, killing of livestock and loss of human lives by wild animals. A number of concerns were raised ranging from payment, management of wildlife, assistance offered by the Ministry of Environment and Tourism officials and community base natural resources management in general.

Notwithstanding this concern, the Committee is pleased to learn about recent initiatives and developments with regard to the intention to review the national policy on human wildlife conflict in order to improve it.

The Committee hope that community concerns and recommendations contained in this report would be taken into account and incorporated in the reviewed policy.

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With these few remarks and while not wanting the pre-empt discussions on this report Honourable Speaker, Honourable Members, I now have the distinguished honour to present the report on the Motion on human wild conflict. I thank you, Honourable Speaker.

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**HON SPEAKER:** Thank you, Honourable Agnes Tjongarero.

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**HON DEPUTY MINISTER OF SPORT, YOUTH AND NATIONAL SERVICE:** Thank you, Honourable Speaker. Let me take the opportunity to thank the Committee Parliamentary Standing Committee on Natural Resources.

I do not have too much to say but on page 11 of the report there is something, which bothers me and I thought I have to make it known in this House. The third paragraph in the middle there it says, 'community members also felt that Ministry of Environment and Tourism has to empower its regional heads to take appropriate decisions because currently the channel of communication is too long. All key decisions have to be taken at the Head Office in Windhoek without which no action can be taken'.

I thought that was maybe only in my Ministry or the Ministry where I am but this is very, very disturbing. The people on the ground are suffering and when they go to the office it is always that yes, we will ask the Head Office. We will get it from the Head Office and in many at times the Head Office is quiet.

It takes long as it has been put there and I would really urge all of us to go out then you will feel how those people are feeling but if you are in Windhoek and sitting here you will not feel what they are feeling there on the ground and it is very, very disturbing when you go out and people are

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saying we have reported this so many times. We were here but every time Windhoek does not answer. Please Colleagues Honourable Members let us think about the people down on the ground who are suffering.

My second point is about the example, which was given that a farmer lost 22 cattle but never offered any assistance. Now if you lose some of us maybe one or two you are broke. You are devastated 22 and it is factual correct, I hope and pray something must be done and you cannot after a person losing 22 cattle not do anything. I really do not agree with that and I hope maybe there are some mistakes here and if it is not, I hope the Ministry will do something about 22 for me is like 2 000.

My other point is on page 14 under the recommendation. The Ministry of Environment and Tourism is point number 2 last paragraph should consider implementing real empowerment of rural communities to take through control in managing their conservancies in terms of running their own lodges, conducting their own trophy hunting and marketing their own tourism products.

I do not know what follows because I do not have point number 3. Something is missing there but what I wanted to say is this is a very good idea but then really we have to empower the people because sometimes even with trophy hunting, these people when they come here it has been booked already somewhere and in our case in our communities they might not know those things that they must have an office somewhere or through which these bookings can be done so that those people come to your lodge, pay in your lodge and do the things they ought to do. Otherwise, it will be always those who already know how to do these things and our people would be losing out.

With this, I support the report. Thank you.

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**HON SPEAKER:** Thank you very much, any further discussions. There

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being none, may I call Honourable Kandumbu to reply oh, alright, Honourable Minister your light is on.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** I was giving an opportunity here, but I wanted Honourable Speaker if after my elder I think I maybe given chance to say something on Tuesday and after analysing the report the same things that I have noticed and might not actually correct.

Sometimes you ask people the public. The public can say things that might not be correct so I just for us to have a reflection of what is exactly in the report and whether on the ground these are the factual defects on the ground if I can be given that I wish to have my statement on this one on Tuesday next week.

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**HON SPEAKER:** We will take any Member who wish to contribute, then we adjourn the debate until next week Tuesday to enable you to reply to the report. Yes, Honourable Pendukeni Iivula-Ithana.

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**HON MINISTER OF HOME AFFAIRS AND IMMIGRATION:**  
Thank you, Comrade Speaker.

Comrade Speaker I was proud to listen to our Minister of Environment and Tourism yesterday reporting on the successes scored during the Johannesburg Indaba where he defended our conservation policies on various items.

Yes, indeed Namibia has a very good conservation policy and what I am going to say hereunder should never be construed as propagating for us to

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move away from that policy. I would like to say the following Comrade Speaker.

Wild animals have been giving us on all the continents not only on Africa, all the continents had abundant wild life streaming all over. Certain continents and countries have wiped them out and the few that remain are caged because they have become a menace to human beings and their livelihood. The same people who eliminated all the wildlife in the world have turned themselves into advocate for conservancy. They are the ones who come to us to tell us how not to even caged our animals. We should not do it.

Even the number even if it is overshooting the sustainable level we should not do it because sometimes I feel that in the eyes of others Africans apart of the wildlife so you get such a feeling. They photograph the elephants and next to the elephant is the Himba woman so that the picture properly reflect Africa. We are made part of the wildlife and therefore, why should we reduce the number of our kind. We should not.

I know we are told and we buy into the idea that truly tourists come to Africa for our wildlife but tourists go everywhere even where there are no wildlife. They go there. They spend money. We cannot touch the lions because they are endangered species. We should not even confine them because they are used to the wildlife.

Well, Comrade Minister of Environment I was the first Deputy Minister of that Ministry and I have great interest in this Ministry.

I think we must find a balance between conservation and the security of the citizens of this country. Some of these dangerous animals do not only destroy our livelihood. They kill us. How many times did we hear about human beings trampled to death by elephants in Kunene region, in Zambezi region? These are recent events.

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**HON SPEAKER:** I think the Honourable Minister is calling for a point of order.

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**HON MINISTER OF HEALTH:** I want to be as gentle as I can. You see animals and this is one point I will always say animals whether is an elephant, a snake, or a scorpion do not attack people.

Honourable Speaker, this is exactly the reaction I expected from the Members why, because we are all under the same cloud of perception of animals. Animals only act in defence that is all. Animals the only exception on earth of animals is human being. Human beings are the only ones who go beyond, who attack, who invade, who colonise, who does and does. Animals do not do that. You have to threaten them. Thank you very much.

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**HON SPEAKER:** Thank you.

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**HON MINISTER OF HOME AFFAIRS AND IMMIGRATION:** Comrade Speaker, I did not know that our Doctor is for both human and animal.

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**HON SPEAKER:** Can we listen to each other please, yes, please?

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**HON MINISTER OF HOME AFFAIRS AND IMMIGRATION:** I have the floor please may I borrow. Comrade Speaker, what we are talking about in the conflict, the conflict that has grown beyond the

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tolerance because we have invaded our territories both human and animals. That is why this report is talking about the conflict. If it were not for that conflict probably but you remember my introduction I said every continent has its own games but because of the conflict other continents have wiped these animals out and the few that remains are in the zoo, why if they have gone to the extent to doing so, why?

It is because of the conflict. Now that the conflict is here we are being told and we convince ourselves that it is the right thing to do to conserve and we are conserving but I am just saying let us create a balance between them I mean the animals and us. The conservation policy must take into consideration the survival of the human being. That is all what I am saying. If we just hammer on conservation, conservation, my Honourable Comrade there is talking about a farmer who has lost so much.

What are we doing about him or her? I do not know whether it is a she or he. What we are doing, nothing? Why nothing, because I want us to look at why nothing. That person has suffered greatly but yesterday here we were applauding the achievements because the skewness of our conservation policy is the problem and let us have a look at that so that we create the necessary balance for us to benefit from the animals as we have done and for our people also to feel that they are secured in the presence of those animals. That is what I wanted to say. Thank you.

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**HON SPEAKER:** Thank you very much, Honourable Attorney General.

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**HON ATTORNEY GENERAL:** Mr Speaker, I know that you arranged with the Honourable Minister for the discussion to be put over, I just want to make one, two quick points in the consideration of the report, which by the way I think the Committee has done pretty well and must be thanked for.

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I would like to thank the Committee for not only bringing out issues but also genuinely meeting communities. It take note that you met the communities at Palamveck where these communities are. The communities at Opuwo, Sesfontein, Palamveck, Evier, Anker, Kamanjab, Oshokavare, Marinehohe, Gaudi, Goas, Fransfontein and Tora conservancy and if you look at these communities, these are communities that are really near the Etosha and the other environments which are in the other parts but very rich in fauna and flora. These communities live a difficult existence to the animals because tourism is something that we constitutionally are enjoyed to protect because of the environment aspect of it.

These animals are wild animals. The lifestyle of the people is such that we do communal farming and we are pastoralist. We have cattle but the infrastructure that allows animals to graze into Etosha are not longer the fault necessarily of the animals that are the prey. It is the responsibility I think of the authorities through the Ministry of Environment to ensure that those fences are kept to a standard to minimise. That is one way already where we can minimise the exposure of the communities to the wildlife conflict.

On the issue of the conservancy if it is true that the amounts reflected in the report are amounts that are generated from community base natural resource management programs, then clearly they generate quite enough amount of money to eve if the Ministry were to consider meagre contributions or improvements on the compensation amounts. N\$4.5 Billion being mentioned there is sufficient amount of money to make a difference in the impact of the lives of those farmers or community members who are then impacted by the adverse impacts of the conflict of even wildlife as it manifest on the ground.

I do not know if the song of tourism and it is good thing that the Minister said that he really wants to investigate what is on the ground. I do not know whether the song of tourism and I am not saying it does not add to the state coffers but I just do not know if it add the sufficient economic

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impact that it ought to because of the way it is structured. Half of the time these tourists groups come except for the food we give them and maybe the fuel they fill and the bed they sleep in, everything else is really transacted overseas.

Maybe we need to consider a particular innovative tax or income generation to deal with particularly this issue. If we have agreed that an environment and tourism is an economic mainstay, it is a program we should put resources behind, the animals live in our communities. Our people live in those communities. The marriage is made by nature. Then let us do something because the amounts are really minimal for a goat N\$250. It is really minimal. The goat has much more impact value on the life of the community members than on the carcass that you have paid N\$254 pelts included, bones included. After the animal anyway devour half of it, they just kill, take the fresh part of it and leave it. You are devastated let alone the shock that you live with living in the community.

My point really is to say I think it is time that we engage our experts not these people that are sponsored to come and talk about how beautiful it is to come to the African and then they give us numbers. They run these numbers. They look very good on the power point presentation they give us but the impact on the lives of the people is really minimal and we review these programs and ensure that these programs are tailor-made around the specific conditions of the people that we actually speaking to.

It is one thing for us to look good that we have nice policies on paper, we go to these meetings and we look good, we have wildlife community policy compensation. It is paper and the impact it makes on the lives is minimal. I think we ought to look to the people because we as the human beings, we have the responsibility over the other species of animals and if we do not want the animals to attack us or be opportunistic in preying after human beings or our animals, then we ought to really take the effort.

There was a point in time where I recall the fence down on I drove that road near Oshivalunda. It was a fence you could permeate through. You

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could just walk through and this is Etosha and you know that the lions would definitely go and pass through and pass back. This is where these incidents come from so Mr Speaker without much ado and I understand that the Minister will come here and the Committee has done its work, I was just also thinking that we need to maybe impress upon that particular issue.

Let us do all we can do to ensure that the wild animals do not encroach on the life of our people. I am not talking about the conservancies because I am not an expert. Maybe fencing the issue would be too much but I am just talking about where we have the national parks so that we can reduce that in the first place and we put more emphasis on the tourist coming than the wellbeing of our people. I think it is not where the priority should be. With that Mr Speaker, thank you.

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**HON SPEAKER:** Thank you. I think we have agreed to postpone further discussion on this item until next week Tuesday we said. Thank you very much. I want to kindly within the time available revert back to item number 2 to facilitate, yes, the Honourable Minister was not in the Chamber and I called for this item. Maybe I will offer the Minister the floor at this stage.

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**HON MINISTER OF FINANCE:** Honourable Speaker, I think the item was introduced yesterday and is in fact now open for discussion. It is not to be referred back by the Ministry for I am not the one to take the floor. I think it is open for discussion and then it is concluded after the discussions.

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**HON SPEAKER:** I just wanted to register that you are bank in the Chamber and any further discussion on this point. I observe there is an

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acceptance. Can we conclude the item by asking either the Minister or the Deputy Minister to reply?

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**HON MINISTER OF FINANCE:** Thank you, Honourable Speaker. I appreciate that the House accepts this amendment to the schedule, which was actually tabled not so long ago and it is just an extension of the schedule to include all cars instead of only a certain number of cars that are transferred by personnel. I am thankful that it was put. Thank you.

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**HON SPEAKER:** Thank you very much. I now put the question that the amendment be adopted, any objection, agreed to. If I may within the limited time.

The Secretary will read the Fifth Order of the Day.

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**CONSIDERATION OF REPORT ON DE-BUSHING  
AND HARVESTING OF UNWANTED BUSHES**

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**SECRETARY:** *Consideration of Report on De-bushing and Harvesting of Unwanted Bushes.*

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**HON SPEAKER:** Does the Honourable Kandumbu move that the report be considered?

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HON KANDUMBU**

**HON KANDUMBU**: I Move so, Honourable Speaker.

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**HON SPEAKER**: Honourable Member, you have the floor.

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**HON KANDUMBU**: Thank you very much, Honourable Speaker for the second time.

This Motion was also tabled in this august House by Honourable Muharukua on the 24<sup>th</sup> February 2016 after which it was referred to the Parliamentary Standing Committee on Natural Resources for scrutiny and report back.

The Motion calls for the combating of bush encroachment by embarking on large scale de-bushing activities and mass utilisation of used energy and genetic while offering them jobs and entrepreneurial opportunities.

Honourable Speaker, Honourable Members, the Committee convened consultative meeting which was attended by participants from the Ministry of Agriculture, Water and Forestry, Development Bank of Namibia, Namibia National Agricultural Union, Namibia Agricultural Union, National Youth Council and the National Youth Service.

In addition to that, the Committee undertook a week long fact-finding mission to Government farms which are severely affected by bush encroachment and were de-bushing is plenty in the foreseeable future.

The Committee also visited Ohorongo Cement factory, which is in Otjiwarongo and the Bush Block in Otjiwarongo where undesirable invader bushes are converted into biomass. Both the finding of these visits and recommendations by the Committee are contained in this report.

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Honourable Speaker, Honourable Members with these few remarks and while not wanting to pre-empt discussions on this report, I now have the distinguished honour to present the report on the Motion on de-bushing and harvest unwanted bushes. I thank you Honourable Speaker.

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**HON SPEAKER:** Thank you. Any further discussions? I have the Attorney General.

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**HON ATTORNEY GENERAL:** Mr Speaker, thank you once again for the floor and again, another Committee that deserve to be thanked for doing a good job in terms of an issue was brought here for discussion, the Committee looks into it and present something that we can look at.

I really would like to commend the Committee for the work that they are doing and hope that we can get to a point where we many of the issues we want to discuss we treat them in the manner that we have treated these matters.

I think we get a substantial input credible document that we could also place to the disposal of the public.

Mr Speaker just one thing that is a concern to me in the report is that while the Committee speaks of the concern for the exploitation of young people who could work on these projects of de-bushing and I understand perfectly de-bushing. There is something here it says that is at page 8 item 3 it says, to avoid exploitation the youths should be empowered to take ownership etc, etc. Now I understand the concept of de-bushing the intent and the objective as stated in the document is to increase the productivity of land for agricultural purposes.

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I understand that fully and I think where you have proper agricultural management of land it is necessary and they indicated as particular project Manike or something that could house 1 500 herds of cattle but is housing less because of the condition of the environment which is overpopulated by some of these undesirable bushes or species of fauna.

While I understand that on the one hand, again as I said in the previous discussion we are enjoined to protect the environment and the environment, manifest itself with those bushes that exist. Some of them that is the habitant and I would like us to have a balanced approach to when the policy is being developed that we need to look at some measure of conservation is sometimes not all the land that you have in your paddock and fence that you would want to make grazing area for your cattle or goats or whatever you are stocking in there but this indiscriminate of just pushing and because you can suddenly create jobs go and make coal, export.

I think may lead us to a point if we do not manage and have a balance which is what I do not see reflected in the document and I hope that when the policy is being developed that particular aspect is looked at that we may end up creating the unintended consequences and regret.

There are parts of the country that you go to where as Honourable Pendukeni Iivula-Ithana was saying the other day, have names that used to be called after animals because they used to exist there and these are not animals that were preying on human beings.

These were animals that are good to have in our environment. What they consume they put back because of droppings but because the human being came in and just decided, I am going to put my mahangu field, draw those gallows.

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**HON SPEAKER:** Can I advise that in view of the time, we continue with you tomorrow.

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**HON ATTORNEY GENERAL:** I was ending to say Mr Speaker.

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**HON SPEAKER:** Well done, thank you very much. Well, in view of the time the House stands adjourn until tomorrow the usual time.

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**HOUSE ADJOURNS AT 17:44 UNTIL 2016.10.20 AT 14:30**

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Honourable Kandumbu. The Honourable Attorney General adjourned the debate. I now give them the floor.

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**HON ATTORNEY GENERAL:** Thank you, Mr Speaker.

When I took the floor yesterday was and I would like to repeat the appreciation that I expressed not only for this particular Committee but the previous Committee and I said and I would like to say it again that if this is the approach we take I think we will find a lot of matters will be given the due attention by desire and I think if we use the Committees further for topical issues and you saw that the previous report for instance has gone to certain places and I listed the (indistinct) whatever etcetera and they met the communities. In the previous Committee as well on the infrastructure I think we are going the right way.

On this particular issue of de-bushing, Mr Speaker, my concern was that we need to balance between the need to ensure that the land is optimally using and not bushing approach to the extent that its carrying capacity has been diminished. This is a legitimate concern and I think any agriculturalist or anybody wants to do anything on land, understands why we need to clear pieces of land for agricultural purposes.

But I wanted us to see a balance between that objective and the conservation objective where we need to ensure that we do not add on to the dissatisfaction of our communities and areas. In making an example of on the point I was making I was referring to what the Honourable Pendukeni Iivula-Ithana has made in somewhere we had I think some weeks ago when she was referring to a place called Engolo which in the local vernacular from that area means zebras.

Now, these are not predators, these are not animals that cause any grief to particular members of the community if you are in proximity with them.

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Yes necessarily they do not you can even have them on your own plot it is not a problem per se but because people came and we wanted to put *mahangu* fields or whatever we till the land with, must dissatisfactions occurred so much so that these animals are no longer in that habitat and the balance is to say while we want to make the land usable let us also be very concerned about the conservation aspect and I was trying to find that the report did not seem to maybe consider that balance perhaps there is a reason because in the report I was making reference to there is the issue of protecting against exploitation the young people that would be engaged but what about protecting the environment from the exploitation of those that simply want to follow the desire to make money, sell charcoal or whatever it is and then we leave the environment at peril.

This is the only point I wanted to make Mr Speaker but then also request that the Committee in fact just the Committees take on more and more of these issues to assist us greatly and I think not only getting the public's real input but also a value discussion that we can have the document actually help form the basis for a good discussion and I thank you.

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**HON SPEAKER:** Thank you very much. Honourable Schlettwein.

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**HON MINISTER OF FINANCE:** Thank you, Honourable Speaker. I also want to commend the Committee for tabling the report and there are two principles I think that I want to address about this phenomenon.

The first one is that bush encroachment itself is as a result of farming practises already. So the fact that we have a problem of bush encroachment is by quite good evidence shown to be a result of farming practises. So if we now premise the argument on that I think Honourable Shanghala is correct, the Echo System has been changed the original

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habitat has been changed because of human intervention through agricultural practises and I think that is important to understand.

When we then debush it is just a further intervention into an existing and echo system. So we are not operating in a pristine echo system we are operating in an already disturbed system where it is not only the system but it is the processes in those systems that have been changed, certain rather complex, but I think the more important matter realising that it is already an undisturbed environment is that you should consider this bush that we have so created maybe not in the first instance as an unwanted matter it can be converted into a very useful resource whether we transform that bush into charcoal or into power or into whatever.

I think the most meaningful approach for those communities in those areas where bush encroachment is, is to make good use of that resource and converted into some economic gains for the communities there. I think there are a number of very promising prospects what one can do with that biomass that is available. The most important one for me being the power generation potential that that bio mass has and I think if we do that we are creating an opportunity other than perceived problems.

I had hopes that the Committee could have looked into those that does make some proposals of how that resource can actually be utilised in the sustainable and profitable, I thank you.

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**HON SPEAKER:** Thank you very much. The Honourable Mike Kavekatora.

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**HON KAVEKOTORA:** Thank you very much Honourable Speaker. I also rise to support a very well documented report. That is also very

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specific and I think we just have to focus on what the report is talking about. The report is talking about de-bushing and harvesting of unwanted bushes.

It is very specific and I agree with the Honourable Minister of Finance that the reason why we ended up having bush encroachment I think the farming practises have led to that and I think it is a good observation because in the solutions, in the long term solutions those aspects of farming will also have to be fact in. I just want to make a distinction between decertification and harvesting unwanted bushes there is a big difference between the two.

I think if one goes for unwanted bushes and you result into decertification then you miss the point completely because there are lots of reports that have been presented by people with authority who have demonstrated the economic opportunity costs that has resulted as a result of bush encroachment one of which has highlighted that Annually Namibia is losing something like N\$700,000,000.00 because of bush encroachment.

It also goes on to say that a farm that used to or a farmer used to perhaps farm with 500 herd of cattle because of this unwanted bush they had now to half that number because the carrying capacity has reduced quite drastically.

I think because of the fact that this thing also touches upon some of the sectors of our economy that is responsible for job creation and what have you – converting this unwanted bush into a productive undertaking and industry, I truly think that it is a very commendable task.

It has also been said that the Government or the farmers themselves will not be in a position to do the loan so it must be a considered effort between the farmers and the Government and I think there is a scenage for that approach.

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So I think this is a very good report but I agree that at the end of the day it will all be variable to have to be taken into account if you want to have a win/win situation. I thank you.

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**HON SPEAKER:** Thank you very much. Any further discussion on this point this late hour? Yes, Honourable Muharukua.

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**HON MUHARUKUA:** Thank you, Honourable Speaker. I thought the Minister would contribute, but if he is not I just wanted to address the point that my learned colleague the Attorney General has raised, together with the answer that my uncle Honourable Kavekatora has given.

I would also perhaps put him at peace in that the Committee in discussing this and perhaps has been doing this investigation we have actually become aware that Namibia as a country we are quite advanced relatively in terms of environmental protection laws and regulations that we actually considered that should such a programme actually commence or start the relevant Ministries including the Ministry of Environment through the clearing certificate and so on, would always be engaged and proper site visits would be done on the envisaged areas of de-bushing, in order to ensure that protected species are indeed protected and that push islands are indeed left behind for wildlife and so forth and I believe the Honourable Shifeta would be very much well vested in the knowledge of how to actually do debushing that does not harm the environment.

In addition, perhaps lastly but in addition to what the Minister of Finance has indicated that yes at times it is us through maybe at times greed you know, the farm that I have can only carry 200 but I want 300/400 and the 300 that practise I ensure that I get out of the things that I actually need. The plants that I actually need on the farm and get things that I do not

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want. But at the same time we also have the environment and it is inevitable change an impact on a biodiversity that that on its own also brings these undesirable plans and that perhaps if we think clearly, if we think with foresight can actually turn this would-be curse into a blessing like Honourable Minister has said. Thank you.

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**HON SPEAKER**: Thank you very much. Honourable Muharukua, when you mention the law that is governing all these activities I wanted to hear the Ministry of Agriculture, Water and Forestry because they play a vital role in all this.

Can we, for the little, I know we have gone off the mark, can we dispose of this item? But now the Honourable Member would you want to reply to say something so that we can dispose of it. Yes please.

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**HON KANDUMBU**: Thank you Honourable Speaker. On behalf of the Committee on Natural Resources let me express my gratitude to all Members who contributed to this Motion.

Honourable Members, I would like to stress the point that this idea of establishing public/private partnership is not new. A lot of work has been done. The ideas are there but is not fully realised.

Honourable Members of this august House greater success were envisaged if the idea of establishing the PPPS is implemented. The benefit is for our unemployed youths and for our country. Let us organise and to encourage our youth to take up the challenges.

Honourable Speaker, Honourable Members it is with humility that I thank all of you, your inputs, your suggestions, your contributions available to

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make this proposal a reality and I thank you.

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**HON SPEAKER:** Thank you very much. I now put the question that the report be adopted. Any objection? Agreed to.

That, essentially, brings us to the end of today's session and all that is left is to thank you and to remind you that we continue next week. For now, the House stands adjourned.

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**HOUSE ADJOURNS AT 17:50 UNTIL 2016.10.25 AT 14:30**

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