

LIST OF MEMBERS OF THE NATIONAL ASSEMBLY

SPEAKER

Dr T-B Gurirab (Mr)

DEPUTY SPEAKER AND CHAIRMAN OF THE COMMITTEES

Mrs D Sioka

THE CABINET

MINISTERS

(21 March 2001 – Elected in terms of Article 133 of the Constitution)

Mr N Angula	<i>(Prime Minister)</i>
Dr L Amathila (Ms)	<i>(Deputy Prime Minister)</i>
Dr N Tjiriange (Mr)	<i>(Minister without Portfolio)</i>
Dr A Kawana (Mr)	<i>(Minister of Presidential Affairs)</i>
Mr P Tseehama	<i>(Safety and Security)</i>
Mr J Mutorwa	<i>(Youth, National Service, Sport and Culture)</i>
Mr Dr N Iyambo	<i>(Agriculture, Water and Forestry)</i>
Mr J Kaapanda	<i>(Works, Transport and Communication)</i>
Rev W Konjore	<i>(Environment and Tourism)</i>
Ms S Kuugongelwa-Amadhila	<i>(Finance)</i>
Dr A Iyambo	<i>(Fisheries and Marine Resources)</i>
Mr M Hausiku	<i>(Foreign Affairs)</i>
Dr R Kamwi (Mr)	<i>(Health and Social Services)</i>
Ms R Nghidinwa	<i>(Home Affairs and Immigration)</i>
Mr N Mbumba	<i>(Education)</i>
Mr C Namoloh	<i>(Defence)</i>
Ms N Nandi-Ndaitwa	<i>(Information and Broadcasting)</i>
Ms P Iivula-Ithana	<i>(Justice and Attorney-General)</i>
Mr A G !Naruseb	<i>(Labour and Social Welfare)</i>
Mr J Ekandjo	<i>(Lands and Resettlement)</i>
Mr E Nghimtina	<i>(Mines and Energy)</i>

Mr J Pandeni	<i>(Regional, Local Government, Housing and Rural Development)</i>
Mr I Ngatjizeko	<i>(Trade and Industry)</i>
Ms M Mungunda	<i>(Gender Equality and Child Welfare)</i>

DEPUTY MINISTERS

(21 March 2001 – Elected in terms of Article 133 of the Constitution)

Mr G Shihepo	<i>(Safety and Security Development)</i>
Mr P Shifeta	<i>(Youth, National Service, Sport and Culture))</i>
Mr P Smit	<i>(Agriculture, Water and Forestry)</i>
Mr P Kapia	<i>(Works, Transport and Communication)</i>
Mr L Jooste	<i>(Environment and Tourism)</i>
Mr T Tweya	<i>(Finance)</i>
Ms L Lucas	<i>(Foreign Affairs)</i>
Ms P Haingura	<i>(Health and Social Services)</i>
Ms T Mushelenga	<i>(Home Affairs and Immigration)</i>
Dr R Ndjoze-Ojo (Mrs)	<i>(Education)</i>
Mr V Simunja	<i>(Defence)</i>
Mr R Ndinyando	<i>(Information and Broadcasting)</i>
Mr U Nujoma	<i>(Justice)</i>
Mr P Iilonga	<i>(Labour and Social Welfare)</i>
Mr I Katali	<i>(Lands and Resettlement)</i>
Mr K Kazenambi	<i>(Regional, Local Government, Housing and Rural Development)</i>
Mr B Esau	<i>(Trade and Industry)</i>
Ms A Muharukua	<i>(Gender Equality and Child Welfare)</i>

ACTING SECRETARY

Ms I Wellmann

DEPUTY SECRETARY

Mr F S Harker

LIST OF MEMBERS AND PARTIES WHICH THEY REPRESENT

CONGRESS OF DEMOCRATS (COD)

Mr B Ulenga	<i>(Party Leader)</i>
Mr T Gurirab	<i>(Deputy Whip)</i>
Ms E Dienda	
Mr R K Gertze	
Ms N Schimming-Chase	<i>(Chief Whip)</i>

DTA OF NAMIBIA

Mr K Kaura	<i>(Leader of the Opposition)</i>
Mr J De Waal	<i>(Chief Whip)</i>
Mr P Moongo	
Mr M Venaani	<i>(Deputy Whip)</i>

MONITOR ACTION GROUP

Mr J Viljoen	<i>(Chief Whip)</i>
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NATIONAL UNITY DEMOCRATIC ORGANISATION OF NAMIBIA

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

REPUBLICAN PARTY OF NAMIBIA

Mr H Mudge	<i>(Party Leader and Chief Whip)</i>
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SWAPO OF NAMIBIA

Dr T-B Gurirab (Mr)	<i>(Speaker)</i>
Ms D Sioka	<i>(Deputy Speaker)</i>
Mr N Angula	<i>(Prime Minister)</i>
Dr L Amathila	<i>(Deputy Prime Minister)</i>
Rev W Konjore	<i>(Minister)</i>
Mr B Amathila	<i>(Government Chief Whip)</i>

Mr H Booys	<i>(Deputy Chair of the Whole House Committee)</i>
Mr R Dinyando	<i>(Deputy Minister)</i>
Mr E Kaiyamo	
Ms L Basson	
Ms H Christiaan	
Dr H Geingob (Mr)	
Ms T Mushelenga	<i>(Deputy Minister)</i>
Mr P Mushelenga	<i>(Assistant Whip)</i>
Ms M Mungunda	<i>(Minister)</i>
Mr M Amweelo	
Mr J Ekandjo	<i>(Minister)</i>
Mr B Esau	<i>(Deputy Minister)</i>
Mr M Hausiku	<i>(Minister)</i>
Mr P Iilonga	<i>(Deputy Minister)</i>
Ms P Iivula-Ithana	<i>(Minister)</i>
Dr A Iyambo (Mr)	<i>(Minister)</i>
Dr N Iyambo (Mr)	<i>(Minister)</i>
Mr J Kaapanda	<i>(Minister)</i>
Mr V Simunja	<i>(Deputy Minister)</i>
Mr G Shihepo	<i>(Deputy Minister)</i>
Dr R Kamwi (Mr)	<i>(Minister)</i>
Dr S Ankama (Mr)	
Ms L Kasingo	
Mr H Hamutenya	
Mr U Nujoma	<i>(Deputy Minister)</i>
Mr J Pandeni	<i>(Minister)</i>
Mr I Katali	<i>(Deputy Minister)</i>
Dr A Kawana (Mr)	<i>(Minister)</i>
Mr L Jooste	<i>(Deputy Minister)</i>
Ms S Kuugongelwa – Amadhila	<i>(Minister)</i>
Ms L Lucas	<i>(Deputy Minister)</i>
Mr N Mbumba	<i>(Minister)</i>
Ms A Muharukua	<i>(Deputy Minister)</i>
Mr K Kazenambo	<i>(Deputy Minister)</i>
Mr J Mutorwa	<i>(Minister)</i>
Mr J Nambinga	
Mr T Nambahu	
Ms E !Nawases	
Mr A G !Naruseb	<i>(Minister)</i>

Mr I Ngatjizeko	<i>(Minister)</i>
Ms N Nandi-Ndaitwah	<i>(Minister)</i>
Dr E N Tjiriane (Mr)	<i>(Minister without Portfolio)</i>
Ms R Nghidinwa	<i>(Minister)</i>
Mr E Nghimtina	<i>(Minister)</i>
Ms P Haingura	<i>(Minister)</i>
Mr A P Tsheehama	<i>(Minister)</i>
Mr T Tweya	<i>(Deputy Minister)</i>
Mr R /Ui/o/oo	

UNITED DEMORATIC FRONT

Mr J //Garoëb	<i>(Party Leader)</i>
Mr M Goreseb	
Ms G Tjombe	<i>(Chief Whip)</i>

NOMINATED BY PRESIDENT

Mr R Diergaardt	
Ms I Hoffman	
Ms A Manombe-Ncube	
Mr C Namoloh	<i>(Minister)</i>
Dr R Ndjoze-Ojo	<i>(Deputy Minister)</i>
Mr P Smit	<i>(Deputy Minister)</i>

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
22 JUNE 2005**

The Assembly met pursuant to the adjournment.

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

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

MOTION ON BUSINESS OF ASSEMBLY

HON P MUSHELENGA: Honourable Speaker, Sir, I Move without Notice, that the proceedings on Votes 7, 15, 16, 23 and 26 be, in terms of Rule 90, not interrupted if still under consideration at 17:45. I so Move, Mr. Speaker.

HON SPEAKER: Can the Honourable Member table the Motion? Any further Notice of Motions? Any Message from the State House? Any Ministerial Statements? The second Notice of Motion is the one of the Right Honourable Prime Minister. Does the Right Honourable Prime Minister move the Motion?

**MOTION ON REMUNERATION OF DIRECTOR AND
DEPUTY DIRECTOR: ANTI-CORRUPTION COMMISSION**

22 June 2005

**MOTION ON REMUNERATION: ACC
RT HON N ANGULA**

RT HON PRIME MINISTER: I Move the Motion.

HON SPEAKER: Who seconds the Motion? Any objection? Agreed to. The Right Honourable Prime Minister has the Floor.

RT HON PRIME MINISTER: Thank you, Honourable Speaker, Honourable Members. I rise to lay down and propose the remuneration and other benefits for the positions of Director and Deputy Director of the envisaged Anti-Corruption Commission (ACC) for consideration by this august House.

Section 7(1) of the *Anti-Corruption Commission Bill* explicitly states that the conditions of service of both the Director and the Deputy Director shall be determined by His Excellency, the President, with the confirmation by the National Assembly.

To this effect, Honourable Speaker, His Excellency the President has determined the conditions of service for the Director and Deputy Director of the Anti-Corruption Commission, namely that remuneration and other benefits, such as the housing allowance and vehicle allowance shall be equal to that of a Judge of the High Court for the Director, and to that of the Chief Regional Magistrate for the Deputy Director.

Honourable Speaker, Honourable Members this august House might recall that during the motivation of the Budget of the Office of the Prime Minister for 2005/2006, I informed the House that an amount of N\$1,5 million has been budgeted for the establishment of the Commission. I would like to thank all Honourable Members for finally approving Vote 02 for the Office of the Prime Minister.

In the light of this, I humbly request and urge the Honourable Members to consider and approve the proposed conditions of service, namely remuneration and other benefits for the Director and Deputy Director of

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HON VENAANI**

the envisaged Anti-Corruption Commission as a matter of utmost urgency. I thank you for your understanding.

HON SPEAKER: I thank the Honourable Prime Minister. Any further discussion? Honourable Venaani.

HON VENAANI: If there are no other speakers that want to take the Floor, I would like to adjourn the Debate until next week, Friday.

HON SPEAKER: Any objection? Agreed to. This Motion is adjourned until Friday. The First Notice of a Motion is the one of Honourable Venaani. Does the Honourable Member Move the Motion? Who seconds? Any objection? Agreed to. Honourable Venaani now has the Floor.

MOTION ON TRIBALISM AND ETHNICITY

HON VENAANI: Thank you very much, Honourable Speaker, Honourable Members. I rise in this august House to motivate one of the most sensitive and serious Debates before the House, namely the Debate on Tribalism and Ethnicity, at a time that our Nation has achieved fifteen years of Sovereign rule, a time when every Namibian should critically take stock of events and progress in our country.

I motivate this Motion cognisant of the fact that our country was disadvantaged by more than one hundred of years of colonisation and white minority apartheid rule. Old regimes have destroyed the moral fibre of our society and displaced the disadvantaged of our Nation's citizenry.

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Our national liberation struggle was long and bitter and the words “*equity and justice*” were the torchbearers of our Nation in its quest for Sovereign rule and of an equitable human development. Finally, apartheid was defeated and an independent Namibia became a reality.

Honourable Speaker, before I proceed, allow me to give the historical and academic development of ethno-politics in brief, as the conflicts, in our opinion, stretched from the Judea-Christian community, the legendary battle between David and Goliath and the Roman custom of throwing Christians to the lions.

In recent times, the Turkish Government was suspected and accused of murdering about 1.5 million Armenians, mostly during the First World War. The Nazis in Germany killed six million Jews and perhaps as many as 14 million of other ethnic groups, such as Slavs, Serbs, Czechs, Poles and Ukrainians. There were mass murders of ethnic groups in East Bengali in 1971, Kampuchea in 1977 and in Uganda in 1978.

One realises that violence focused on or fostered by ethnic conflicts did increase in the 1980s. In fact, every form of ethno-political conflict has increased sharply since the 1950s. Since the end of the Cold War and the end of Communism in the Soviet Union, Eastern Europe has brought forth long-festered ethnic conflicts in places such as Armenia, Azerbaijan, Georgia, Moldova and Dagestan, not to mention the dissolution along ethnic lines of Yugoslavia and Czechoslovakia.

Honourable Members, well aware that ethnic conflict has occurred for centuries, it is still appropriate to ask, “*Why the apparent explosion of ethnic passions and conflicts and violence now in the last five or ten years and after the end of Cold War?*”

It must be admitted first that the academic field of international politics is perhaps ill equipped to deal with or to explain persuasively this outburst of ethnic passions since it has a history of ignoring ethnic groups and their relationships to international politics.

One specialist of ethnic conflict observes that the post-war world has been

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dominated by ideological battle between Western Liberalism and Soviet Marxism and neither of these belief systems had shown much concern for ethnicity. Liberals in a classic Western tradition have tended to see the emphasis on collective right by emotional ethnic groups as a dangerous threat to the individual human rights that they hold dear.

Radical and Marxist scholars, on the other hand, have tended to view ethnic groups and their ethnically based political passions as an annoying diversion on the road to Communism. In the final analysis of Walker Connor who argued a few decades ago that international politics as an academic field has had a regrettable tendency to treat ethnicity as an ephemeral nuisance.

Honourable Speaker, Honourable Members, it is a fact that ethnicity exists and manifests itself anywhere where there is a human habitat. Thus the challenge is how best to manage the ethnicity.

Many African Nations have gone in long, protracted conflicts, influenced and sometimes fuelled by ethnicity and tribalism. The recent yesteryear human catastrophe in Rwanda and Burundi of conflicts between Hutus and Tutsis is an example of how ethnicity can influence society negatively. Such actions of brutality and contempt of human rights should and must never be repeated again on the African soil.

The current challenges of ethnic conflicts in the DRC, Eritrea, the Sudan, the Darfur Region, in particular Cote d'Ivoire or Ivory Coast are clear manifestations of eminent ethnic conflicts that threatens human development, peace and social progress.

Honourable Members of this august House, our Nation has been enjoying peace and stability for many years, however the eminent public opinion on tribalism and ethnicity that exists warrants national introspection and stocktaking. Namibia as a country will and shall not remain immune to ethnic conflict.

The attempts of the Caprivi Secessionists are clear warning signs of ethnic conflicts in our country. Furthermore, petty border disputes by ethnic

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groups and sub-clans should not be taken lightly. There lies a challenge ahead of us as Post-independence navigators of the ship called Namibia to manage ethnic diversity that manifests itself in our country proactively.

Equally aware of the fact that we are further tasked to manage one of the world's worst economic imbalances, we must not manage it in the way that equates to the bitter struggle that we fought.

Honourable Speaker, Honourable Members, no ethnic group in this country represents the 53 percent of the total population on its own. We are aware that the Namibian Nation is composed of mainly eleven ethnic groups. We are further cognisant of the subgroups or clans of these main groups that are conventionally treated as the same main ethnic group. We inherited apartheid structures that were unbalanced in the Civil Service, the Armed Forces, and the Police Forces, and we are busy replacing it with the same unbalanced structure only in the black fashion.

Honourable Members, resource allocation and fair and balanced appointments of our Nation's citizens in the Civil Service and other Government institutions as well as any developmental programmes are the best integral tools to advance just and equitable human development.

I firmly believe and I am convinced that at times it is difficult and at instances almost impossible to have perfect structure allocation in the Civil Service or any other place, for that matter. However, I believe that the fair and balanced process is affordable and manageable.

Honourable Members, it is not so much a matter of greater importance to try to seek justification as to how ethnicity and tribalism burrowed its way into our structures, however, it is a matter of great importance to actively engage how we can prevent the spread and manage ethnicity and tribalism in our country.

I personally do not believe that competence should be swallowed by ethnic representation demands, but surely no one ethnic group can claim a higher competence level in all spheres than others. Persons and individuals who are currently benefiting from this practice of tribalism,

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either per accident or per intention, cannot be blamed. However, the policy implementers should be blamed collectively.

Honourable Members, our country and society are experiencing an alarming practice of tribalism and ethnicity. At every level of governance, it is clear and one observes employees hail from one village, one Region or tribe. Nearly in every department, the staff under the individual in charge will represent his background, ethnic background, his Region or his tribal origin.

Honourable Members, some critics argue that they only hire Namibians in their departments and do not necessarily look at the ethnic origin of the individual, which would have been good in any job and society. However, what remain unanswered is why did it happen that some ethnic groups over-dominate others beyond proportions?

Honourable Speaker, exclusivity is another centre of all conflicts and thus must be avoided at all cost. There is a saying in my mother vernacular that says “*Eho ripa Omutima*”, which simply translates that it is the eye that sends a message to the heart or instructs the heart to like or dislike anything. What the eye sees and which the heart likes is an advancement of one tribe or ethnic hegemony in our great Nation Namibia.

Honourable Members, we went and did research and the following facts warrant introspection in some of our sectors as they justify beyond any reasonable doubt that some ethnic groups over-dominate structures in our Public Service and I hope these facts are eye-opening, as they demand a Debate and seeks further pragmatic solutions.

If one looks at total bursary allocation since 1992, then it is clear that 84 percent of our total bursaries allocated for the Higher Education Programme were allocated to one ethnic group, a situation that guarantees that for the upcoming ten or twenty years 84 percent of our available academic and tertiary jobs would be allocated to this particular qualified group, which is a further perpetuation in my opinion of a certain ethnic group's advancement.

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It should be borne in mind that the best tool to advance human development is education and one cannot accept Government bursaries loan schemes to be allocated to certain students of a certain ethnic group. The one specific tribe, in my opinion, is built up to become the most influential and most academic and tertiary-advanced group. It simply translates that in the next decade or two, if balance distribution is not found, they shall remain job creators and the less fortunate tribes would be jobseekers if a remedy were not found soon.

If we look at other structures of our country, Honourable Members, the very important security apparatus of our State that protects the territorial integrity of our Nation is the most embarrassing one and reform within time, not one year, or two years, but within reasonable time should be instituted to rectify the situation.

A hundred percent domination in the top echelons of power is recorded in the top brass of our Army, Navy and our Air Force, which bring forth the following questions: Does this really reflect our country's demography or does one ethnic group have better knowledge and training beyond all others? Does national loyalty only lie in certain ethnic groups in Namibia?

Army Commanders, Chief of Staff, Brigadiers in all sections, operational, logistic, finance, and etcetera, all come from one ethnic group. Our army in its totality, even though exact figures are hard to get, is a clear representation of close to 89 percent of a specific ethnic dominance.

Promotion of positions seems to be dominated by one sub-clan of the dominating ethnic group. This, in our opinion, portrays that a particular tribe or ethnic group is trying to control the security of all Namibians and to ensure dominance in the security apparatus in order to pressurise others when need arises to do so. It is worthwhile to note that the actions of some of the Defence Force members in Caprivi Region are uncalled for.

The Police representation is similar, where you find that out of thirteen Regional Commanders, two come from different ethnic groups and the rest come from one ethnic group.

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According to department records, out of round about 11,494 Police Officers, 9,987 hail from one ethnic group, a representation of close to 86 percent of one ethnic dominance. Is this tribalism per accident or per intention?

We are all aware of the fact that our Foreign Service remains a prerogative of the Head of State who appoints these needed men and women of our country in the Foreign Service. Out of twenty-two foreign missions abroad, sixteen missions are manned by one ethnic group and only six are occupied by other ethnic groups. The same situation continues, not to mention the foreign staff that equate to what I have said.

Regarding senior Civil Servants and Permanent Secretaries, the scenario repeats itself. Out of twenty-eight Ministries and Agencies, twenty-one positions are filled by one dominant ethnic group and the rest by others. Representation of more than 89 percent Managing Directors of State-Owned Enterprises: Close to 95 percent is dominated by one ethnic group, the same that dominate all our structures of governance.

Honourable Members, a certain Trade Union leader during last year denounced claims during the election campaign that massive development is taking root in the northern Region of our country. During the rally in Oranjemund, he made the following remarks, that *“Some Namibians claim that development projects are only taking place in the North of our country, yet we developed Aussenkehr, Rosh Pinah and many other projects”*.

However, the answer to him and to our population is as follows in the form of the question: Who own these projects? Which Namibians are employed at these projects and who benefit in the Black Economic Empowerment deals from these projects?

It must be borne in mind that while diamonds and other minerals and other sea commodities, such as fish and crayfish, are largely found in the South of our country, the inhabitants of the Region in the south are not the direct beneficiaries of these economic institutions either through empowerment deals or employment opportunities.

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It is a fact that South Africa is our biggest trading partner, thus nearly every commodity that develops our people comes from our neighbours, which borders our Southern Regions. The transportation of goods for development purposes passes our Southern Region per road and rail, yet the South is heavily hit by absolute poverty.

Honourable Members, it must be borne in mind that ethnicity and tribalism is seen at a lower level of governance. You have certain departments that are dominated by certain ethnic groups and that is portrayed *en masse* at senior levels of our Government.

Very few ethnic groups in this country can claim non-dominance in certain Government structures. Honourable Speaker, this Motion seeks to put measures in place to safeguard our country from following the route of other Nations of long contracted ethnic tensions and conflicts.

We seek measures that seek to manage ethnicity and tribalism. However, one cannot manage it if no policy framework exists. I therefore call for appointing a national group to research the prevalence and impact of ethnicity and tribalism at all levels of our governance and society.

Honourable Members, Honourable Speaker, allow me to quote our national Constitution, Article 23 (2): *“Nothing contained in Article 10 hereof shall prevent Parliament from enacting legislation providing directly or indirectly for the advancement of persons within Namibia who have been socially, economically or educationally disadvantaged by past discriminatory laws or practices and for the implementation of the policies and programmes aimed at redressing social, economic or educational imbalances in the Namibian society arising out of discriminatory laws or practices or for achieving a balanced structuring of the Public Service, the Police Force, the Defence Force and the Prison Services.”*

In our opinion tribalism and ethnicity is a practice in our country, officially or unofficially, and the Constitution mandates us to legislate against unbalanced structures at all levels of our society. Honourable Members, the Motion further seeks to appoint an *ad hoc* Parliamentary

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Committee to investigate, familiarise and study research by other countries that have developed and have policies or laws in place, to learn from their experience and make recommendations to the House for further action.

This *ad hoc* Committee, in my view, shall manifest the political will that should exist from the national leadership to fight the evil of ethnicity and tribalism in our modern society. Provisions are already contained for such *ad hoc* Committee in a provision of the terms of reference of the Standing Committee on Constitutional and Legal Affairs.

Honourable Speaker, for us as a Nation to find consensus after research by an independent group and the *ad hoc* Committee of Parliament has made its recommendation, a national indaba on fighting against ethnicity and tribalism should be convened to decide on the roadmap of our future policy.

I see no place for Namibians to queue tomorrow or the day after tomorrow for positions based on the tribe. I will always emphasise competence, thus there lies a lot of work ahead for us in the immediate future to address this imminent issue in our society.

I further firmly urge different societies in our country to continue to pursue coexistence in our national development endeavours and I want to trust that the elected representatives, in their collective wisdom and across Party lines, shall equally aspire to make Namibia a dream come reality.

Honourable Speaker, Honourable Members, I want to assure this House that I shall rise over and over again no matter what the cost to fight for what I believe is right and just. I shall and cannot watch an untenable situation to be allowed to grow without precautions and guidance.

When the future generation of this country will ask me where I was to have watched this situation growing out of proportions, I shall answer consciously that I have tried to the best of my ability.

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HON DR A IYAMBO

HON MUSHELENGA: Honourable Speaker, is it really allowed for a Political Party, which has nothing to offer to the Nation to raise a flag of tribalism in this Honourable House? Is it allowed?

HON SPEAKER: You may continue

HON VENAANI: Honourable Speaker, neither is it allowed for a magnificent Ruling Party such as yours to have a situation that we have in this country. In addition, it is the best interest of all the Namibians to debate, to research and to seek solutions for the interest of the future generations. I urge the Honourable Members from the Executive to refrain from name-calling. We are a united Nation but the figures portray the contrary.

Honourable Speaker, in conclusion, let me end in the words of a US Judge, Justice Holmes, who popularly quoted Dean Acheson, said: *"Gentlemen, we cannot leave our dreams; we are lucky enough if we give a sample of our best and if we can know in our hearts that it was nobly done"*. This Motion seeks noble goals and I am lucky to know in my heart that it is nobly done. Honourable Speaker, I thank for your attention.

HON SPEAKER: Thank you. Honourable Abraham Iyambo.

HON MINISTER OF FISHERIES AND MARINE RESOURCES: Honourable Speaker, if there are no Members to take the Floor now, I would like to propose an adjournment of this Motion until next week Tuesday.

22 June 2005 **APPROPRIATION BILL: MOTIVATION VOTE 26**
HON KUUGONGELWA-AMADHILA

HON SPEAKER: Any objection? Agreed to, the Debate stands adjourned until next week Tuesday, 28 June 2005. The Third Notice of the Motion is the one of the Honourable Minister of Justice. Does the Honourable Minister of Justice Move that the Bill be now introduced?

HON IIVULA-ITHANA: Honourable Speaker I beg the indulgence of the House that this Bill be introduced on Friday the 24th of June.

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

RESUMPTION OF COMMITTEE STAGE:
APPROPRIATION BILL

SECRETARY: Resumption of Committee Stage *Appropriation Bill*:

HON SPEAKER: Does the Honourable Minister of Finance Move that the Assembly now go into Committee?

HON MINISTER OF FINANCE: I Move, Honourable Speaker

HON SPEAKER: It is moved that I leave the Chair. Any objections? Who seconds? Agreed to. I now call on the Deputy Speaker and

22 June 2005 **APPROPRIATION BILL: MOTIVATION VOTE 26**
HON DR KAWANA

Chairperson of the Whole House Committee to take the Chair.

ASSEMBLY IN COMMITTEE:

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: The Committee has to consider the *Appropriation Bill*. When progress was reported yesterday, 21st June 2005, Votes 08, 13 and 18 had been agreed to and Votes 15, 16 and 23 had been introduced.

I put **Vote 26 – “NATIONAL PLANNING COMMISSION”**, **N\$63,128,000** for Introduction.

HON MINISTER OF PRESIDENTIAL AFFAIRS: I thank you, Honourable Chairperson of the Whole House Committee. I rise to motivate Vote 26, National Planning Commission.

This is one of the most important institutions of our Government. In terms of Article 129 of the Namibian Constitution, the main constitutional function of the Commission is to plan the priorities and direction of national development.

Among the major projects during the Current Budget will include launching the process leading to the formulation of Vision 2030 Implementation Framework. The formulation schedule of NDP 3 has already been agreed to and the process of defining objectives, strategies, programmes and projects to be implemented during the following five years is underway.

The National Planning Commission will conduct the Participatory Poverty Assessments in the ten remaining Regions of our country. The exercise will serve as inputs in the formulation and implementation of NDP3.

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APPROPRIATION BILL: MOTIVATION VOTE 26
HON DR KAWANA

The National Planning Commission will also be working closely with the productive sectors with a view to kick-start Strategic Projects as recommended in the Budgetary Macroeconomic Framework. The aim is to increase economic growth for employment creation and poverty reduction.

The Development Budget has envisaged the execution of other major activities, such as analysis and dissemination of Census 2001; processing of the Namibian Household Income and Expenditure Survey data; conduct of the 2004/2005 Namibia Census of Agriculture and the execution of the Namibia Census of Establishment incorporating the Manpower Survey.

Honourable Chairperson, the Commission realised a breakthrough in the production of an improved Consumer Price Index representative of the entire country as compared to the Interim Consumer Price Index whose coverage was confined to Windhoek. It will thus continue to improve the collection of data and monthly release of important index.

In order to concretise the above activities, the NPC requires an amount of N\$63.1 Million during the 2005/2006 Financial Year of which an amount of N\$36,162,000 is earmarked for recurrent expenditure and N\$26,966,000 for the development expenditure.

This represents an increase of about 12 percent over the 2004/2005 allocation. Honourable Chairperson, allow me to make a breakdown of expenditure for the 2005/2006 Financial Year.

Personnel expenditure requires an amount N\$20,771,000. This amount represents an increase of N\$1,176,000 or 5.6 percent against the previous allocation. The increase is brought about by revision of the Information Technology components in the Public Service.

Goods and Other Services requires an amount of N\$36,459,000. This amount represents an increase of 32 percent or N\$11,632,000 against the previous Financial Year. The increase is brought about by the fact that a number of major projects are to be undertaken. An amount of N\$800,000 is allocated to wind up the 2001 Population and Housing Census project I referred to earlier on.

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The sum of N\$4.1 million is to cover the wage bill for contract staff, field transport costs, census materials and equipment for the 2005/06 Agricultural Census. The Household Income and Expenditure Survey of 2003/04 field work data collection was completed in October 2004.

The data capturing processing was completed by the end of April this year. An amount of N\$1.6 million is budgeted to cover the wage bill for contract staff, consultancy services, printing and dissemination expenses. An amount of N\$1 million is budgeted for the Manpower and Establishment Survey I referred to earlier on.

The preparation for the Inter-Consul Demographic Survey, a sample survey undertaken between the two censuses, is allocated an amount of N\$400,000 to cover the wage bill for contract staff, field transport costs, survey materials and equipment.

The Commission will also coordinate the formulation of implementation framework for Vision 2030; finalise NDP3; print and disseminate the National Action Plan for the Implementation of Population Policy, prepare National Human Resources and Capacity Building Strategic Framework. An amount of N\$9 million is provided for these exercises.

N\$10 million is budgeted to facilitate studies in the productive sectors of our economy. It should be noted that these funds are not for the National Planning Commission but rather are earmarked for productive sectors, in particular for industrial development.

Subsidies and other current transfers require an amount of N\$5,371,000. This item caters for the transfers to the SIPE Company. The SIPE Programme includes giving social support to war orphans, supporting 594 registered war orphans who are schooling from grade one to twelve and war orphans who are upgrading their subjects with NAMCOL.

Acquisition of Capital Assets and Capital Expenditure requires an amount of N\$527,000. This amount caters for the acquisition of office furniture and equipment. Honourable Chairperson, allow me to turn to the Main Divisions of the Vote.

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Main Division 01: Administration: An amount of N\$11.9 million is required to provide administrative support services to the National Planning Commission Secretariat. Out of the total amount sought, the division requires N\$5.2 million as a transfer to SIPE, as I have referred to earlier on.

Main Division 02: Development Planning - An amount of N\$26,2 million is requested to enable the Directorate to carry out its activities of macroeconomic policy formulation and analysis.

Main Division 03: Development Co-operation – The Division requires an amount of N\$3.6 million to undertake the formulation of development policies, guidelines and strategies and to mobilise and monitor the implementation of donor funded Programmes. A project focusing on capacity building for mobilising long-term financing for achieving the Millennium Development Goals and implementation of Vision 2030 will be implemented under this Programme.

Main Division 04: Central Bureau of Statistics - The Department needs an amount of N\$18.5 million to be able to carry out the regular production of official statistics; production of monthly Consumer Price Index, as I referred to and the production of national accounts.

Main Division 05: Information System – The Division requires N\$2.9 million, which includes N\$1.987 million for the improvement of the computer infrastructure in order to establish and operate strategic information systems and services in the fields of planning and statistics. The acquisition of this infrastructure will enable the Commission to effectively evaluate and coordinate programmes and projects in the country, as contained in the current and subsequent National Development Plans and Public Sector Investment Programmes.

It is with gratitude that I wish to acknowledge the contribution from our development co-operation partners who contributed an amount of N\$20.4 million during the 2004/2005 Financial Year.

With these few remarks, I would like to humbly appeal to the Honourable

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HON HAUSIKU

Members of this august House to approve Vote 26. I so Move, Comrade Deputy Speaker and I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much, Honourable Minister for Presidential Affairs.

I put **Vote 07 – “FOREIGN AFFAIRS”, N\$217,089,000** for Introduction.

HON MINISTER OF FOREIGN AFFAIRS: Thank you Chairperson of the Whole House Committee. I will not be as brief as my Colleague.

Comrade Chairperson, I rise to introduce Vote 07 for the Ministry of Foreign Affairs. I firstly wish to join the Honourable Members who have already spoken, in congratulating the Minister of Finance, Honourable Saara Kuugongelwa- Amadhila, for her lucid Budget presentation.

Comrade Chairperson, allow me to start my presentation with our interaction with the world. More than ever before, the world has become increasingly integrated as countries continue to compete for opportunities offered by the international environment to address the daunting challenges of socio-economic development.

Our prosperity as a Nation will therefore depend on the strength of our consistent interaction with the rest of the world as well as our ability to timely and adequately take advantage of the opportunities offered by both the regional and international environments.

Equally, Comrade Chairperson, the progress we make in our effort to promote beneficial political and economic cooperation with the rest of the world will determine the speed with which we will be able to achieve the goals and objectives of our NDP2 and Vision 2030.

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As part of our constitutional responsibility, the Ministry of Foreign Affairs has continued for the past 15 years to address the political, economic, and social and security concerns in the international arena. It also continued to promote friendly relations and cooperation, in order to ensure prosperity and security for the Namibian people.

In this context, bilateral relations have been enhanced with most of the countries in Africa, the Americas and Caribbean, Asia and Pacific Rim, Europe and the Middle East, with the signing of bilateral trade and other cooperation agreements. High-level official visits are undertaken to promote Namibia's interests and cooperation with other States.

Namibia marked its historic fifteenth year of Independence on 21 March 2005, when Namibians from all lifestyles and the world at large witnessed the peaceful transfer of power from the Founding President Comrade President Sam Nujoma to the Second President, Comrade President Hifikepunye Pohamba.

Let me take this opportunity to pay special tribute to our Founding President, Dr. Sam Nujoma, under whose leadership Namibia took moral high ground on world issues, for which the Namibian people are justifiably proud. His deep insight and understanding of foreign relations and their impact on developing Nations gave him the decisiveness needed to make important foreign policy decisions.

The Ministry of Foreign Affairs joins the Namibian people in expressing our profound appreciation and gratitude to this son of Africa and Statesman. Comrade Chairperson the Ministry of Foreign Affairs equally warmly welcomes His Excellency Comrade President Hifikepunye Pohamba in his role as custodian of Namibia's foreign policy. We pledge our full support and wish His Excellency all success.

Honourable Chairperson, Namibia strongly promotes regional economic integration through SADC. In this connection, we have participated in many important meetings, including the 2004 SADC Summit, which elected Namibia as Deputy Chair of the Organ on Politics, Defence and Security Cooperation.

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Namibia will continue to work closely with other SADC Member States to maintain unity, peace, security, and stability, when we assume the Chairmanship of the Organ on Politics, Defence and Security Cooperation in August this year. This responsibility, Comrade Chairperson, will require additional financial resources for the Ministry of Foreign Affairs.

This year marks the 25th anniversary of the establishment of SADC. As the Honourable Members will recall, our regional organisation was formed in April 1980 in Zambia, and was transformed in Windhoek in August 1992, from the Southern African Development Coordination Conference (SADCC), to the Southern African Development Community.

Members' States have been encouraged to organise commemorative events on this important event. As Honourable Members are aware, the Headquarters of the SADC Parliamentary Forum is based in Windhoek. The Ministry continues to provide necessary services to this Organisation.

On the African Continent: Continentally, Comrade Chairperson, Namibia continues to work closely with other African countries to build a new Africa. An Africa with enduring peace, security, and entrenched democracy. An Africa that is able to improve the quality of life of its people. In this regard, significant progress has been made in operationalising AU institutions, to enable our Organisation to address the challenges facing our Continent, and to play its rightful role in world affairs.

With determination towards prevention, management and resolution of conflicts, we have established the AU Peace and Security Council. The launch of this institution in May 2004 signified our determination and unwavering commitment to ensure that peace reigns in all corners of our Continent. Namibia will make its contribution towards ensuring the effective functions of this important institution of the African Union. To this end, we shall continue to participate in preventive diplomacy, peacekeeping and election monitoring missions on the Continent.

Comrade Chairperson the inauguration of the Pan-African Parliament in Addis Ababa in 2004 equally, signified a new dawn for the people of

Africa. This organ of the AU will enhance democracy and provide elected African representatives an opportunity to promote unity and integration of our Continent at all levels.

In this spirit, we should also move with deliberate speed towards the finalisation of other important institutions of the AU, such as the Economic, Social and Cultural Council (ECOSOCC), the African Court of Justice, the African Investment Bank, the African Central Bank and the African Monetary Fund.

Peace, Security and Stability: Africa will only realize its cherished goal of sustainable development when peace and stability prevails on our Continent. We, therefore, welcome the Comprehensive Peace Agreement signed by the Sudanese Government and the Sudanese Liberation Movement (SLM) in January this year.

We believe that this Agreement will go a long way in contributing to peace, political stability and national reconciliation in Sudan. However, Comrade Chairperson, concerted effort is needed to end the tragic situation in the Darfur Region of Sudan. Equally, the signing of the Pretoria Agreement on the peace process in Côte d'Ivoire in April this year, offers new hope for the people of Côte d'Ivoire, who have long been yearning to return to peace and stability in their country.

We are encouraged by the fact that all the parties to the Pretoria Peace Agreement have expressed their support for the holding of general elections by 31 October 2005. We hope that the international community will extend the necessary support to the people of Côte d'Ivoire to conduct successful elections.

We believe that the International Conference on the Great Lakes Region provides an opportunity for the countries of the region, not only to address the root causes of conflict and instability comprehensively, but also to strengthen peace and promote development in the Region. It is with this spirit that Namibia participated in the first Summit on the Great Lakes Region last year, and will attend the next Summit later this year.

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We remain steadfast in our belief that a speedy solution to the question of Western Sahara, particularly the realisation of the inalienable rights of the Saharawi people to self-determination, Independence and Statehood, is essential for peace and security on the Continent. The present impasse should be broken by initiatives that comply with the UN Settlement Plan that calls for a referendum in Western Sahara, which was agreed upon by Morocco and the Polisario Front.

Multilateral Diplomacy: Comrade Chairperson of the Whole House Committee, Honourable Members of the National Assembly, the common survival of humanity dictates that all Nations strive to ensure world peace and security, and strengthen the UN system to effectively deal with the new challenges facing the international community. Namibia supports the United Nations and its multilateral diplomacy.

For, it is through the UN, that developing countries such as Namibia can effectively address all aspects of peace, security and sustainable economic and social development. In this connection, Namibia has worked together with other African countries to shape and determine the Common African Position with regard to the reform and democratisation of the United Nations, particularly the Security Council.

We shall pursue Africa's goal to be fully represented in all decision-making institutions of the UN. To this end, we shall engage the international community to ensure that Africa attains two permanent seats, with all the prerogatives and privileges of permanent membership, including the right of veto in the Security Council and secure five non-permanent seats in an expanded and democratised UN Security Council.

BUSINESS SUSPENDED AT 15:40
BUSINESS RESUMED AT 16:00 PURSUANT TO ADJOURNMENT

HON MINISTER OF FOREIGN AFFAIRS: I thank you, Comrade Chairperson. When I was interrupted, I was on the verge of talking about

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the Millennium Development Goals.

Comrade Chairperson, at the forthcoming UN General Assembly Session later this year, Member States will review the implementation of the Millennium Development Goals. This process requires concerted efforts by all countries, including our cooperating partners.

Namibia will continue to play its role in making sure that multilateral trade negotiations yield positive results, responsive to our needs and conducive to the integration of our economy into the world economy. Comrade Chairperson what is needed at this crucial stage is the political will and commitment to forge a new global consensus aimed at strengthening international cooperation and to revitalise global economic development.

The Ban dug spirit, the core principles of which are solidarity, friendship and cooperation, continues to be a relevant and effective foundation, for promoting cooperation among the developing countries. In this connection Namibia participated in the Asia-Africa Summit that was held in Indonesia to mark the New Asia-Africa Partnership.

As countries of the South, we have to continue championing the cause of ensuring more balanced and equitable global order, where the development and advancement of the people of both Continents are prioritised. The intention, Comrade Chairperson, is to focus on political solidarity, increased economic and cultural cooperation for the benefit of our people.

We will pursue efforts towards greater cooperation among the African, Caribbean and Pacific (ACP) group of Nations. To this end, we will continue to participate in ACP meetings, in pursuit of our common agenda for economic development.

Equally, Namibia will continue to advocate for stronger relations between SADC and the Common Market of the Southern American Cone (MERCOSUR), as such relations will further enhance inter-regional trade,

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political dialogue and economic cooperation across the South Atlantic.

The Commonwealth, Comrade Chairperson, remains an important forum for cooperation among Members States. In this context, we will continue participating in all Commonwealth activities, including attending the biannual Commonwealth Heads of State and Government Meeting.

Similarly, we will continue to ensure that the Berlin Initiative is fully utilised to promote political dialogue and cooperation between SADC and the European Union.

As the Honourable Members will recall, SADC, EU and EU Member Countries launched negotiations in Windhoek in July 2004 for an Economic Partnership Agreement, to enhance the existing cooperation between SADC and the EU. I must specifically mention that the Economic Partnership Agreement we are negotiating is envisioned to redefine SADC-EU trade relations, as provided for in the Cotonou Agreement. In this process of negotiations, Namibia will remain focused to ensure that the specific need and requirements of our economy are fully taken into consideration.

Comrade Chairperson, the people of Namibia joined the people of Palestine in mourning the passing away of Mr Jasser Arafat, Chairman of Palestine Liberation Organisation and President of the Palestinian Authority. President Arafat was a visionary leader who devoted his entire life to the heroic struggle of the Palestinian people for self-determination and national Independence.

The Government of Namibia welcomes the new Palestinian leader, Mr Mahmud Abas and continues to support the full and unconditional implementation of relevant UN Resolutions on the question of Palestine, in particular the establishment of an independent State of Palestine.

Namibia will continue to fulfil its obligations in meetings its financial contributions to regional and international organisations to which we are a member, including the UN, AU and SADC. We intend to maintain our

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excellent record of paying our assessed contribution to these organisations on time, and in full.

I wish to inform the Honourable Members that 2005 will be a year during which the UN Budget for 2006/2007 will be negotiated as well as the review of the UN scale of assessment. These issues are both important to Namibia and Africa as it will be necessary to ensure that the UN Budget makes adequate provision for national and regional priorities, and that any changes to the UN scale of assessment should give adequate consideration to the prevailing socio-economic realities on the Continent of Africa.

Comrade Chairperson, Honourable Members of the National Assembly, in order for my Ministry to fulfil our mandate successfully we require adequate resources. The Ministry has been allocated a total amount of N\$217,089,000 for the 2005/2006 Financial Year. This allocation represents N\$37,380,000 earmarked for the Development Budget, and N\$179,709,000 for the operations of the Ministry and its Diplomatic Missions.

The portion allocated for the Development Budget will be spent as follows:

- N\$18,880,000 for purchase and maintenance of diplomatic premises abroad.
- N\$1,500,000 for maintenance and renovation of Headquarters buildings.
- N\$17,000,000 for the construction of the United Nations House in Windhoek.

The Government of the Republic of Namibia, as host, makes a substantial contribution towards local office renting costs of the United Nations Development Programmes (UNDP) and other UN Agencies. The construction of the United Nations House will alleviate that burden from the Government.

Allow me to take you through the breakdown of the amount requested by my Ministry under the Operational Budget, Page 453 of the Medium Term

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Expenditure Framework for 2005/2006-2007/2008, which should be read in conjunction with Page 85 to 88 of the same document:

Subdivision 001 – Remuneration: The amount of N\$105,689,000 is requested to cater for remuneration and related benefits for the Ministry's staff at Headquarters as well as post allowances paid to our diplomatic staff at Missions abroad.

Subdivision 002 & 005 – Employers Contribution to Pension Funds: The provision of N\$4,699,000 requested under this Sub-division is for employer's contribution to the Government Institutions Pension Fund for staff members and Political Office-Bearers.

Subdivision 003 – Other Conditions of Services: The amount of N\$10,466,000 is needed to cater for medical services for both home-based and locally recruited staff and school fees at our Missions, as well as leave gratuity and bus tickets for our cleaners at Headquarters.

Subdivision 021 – Subsistence and Travelling Allowance: The nature of the Ministry's operations in promoting Namibia's interest abroad requires, among other duties, participation in international conferences, seminars, commercial exhibitions and bilateral official visits.

For this reason, an amount of N\$4,240,000 is requested to cover subsistence and travelling expenses for the Minister and his Deputy, staff at Headquarters and Missions abroad. Provision under this subdivision also caters for travel expenses of staff and their families to and from Missions.

Subdivision 022 – Materials and Supplies: An amount of N\$1,117,000 is requested for general office and stationery supplies.

Subdivision 023 – Transport: An amount of N\$3,989,000 is set to cover the rental and mileage charges of vehicles hired from the Government Garage, maintenance and insurance of official vehicles at Missions. This subdivision also caters for the dispatch of diplomatic bags to and from

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Missions as well as excess luggage weight for officials posted to and from Missions.

Subdivision 024 – Utilities: An amount of N\$5,002,000 will cover expenses for water, sewerage, electricity and gas charges at our Missions. The charges reach their peak during extreme winters experienced by our Missions located north of the Equator.

Subdivision 025 – Maintenance: An amount of N\$1,078,000 is requested for the maintenance of office equipment such as computers, photocopy machines as well as minor maintenance of buildings at Missions abroad.

Sub division 026 – Property Rental and related Charges: N\$ 27,528,000 have been earmarked for rental of diplomatic premises at Missions abroad. Our primary objective is to purchase office and staff accommodation at all our Missions. However, due to budgetary constraints, this process is rather slow, making rental of accommodation at Missions inevitable.

Subdivision 027 – Other Services and Expenses: N\$1,226,000 is required for security contracts, printing, rental of equipment and ceremonial functions to be hosted by the Minister, Deputy Minister, Permanent Secretary and Heads of Mission. This Sub-division also caters for services rendered by professionals.

Subdivision 041 – Membership Fees and Subscriptions: Internationally Namibia has an excellent reputation of paying its contributions to International and Regional Organisations in full and on time. An amount of N\$13,713,000 is set aside for our contributions to those organisations, including various United Nations peacekeeping operations.

Subdivision 043 – Government Organisations: N\$ 965,000 is provided for our obligations towards Social Security Institutions which provide several benefits to locally recruited staff at our Missions in Belgium, Cuba, France and Germany.

Comrade Chairperson of the Whole House Committee, Honourable Members of the National Assembly, I want to conclude by begging you to

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HON DR N IYAMBO

approve the N\$217,089,000 earmarked for the Ministry of Foreign Affairs and I thank you for your attention.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much, Honourable Minister.

I put **Vote 15 – “MINES AND ENERGY”** for Discussion.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:

Thank you very much, Honourable Deputy Speaker. Honourable Deputy Speaker, I rise to register my support for Vote 15. Honourable Deputy Speaker, the Ministry of Mines and Energy is one of those Ministries which, if possible, should be given all the money they need, because after that is done, all other Ministries will be availed resources with which to work and carry out their responsibilities.

I am saying that because the Mining Sector is an important sector for the economy of Namibia. Nevertheless, even under some circumstances where one cannot get all the resources that one needs, the Ministry is doing its best to utilise the available resources for the development of our country.

The Ministry is carrying out some of the noble tasks in the country in the development of our resources and I would like to quote the Honourable Minister on Page 5, the second Paragraph, and I quote “*We have a moral responsibility to ensure that mineral and energy production benefits the Nation and Black Economic Empowerment is a noble tool in this endeavour.*” I could not agree more, Honourable Minister, that indeed Black Economic Empowerment, as you stated, is one of the vehicles that Namibia, in particular your Ministry, can use to empower previously disadvantaged Namibians.

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On Page 4 of your statement you indicated that last year a total of 509 non-exclusive prospecting licences were issued and I am sure if one scrutinises those licences closely, you would realise that about half or close to half of these licences were given to Namibians to team up with those who have resources. In the process, they will enter the mining sector as a concern and, indeed, contribute to the country's development.

On Page 8, Honourable Minister, you indicated that your Ministry is working very hard together with the Kudu Gas developers in order to realise the Kudu Gas into electricity and clearly when that happens Namibia will be very, very proud, because the indications are that Namibia will become a net exporter of energy and, of course, the sooner that is realised, the better for the country. I congratulate the Honourable Minister for pursuing that noble cause.

On the same Page under 4 you are making a reference to the responsibility of the Ministry to monitor the environmental impact of mining when exploration is taking place. I agree with you and this is a very important stand that you are taking, because we know very often these people that are engaged in the Mining Sector, after they got licences and environmental clearance from the Ministry of Environment and Tourism, leave without fulfilling what they have promised. I can only urge the Honourable Minister to work together, I believe as you always do, with the Ministry of Environment to ensure that those who got a chance to work in the Namibian natural environment at least leave the environment intact, as it ought to be after their departure.

It is commendable that you are pursuing in the Energy Sector rural electrification because rural electrification is going to make a difference in the life of people particularly in the rural areas and you need to be commended for that.

As you can see, I do not have questions but rather comments to make and finally I would like to urge you to do something in the area of small-scale mining, because that is a very important area and many of our people in the country are making a living from their involvement in the small-scale mining and thus need to be supported.

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HON NAMOLOH

Let me end by saying, that I support you Honourable Minister, and your staff in your endeavours to develop our country. Thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much, I recognise the Honourable Namoloh

HON MINISTER OF DEFENCE: Deputy Speaker, I also rise to commend the Honourable Minister for a well-presented and articulated Vote, but I would like to make a few comments on Page 6.

The Minister mentioned that there are seven diamond-cutting establishments. I am impressed that the diamond-cutting and polishing industry is growing, but I would also like to see diamond-selling houses in Namibia, especially in Windhoek. I know that our diamonds are being sold in Antwerp, Jerusalem and elsewhere. Therefore, as a Nation, I think it is time that we sell our own diamonds.

I would not only like to see cutting and polishing but also the final products. We are a diamond-producing Nation but looking at our mothers or our women one sees no diamonds. Where are our diamonds? We should be proud that the diamonds are affordable to every Namibian. They should not be affordable only to other people who look nice when they wear our diamonds, but we should be proud of wearing our own diamonds.

Therefore, I would appeal to the Honourable Minister that when you motivate your Budget next year, you should inform us that you now have selling houses in Windhoek and that the final products are now coming our way. I thank you very much and I would like to support your Vote.

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HON SCHIMMING-CHASE

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Nora Schimming-Chase.

HON SCHIMMING-CHASE: Honourable Deputy Speaker, I would like to make use of this opportunity to congratulate the Honourable Minister for the new responsibility that he got and to express our support not only for the Vote but also for the strength that will be needed by the Ministry since this is going to be the year in which the sales agreement with De Beers will expire, as the Minister stated on Page 6.

We really hope that the Minister, together with his Ministry and the relevant agencies, will ensure that the agreements will benefit the people of Namibia. However, the Minister stated that despite the strong Namibian Dollar that has resulted in reduced revenue to the State, diamonds continue to be a strategic commodity. The question I would like to ask the Honourable Minister is that the Honourable Minister of Finance predicted that this year there is a projection of a decrease in diamond royalties of over N\$240 billion and this is despite of what you read about our Mining Industry, despite of hopes that there will be an increase in production and also a rise in diamond prices. Of course, if we listen to the economic gurus, it seems that the Rand and, therefore, the Namibian Dollar has more or less settled in terms of the exchange rates and that there will not be big fluctuation. Therefore, could the Honourable Minister just enlighten us whether this projected decrease is really going to happen or whether, on the other hand, we believe that there will be increased production and stable prices? Thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: I now recognise Honourable Kapia.

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HON KAPIA

HON DEPUTY MINISTER OF WORKS AND TRANSPORT: Thank you very much, Chairperson. I want to join the other Honourable Members in congratulating and showing support to the Minister and the entire staff.

Comrade Chairperson, Honourable Namoloh has touched on my concern, but I want to emphasise that I support the efforts of the Minister to ensure that value is added to Namibia's natural resources within the borders of the Republic of Namibia. I really want to assure you that whatever you are going to do, you will have our support to ensure that we mine, cut and polish in order to add value to our Namibian products before being exported.

Another issue I want to touch on is the Rural Electrification Programme. It seems that maybe there is a need to reconsider this Programme seriously in order that it benefits the growth points in most rural areas, whereby those who have the capacity are able to access it to their individual homesteads.

Something is not clear at the moment when it comes to rural electrification as most of the people who are supposed to access it in the rural areas cannot do so as the transformers are very expensive. I do not know how we can assist the communities and schools that are near those lines but are not connected and really want to access electricity. We do not know what really happened in the planning. You find a school, which is less than a kilometre or within a kilometre from the line, but not connected to the electricity and the electricity just passes to another nearby school. I do not know what is contained in the plan and that is why I am saying the rural electricity plan should be revisited in order to benefit the original beneficiaries. The Government has good programmes to benefit all the schools and growth points in our country but sometimes this is not the case in practice. Comrade Minister you have my full support and I support the Vote of the Ministry of Mines and Energy.

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HON P MUSHELENGA

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Mushelenga.

HON P MUSHELENGA: Thank you very much, Honourable Chairperson of the Whole House Committee. I rise to support Vote 15, Mines and Energy. Having made my humble contribution to the Energy Sector before I came into this House, I would rather now focus on the Mining Sector.

To add to what Honourable Dr Iyambo senior has said regarding the small miners, my heart goes out to the people in Erongo Region who are involved in mining precious stones. These people need support, as we know they are being paid around five to ten percent of the actual price of their product. I feel the Ministry should really intervene to facilitate the marketing for these people.

I also want to talk about capacity-building, especially looking at institutions such as the Geological Survey where we need to put in more efforts to capacity building in order to have as many Namibians as possible and thus becoming less dependent on expatriates. You want to ensure that you have a permanent human resources capacity to carry on with geological survey, as most of our mines or our minerals might be depleted in ten of fifteen years' time and you need people that will go and survey to discover new minerals.

In conclusion, I want to commend NAMDEB that despite the fact that the exchange rate has affected the price of diamonds, NAMDEB recently was able to open up the E-Bay Mine as well as the Pocket Beach and even increased their production. Honourable Nora Schimming-Chase was saying that they actually managed to increase their production from 1.3 million to 1.9 million carats, per annum. I really want to give praise where it is due.

With these few words, I would love to express my support to the Vote 15. I thank you.

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HON TJIHUIKO

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you. I now recognise Honourable Tjihuiko.

HON TJIHUIKO: Thank you very much, Honourable Deputy Speaker. I rise to support Vote 15 of the Ministry of Mines and Energy. The Ministry of Mines and Energy is one those Ministries that are very close to my heart.

I normally support the productive Ministries, those Ministries that add value to the economic growth of this country, Ministries such as Mines and Energy, Fisheries, Trade and Industry and Agriculture. When you look at job creation, when you look at the question of economic growth, these Ministries really need to be supported.

I have noticed that the amount that has been allocated to this Ministry is half the amount that we have allocated to the Ministry of Information and Broadcasting. I was surprised, but some of us are now getting used to that.

I just want to touch on the issue of Black Economic Empowerment, which is a noble idea. My concern is that according to the Minister's motivation it seems as if the programmes are earmarked for the upper market. I have not seen much said about, as my Colleagues has mentioned the small miners. I have not seen emphasis put on the semi-precious stones, which the majority of our people are benefiting from. I think the Minister should look at these areas.

The Minister said on Page 4 that we have a moral responsibility to ensure that minerals and energy production benefit the Nation. Black Economic Empowerment is a noble tool in this endeavour. This is a good statement but going through the Budget document itself, I have not seen any provision where they budgeted for the support of small businesses for small miners and that is a pity. I think it is critical that we put our statements for facts otherwise a good statement will remain a good

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statement. I just want to end my contribution with those few comments. I, therefore, support the Vote. Thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Chief Riruako.

HON RIRUAKO: Chairperson of the Whole House, I am not here to criticise anyone, I am here to guide where I am supposed to do so. One is to expel some Permanent Secretaries of this country.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Which page is that, Chief?

HON RIRUAKO: Page 6. What happened is that the agreement expired but we go back to the same thing as usual. We need to become a shareholder of our own product. Shares must be sold to every Namibian. We cannot give everything to other people in order for them to feed us. Sometime, we are somehow supposed to benefit and now is the time. The Minister who used to mention this openly has landed himself in hot soup. We are demanding our right to be seen and to produce from our own environment, not from anywhere else, simply because mining products are our commodities. This commodity is something that we have to live for.

Secondly, the Nation wants to see Black Empowerment starting from the bottom with the man who uses a pick and shovel to try to feed himself. He must be given the opportunity to better his life gradually and effectively with the support of the Government. Of course, the Government will eventually also benefit from this.

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Black Empowerment means that the people in the area where these products come from must also be taken care of. It is embarrassing to go around Namaland and see those people look the way they do. That is not the way it is supposed to be.

This product is the one that is benefiting the whole world. Therefore, we need the development of the people in particularly the Karas/Hardap areas and those near Walvis Bay, the Topnaars. Those who are living there are part of our identity and in fact, that is supposed to be known, Chairperson of Whole House Committee.(Intervention)

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Time, Chief.

HON RIRUAKO: I have time at my disposal, I do not have ten minutes. I have my forty-five minutes.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: The Chief Whip of NUDO should advise the Chief on the time allocated.

HON RIRUAKO: Do not take part of my time. It has been mine. We make profits out of diamonds and that profit must be known that is part of our reserves.

Please give your attention. That reserve must be taken care of. I repeat what I have said, that out of our products we have some amount of money that must go to a reserve fund, not just to be squandered. That must be arranged and for that matter, we must participate in the whole operation as part of the shareholders and stakeholders. If this was not mentioned here,

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I hope the Minister is listening to what I want. I want to become part of it, not me as an individual, but for the whole Nation. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you. I now recognise Honourable Ithana

HON MINISTER OF JUSTICE AND ATTORNEY-GENERAL: Thank you Comrade Chairperson of the Whole House Committee. I rise to support Vote 15 of the Ministry of Mines and Energy because it is one of the cornerstones of our economic strength and I suppose the Honourable Minister of Finance is supporting me on that score.

Comrade Chairperson, while I am supporting the Vote, I wish to make a few remarks on Page 7 of the Honourable Minister's motivation speech. I would like to pay attention to the issue of rural electrification.

Inasmuch as rural electrification has assisted the development in the previously neglected areas in our country, it has also brought about some social problems, particularly when it has been focused on what I consider unproductive institutions. Rural electrification is taken to cuca shops and drinking places and this has disadvantaged many families in the sense that many people whose cuca shops are electrified, nowadays do not spend evenings at their homes any longer. Their homes are too dark and they are scared to be in their own homes. They want to be where there is light. They say, where there is light there is life and, therefore Honourable Minister, when we take electricity to the rural areas...(Intervention)

HON KAURA: May I ask the Honourable Minister a question?

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HON MINISTER OF JUSTICE AND ATTORNEY-GENERAL: If it is properly directed.

HON KAURA: Yes definitely, to you it is properly directed. Honourable Minister, records shows that where there is rural electrification the birth rate goes down and it can be seen as a form of birth control. Are you opposed to that?

HON MINISTER OF JUSTICE AND ATTORNEY-GENERAL: Well, that may probably be the only positive aspect of that programme. On a very serious note, Honourable Colleague, electrification should be directed to institutions that are productive and that are building our society, such as schools, churches, industrial areas and houses. At least parents can stay with their children at home and not be scared to be at home and run to the cuca shops.

The other issue that is also connected to rural electrification that one of my Comrades behind there has addressed is the amount which members of the communities are expected to spend on transformers. I keep talking about these transformers every year because this issue is very exploitative.

Those who want electricity at their houses are expected to purchase transformers, which in the end do not belong to them and every month they are charged rates. Consecutive Ministers have promised to look into the matter and none of them had the courage to come and tell us where the truth lies.

Nobody is allowed to own a transformer. Nobody probably wants to own a transformer but at least let this person be compensated. Why should NORED benefit from something it has not purchased?

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HON RIRUAKO: I am not going to ask questions, it is a Point of Order. The Honourable Minister means that the Nation is stopped to take care of himself because of the selfishness of men and because of that, we have to change the topic and that must be compulsory. If a man opens his mouth and tells the partner not to do this and that, we need to know and then we need to take action.

HON MINISTER OF JUSTICE AND ATTORNEY-GENERAL:

Thank you very much. Honourable Colleague, this issue has been pending and outstanding for a long time and this year I am not going to be very patient, I need an answer on this one at least from now until the end of the year. Nickey is off the hook. I am looking at this side. He is off the hook.

The last item that I would like to touch on is the downstream processing of diamonds. Comrade Minister, our diamonds had been sold unprocessed for a long time and since our diamonds are known to be the giant ones, it is used as sugarcoating and dough sweetener for all other diamonds in the world. I do not know what Namibia gets out of this but now that the Honourable Minister has told us that we have started processing our own diamonds, polishing and cutting them, congratulation on this.

However, I would like to know how sure are we as Namibians that the price we get for our gem diamond gems is the correct one.

HON RIRUAKO: On a Point of Information. I would like to know who owns this processing.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Who? You are not giving information. You are asking a question. Proceed.

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HON MINISTER OF JUSTICE AND ATTORNEY-GENERAL: I would like to know, Comrade Minister, if Namibian diamonds are sold all over world, be it in Antwerp or London or wherever, whether we will be in a position to know that this is a Namibian diamond. When are we going to have our product branded as Namibian diamonds or do we not need to know? When I walk into a jewellery shop in London and I want a ring, I would want to say I want a ring with a Namibian diamond. I will feel more proud wearing my country's products than just to wear a ring from who knows where.

HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:
Time up. I now recognise Honourable Hausiku

HON MINISTER OF FOREIGN AFFAIRS: Comrade, I just have a few brief remarks and questions. I am really rushing to support the Vote of my Colleague, the Minister of Mines and Energy. Comrade Minister, I think we will have to plan this empowerment programme in the Mining Sector carefully.

If you go around Usakos and Karibib and from Karibib travel to Otjimbingwe, you will find many self-employed people who are trying on their own to mine stones like tourmaline and others. These people are there in big numbers and if empowerment could start with these ordinary people and create self-employment programmes, we will solve a lot of problems in terms of unemployment. I think we should look at this one very, very carefully and assist those small individual miners.

The Minister of Agriculture and Forestry has referred to a number of claims, which were given to these disadvantage people. I was just wondering whether this is a very positive move as that is a paper which has great value that can only be fully realised after a number of years and we have the experience that sometimes our people end up selling these papers for peanuts and end up not having the benefit of exploiting the

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natural resources for years and also transfer these to their children.

My question is whether you have mechanisms in place to ensure that once members of these disadvantaged people get a claim, they cannot sell it so easily to those who have money.

The next issue is ownership. Comrade Chairperson, the Mining Sector is a very important sector. Many countries, including Botswana, are rich simply because they have been able to manage these resources carefully and successfully in term of ownership. I believe we have succeeded in getting fifty-fifty with NAMDEB. I am not yet clear about what policy we have to define ownership in the newly discovered mines. Are we allowing this one hundred percent private or do we have a policy to try and get a some sort of a joint venture? When a private owner develops a mine, you will only benefit from the taxes, but when you have shareholding, you will be able to receive dividends. I visited Botswana this year, one of their diamond mines is doing it very successfully, and maybe we have to learn from that.

My last issue, Comrade Chairperson, is on the polishing of the diamonds. I have been privileged to meet a few owners of the diamond polishing companies in Namibia. The information we got is that diamonds polished in Namibia are not Namibian diamonds. They are imported from somewhere else. If this is true, when do we foresee the Namibian diamonds being processed here in Namibia?

DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: Comrade Chair, may I ask the Honourable Minister a question? Comrade Minister of Foreign Affairs, will you agree with me when I say capitalism is good in theory but when it comes to the practice, they do not practise what they preach. Free market – look at what is now happening to our own diamonds! Is it not because of the rules they have that we cannot even dictate what should happen to our own resources? Is that not a fact of capitalism?

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HON MINISTER OF FOREIGN AFFAIRS: Yes, Comrade Deputy Minister, I think I agree with you, but we are in charge and I have referred to Botswana who, being aware of the need to control their resources, have put mechanisms in place to achieve exactly what we want to achieve. Of course, we have to live with this system but within the system, we can try to put mechanisms in place to control the resources of this country for the Nation to benefit from these resources.

Comrade Chairperson of the Whole House Committee, I think that was my small contribution. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Goreseb.

HON GORESEB: Honourable Chair of the Whole House Committee, Honourable Members, I rise to commit myself in support of this Vote 15 - Mines and Energy. The Honourable Minister just set five objectives and four priorities for the Medium Term Expenditure Framework and is now requesting this august House for N\$98 million to be appropriated to his Ministry to carry out his task.

I will just start with two objectives. The very first one is mineral production, which benefits the entire Nation and the other one is minimising the negative impact of these mining activities on our environment as well as various other priorities such as value addition, Black Economic Empowerment in the Mining and Energy Sectors and advancement of small-scale miners.

I will concur with the previous speakers that those are noble ideas in a positive direction and I am in support of them.

With regard to advancement of the small miners, the Minister in his motivation pledged many good things, such as technical assistance to

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persons and financial assistance from the Mineral Development Fund. These are good suggestions, but my humble question here will be; are there specific requirements or procedures to be followed in order to secure funding and assistance? For example, could a group of small miners acquire such services from the Ministry?

Further, in his motivation the Honourable Minister said downstream processing of diamonds is an issue very close to his heart. I assume the Honourable Minister refers to all precious or semi-precious gems. If so, is the Minister aware of the beautiful structure established in Karibib with the basic aim of polishing and marketing semi-precious stones? Apparently, this was done under the auspices of the Offshore Diamond Company, but due to failure to pay their municipal dues they have not yet started with their activities. Could the Honourable Minister elaborate or enlighten this House on all the delays? I assume the Ministry also has a stake in this venture.

These polishing activities will unite the small miners in their endeavours and give them the much-needed bargaining power for better prices, secure good markets for their products and enable them to have a well-organised structure of small miners. Here I am referring to a sort of a union or a group of unions that can protect the interests of the small miners so that they may not be exploited.

Few speakers have mentioned the fact that there are many pockets of small miners in the areas of Usakos, Otjimbingwe, the area of Spitzkoppe and the Henties Bay direction who are making a decent living and those villages are growing on a daily basis.

When I was reading the motivation of the Honourable Minister, I failed to see any reference to collaboration with other Line Ministries in order to supply these settlements with much needed resources, such as water and sanitation. After digging for these stones in the hot sun the whole day and coming back in the evening, they now again have to try to find water elsewhere in those remote areas. I was wondering whether the Honourable Minister also envisages supplying these communities with that much-needed resource.

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The last in the intervention is with regard to minimising the negative impact these mining activities have on our environment. Here I would just like to advise the Honourable Minister to consider empowering Small and Medium Enterprise groups in those areas where these mining activities are taking place to address this issue of rehabilitating those damaged areas. With these few remarks I support the Vote.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Tweya.

HON DEPUTY MINISTER OF FINANCE: Honourable Chairperson of the Whole House Committee, I support the Bill wholeheartedly and would like to make two requests for future consideration.

I will not repeat what has been said about the small miners, but what I have in mind when I requested the Floor was to request the Ministry to think of a plan to help these small miners. I once contemplated moving to the small Mining Industry. It is true when you move to Usakos or Karibib, you hear many stories of people being exploited.

There are people that know where the markets are, they use these people and then they create fortunes for themselves. I would like to request the Ministry to investigate and come up with a plan how to help them so that their sweat would really result into improving their standard of living through markets and even to assist them with the equipment such as graders that will dig these minerals from the very rocky sand.

The second one is on the diamonds. When one talks about diamonds, there is that very negative connotation that you are like a smuggler. Therefore, it is not seen as a resource, it is associated with a crime, so to speak.

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HON RIRUAKO: May I ask a question? The question is; who is the “*Ghomcha*” and who is the man behind this? We have been independent for fifteen years but the “*Ghomcha*” is allowed to utilise everything and put this in his pocket.

HON DEPUTY MINISTER OF FINANCE: Thank you very much. If the Honourable Chief listened carefully, I said that when you talk of diamonds, there is a negative connotation that it is associated with criminal, “*Ghomcha*” and whatever. “*Ghomchas*” are smugglers, underground deals.

However, what I want to say about that connotation is that we need to do a bit of education that this resource is not for criminals or underground deals. The Honourable Minister of Defence made a very straightforward appeal and said we should create shops here so that one can go there and not be seen as a criminal when you are talking about diamonds. We need to appreciate the resource ourselves and not export it and pay five, ten times the value of what we have produced ourselves.

The issue of Black Economic Empowerment and that connotation goes together. When they hear about Black Economic Empowerment and having a concession in the diamond industry, again it is Mafia. I want to request the Ministry to assist that the Black Economic Empowerment concept succeeds with necessary policy, but also to appreciate that the resource is not for criminals but for the good of the Nation. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Pandeni.

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,
HOUSING AND RURAL DEVELOPMENT:** Thank you very much,

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Comrade Chairperson of the Whole House Committee. I rise to give my support to Vote 15 - Mines and Energy and in doing so I have a few remarks to make. It is clear that the programme on rural electrification is to improve the life of the rural poor.

Many Colleagues who have spoken before me have indicated the importance of the small miners. Comrade Minister, I only want to ask as to which extent the issue of health and safety of these small miners is addressed in order to prevent potential accidents in the process of small mining.

The other issue is a suggestion that also has to do with rural electrification, given the existing complaints and possibly serious disappointment by people who have paid for the transformers. This issue has been raised for quite some time and it appears as if the programmes to address it have not yet been implemented. Could the Minister consider refunding those that are already connected to these transformers after they have paid a sizable amount to acquire them. A proposal would be for half of the amount paid. It is also recommended that measures are considered to address the issue as a final solution.

I support the Vote and I thank you, Comrade Chairperson.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you. I now recognise Honourable Garoëb.

HON //GAROËB: Honourable Deputy Speaker, I am rising to support the Vote of Mines and Energy. Much has already been said about the small miners, but after I perused the statement by the Honourable Minister, I am now convinced that there is a small light in the tunnel in relation to the support given to the small miners and I thank the Honourable Minister for that.

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Honourable Minister, the small mining category definitely has the potential to minimise unemployment drastically. I do not want to dwell on this issue very long because my Colleague has already alluded to that, but it really is a concern. We believe that it will help a great number of Namibian people if we really support that category.

I am also pleased to hear that the Kudu Gas has the potential to boost our Energy Sector. Let it be so.

Honourable Deputy Speaker, Honourable Minister, coming to the issue of diamonds, I fully concur with the previous speaker and also Honourable Minister Pendukeni Iivula-Ithana and Honourable Marco Hausiku on the diamond issue.

The nearest I have ever been to a diamond is the one in my wedding ring. What we as the citizens of a diamond producing country would really want to see is at least for the Namibian people to have a feeling for their diamonds. Now that we hear about the diamond processing, we at least have the potential to touch and feel a diamond. However, what we as Namibian citizens want is to one day be directly involved in diamond mining.

Once when I was in China they spoke about the Namibian marble sold to China as Italian marble, because it is sold to China by Italians. It seems to be the same with our diamonds. We will never know it is Namibian diamonds because they are sold by other people, not by Namibians.

HON MINISTER OF PRESIDENTIAL AFFAIRS: Point of Order, Comrade Chairperson. I am sorry to interrupt my Senior Chief, as a traditionalist I respect our Traditional Leaders, but speaking of marble, may I ask the Honourable Chief a question through you?

Chief, maybe it is a question in the form of information. I am aware that some of our Colleagues went to China and they were told that this marble

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is very nice and it comes from a town called Karibib in Italy. Are you aware of that?

HON //GAROËB: I could not hear the last sentence. Definitely, Honourable Minister, it comes from Karibib in Italy. It is against this background, Honourable Deputy Speaker that we as Namibians really want to be involved in our Mining Sector, which is a very important sector for Namibians. Being directly involved in the mining will show that our Independence was worthwhile, because even after Independence we are still outside and not part of our economy. All major mining companies are South African companies. Really, Honourable Minister, we would want the people to be directly involved so that we can contribute to boost our own economy. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Amweelo.

HON DR AMWEELO: Thank you very much, Comrade Deputy Chairperson of the Whole House Committee. I rise to support Vote 15 - Mines and Energy. Comrade Minister, I would like to draw your attention to Page 9 where I have a little concern. My concern is with regard to the nuclear waste disposal site. You may not be able to give an answer now because you are still familiarising yourself with the Ministry. I do not really know where the disposal site you are talking about is, but if, for example, this waste disposal site is underground, as many people do, then this is very dangerous as it may affect our underground water. Therefore, you might want to do some research on this matter. If it is done underground, it is not good in the end. Many studies have been done regarding waste disposal sites and the best one I have seen is the insulation system. They do not put it underground anymore because it is dangerous in the end. I do not need an answer today, Comrade Minister,

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but this is my concern. Otherwise, I support Vote 15 and I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Ankama.

HON DR ANKAMA: Thank you, Honourable Chairperson of the Whole House Committee. I would like to make a few remarks in support of the Vote of Mines and Energy. My remarks are centred on rural electrification.

Rural electrification is a very topical issue on this Vote in this House, in the sense that many people who have acquired electricity have different difficulties. Let me start this way: There are places where transformers were placed, probably at places where they should have not been, because I regard the rural electrification as putting transformers at places where rural villages can contribute, so that at the end of the day the transformer placed at that particular area will generate income.

Now you find these transformers placed at a particular place, say at a school where it is just used at that one particular school and one or two houses. What I am saying is that it is good that the transformer is there, but how much income does the Government generate to recover the cost of this transformer?

Secondly, some of us were able to buy transformers of our own. For example, in my case, a transformer of the rural electrification system is less than 500 metres from my place. NORED informed me I have to acquire my own transformer. I bought my own transformer, fine, it cost me a fortune, but what I am saying is that this transformer does not belong to me although I bought it. Nevertheless, what I am saying is that this is a potential area of economic development, but what is the Government really going to gain with two transformers at the same spot?

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The Ministry of Mines and Energy maybe needs to revisit the system so that we can review where the Government can make a positive impact in term of supply of transformers. I believe the Government does not necessarily just want to have electricity there. They want this to accelerate the growth of the economy within the country.

Therefore, Comrade Minister, I support the Bill but I feel strongly that the rural electrification system needs to be revisited and then rectified. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Nujoma.

HON DEPUTY MINISTER OF JUSTICE: Thank you very much, Chairperson of the Whole House Committee. I rise to give my unconditional support to Vote 15 - Mines and Energy and I would like to congratulate the Honourable Minister for his well-articulated motivation speech.

I have only two issues and the Honourable Minister Nickey Iyambo has also referred to it, namely on Page 8, the first Paragraph where the Minister is mentioning that our Region, and Namibia in particular, is facing a diminishing electricity capacity and the Minister is saying that discussions are ongoing with the Kudu Gas developers, which I support and I think is a good thing.

However, I am bit concerned that if this discussion does not materialise, will we be looking at other sources of energy? I am well aware that there were discussions within SADC of trying to source electricity from our neighbouring countries and from the DRC. I want the Minister to inform us on how far these projects have progressed or whether there are still some discussions with regard to that.

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The other issue I want to raise is on Page 9, the first Paragraph. The Minister mentioned that there is a possibility to extend the Namibian continental shelf in accordance with the International Law of the Sea. I just want to know what is the current extension of the continental shelf in Namibia and to what extent are we thinking of extending the continental shelf? I thank you, Chairperson.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Teopolina Mushelenga.

HON DEPUTY MINISTER OF HOME AFFAIRS: Chairperson of the Whole House Committee, I rise to support Vote 15 - Mines and Energy. I would like to add my voice to those of the Honourable Members who have raised the issue of transformers.

It is a burning issue, Honourable Minister, and I really would like your Ministry and all stakeholders to seriously look into this issue once again and try to see if a possible and urgent solution could be found, because this issue has been discussed for too long and no answer is forthcoming. It is killing the people, it is milking the people who have paid for these transformers and nothing is coming out of this to replace what they have invested in these transformers.

Secondly, Honourable Chairperson of the Whole House Committee, I would also like to add my voice to the Comrades who spoke about our diamonds and other minerals, but specifically on diamonds. I previously gave an example of Thailand in this House.

I recently visited an African country and I had a chance to enter one of the gold shops, not because I have money to buy, but just because I wanted to explore how people are doing their things there. It was quite an experience as the shopkeeper thought I had money and I could hardly communicate.

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He was making an effort to tell me that this gold is pure twenty-one carat from Dubai. We do not hear the name Namibia connected to our diamonds when we go to these shops internationally. However, the emphasis was on Dubai in order to illustrate how valuable that gold is. The value of our diamonds is known internationally but we do not hear it when we enter shops. We really want the name of the Namibian diamond to be known and not only that, but also that it is also accessible to us.

Thirdly, Comrade Chairperson of the Whole House Committee, I also add my voice to those who supported the assistance to small miners. I do not need to go into details. It was already well articulated by my Colleagues.

During my familiarisation tour of the Regions, I happened to visit one of our border posts where the electricity passes by this border post and ends up on the South African side. The border post of South Africa is electrified by our own electricity from our side here and our own border post is not electrified. I would really want to understand what the problem is. If it is not “Holweg” then it must be “Kleinhanse”. I cannot remember which one, but is one of the two. My Minister here is telling me that at many places along the borders the electricity from Namibia crosses our own border post and then electrifies the other side. Minister, could you please assist me to understand this situation? With those few remarks, I rest my case and I support Vote 15.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Amadhila.

HON B AMATHILA: Honourable Chairperson of the Whole House Committee, I have a very urgent appeal. A technical problem has actually arisen and if the Deputy Speaker or the Chairperson of the Whole House Committee feels inconvenient to sit where she is, we may not have somebody to replace her. Therefore, we should at least try to finish this

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Vote as fast as we can, otherwise we may have a crisis which we cannot really handle. Thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Any further discussions? I recognise Honourable Mungunda

HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE: Honourable Chairperson, my contribution is especially on Page 4, which continues to Page 5 on the Black Empowerment. I actually just want to know how many women are benefiting from this Black Empowerment initiative especially in the Region where the mines are operating. Secondly, I will not elaborate on that one, but it was mentioned here that there are whole communities between Karibib and Otjimbingwe who have no potable water, no health facilities or sanitation.

HON DEPUTY MINISTER OF JUSTICE: On a Point of Order, Chairperson of the Whole House Committee, I would just like to remind the Honourable Minister that she is the Minister responsible for gender and not only women.

HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE: It was very surprising for Honourable Tweya to make to mention about the “*Ghomchas*” because it is a Nama name. You will remember those days when the people working in Oranjemund were stealing the diamonds. They would put two or three real diamonds with some fake ones and then make a deal, but now these people are dangerous criminals. The Ministry of Safety and Security must really take note of this. They are very dangerous criminals because everybody can recall when immediately after Independence some Police Officers who were

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hunting these “*Ghomchas*” were killed under a bridge at Stampriet and also at the Gibeon Station. They are very, very dangerous criminals and they are not only smuggling with these fake diamonds, they are also linking this to stolen cars especially from South Africa and they kill people, Comrade Minister of Safety and Security. I thought only our Nama people knew about this “*Ghomcha*” thing, but they are very dangerous criminals.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you. I revert the Floor to the Minister to respond to those twenty-eight questions.

HON MINISTER OF MINES AND ENERGY: Thank you very much, Chairperson. Nineteen Members have asked questions, most of them related to transformers, rural electrification, diamonds and assistance to small miners.

Honourable Nickey Iyambo, thank you for your support and your advice on how we can go ahead with our work in the Ministry of Mines and Energy in which you have been and know exactly what is happening in the Ministry. We do not have sufficient staff, but as I said in my statement, we will do our best for the Nation and that the mineral resources of our country are being utilised for the benefit of the whole Nation.

Coming to the small miners, the plan we have is that we want to register them and once we have registered them, we want to establish an association of small miners. We also want to have market places where they can sell their products and we want them to be shareholders of the association. It will enable the Ministry also to organise value adding whereby revenue can also be derived from there.

We have recruited a geologist to go and do a feasible study, register all people to know which type of precious stones they are digging and we

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will find the sites where we can put the market places and the whole process will proceed from there.

Coming to the diamonds, we have the unfortunate situation whereby our country is a diamond producing country, but many of us have never even seen a diamond, while people from far-away countries would know that this is a Namibian diamond.

We are creating employment for other people while we are crying about unemployment in our own country. We have all the resources, diamonds, marble and many others. I have visited the sites where marble is being produced. There are different colours very nice, very strong ones but we are only sending them to Italy and as a result, in China they say this marble is from Karibib in Italy while in fact it is from Karibib in Namibia. They do not want to say it is from Namibia otherwise the Chinese will come and buy directly from Namibia.

What is more important now is that we have a factory in Omaruru which is cutting the granite marble and making our own tiles here in Namibia. It opened yesterday, not officially, but it is now running in a very big complex and we need to support this one. With the assistance of the Minister of Finance, we are trying to produce something Namibian and to impose royalties for the imported material, so that we can also boost our own production in our country. The tiles being imported into Namibia will be more expensive than ours, thereby forcing us to buy our own products. That way our people will get employment.

The final product of diamonds is jewellery. Cutting is one process but not the final one, because it still has to be polished. Thereafter it is sold to somebody else, again creating employment for somebody else while your people are unemployed on the streets. Let us also see the final product of the diamond jewellery, then we can say Namibia is producing diamonds. We should have jewellery factories in Namibia.

Honourable Nora Chase, the impact of the strong Namibian Dollar is an issue, but it does not mean that the production of diamonds in the country is reduced. It is increasing but only the exchange rate has an impact on

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the revenue. However, I think the exchange rate is going up a little bit to, I think, 6.7. When the price of fuel increases the fuel producing countries are benefiting, but we are also going to benefit if our Namibia Dollar weakens. It is only bad for our imports because you have to buy American Dollars with many Namibian Dollars, but for export, the whole thing will benefit us.

If your currency is very strong for import then you have no problem because your Namibian Dollar is equal to the American Dollar, but if you are exporting, you suffer a lot. Your money is weak. Yes, if your money is weak you have to buy one American Dollar for maybe ten or twelve Namibian Dollars.

Rural electrification is one issue that we are trying to achieve but we have a big problem. That problem is that Namibia is a vast country with its population scattered over the country. To electrify the whole Namibia will cost billions if not trillions of Namibian Dollars.

Another major problem is our students at schools who have never seen a computer. Our donors donate computers to some schools, but what do you do if there is no electricity? Our Ministry is considering solar energy systems for schools for the kids to get to know and use computers. Once they come here to the universities, they are already acquainted with computers. While we are trying our level best, the thirty million per year for rural electrification is not going to cover big areas; it will be a gradual process. However, solar energy could solve the problem in the far remote areas and once the national grid reaches that school, the panels can be fixed to another school again for the education of our children.

A point was raised on electricity given to cuca shops and that the people are now flocking to cuca shops because their homes are dark. It is unfortunate that next to the cuca shops you do not have electricity in your own house and once in a cuca shop, you tend to spend your money to buy something. Maybe in this world of HIV/AIDS it is also one way to decrease the deadly disease among the people. However, we will try that wherever the national grid passes, those who demand electricity get it.

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On the issue of transformers, nobody can own a transformer whatsoever. All those who in the past allowed the people or told the people to buy transformers made a mistake. A transformer must belong to the utility provider. Transformers need to belong to the utility provider and then the utility provider is the one to connect to the individual who demands to be connected. This is how the whole thing was supposed to be. The individual must be charged only for the use of the electricity. We are still studying all these things and we will see what is going to happen. If you have proof of buying it from a registered dealer, we might consider something, but if you bought it from Honourable Justus who does not have a licence to sell, forget it, you will get nothing. It is tough luck but that is what is going to happen.

Honourable Amweelo, if we have nuclear waste disposal sites at the wrong places, our underground water will be poisoned. We are still looking into his issue. We will learn from other States also to know what they are doing and our neighbours may teach us what is happening here and there.

Somebody said that we failed to seek the collaboration of other Ministries, but in my statement I have mentioned that we are working together with the Ministry of Agriculture in the Department of Water. We are together. We are also working together with Environment and Tourism and there is no problem whatsoever, we are not isolated in this Ministry, we are working together with all other Ministries. Thank you very much.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Any objection? Agreed to. I put **VOTE 16 – “JUSTICE”** for Discussion. I recognise Honourable Tsheehama.

HON MINISTER OF SAFETY AND SECURITY: Thank you, Honourable Deputy Speaker. I rise to support Vote 16 - Ministry of

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Justice and Attorney-General. I have a few concerns that I would like to raise in support of the Vote.

My concern is about the backlog of cases in all magistrate courts. We are told on Page 4 and Page 5 of the Honourable Minister's speech that twenty-two new posts of the Magistrates were not filled because of the unavailability of funds. Equally, on the same Page 5 we are also told that 145 posts for supporting staff of the Judiciary were likewise not filled, also because of the unavailability of funds.

My question is whether it is not possible to divert some money that we have for capital projects within the same Ministry to take care of the very important posts of twenty-two Magistrates and 145 support staff of the Judiciary.

Also on Page 9 of the Minister's speech we are told that a number of experienced legislative drafters, which the Ministry produced over the years, have left for greener pastures. My question is whether there is a possibility that Civil Servants who are doing this, not only in the Ministry of Justice and the Attorney-General, but also in all Government structures, be made to pay back the Government funds used in training these Civil Servants.

The backlog in the Ministry of Justice and the Attorney-General has far-reaching consequences for the Ministry of Safety and Security in that we continue to sit with thousands and thousands of trial-awaiting cell inmates and to feed them has really become a burden to us.

Every now and then, cases are postponed and postponed and postponed. Of course, some of them are because the Police might not have completed the investigation, but some of them are not because the Police have not completed the investigation but I just do not know the reason why.

Therefore, we must also help in this type of situation by meeting this Ministry halfway and try to get some funds. If we do so, we would not have done only good to the Ministry of Justice but also to the Ministry of Safety and Security and generally to the Budget and to the savings of the

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money that is always returned. With these remarks I support Vote 16 and I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Iilonga.

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: Comrade Deputy Speaker and Chairperson of the Whole House Committee, I rise to support Vote 16 - Justice and Attorney-General and I only have one point to raise.

Comrade Minister of Justice and Attorney-General, I just want to find out whether it is not the time now for this august House to revisit the Companies Act that we passed last year and to look at the Section on liquidation specifically. This Section dealing with liquidation is being misused by the employers by fraudulently claiming bankruptcy. They claim that their companies are no longer in a position to carry on with business, but doing so with the intention not to give retrenchment packages to their workers.

Afterwards you find the same company doing business under a different name and the shareholders are the same people. Therefore, in my opinion I see this as very important and necessary that we curb this fraudulent bankruptcy. With that concern, I support the Vote 16. Thank you very much.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank very much. I recognise Honourable Hausiku.

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HON MINISTER OF FOREIGN AFFAIRS: Thank you, Comrade Chairperson, I have only three small points. The first one is to support my colleague, the Minister of Justice and Attorney-General and the Deputy Minister and the rest of the staff. The second one is on Page 4 of the Minister's speech where she has reported progress on the number of cases dealt with last year.

On the same page, as my Colleague, Comrade Tshirumbu has indicated, she is also talking about the backlog and now my question is, in which period does the Minister intend to address this issue?

On Page 17 the Minister is requesting one million one hundred thousand for the Guardian Fund. We have information that there is an attempt or there has been an attempt to outsource the function of this important Fund. How true is this information, Honourable Minister?

On Page 18, the Minister is requesting additional funding for the Caprivi High Treason Case and my question is whether these is for legal aid or for what are these funds needed. I think one needs an explanation as to why these funds are being requested. Otherwise, Comrade Minister, I support your Vote. Thank you very much.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I recognise Honourable Kerina.

HON PROF KERINA: Honourable Deputy Speaker and Chairperson of the Whole House Committee, the Vote of the Minister concerned, is supported. I would however like to make a few observations.

On Page 5, Paragraph 2, the Minister stated that the Government is enjoined by the Constitution to ensure fair trial by providing legal aid to any person who does not have an adequate income. This is wonderful, Honourable Deputy Speaker, the legal aid system in our country today

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does however not benefit Namibian legal practitioners at all while the money allocated seldom makes provisions for magistrate court cases. The little money available is used to pay private practitioners in the High Court. For instance, a non-Namibian or private lawyer on legal aid costs the Government at least N\$1,500 per day. If Government appoints five senior Namibian lawyers, it will save a lot of money.

May I, with your permission, Honourable Speaker, touch on the Community Courts? The adoption of the Community Courts at the workshop that followed under the supervision of the Ministry of Justice raises high expectations of both the Traditional Authorities and communities, including Magistrates. Would it be possible for the Ministry to reactivate the workshops because I think it was ended quite abruptly?

With regard to Magistrate's Courts, since the lifting of the jurisdiction of the Magistrate's Courts some years ago, many cases that used to go to the High Court are now dealt with in Regional Magistrate's Courts and former Regional Court cases are now tried in the District Courts.

Unfortunately, nothing has been done so far to elevate the standards of Magistrates in our country. In a strange twist of circumstances, Prosecutors are now paid on an average much more than Magistrates. It is much easier for the Prosecutor to be promoted today, which is not the case with Magistrates. Again, the result of this is that Prosecutors no longer aspire to be Magistrates. The practice of good Prosecutors moving to the Magistrate bench no longer exists. The Magistrate profession is burdened with Magistrates who are not even well trained. Some have been on the bench for more than ten years and still lack the basic logic of law and knowledge of the law needed.

One only needs to read the Review Judgments of the High Court to see what the Judges even think of our Magistrates. This is the reason why we have the backlog of cases. Will the Minister please look into this situation because it is a critical situation in our Judiciary? Thank you, I support the Vote.

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CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Venaani.

HON VENAANI: Thank very much, Honourable Chair of the Whole House Committee. I rise to express my support on this Vote. Honourable Chair of the Whole House Committee, I support this Vote and I think that I have sympathy with the Minister that this Vote is under-funded. The other night when we talked about the Security or Police Vote, we were talking about the jail cells that are really full because of not enough space and yet the prosecution process is delayed because of lack of funds. I must reiterate that this Ministry has a very important role and that is for it to make sure that the Judiciary, which is one of the most important branches of the State, functions well. If we do not allocate adequate funds to this Ministry, we are going to hamper the work of the Judiciary indirectly and I really have a problem with that.

Looking at the shortage of the Magistrates, acting Judges and so forth, then I think that in a next year's Budget we should critically look at the performance of this Ministry and try to allocate additional funding to it.

I have two issues that I want to raise and the one is on the Law Reform Directorate. The Minister spoke of the GTZ funding which we were receiving which has stopped. May I however ask the Minister what other plans are in the pipeline to make sure that we can receive additional funding from sources that can fund this Directorate?

My second comment is on the question of legislation drafting. It is also reported in the Minister's motivation speech that because of the lack of staff we have a delay of Bills coming to the House. I think this is also another problem area, which hampers the operation of this House, because as legislators we must make sure that those Bills are drafted on time and that they reach the House to respond to the need of society.

Honourable Chair, then the other issue is the question of old legislation that exists in the books of Namibia, which Honourable Mutorwa

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mentioned. What does the Ministry intend to do and I want to refer the Minister to the Native Administration Proclamation of 1928, which in simple terms is a very racist law that existed in our country and yet it is still on our books. Perhaps the Minister can inform the House what she intends to do with the old pieces of legislation that are on our books.

My other point is on the area of civil litigation. We have observed many of our Government lawyers losing many cases in Courts. Some cases seem to be indefensible, yet our lawyers just go and defend them and it costs the Government a lot of money. Perhaps we want to know from the Ministers what is being done in order to make sure that we go and defend justifiable cases rather than Government lawyers losing a lot of money from private lawyers and in that regard also draining our resources.

With these few remarks, I express my unequivocal support for the Vote. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank very much. I now recognise Honourable Nambahu.

HON NAMBAHU: Thank you very much, Comrade Chairperson of the Whole House Committee. I rise to support this Vote and just to express a few concerns that I have.

Obviously, my support is premised on Page 208 of the Vote, titled Administration of Justice and on Page 12 of the Minister's speech, which deals with public prosecution.

I have looked at the priorities under the title Administration of Justice and the purpose talked about issues by which this administration is to be ensured, namely ensuring speedy and good judiciary decisions including providing in-service training, etcetera.

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However, my concern is really on the issue of training the principal officers and managers not only to possess professional skills but also good administrative skills. The turnover of Prosecutors and judicial officers sometimes is not necessarily due to lack of good working conditions but you are also treated in such a way and the environment is made in such a way that you really do not want to continue to work there and sometimes we have to pay attention to this because of the past where we are coming from. We have poor human relation practitioners in the posts of managers. There are those who will easily tell you that you can go.

Someone tells you, you are also free to go but at the end of the day the problem is that high number of people is leaving and this person who is telling you to leave is the one that is supposed to go, because he does not know what human relations are.

The other issue is of an organisation that does not have a good retention policy. You recruit, people come but because you do not have the conditions to retain these people, people go. They go to other organisations and your human resources management becomes what the modern human resources practitioner calls a human remain practitioner. You are only left to manage what remains of the human resources but you are unable to retain these people. I really urge my Honourable Minister to look into this and ask a question why some duty stations have a bigger turnover than others? Sometimes people work hard but the appreciation is not there. It needs appreciation in terms of not only remuneration, but also creating a conducive environment and that these people need to be heard to let off steam of what is it that is affecting them. We should probably not leave this to the principal officers only, but also take a keen interest in finding out why is the turnover so high.

Otherwise, all the good things that we are saying to retain people will be a big problem. Most of the people at the MVA were Prosecutors and if you look at Legal Shield, most of those people were Colleagues in the prosecution. We have to ask ourselves the question why people are leaving. People are aware of their rights and we have to take cognisance of the fact that we have come from a poor background of human relations practice.

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I remember at the time when we came to this country in 1989, I went into a certain shop, which I considered was my right, and then I was asked “*soek jy moelikheid?*” This is the background that we came from and then we have to take care. Thank you very much. I support the Vote.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Nickey Iyambo.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY: Thank you very much, Honourable Deputy Speaker. I will definitely be very brief.

Vote 16 is supported by many. Honourable Venaani last year raised a question in this House on the individual called Barry Keyter. What has happened to his case? I would like the Honourable Minister to shed some light on that. Otherwise, Vote 16 of the Honourable Minister is supported. Thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I recognise Honourable Moongo.

HON MOONGO: Honourable Chair, allow me to congratulate the Minister who came up with this statement and allow me to mention what I want to say on the Traditional Courts. The laws of the local Traditional Courts are verbal and it must be reformed. These customs must be cultivated and reformed because if we do not improve them, they will become stagnant, which is very bad.

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HON DEPUTY MINISTER OF WORKS AND TRANSPORT AND COMMUNICATION: Chairperson of Whole House Committee, may I ask the Headman a question? Honourable Member, do you want the Namibian National Assembly or Government to draft your laws for you as a Headman? What are you doing? Can you not draft your laws yourself?

HON MOONGO: We pass the laws here to reform the local Courts in order to come up to standard. If we do not improve it, it remains the same as a hundred years ago and this is intolerable. The petty criminal cases where somebody hits somebody else in the face or throws stones remain for five years in the local Courts. Why do we not refer it back to the Traditional Courts?

We also want the Minister to inform this House what happened to the hunger strike by the people who were demanding to be heard in the Court because they did not have a Magistrate. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Any further discussion? I revert the Floor to the Minister to respond.

HON MINISTER OF JUSTICE AND ATTORNEY-GENERAL: Thank you very much, Comrade Chairperson of the Whole House Committee. I consider myself as one of the lucky Ministers as most of the issues raised were comments rather than questions. However, I will try to respond to those who have put questions.

Honourable Tshirumbu, I do not know whether we could divert money from other programmes to the unfunded programmes or posts. My financial adviser has not sent me any note to that effect whether it can be done or not and I am not in the position to respond to that. However,

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knowing that the money allocated is for certain specific programmes, I do not know how you can divert that to other programmes. It will be illegal. These activities are not funded - period. Next time the Honourable Minister of Finance will probably consider this very serious issue in the allocation of resources to various Ministries and organisations.

I must say here that since I have been a Member of this august body ever since its inception, I have observed the complaints by my predecessors, starting from Dr Tjiriange and Dr Kawana. They have always been talking to the Ministry of Justice about the lack of resources. I do not know when the time will come that enough allocation is made to this Vote. I do not know. This is an important institution in the country but it is always given less resource to carry out its functions.

With regard to the departures of the legal drafters to greener pastures and that they should refund the Government for the expenses incurred during their training, I do not know how we can institute that legally and it does not also say that all the legal drafters or the lawyers serving the Government have obtained their education with Government sponsored bursaries. Maybe they were funded by other organisations and even if they were funded by the Government, they have probably served their obligation. If they no longer have an obligation to serve the Government, how do we force them to refund the Government? However, what I was saying yesterday is just for the Ministries, particularly the Ministries, to be aware that poaching lawyers from the Ministry of Justice is cutting our noses to spite our faces.

Comrade Iilonga, thank you very much. The issue of liquidation of business entities is not quite related to the Vote. Maybe we can look into that separately from budgetary matters issues. I wish you could bring it to my office for us to look into it.

Comrade Hausiku, thank you very much for the support. I cannot give you the period within which to get rid of these backlogs, since I have already explained to the Honourable House that we lack Magistrates. Twenty-two posts are not filled and we have a serious backlog. I do not know whether we will be able to get rid of this backlog, but we will do our

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best under the circumstances. Only time will tell.

The issue of the proposed outsourcing of the Guardian Fund is probably not unconfirmed information, but I can confirm that in fact there was this attempt to outsource this responsibility. I am not against the outsourcing of the Guardian Fund, but I was more concerned about the way it was done.

Before I even set my foot in the office, people were already busy outsourcing this activity and nobody had briefed me on that programme. My predecessor confirmed to me that he also did not know that there was such a plan and the non-transparent manner in which it was made really leaves a lot to be desired. Therefore, I felt it could not be done under those dubious circumstances and I am waiting for a motivation from the Master of the High Court as to why she felt this function must be outsourced. However, we will then put mechanisms in place how to go about it after we have also considered those who will be affected and where to accommodate them and all related matters. Therefore, that issue is true. I can confirm that.

The Caprivi High Treason Trial is not funded. It is an ongoing trial case. I cannot keep this a secret from the House, I do not know how we are going to go about it, and I am in your hands to direct me how to proceed. Currently we are waiting to have the trial transferred to Windhoek because of the difficulties posed by the prosecution team and the Judge himself having to travel up and down to and from Grootfontein fortnightly. We felt it is too dangerous and in this respect, I will refer to what we have said before we lost one of our dedicated cadres, Ms. Barnard. Her colleagues are still being hospitalised and once again, may her soul rest in peace. Our hearts are with those who are being treated in hospital and we wish them a speedy recovering.

The trial has been postponed until sometime in November and I hope during this period the Honourable Minister of Finance and ourselves will be able to scratch around and see where to get the money from to get the trial going.

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Honourable Kerina, I thank you very much for the support. The money that is being sought is for the payment of legal counsel in the Caprivi Treason Trial. The prosecutors are on the establishment of our Ministry, it is only the counsel for the Accused.

Honourable Kerina, that Legal Aid does not benefit our legal practitioners is not hundred percent correct. If a case warrants legal aid support, any legal practitioner gets it. We only hire legal counsel from outside when we do not have our own or when the issue being litigated upon is complex and we need a legal expert to litigate the matter. Otherwise, we take our own local lawyers.

The workshops on Community Courts have been temporarily postponed because of our involvement in the Budget Debate every afternoon. We cannot afford to split ourselves while required to be here, yet at the same time we give ourselves responsibility to be elsewhere. That is not possible.

In fact, the increase or the backlog is partly caused by the increase in the jurisdiction of Magistrate's Courts. It is also true that while that has been done that way, the level of proficiency and expertise of our Magistrates remain at the same level. This is probably caused by lack of funds and human resources, that if you are to send the current Magistrates on the establishment for further studies, who will be carrying out the Court matters in their absence?

I think the judicial issues must be taken seriously in the future, even to the extent of hiring a trainer to come and train our Magistrates while they are carrying out their duties rather than to send them to institutions in the neighbouring countries. I know South Africa has an institute for training Magistrates, but can we afford it? We cannot afford it due to what I have said before.

It is true; there is a difference between the salary scales of the Magistrates and those of the Prosecutors. Prosecutors are paid highly but we should also remember that the Prosecutors nowadays are highly qualified. Most of them, if not all, are university graduates while our Magistrates continue

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to be either just B Juris or have certificates or diplomas in the legal field.

Honourable Venaani, thank you very much, you just underscored the problem of lack of funds that I continue talking about. We have the Department of Law Reform and Development, which looks into all the old legislations, which we have inherited on the statute books, and they are coming up with the new areas of the law that needs to be regulated. This is an ongoing exercise and probably we just need to increase the rate at which we produce new legislations and amend the old ones. The Bill that I introduced here yesterday is part of the efforts to modernise our existing laws.

That we are losing many cases is not quite correct. Of course, there are cases that are indefensible and at times, we do not even venture to go to Court, we settle out of Court, but obviously we lose a lot of money.

That is exactly why I said in my motivation speech yesterday that our two departments, Civil Litigation and Legal Advice, have that responsibility to carry out workshops with Civil Servants in various Ministries to make them aware of the laws that they are supposed to implement, also taking cognisance of the constitutional provisions particularly by the Ministry of Safety and Security.

We need to work with the Police Force very, very extensively in order to do what they ought to do but within the framework of the existing laws and the Constitution. Maybe that will help bring down the rate at which Government is being taken to Court and challenged.

Comrade Nambahu, thank very much. I know you said what you said out of experience. I know that sometimes these issues of administration are not necessarily part of legal training and your human relations at the workplace come as a natural facet, not because of your academic training.

What you said makes sense. Will we be able really to focus now on some programmes to improve upon our human relations with our financial constraints while we are even faced with issues that are focusing on the administration of the law or the administration of justice? It could be, but

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I do not see it as a priority. Yet we have to sensitise those who are responsible to be conscious of the high turnover experienced in our offices. Nevertheless, thank you for bringing such concern to my attention.

Dr Nickey Iyambo, thank you very much for your support. I have for some time forgotten a little about Barry Keyter and I do not know what progress has been made in this respect. However, what I knew at that time was that the case had gone to the Supreme Court and for whatever reason Barry Keyter had applied for a postponement. Whether that due date had come or is still to come, I am not so sure but I can find out and come back to you in due course.

Honourable Moongo, I thank you very much for your support. You said Customary Law need to be reformed. Yes maybe, but the Honourable Member behind me has said that it would also help us if the Traditional Leaders can come up with some drafts and then we can polish it up for you, other than just to wait for the State machinery to find time and resources to sit down and start reforming the Customary Law.

Our Customary Law is so diverse and that is why the Community Courts Act is not yet fully implemented. It is because of this diversity. We have to carry out workshops, talk to various Traditional Leaders to make them understand what the Act requires of them. Not only that, the Community Courts Act is going to create a Pandora's box the way I see it, because of the many requests that I am receiving now in my office for the Court buildings to be erected. I do not know how many we are going to have. Taking into account the personnel to operate these Courts and the stationery, etcetera, I am telling you I have developed cold feet as to whether it is worthwhile to proceed with this.

My advice is that the Traditional Leadership in their meetings should put together a team, because they have a constitutional body in which they meet and discuss their matters, and then look into the reform. They should resolve that this must be done and start doing it while the State is assisting them and not just to leave this to the State machinery to do so.

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Comrade Chairperson of the Whole House Committee let me thank you for giving me the opportunity to answer the many questions my Colleagues have posed and thank you very much for your support.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Any further discussion?

HON MINISTER OF ENVIRONMENT AND TOURISM: Comrade Chairperson. Let me register my support for the Vote. I just have a small question to the Honourable Minister concerning these Traditional or Community Courts, whether it is something compulsory or something that could be requested and instituted according to the need by Traditional Authorities. This is what I would like to get. Thank you very much I support the Vote.

HON MINISTER OF JUSTICE AND ATTORNEY GENERAL: Thank you, Honourable Konjore. The Community Courts is attempting to allow the Traditional Leadership to conduct their customary affairs in a recognised form of litigation. The Traditional Leaders did not know whether to conduct these Courts or not, to start with and whether their judgments should be binding on their subjects or not and even the subjects of the Traditional Leadership, why should they subject themselves to a sentence or a judgment of a Traditional Court? It is a formalisation of the Traditional Courts. While it is not compulsory, it is a facility given to the Traditional Leadership to conduct their affairs in a recognised fashion. Thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you. Any objection? Agreed to.

I put **Vote 23 – “WORKS”** for Discussion.

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APPROPRIATION BILL: DISCUSSION VOTE 23
HON LUCAS

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: I recognise Honourable Lempy Lucas.

HON DEPUTY MINISTER OF FOREIGN AFFAIRS: Thank you, Honourable Deputy Speaker and Chairperson of the Whole House Committee for the Floor. I rise to support Vote 23 - Works.

At the onset, allow me to congratulate Minister Kaapanda, his Deputy and the entire staff of the Ministry for presenting to this august House an informative and comprehensive Budget Statement.

In the same vein, Madam Deputy Speaker, also allow me to congratulate the Ministry for presenting to this House a progress Report on the construction of the new State House as well as the new presidential residence. These two projects are national assets for the State and the country as whole. The Honourable Members in this House are aware that the Presidents are elected to serve the Namibian people for a specific period. When their term of office ends they would go, but these national assets are there to stay. Therefore, this Vote deserves undivided support from all Honourable Members in this House.

Honourable Deputy Speaker, on Page 7 of the Minister's Statement he made reference to capital projects and while I have the Floor to address this Honourable House, I wish to remind the Honourable Members that the second and third phases of the railway extension projects are underway and I just wish to Move that the Honourable Minister extends an invitation to the Honourable Members of this Fourth Parliament to go and play their part at the railway extension project. Thank you, Comrade Deputy Speaker, with those few remarks I support the Vote.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you. I recognize Honourable Mutorwa.

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HON MUTORWA

HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE:

Thank you, Comrade Deputy Speaker and Chairperson of the Whole House Committee. In contributing and at the same time supporting this very important Vote, I would like to raise a few issues and questions emanating from Pages 324 and 325 under the programme Government Buildings. The first issue that I would like to raise under this particular programme is the status of the Trotsky Building.

The Trotsky building is a very important building in my view. I recall vividly during our transitional phase to Independence the UNTAG administration was run from that particular building. Not only that, the Ministry of Education has been operating from that building from 1990 up to 1998.

I do not know what the status of that building is. It currently seems as if the building is in disuse and disrepair and I do not know who is occupying it and I wonder if the Minister could just shed some lights on the status of that particular building.

Comrade Minister on the very same Page 324 it deals with the issue of Government gardens. The last sentence of that Paragraph on that particular page deals with the layout of gardens, trees to be planted and pruned, etcetera. I remember even yesterday when we discussed the Vote of Health and Social Services the issue of the condition of the gardens of our two national hospitals was raised and not only that, especially in the Regions the gardens, the lawns and the trees are not at all times attractive. Comrade Minister, could you perhaps shed some light on this one?

A very important statement is made on Page 324 where it is stated that the management of fixed assets is another activity catering mainly for the rental cost of Government offices. The property assessment study will assist in the management and the administration of the Government property portfolio, worth approximately eighteen billion Namibian Dollars.

I do not really have a question, Comrade Minister, I want to agree with the statement and maybe impress upon our officials really to look after our

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HON MUTORWA

properties as Government and not to allow them to deteriorate, thereby creating problems.

Also in the same vein, I know that Government has many houses and flats across the country that are occupied by people – officially, sometimes not officially - but the central issue here is that as far as I am concerned, in reading this particular Paragraph, those assets are supposed to generate some income. The people who live there are supposed to pay rental fees. Maybe we should intensify our efforts to ensure that the people occupying these properties pay rental fees, because that is another source of revenue for the Honourable Minister of Finance and the Deputy Minister and the Government at large.

Then there is mention of the decentralisation of the Division: Maintenance as well as the commercialisation of the Division's fixed assets management. Could the Minister clarify a little on what is intended? How is the commercialisation especially of the fixed assets management envisaged to be done?

I now come to my favourite subject on Page 324, National Monuments. The Honourable Minister made mention of the National Independence Memorial Museum during his motivation statement. I would like to remind not only the Minister, but also especially the officials, that the designs of this particular project have already been approved by Cabinet a couple of years ago. Cabinet Members were shown what the Independence Memorial Museum would look like and even the place where it will be erected, however I am not encouraged by what I am reading here as it says the project may be shelved for a period due to Government obligations, which may take preference. I think fifteen years down the line we really cannot wait any longer to have an Independence Memorial Museum here in our city.

I see that some budgetary provisions have been made but then again I see some discrepancies in terms of the figures that are budgeted for. When one looks at Page 323 of the Capital Projects, one would see the discrepancies in the figures and maybe the Minister could just make some comments there.

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HON NANDI-NDAITWA

Lastly on Page 324, the issue of the Division: Stores and Reproduction Services that it is going to be transferred to the Education Ministry. With all due respect, to Honourable Minister Mbumba, I know for some time we have been complaining about the division in Government Stores that deals with the exercise books for schools and that it should be given to the Ministry of Education to run. I do not know whether that is the intention here or whether the intention is that the entire running of the Government Stores be done by the Ministry of Education. Maybe the Honourable Minister could just clarify that one. Thank you very much. I support the Vote.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Ndaitwah.

HON MINISTER OF INFORMATION AND BROADCASTING: I thank you, Comrade Chairperson of the Whole House Committee. My neighbour has used some of my minutes, so I will be brief. Let me also thank the Minister for the motivation of his Budget.

I have only one question and this question is provoked by the discussions on the Ministry of Health. If one looks at Page 324, Government Buildings, it reads that the purpose of this programme is to ensure sustainable and reliable maintenance and rehabilitation of existing Government properties.

I would really want to find out what is the policy. I think this is also important for the public to know if, for example, within your vicinity there is a Government building which is really dilapidated and the community would like to make a contribution by doing renovations. Is that allowed by the policy?

I am asking this question because as I said, when we were discussing Health it was raised and one cannot understand why the community can be

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HON DE WAAL

in an area where you have a clinic which is almost falling apart and they are not making any effort to do something about it. What is the Government policy in terms of repairing or even buying a bulb?

I know at one time I had to be in the office for a month without having a bulb and I was asking whether I cannot take money and buy a bulb for my office, but I was told no. Let the policy be clear so that the public know when to contribute and when not to contribute. Otherwise, I support the Vote.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I recognise Honourable De Waal.

HON DE WAAL: Honourable Speaker, while some of the previous people spoke on Government buildings, let me also say something about that.

First of all, I would ask the Minister next year to give some more information under this Vote, Government buildings, on Page 304, because the total amount allocated for this Vote is something like N\$212 million. However, if you read through the paragraphs explaining this Vote, you only get to about N\$6 or N\$7 million and the rest is not explained. The problem is that if you go to the back of the book where there is a summary on Page 475, the figures also do not add up to the total amount allocated to the Ministry. Therefore, it is a bit unclear.

Honourable Deputy Speaker, I want to say something about Government Stores. I am also not convinced that Government Stores should be under Education, it simply does not make sense. Maybe the schoolbooks, but the rest definitely does not belong to Education.

I also want to congratulate the Minister on the open day recently at the Government Stores. It was interesting to note that some Permanent

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HON DE WAAL

Secretaries did not know about the existence of the Government Stores and I feel this is a very serious problem, which should be tackled by Cabinet, because we currently have serious problems with informal tenders. If you speak to people in town, they will tell you that they no longer participate in informal tenders because it is a useless exercise. Apparently, what happens, apart from other things, is that the Civil Servant will phone a supplier and tell him to quote on this and that and fax the quote through. Then he will phone two others and wait until he has the prices and then he will phone his preferred supplier and tell him to also quote, but not to go beyond N\$4,000. This is what is happening and we are investigating that to give the Minister more information. We will also speak on this same issue under Vote 24 where we have better information.

Honourable Deputy Speaker, I would also like to get some rough estimates from the Minister. We are interested to know what the amount is that your Ministry has asked for tender exemptions. How many millions of dollars did you ask for tender exemptions and what were the reasons why you could not go through the Tender Board?

Honourable Deputy Speaker, my last question concerns the Commissions of Inquiry at the Ministry of Works and also disciplinary hearings and the current investigation into the Government assets, the issue that was raised by somebody before me. Could the Minister indicate to us when the investigation into public assets will be finalised? When will the capital asset register be completed so that we at least know what we own? I am not talking of disciplinary hearings about the normal Civil Servants. I am talking about disciplinary hearings as far as senior management is concerned, currently ongoing and disciplinary hearings as far as middle management is concerned. How many of these are ongoing and when can we expect the results, because it is common knowledge that in the Ministry of Works, very senior officials have misused their position of power to enrich themselves and we would like to have some comments by the Minister on those issues. I thank you.

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HON HAINGURA / HON IILONGA

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Haingura.

HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES: Thank you, Honourable Chairperson of the Whole House Committee. I rise to support Vote 23 and thank the Minister for the well-articulated Budget Statement. However, I have some observations to make.

On Page 4 of the motivation speech the Minister mentioned the Government Housing Alienation Scheme and said in Windhoek they have yielded an amount of N\$100 million and it is also said that they are still negotiating with the stakeholders to complete the whole process countrywide. My observation is that there is a delay in this process and I want to know whether the Honourable Minister could perhaps speed up this process, because people who are living in those old houses are ready to buy them.

During my visit to the Regions there was an outcry that whenever the people ask the Department of Maintenance to repair equipment, there is always a delay. With those few words, I support Vote 23. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Iilonga.

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: Comrade Deputy Speaker, I support Vote 23. The Minister of Youth, National Service, Sports and Culture spoke about the Trotsky Building and I just want to find out whether this building is still earmarked to become the Headquarters of the Ministry of Environment and Tourism or has there been any change of plans? This Ministry is

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HON DR AMWEELO

suffering because they are scattered all over Windhoek and I know a decision was already taken that this building will be reconstructed to fit the needs of the Ministry of Environment and Tourism. I only want to find out whether that is still on the cards.

Secondly, I wish to refer to the capital projects on Page 7. I know that the tender issue has become a sensitive topic, that there are some irregularities and people rush to say the Permanent Secretaries are corrupt. It is not true. They are not the ones setting up these tenders. We inherited a monster, which we do not know how to operate and therefore, I want to know whether the Ministry of Works, Transport and Communication could revisit these tender procedures. The tendering process is not cheaper for the Government. It is a process of cheating under the pretext of being transparent. It is not true it is not transparent.

Thirdly, I want to support what Honourable De Waal has mentioned about the Government Stores. I do not think Education should run the Government Stores. They can collect materials from the Government Stores and keep it in their own stores, but they should not run the Government Stores. If this institution is commercialised we will create another body with its own Chief Executive Officer and managers, which again will need additional funds. Let us do the work ourselves, rather than commercialising until we find ourselves having no clothes to wear. I support Vote 23.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable Amweelo.

HON DR AMWEELO: Comrade Chairperson of the Whole House Committee, I would like to thank the Minister and Deputy Minister. Vote 23 is our Vote because everybody needs official accommodation.

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HON DE WAAL

I want to draw the attention of the Minister to Page 5 and make a comment with regard to the BOT. I am happy that you want to conduct a study with regard to BOT, because this is working very well in other countries, such as China. The Government does not even need to invest money, you only need to have a contract with a company and put up the facilities. I fully support your study.

My last point is with regard to the presidential residence. At the time I left the Ministry, the drawings were completed and the Honourable Minister could maybe follow up with the Embassy of China, because the longer we wait, the more costly it will become. Otherwise, I fully support Vote 23.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. I now recognise Honourable De Waal.

HON DE WAAL: Honourable Chairperson, I just want to make sure that I have made my recommendation. Our recommendation to the Honourable Minister is that we give the Cabinet directive to all Ministries, stating that they are forced to first draw from the Government Stores before they buy privately. Sometimes the Government Stores have Mondi paper and when the Permanent Secretary sees that there is Mondi paper in the stores, he says, "*no, that is not what I want, I want Sappi paper*". That is nonsense, they must be forced to draw everything from the stores and only when the stores cannot provide it should they be allowed to buy from outside. Thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: I revert the Floor to the Minister to respond.

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HON KAAPANDA

HON MINISTER OF WORKS, TRANSPORT AND COMMUNICATION: Thank you, Honourable Chairperson of the Whole House Committee. I would like to thank all the Honourable Members for their sympathetic contributions. We share the same concerns expressed by you and we are trying to rectify all these problems to the best of our ability.

Honourable Lempy Lucas, thank you very much for your support and solidarity for the Vote.

Honourable Mutorwa, you wanted to know the status of the Trotsky Building in which many Ministries have operated in the past. This building has been bought by the Ministry of Environment at the price of N\$50 million. However, renovations will amount to about N\$13 million but currently the Government has no funds. Therefore, we are looking at an alternative method where we will have the building renovated by BOT, which stands for Building, Occupy and Transfer. Companies have come forward with proposals for these kinds of joint ventures and services. I do not know what arrangements will be made, whether it will go through tender or we would seek for tender exemptions, although it should be transparent.

As I stated in my motivation speech that we are looking at this alternative method of offering services because the Government has no funds and once we have compiled the whole submission, it will be shared with the Minister of Finance as well as the Office of the Prime Minister. It is something new to us although some countries are doing it and we want to follow the right channels and get the support of all our senior Ministers and the Government at large.

When Comrade Mutorwa said that the Ministry is responsible for the designing, planning and watering of all Government gardens I started laughing. The question is are we really doing that, because it does not seem to be the case, because if you look around, you find that Government houses have no lawns, no gardens that show that there is a programme of caring for the gardens of Government buildings. Maybe my officers can give us an answer to that.

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The next question was regarding the management of fixed assets and he appealed to all our officials that we should really look after our assets and make sure that they are maintained. Comrade Mutorwa, it is true that we do not have a culture of maintenance in this country and this is a big problem. We do not maintain our Government properties. We will definitely have to deal with this issue to find a way of improving the maintenance of Government assets.

Additionally, we do not have proper records of these assets. We have to commission a study in order to investigate and compile a proper list of Government assets, so that we will be able to maintain them. This is one of the weaknesses in our Ministry and we will address this problem.

He also mentioned that there are houses around the country, which are occupied by people whom we do not know whether they work for Government and in addition to that, if they are working for Government, are they paying rent? If they are not Government employees, why are they occupying Government houses? We are going to tackle these issues and we will tackle them to the core. We are currently waiting for the National Planning Commission to design a form with all the details that would be required, the house, the erf, the occupant, whether they are Government employees or not, paying rent or not. All that information will be compiled and eventually we will have a proper asset register.

I mentioned our desire to decentralise maintenance. As you have read in the newspapers, maintenance is fraught with corruption and irregularities.

We feel that the best way to reduce corruption and irregularities and inefficiency is to accelerate the decentralisation of maintenance to the Regional Councils.

Honourable Mutorwa expressed his concern regarding the possibility of shelving the Independence Memorial Museum. It is not our intention to do that, but this is due to the scarcity of funds. We want this project to be implemented as soon as possible, but during the last couple of years all our requests for money were unsuccessful and it seems to continue in the

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HON KAAPANDA

same way. Therefore, this project will automatically be delayed, even though it may not be shelved.

Comrade Mutorwa mentioned some discrepancies in the figures. If you look at Page 412, the allocation is N\$1,5 million, which tallies with the figures on Page 325 in the Medium Term Plan.

Honourable Netumbo wants to find out whether there is a Government policy in case there is a dilapidated Government building, somewhere in the country and possibly people who are able to renovate this building could offer their services. I am not quite sure on this one, but the normal procedure regarding any service to be rendered to Government is that a tender has to be issued, people have to apply for that tender and the lowest bidder will win the tender and perform the service. There cannot be a random dishing out of services to any particular individual, it has to go through the tender procedures. I do not know whether this answer will satisfy the Honourable Member, but we can still discuss this and I can still enquire from the officers to give more clarification.

Honourable De Waal, thank you very much for your support and I concur with you that it might not be the right thing to transfer the Government Stores to the Ministry of Education. The Government is decentralising, we cannot decentralise from one Ministry to the other, we should rather decentralise from the Central Government to the local level. Maybe this should be the right procedure.

You mentioned Tender Board exemptions and I will come back to that later.

Honourable Haingura, it is true that there are delays in the alienation of Government houses. I wanted it to be implemented as soon as possible, because with alienation you create an opportunity for the Local Authorities to collect revenues, because we alienate to the Local Authorities and avail an opportunity to Government officials to buy the houses they are living in. This process has been very cumbersome and frustrating. We discussed with the staff that we should revisit and accelerate the process. The Ministry of Lands and Resettlement is

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HON KAAPANDA

involved in the valuation, it has to go through many offices and then be gazetted, but we will address the issue and implement the alienation scheme programme.

The Department of Maintenance is pathetic. It delays and delays. The process is so cumbersome and we will try to reform this process to see how we can speed up the process to eliminate the frustrations and the like.

Comrade Ilonga, the Trotsky Building now belongs to the Ministry of Environment and Tourism, but the problem is that there is no money for renovations.

We discussed the issue of commercialisation, but we are not sure whether it will have the desired results. Once again, I thank you for your support.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: I have five additional names and I am ruling them Out of Order.

HON MINISTER OF ENVIRONMENT AND TOURISM: I rise on a Point of Order. Mine is not to request the Floor, Honourable Chairperson, it is just to assist my Colleague with regard to the Trotsky Building. It is true that it was bought by my Ministry. In my speech, you will see that there is an amount of N\$2 million to refurbish that building. I just wanted to provide that information. Thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Any objection to Vote 23? Agreed to. I shall report progress and ask leave to sit again.

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ADJOURNMENT

ASSEMBLY RESUMED:

Progress reported and leave given to sit again.

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

HOUSE ADJOURNS AT 20:15 UNTIL 2005.06.23 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
23 JUNE 2005**

The Assembly met pursuant to the adjournment.

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

ANNOUNCEMENTS

HON SPEAKER: Honourable Members, please note this and beware: Each day, even before the commencement of the business of the House, the microphones on your desks are open. As you rise for tea and chatter on your way out, they are recording and broadcasting for all ears available. As you are strolling back into the Chamber, you fill the air with laughter, but more importantly with creative outpourings to Colleagues and others nearby. Some of the exchanges are sumptuous, I would say, more creative, more daring than the speeches. Beware lest you read surprises in newspapers that Honourable Members may be embarrassed or astonished to hear about. So much for that.

Secondly, as per the schedule of the business of the House we had agreed upon earlier, the consideration of the Budget would end on 28 June 2005, but the business of the House will continue until 15 July 2005.

**NOMINATION OF MEMBERS TO
STANDING COMMITTEES**

HON SPEAKER: In terms of Rule 38(6) of the Standing Rules and Orders of the National Assembly, I hereby announce the Members of the

23 June 2005

**NOMINATIONS TO STANDING COMMITTEES
HON DR T-B GURRAB**

Standing Committees of the National Assembly for the Fourth Parliament of the Republic of Namibia. The announcement made on 20 May 2005 is replaced by this announcement. I will report to you on the Pan-African Parliament and the SADC Parliamentary Forum next week.

Standing Committee on Standing Rules and Orders and Internal Arrangements:

Honourable B Amathila
Honourable H G Booys
Honourable Dr H G Geingob
Honourable E G Kaiyamo
Honourable L Kasingo
Honourable L Basson
Honourable T Nambahu
Honourable A Manombe-Ncube
Honourable P Mushelenga
Honourable E !Nawases
Honourable J De Waal
Honourable M Venaani
Honourable B Ulenga
Honourable N Schimming-Chase
Honourable T Gurirab
Honourable G K Tjombe
Honourable Prof M Kerina
Honourable J J Viljoen
Honourable H Mudge

Standing Committee on Privileges:

Honourable B Amathila
Honourable H Christian
Honourable Dr H G Geingob
Honourable K Kaura
Honourable B Ulenga

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**NOMINATIONS TO STANDING COMMITTEES
HON DR T-B GURRAB**

Standing Committee on Economics, Natural Resources and Public Administration:

Honourable Dr H G Geingob	-	Chairperson
Honourable P Mushelenga	-	Deputy Chairperson
Honourable Dr C S Ankama		
Honourable R /Ui/o/oo		
Honourable T Nambahu		
Honourable H Christian		
Honourable L Basson		
Honourable H G Booys		
Honourable J De Waal		
Honourable M Venaani		
Honourable T Gurirab		
Honourable K Gertze		
Honourable M B Goreseb		
Honourable A R Tjihuiko		
Honourable H Mudge		

Standing Committee on Human Resources, Social and Community Development:

Honourable E G Kaiyamo	-	Chairperson
Honourable H Christian	-	Deputy Chairperson
Honourable R Diergaardt		
Honourable I M Hoffman		
Honourable Dr C S Ankama		
Honourable R /Ui/o/oo		
Honourable A Manombe-Ncube		
Honourable P Mushelenga		
Honourable Dr M Amweelo		
Honourable P Moongo		
Honourable E Dienda		
Honourable K Gertze		
Honourable A R Tjihuiko		
Honourable J J Viljoen		

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**NOMINATIONS TO STANDING COMMITTEES
HON DR T-B GURRAB**

Standing Committee on Public Accounts:

Honourable J De Waal - Chairperson
Honourable Dr C S Ankama - Deputy Chairperson
Honourable A Manombe-Ncube
Honourable E G Kaiyamo
Honourable Dr H G Geingob
Honourable L Kasingo
Honourable B Amathila
Honourable R Diergaardt
Honourable H G Booys
Honourable M Amweelo
Honourable M Venaani
Honourable T Gurirab
Honourable E Dienda
Honourable G K Tjombe
Honourable A R Tjihuiko
Honourable H Mudge
Honourable J J Viljoen

Standing Committee on Constitutional and Legal Affairs:

Honourable L Kasingo - Chairperson
Honourable T Nambahu - Deputy Chairperson
Honourable R /Ui/o/oo
Honourable I M Hoffman
Honourable H Christian
Honourable Dr M Amweelo
Honourable R Diergaardt
Honourable Dr H G Geingob
Honourable E !Nawases
Honourable P Moongo
Honourable M Venaani
Honourable B Ulenga
Honourable K Gertze
Honourable J //Garoëb
Honourable Prof M Kerina

23 June 2005

**TABLING OF REPORTS COMMITTEES
HON DR A IYAMBO**

Honourable H Mudge

Standing Committee on Foreign Affairs, Defence and Security:

Honourable B Amathila	-	Chairperson
Honourable L Basson	-	Deputy Chairperson
Honourable R Diergaardt		
Honourable I M Hoffman		
Honourable Dr C S Ankama		
Honourable L Kasingo		
Honourable P Mushelenga		
Honourable E G Kaiyamo		
Honourable Dr H G Geingob		
Honourable H Christian		
Honourable K Kaura		
Honourable P Moongo		
Honourable N Schimming-Chase		
Honourable B Ulenga		
Honourable J Garoëb		
Honourable K I Riruako		

HON SPEAKER: Any Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Honourable Minister Abraham Iyambo

**TABLING - ANNUAL REPORT:
FISHERIES OBSERVER AGENCY**

HON MINISTER OF FISHERIES AND MARINE RESOURCES: I lay upon the Table, the 2003/2004 Annual Report of the Fisheries Observer Agency.

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NOTICE OF MOTIONS
HON EKANDJO / HON DR A IYAMBO

HON SPEAKER: Will the Honourable Minister please table the Report? Any further Reports and Papers? Any Notice of Questions? Any Notice of Motions? Honourable Ekandjo.

NOTICE OF MOTIONS

HON MINISTER OF LANDS AND RESETTLEMENT: Comrade Speaker, Honourable Members, I give Notice that tomorrow I shall Move:

That leave be given to introduce a Bill to amend the Communal Land Reform Act (Act 5 of 2002), so as to define or redefine certain expressions to incorporate certain portions of unalienated State land as part of existing communal land areas; to replace an incorrect reference in the description of the Damaraland Communal Land Area, and to provide for incidental matters.

HON SPEAKER: Will the Honourable Minister please table the Motion? Any further Notice of Motions? Honourable Iyambo

HON MINISTER OF FISHERIES AND MARINE RESOURCES: Honourable Speaker, I Move, on behalf of the Minister of Trade and Industry:

That this Assembly ratifies the Agreement on Trade and Economic Cooperation between the Government of the Republic of Namibia and the Government of the Republic of Angola.

I further Move, that this Assembly ratifies the Agreement on Reciprocal Protection and Promotion of Investments between the Government of the Republic of Namibia and the Government of the Republic of Angola.

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**NOTICE OF MOTIONS
HON P MUSHELENGA**

MOTION ON BUSINESS OF ASSEMBLY

HON P MUSHELENGA: Honourable Speaker, Sir, I Move without Notice, that the proceedings on Votes 07, 12, 20, 25 and 26 be, in terms of Rule 90, not interrupted if still under consideration at 17:45.

HON SPEAKER: Will the Honourable Member please table the Motion? Any further Notice of Motions? Any Message from the State House? Any Ministerial Statements? Today being Thursday, the business of the House is initiated from the Opposition side. Question 13 is by Honourable Moongo. Does the Honourable Member put the Question?

RESPONSE TO QUESTIONS

QUESTION 13:

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY: Honourable Speaker, Question 13(5) belongs to the Ministry of Agriculture, Water and Forestry and my answer to that one is that I am not aware. The rest does not belong to my Ministry. Thank you.

HON SPEAKER: Question 14 is by Honourable Moongo. Does the Honourable Member put the Question?

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**RESPONSE TO QUESTIONS BY HON MOONGO
HON PANDENI**

QUESTION 14:

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT,
HOUSING AND RURAL DEVELOPMENT:** Honourable Speaker, Honourable Members, I seize this opportunity to respond to questions raised by the Honourable Philemon Moongo on the 15th of June 2005 on the possible adjustment and increment of allowance of Traditional Leaders and other matters related to the provision of transport and construction of Community Courts of Traditional Leaders.

In his first question, Honourable Moongo wanted to know when is my Ministry going to propose to the Ministry of Finance to adjust and increase allowances of Kings and Senior Headmen from N\$1,600 to N\$5,000 and from N\$1,400 to N\$3,000 and for Junior and Sub-headmen, to N\$1,500 per month.

Before answering Honourable Moongo's questions, I would like to state that Traditional Leaders are an important cultural component of our society. The Government of the Republic of Namibia recognises Traditional Authorities as independent cultural institutions with a specific role and functions to play in society. A Traditional Authority, composed of a Chief and Councillors, is not a political institution, but an independent apolitical institution that represents cultural norms and values as well as interests of its communities. In terms of the Traditional Authorities Act (Act 25 of 2000), Traditional Leaders do not receive salaries, but allowances from the Government as they are not part of the Government's Civil Service structure. However, Section 18(3) of the Traditional Authorities Act of 2000 makes provision for the establishment of a trust fund for various Traditional Authorities. The purpose of this trust fund is to grant permission to Traditional Authorities to raise funds for their respective Traditional Authorities to sustain and maintain their operations. Currently there are forty-two recognised Traditional Authorities and in terms of Act 25 of 2000, the Ministry pays allowances to fourteen persons per each recognised Traditional Authority. These include one Chief, six senior Traditional Leaders, six Traditional Councillors and one secretary. This means that there are 42 Chiefs, 252 senior Traditional Councillors, 252 Traditional Councillors and 42 secretaries.

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If the Ministry considers Honourable Moongo's proposal, it will mean that the Government will spend more than N\$16 million on top of N\$9,1 million that the Ministry is already spending on the allowance of Traditional Leaders, including their secretaries, whom Honourable Moongo seems to have forgotten in his proposal.

Interestingly, I have never heard Honourable Moongo asking for the increment of Traditional Leaders' allowances all these years he has been a Member of the National Assembly, but now that Honourable Moongo is one of the senior Headmen under the Ondonga Traditional Authority, it appears the Honourable Member had taken it upon himself to become a spokesperson and an advocate of traditional matters in the National Assembly, asking these increments to his own advantage and not even taking into account the socio-economic realities and performance of our country.

In his last question, Honourable Moongo asked when would the Minister of Regional and Local Government, Housing and Rural Development propose to the Ministry of Finance a special fund to construct Traditional Courts.

Honourable Speaker, in my view, this question is misdirected, as it does not fall under my Ministry's area of responsibility. I would, therefore like to ask Honourable Moongo to go back and do more homework to find out whose responsibility it is for the establishment of Community Courts and the expenses thereof. Once more, let me thank Honourable Moongo for his interesting questions tabled before this august House. It is my sincere hope that I have covered all the concerns raised by the Honourable Member. I thank you.

HON SPEAKER: Question 15 is by Honourable Moongo. Does the Honourable Member put the Question?

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**RESPONSE TO QUESTIONS BY HON MOONGO
HON NAMOLOH**

QUESTION 15:

HON MINISTER OF DEFENCE: Honourable Speaker, Honourable Members, I stand to answer the questions put by Honourable Moongo.

I am a little surprised that Honourable Moongo who had been a Member of this august House is questioning the Ministry of Defence Group Scheme which was created by an Act of Parliament of which he is a Member, but nevertheless, I will give some answers to his queries.

The said Group Scheme has been in existence since 1992 and is compulsory to all members of the Defence Force. Civilian employees of the Ministry of Defence who voluntarily wish to become members of this Group Scheme are equally accepted to join and we currently have a number of employees of the Ministry participating in this Scheme. The Group Scheme was established by an Act of Parliament, as I said, and I am a bit surprised by the question as Honourable Moongo was supposed to have knowledge of the existence of that Group Scheme as the Act was debated and passed by this august House.

The Group Scheme provides for life and funeral benefits for members and their families in case of death of their members, their spouses or children. The Scheme further pays out benefits to members in case of them becoming permanently disabled. The Group Scheme was underwritten by Sanlam. However, a new insurance company has been administering this Scheme since June 2004. I wonder if the Honourable Member is still interested in the new company, which has taken over the Group Scheme or whether he only wanted to enquire about Sanlam.

The Group Scheme is entered into by an underwriter, on the one hand, and the Ministry of Defence on behalf of all Defence Force members, on the other. The contract is between the underwriter and the Ministry of Defence on behalf of the members of the Defence Force. The Group Scheme is equally governed by a set of rules called the Master Plan Policy, which was equally entered into by and between the underwriter and the Ministry on behalf of the members.

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HON NAMOLOH**

The Honourable Member is correct that the members of the Defence Force are not individually given these documents. The members are, however, informed and explained of the existence of the Scheme and its benefits. Members can further consult those documents at the Ministry's Headquarters in Windhoek.

The monthly premium given by Honourable Moongo is correct. Each NDF member contributes N\$110 as his or her monthly premium. This monthly premium is the one paid by each member regardless of the size of his or her family. The policy only pays out in case of death or permanent disability. The benefit falls out in case a member ceases to contribute at retirement, discharged from the Defence Force or transferred to a different Ministry. The current underwriter is requested to study possibilities of introducing additional benefits, including a kind of investment benefit for members to be able to get something when they cease to contribute at retirement, discharged or when they leave the employment with the Ministry for other reasons after having been contributing to the Scheme for some time.

The Group Scheme is intended to help members or their loved ones in case of death of their family members or the members themselves. I fail to understand how Honourable Moongo links the mere existence of a Group Scheme with corruption. Honourable Speaker, I need some clarity from Honourable Moongo if the Honourable Member insists that I investigate and explain under his question 4. I thank you.

HON MOONGO: I want to thank the Minister for the detailed answer.

HON SPEAKER: The Secretary will read the First Order of the Day.

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RESUMPTION OF COMMITTEE STAGE:
APPROPRIATION BILL

HON SPEAKER: Does the Honourable Minister of Finance Move that the Assembly now goes into Committee? It is moved that I leave the Chair. Any objections? Who seconds? Agreed to. I now call upon the Deputy Speaker and Chairperson of the Whole House Committee to take the Chair.

ASSEMBLY IN COMMITTEE:

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: The Committee has to consider the *Appropriation Bill*. When progress was reported yesterday, 22 June 2005, Votes 08, 13 and 18 had been agreed to and Votes 07 and 26 had been introduced.

Vote 12 – “GENDER EQUALITY AND CHILD WELFARE”,
N\$144,728,000 is put for Introduction.

HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE: Honourable Chairperson of the Whole House Committee, Honourable Members of this august House, let me tackle the bull by the horns by acknowledging the love of Christ upon my entire life, which strengthens me to show the love of God to the people who pass my life journey. The hand of the Lord is upon me all the time, protects, and honours me in all my ways. My sincere appreciation and gratitude goes to our Founding Father of the Nation, Dr Sam Shafiishuna Nujoma, who is the driving force for unity, reconciliation and peace for our beloved country. Also Madam Nujoma, our Founding Mother of the Nation, who

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is the silent source behind the scene for nation-building and a successful leadership during the term of office of her beloved husband.

My profound appreciation and prayers of blessings go to His Excellency President Hifikepunye Pohamba for his excellent style of taking over as the Father of the Nation. In Afrikaans, they have a proverbial expression, which says, “*n Goeie begin is halfgedaan.*” Comrade President, you showed us all that honesty is the best policy. May God strengthen you and honour you to complete the rest of your term with excellence. I will fail in the cause if I did not express my appreciation to President Pohamba for appointing me as a Cabinet Minister. To our beloved mother of the Nation, Madam Penxopifo Pohamba, I pray for God’s blessings and wisdom for your role as the number one support base for the Father of the Nation. The Lord Almighty will shower your journey with unity, peace and goodness all the days of your life.

In life, everybody knows where he or she is coming from and where he or she is moving. Therefore, I came a long way with faith, faith in my character and the way to handle life. It is my late father, Reverend Willem Mungunda, who taught me to respect all and be principled. It is my beloved late mother, Helena Mungunda, who taught me that hard work and caring for others is a blessing on one’s life. It is my pastor, uncle, captain, politician, educator, first Deputy Prime Minister of the Republic of Namibia and also a vibrant historian, Dr Hendrik Witbooi, who taught me about politics, discipline, bravery, faithfulness, honesty and dedication. I salute them all. All prayer groups who pray for me, all elders who advised me, my teachers, Traditional Leaders, compatriots and the almighty SWAPO Party, I thank you all, without you I would not be what I am today.

Congratulations, Comrade Saara Kuugongelwa-Amadhila, my dear daughter, her Deputy Minister and the entire staff of the Ministry of Finance for tabling a people’s Budget that will reduce poverty and expand economic prosperity.

I would like to re-emphasise the importance of the establishment of the new Ministry, the Ministry of Gender Equality and Child Welfare. As I

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have pointed out on a number of occasions already, the new name reflects the growth of our democracy and our collective consciousness. The name change is substantial, because it proves that we now realised that there are no women issues only, but issues of the whole society, men and women, boys and girls. It is important that women not be treated as persons belonging to their separate homeland any longer. The gender equality concept translates our vision into reality much better, because it means that all issues that concern women are recognised as being of equal interest for men and our Nation at large. There is still a long way to go from our vision to its practical realisation, but the journey will be made easier with this kind of social consensus expressed in the name, “*gender equality*”.

Our new Ministry has every right now to request sincere and loyal partnership with men while trying to rectify centuries-old injustices done to women by both apartheid colonialism and patriarchal mindset and practices. We come from a traumatic past of institutionalised inequality, of traditional hierarchies and corresponding value systems.

Comrade Chairperson of the Whole House Committee, allow me to make use of this opportunity to express my happiness and satisfaction at the fact that overall women representation in decision-making has been strengthened since the beginning of this year. That is yet another proof of the observation I already made with regard to the maturity of our democracy. By 2004, just before the 2005 elections, the percentage of women in the National Assembly stood at 24% and it increased to 27% in 2005. That score was largely achieved by the intervention of His Excellency, President Hifikepunye Pohamba, who nominated three more women to the National Assembly. He has also appointed a female Deputy Prime Minister, Cabinet Ministers, Deputy Ministers and a Deputy Speaker, so that women now hold some very strong and influential portfolios in our Government. The representation of women in the Regional Councils has also increased from 3% to 12% and in Local Authorities from 42% to 45%, hence making local government level in Namibia to go beyond the SADC Gender Development Declaration’s minimum target of 30% women representation in politics and decision-making by 2005.

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It is also important to note that women representation in decision-making at the political level, taken together with the local, regional and the national levels, gives us the score of 35% overall. In that sense, we have gone even beyond the SADC target of 30% elected women representation by the year 2005. We should be proud of that fact, but by no means complacent.

Let me use this opportunity to congratulate Her Excellency Phumzile Mlambo Ngcuka who has been appointed Deputy President of South Africa.

Once again, I sincerely thank His Excellency, President Pohamba, for demonstrating his serious commitment to national, regional and international resolutions with regard to gender equality and the promotion of women. I would also like to use this opportunity to emphasise the fact that the progress in women's emancipation achieved so far could be attributed to the visionary Founding Leader, the Father of the Nation, President Dr Sam Nujoma for creating the then Department of Women Affairs in his office, which he later transformed into a fully-fledged Ministry of Women Affairs and Child Welfare. The Ministry would not have been where it is today had it not been for the groundwork laid by my dedicated predecessor, Honourable Netumbo Nandi-Ndaitwah and her staff members. From there we can now aspire to reach new heights of women's empowerment and organised care for our children.

We must be aware that it is not only the numbers and percentages that count. The Ministry of Gender Equality and Child Welfare will do all in its power to improve the quality and impact of elected women's involvement in political, economic, social and public life generally. Existing mechanisms will be fully utilised and specific programmes will be developed along these lines. Women's poverty is the biggest challenge to gender equality. Globalisation, though it possibly has some advantages, also contributes to further marginalisation and poverty of women, making our task of achieving gender equality even more complex. That is why we need to understand the way globalisation works against women's interest, expose them and define programmes capable of countering its negative effects. To succeed we must focus on rural women and we must make

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programmes as practical as possible and channel all available human and material resources to extinguish rural poverty, especially that of women and children. They need practical skills, knowledge, organisation, initial capital and hands-on experience to be able to improve their lives and those of their families and communities.

I particularly emphasise that we have to coordinate better with NGOs, CBOs, Faith-Based Organisations and donor agencies so that their resources are used effectively to benefit the needy.

I cannot conclude this introduction without mentioning one of the most acute challenges in our society and that is violence against women and children. We are all painfully aware that despite all the laws passed in this Parliament and all other measures taken by the Judiciary and law enforcement agencies, no significant progress has been made in curbing violence against the most vulnerable ones in particular. The more we deal with the problem, the more aware we become that violence has deep roots in the way it relates to one another generally. It is a reflection of disregard amongst people and the low esteem we have for others in our lives. We attach very little worth to human life. It appears that human life is very cheap in Namibia. It might have something to do with our general underdevelopment, traditional status of women and children, poverty, unemployment, alcohol and drug abuse or all of these combined.

In any case, the problem is persistent and requires well-thought social intervention aimed at healing our society from the ills of the past and dehumanising influences of the contemporary globalisation process. We must all get together as politicians, education system, Traditional Authority, modern society, media, arts and cultural institutions, Faith-Based Organisation and others to both recognise the root causes and agree about the comprehensive programme to encourage non-violence, tolerance and harmony in our Nation. We must not fail in that, because the consequences of that failure could be too frightening even to think of. If necessary, we should raise the profile and authority to increase the resources at the disposal of the recently established National Advisory Committee on Gender-based Violence, Sexual Harassment and Legal Affairs.

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Comrade Chairperson of the Whole House Committee, I would now like to take the House through the Budget allocation of the Ministry according to the Main Divisions. The total Budget allocation requested for the Ministry of Gender Equality and Child Welfare is N\$144,728,000 only. The Operational Budget takes N\$133,728,000. Out of this total amount, 23% goes to personnel expenditure, while the Development Budget takes N\$11 million. The following are allocations per Main Division:

The Main Division 01 – Office of the Minister ensures that the objectives of the Ministry are achieved and that policies are properly implemented. This Main Division requires N\$2,653,000 only to ensure that Government policies and guidelines are properly implemented.

Administration is the engine of the Ministry that enforces efficiency and provides effective services to the management and to the entire staff of the Ministry. The Main Division is requesting N\$7,911,000 for this Financial Year, which show an increase of N\$723,000 compared to the previous Financial Year. The additional amount requested is to enable the Ministry to appoint new staff members in critical positions and to provide effective and efficient administration to the Ministry.

The aim of the Gender Equality Main Division is to promote gender equality by empowering both women and men through dissemination of information, coordination and networking with all stakeholders; to mainstream gender at all levels and to bring about law and policy reforms that are gender sensitive. Gender mainstreaming is globally accepted as a strategy for promoting gender equality. The Government of Namibia has committed itself and has made considerable efforts to address gender disparities effectively through the ratification and signing of international instruments, agreements and conventions to protect men, women and children's rights and to promote gender equality.

The National Gender Policy and the National Gender Plan of Action set out principles for coordination, implementation and monitoring gender-responsive programmes to enhance effective management and planning for developmental processes in different cultural, social and economic

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sectors in Namibia so that women and men are treated as equal partners in development.

Here are the achievements under Main Division 03- Gender Equality:

A National Gender Mainstreaming Task Force is in place and is composed of all levels of decision-making and all sectors of development. The gender focal points in different Ministries, Parastatals and NGOs had been trained to carry out their duties successfully.

Legal Literacy and Gender Sensitisation Programmes: In spite of laws in place, such as Combating of Rape and the Combating of Domestic Violence Acts, gender-based violence in forms of rape, assault and abuse of women and children is escalating. This situation remains a concern and challenge to the Ministry, Government and all its stakeholders. Statistics show that in 2002 the number of attempted rape cases reported increased from 210 to 215 in 2003, an increase of 2%. Meanwhile, the number of reported cases of rape has as well increased from 697 in 2002 to 891 in 2003. This means, more than 200 new cases, hence an increase of 24%. Though the statistics of 2004 are not yet available, it is likely to follow the same trend as in the previous years.

In view of the above, the Ministry of Gender Equality and Child Welfare has embarked upon legal literacy training programmes to sensitise Traditional Leaders and communities about their basic rights and obligations. This programme covers issues of will-writing pertaining to property inheritance, family law, legislative procedures, etcetera, and how communities can influence or participate in the processes of lawmaking. The mentioned increase in reported cases of rape could be attributed to the awareness that the public receives regarding their rights and obligations. Research was conducted into the root causes of the effects of commercial sex workers, violence against women and children and the review of the implementation of the National Gender Policy and the National Gender Plan of Action.

The total amount being requested by this Main Division is N\$17,383,000, which is less by N\$2,551,000 compared to the previous Financial Year.

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This is made possible thanks to the commitment of our development partners who are willing to sponsor some of the activities of the Ministry regarding Gender-Based Violence as well as the National Gender Training Manual conducting national and regional workshops on domestic violence and programmes aimed at sexual and reproductive health services in the prevention of HIV/AIDS. Apart from the assistance secured, we have also reduced our S&T expenses.

The Gender Equality Directorate will carry out the following programmes and activities as outlined in the Mid-Term Review:

- To conduct legal literacy and gender sensitisation workshops in communities;
- Embark upon building capacity for women in business on entrepreneurial skills in order to enhance their meaningful participation in economic development of our country;
- Train gender focal points at national and regional level to build skills for gender mainstreaming;
- Continue mainstreaming of gender into young people's sexual and reproductive health awareness;
- To mitigate against HIV/AIDS through the introduction of the female condom and sensitisation for behavioural change;
- Conduct research on social issues to create gender disaggregated baseline data in order to allow for proper planning and programming in order to formulate gender-responsive policies. (Intervention)

HOUSE ADJOURNS AT 15:40

HOUSE RESUMES AT 16:00 PURSUANT TO ADJOURNMENT

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HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:

The aim of Main Division 04 – Community and Integrated Early Childhood Development is to strengthen capacity of communities in identifying their needs and resources and assist them in taking action towards improving their livelihood. The Directorate is also mobilising and educating parents and communities on the importance of early childhood development throughout the country.

The following are achievements under this Main Division:

- Early Childhood Development Centres established: The number of early childhood development centres established increased from 2,234 to 4,124 around the country, benefiting 108,240 children of which 57% are girls.
- Capacity-building: 2,292 caregivers were trained in integrated early childhood development, of which 99,5% are women. During training sessions, special emphasis had been put on facilitating parental involvement in children's education and development related issues. In addition, the training addressed the viable growth development and protection needs of children infected and affected by HIV/AIDS. The training will continue in the next Financial Year.
- ECD versus OVC: In response to the problem of orphans, an innovative approach to promote access of orphans and vulnerable children to early childhood development facilities was adopted. A number of 2,583 orphans were enrolled in Early Childhood Development centres compared to 1,977 in 2003/2005 Financial Year. Technical and material support was provided to the ECD centres that exempted OVCs from paying enrolment fees. This key strategy by the Ministry of Gender Equality and Child Welfare motivated the enrolment of orphans into ECD centres to ensure their acceptance into the mainstream of education when they reach school-going age.

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- The ECD curriculum: The Ministry of Women Affairs and Child Welfare and the Ministry of Education, through the National Institute of Educational Development (NIED) have jointly developed an appropriate ECD curriculum which will be used for a basic early childhood caregiver. The syllabus has already been completed and will be piloted in all thirteen Regions in the current Financial Year.
- Income-generating activities: During the 2003/2004 Financial Year the Ministry supported 127 community projects, which directly benefited 889 persons in all thirteen Regions. The support was particularly provided for small business activities in the areas of sewing, embroidery, gardening, upholstery, carpentry, shoe repairs, watch repairs, flower-making, hair salons, milling machines and poultry. Basic business management courses were continuously organised for the members of these projects to enhance knowledge and skills in order to expand their businesses. The Ministry assisted 50 projects to exhibit the products at the Ongwediva Trade Fair as well as twelve projects to exhibit their products during the Women-in-Business and Investment SADC Forum in Botswana in 2004.

This Main Division needs N\$15,040,000 to continue with its programmes and activities for this Financial Year, compared to the N\$14,606,000 which were allocated in the previous Financial Year. The requested amount, N\$15,040,000, will enable the Directorate to conduct mobilisation meetings, training courses and workshops for communities, provide grants and community projects and income-generation activities run by the community members and organising exchange visits for project members to share their experiences locally and regionally and continue with the establishment of the ECD centres that are run by the communities themselves.

Main Division 04 – Namibia Children’s Home, the Night Shelter and the Aftercare Centre aims to ensure that children in need of care and protection are taken care of by providing them with basic needs and education. The Namibia Children’s Home accommodates children found in need of care by the Court of Law. The children of school-going age are enrolled at different schools in Windhoek and in the other Regions. Since

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2004, a Crèche for the young ones was started at the Namibian Children's home to prepare them for formal education.

The After-School Centre and Shelter provide temporary shelter to children on streets while the staff members work towards integrating them into their families and schools. This centre is also a place for disadvantaged children from the surrounding areas who do not have a place at home to do homework. The aim is to prevent these children from going out to the streets. The centre also provides children an opportunity to interact with others by participating in various educational and extra-mural programmes, which are, life skills sessions, arts, sports, carpentry, dancing, wrestling and judo. The centre is currently hosting Grade 8 education classes for the Tura Project School for children in the Khomas Region who could not be enrolled due to lack of classrooms at the schools. A total number of 220 children and 7 teachers are being accommodated at the After-School Centre buildings and this centre is between Khomasdal and Katutura.

The Main Division is, therefore requiring, an amount of N\$5,754,000 to accommodate an unlimited number of children to benefit from this initiative.

The overall goal of Main Division 06 – Social Allowances and Welfare Programme is to assist Orphans and Vulnerable Children to reach their full potential and have the same opportunities as all other children. This will enable them to actively and equally participate in home and community life. This Division is, therefore, responsible for strengthening home-based care and support services for Orphans and Vulnerable Children to ensure that they are cared for and protected in accordance with the Government obligation set in the Constitution in the field of rights and responsibilities of the child. In due course, I will table the *Children's Status Bill* and the *Children Protection Bill* in the House.

The Division is financially supporting OVCs in need of care. According to the Population and Housing Census 2001, there were 165,165 orphans in Namibia between the ages of 0 to 19 and out of that number, only 28,187 are benefiting from the maintenance and foster parent grants,

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compared to 19,690 in the 2003/2004 Financial Year. As a result, the Ministry originally requested an additional amount of N\$53 million for the OVCs to cater for the maintenance grants which could have added 22,000 children to the maintenance grant system, but in this Financial Year, only N\$35 million were granted, which now added only 14,583 children in dire need and for that I would like to thank the Minister of Finance, because it is better than nothing. It will make a difference to 14,000 children, but we have 22,000 children.

Apart from the Children's Grants, the Division also paid subsidies to registered welfare organisation taking care of OVCs from the same amount. These registered organisations are SOS Children's Villages in Windhoek and Tsumeb, Children's Education Centre in Usakos, the Ark in Rehoboth and Keetmanshoop, CLaSH for Children with Disabilities and the Change of Lifestyle in Windhoek. The established OVC database is to be verified through the OVC National Census to be carried out by the National Planning Commission in conjunction with the Ministry of Gender Equality and Child Welfare and our development partner, USAID, through Family Health International this year in October. The database will be essential for planning equitable distribution of resources and support services.

Achievements by Main Division 06:

- The development of OVC Policy;
- Establishment of OVC National Task Force;
- Establishment of OVC Forums in all the Regions.

This Main Division is, therefore, requesting the amount of N\$96,023,000 to ensure the welfare of the OVCs.

Under Capital Projects the Ministry is requesting a total amount of N\$11 million to construct Okongo Craft Centre, Rundu Recreational Centre, Kalkrand Recreational Centre as well as renovation of Katima Mulilo offices and after-school centre. The capital projects were allocated N\$13,200,000 in the previous Financial Year. Out of the N\$13,200,000 only N\$6,124,422.95 were spent due to delays in awarding tenders for the

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projects and delays in appointment of consultants to execute the work.

Achievements under the capital projects: The following projects were successfully completed in the previous Financial Year:

- Dr Libertine Amathila Women's Centre at Ongwediva;
- Tsumkwe Craft Centre;
- Tsinsabis Craft Centre;
- Renovation of Regional Offices at Otjiwarongo, Ondangwa and Mariental.

Comrade Chairperson, I will fail in my duty if I do not thank and express my appreciation for the valuable support and assistance we received from our partners, including all Line Ministries, UNICEF, UNFPA, UNESCO, UNDP, FHIS, WFO, FES and FAO, Regional Councils and also the municipalities. We highly appreciate your great and valuable assistance without which we could not have been where we are today. We hope you will continue supporting us to ensure gender equality in Namibia and the welfare of all children, particularly orphans and the vulnerable children.

In conclusion, Comrade Chairperson of the Whole House Committee, it is now my humble honour to request this august House to approve Vote 12 to the amount of N\$144,728,000 for the Ministry of Gender Equality and Child Welfare. God bless our President, God bless all politicians, God bless our Nation, and God bless our precious children. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Vote 20 – “AGRICULTURE, WATER AND FORESTRY”, N\$668,629,000 is put for Introduction.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:
Honourable Chairperson, Members of the National Assembly, in

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motivating Vote 20 for the Ministry of Agriculture, Water and Forestry, I will highlight major achievements in the Agriculture, Water and Forestry Sectors over the past Financial Year and I will indicate the activities which we intend to implement during the 2005/2006 Financial Year.

Honourable Chairperson, Honourable Members, I am motivating for the total Budget of N\$628 million for my Ministry which is directly from our own Fiscus. In addition, there is N\$40 million that comes from the partners. Therefore, it will be N\$668 million for the 2005/2006 Financial Year. Of this total, 78%, that is N\$487 million will be for the Operational Budget. The remaining 22% or N\$141 million represents the Development Budget. Overall, 69% will go towards the Agricultural Sector, while 4% will go to Forestry and the remaining 1% will go for Main Division 01.

I must point out that N\$40 million included in the Budget of Vote 20 is funded by the European Union.

I also want to point out that N\$8 million have been transferred from the Green Scheme to other projects in the Ministry. However, N\$3 million of the N\$8 million have not been changed accordingly in the Development Budget book and it will eventually reflect N\$2 million and N\$1 million added to the Integrated Grain Storage and the Horticulture Production and Marketing Support Project, respectively. This will bring the current allocation of N\$36,233,000 for the Green Scheme.

Honourable Chairperson, the year 2004 saw a number of developments that led us to take a closer look at our sectors and ourselves. Two of these deserve particular emphasis and they are the launch of Vision 2030 and the Mid-Term Review of the Second National Development Plan. Vision 2030 outlines key principles that must be adopted as we reach for the targets that we have set for ourselves and one such principle is partnership between Government, businesses, communities, Non-Governmental Organisations, Community-Based Organisations, academic institutions, international community and donors, rural and urban communities.

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It is against this background that the Agriculture, Water and Forestry Sector have embarked upon a strategic planning process, which involves all stakeholders. We believe that sustainable development can only materialise if all the stakeholders play their role and take responsibility in this process. This is the key to the attainment of the objectives of the sectors.

Honourable Chairperson, I will limit myself to efforts in areas that significantly and immediately influence the performance and productivity growth in the Agricultural Sector. These areas include market access for agricultural produce, value addition and processing, livestock improvement as well as crop diversification. Given the relatively small domestic Namibian market, the Ministry has continued with efforts that ensure that Namibian farmers in general continue to have uninterrupted access to competitive international markets for both animal and animal products as well as crops.

In spite of dire financial and human constraints and taking into account the nature of Free Trade Agreements and the critically important long-term effects on the country and its economy, my Ministry actively participated in trade negotiations between SACU and various countries, including the United States of America, MERCOSUR and the EU as a member of the Namibian permanent negotiating team.

The Agricultural Sector is critically important for SACU Member Countries in terms of livelihood sustainability, employment creation and foreign exchange earnings. As the MERCOSUR countries are also big agricultural producers and very much export oriented, the possible dangers of a trade agreement with them are clear. In order to protect our interests, it is therefore very important for SACU to continue with the active participation in the negotiations with MERCOSUR. An achievement on this front is the signing of the Preferential Trade Agreement with MERCOSUR during December 2004 in Brazil. The eventual aim of the negotiations with MERCOSUR countries is to come up with a comprehensive Free Trade Agreement between the two Custom Unions.

Honourable Chairperson, maintaining market access is contributable to

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many complementary efforts that we made in the livestock sector. We have greatly improved and successfully maintained the general health status of animals in our country, for which we have received international recognition. This was realised through, among other factors, continued vaccination campaigns against major diseases such as lung sickness and Foot-and-Mouth Disease. Strict monitoring and inspection at abattoirs to ensure standard compliance has also contributed greatly to this success.

In the Livestock Sector, we are seeing an overall increase in the marketing of locally slaughtered livestock export markets. For example, there has been an increase in local slaughtering of sheep destined for export markets. During 2004 the abattoir in the Karas Region was converted from an exclusive ostrich abattoir to a multi-purpose abattoir and it is currently slaughtering about 1,200 sheep per day. An abattoir in Aranos became operational in October 2004 and it slaughters about 600 sheep per day for export to South Africa. Overall, through the small stock marketing scheme Namibia has attained a remarkable local slaughtering level of over 66% of all animals marketed from Namibia.

Cross-border negotiations continued with South African, Botswana, Angolan veterinary authorities to harmonise disease control procedures along these long borders. Zambia is expected to participate in future negotiations.

Livestock research remains an important factor in livestock improvement. My Ministry continues to develop the necessary infrastructure to aid that research and to that end, three livestock improvement centres have been built in Caprivi, Kavango and Oshikoto Regions. My Ministry has also expanded the successful bull scheme to communal areas to give rural farmers a chance to acquire superior material and 72 bulls have been distributed in the Oshikoto, Omusati, Oshana, Ohangwena, Kunene, Kavango and Caprivi Regions during the year under review.

In conjunction with the Karakul and Meat Boards, 60 goat rams and 168 karakul rams of outstanding breeding quality were taken up by farming communities in the Karas, Hardap and Omaheke Regions during the past year. In total since 1999, 879 karakul rams and 628 ewes were sold to

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communities at affordable prices. The price difference was borne by the Karakul Board of Namibia.

One important strategy that will continue to be strengthened is addressing animal health status north of the Veterinary Cordon Fence. In the end the aim is to relocate the Cordon Fence to the Namibia-Angola border to allow our northern communal farmers access to international markets. N\$5 million are allocated to the project, which is addressing these problems for the 2005/2006 Financial Year.

Regarding market access for crops, we have obtained existing international markets for strategic cash crops, such as grapes, dates and cotton and we continue to support negotiations for further markets for grapes with the United States of America.

Honourable Chairperson, as we maintain existing and negotiate new markets, we are faced with the challenge of meeting the supply requirements, which calls for increased productivity. To reduce the vulnerability to rain-fed agriculture, my Ministry has supported irrigation-based production in areas, which are within close proximity to perennial rivers and permanent watercourses in Namibia. Such irrigation schemes are at Etunda, Shadikongoro, Ndonga-Linena, Shitemo, Musese, Vungu-Vungu, Kalimbeza, Sesfontein, Hardap, Aussenkehr and Noordoewer. N\$34 million were spent during 2004/2005 and the Ministry will spend a total of N\$61 million in 2005/2006 on irrigation development.

A Green Scheme Agency has been established during 2004 to facilitate the operations of irrigation projects. Among other functions, the Agency will handle the demarcation of existing irrigation projects, advise on registration of leasehold rights in collaboration with the Ministry of Lands, Resettlement and Rehabilitation as well as advising on feasibility of new projects through conducting cost-benefit studies. The Ministry of Agriculture, Water and Forestry is looking into the possibility of converting the Mashare Institute in Kavango Region into an irrigation training institute of excellence to facilitate training of small farmers in irrigation techniques. In fact, N\$2 million of the Green Scheme are earmarked for farmers' training in the institute.

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New expansions of irrigation projects under the Green Scheme will be implemented only in consultation with local communities. In other words, its implementation will be participatory and their views will be taken into consideration all along. We are extending irrigation development beyond the borders of Namibia. A study will be done during 2005/2006 to determine the viability of food production on a joint venture basis between Namibia and Zambia, making use of land on the Zambian side and sourcing water from the mighty Zambezi River.

My Ministry continues to provide extension services to the farmers in the form of training and information dissemination on improved farming practices and technology. An increasing number of communities have been trained to compile and manage their development action plans, which fosters a sense of ownership of development initiatives among communities. During the past year the 200 extension officers reached out to some 31,000 families, of which 60,000 families have been in direct contact with the Ministry, while the rest have been reached indirectly by means of farmer days and demonstrations.

We have and will continue to support local communities and entrepreneurs in the development and value addition to indigenous fruits to broaden the income base of rural farmers and processors. Example of processed fruit during 2004/2005 are marula kernels, Kalahari melon seeds, !nara seed, devil's claw, Mangetti nuts and hoodia as ingredients in the production of body creams, oil, tea, soap and hoodia tablets as an appetite depressor. A number of beverages have also been developed from wild fruits. With increased production we will continue to address the storage problem and regional storage facilities with the capacity of 5,500 tons will be developed in Rundu, Kavango Region to cater for the production of many irrigation projects in that Region.

Cotton represents an opportunity for smallholder farmers under dry land conditions when the world cotton prices and the exchange rate are favourable. Efforts to add value are underway in collaboration with the Private Sector and the Ministry has paid N\$2 million into the National Planning Commission feasibility fund to be utilised towards the establishment of a cotton gin in Namibia. A further N\$1 million is

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allocated to support smallholder cotton farmers to market their produce.

My Ministry recognises the importance of suitably qualified personnel to achieve the goals that we have set for ourselves and we, therefore, continue to invest in human resources development in the Agriculture and Water Sectors. The Training Policy and the Human Resource Development Plan of the Ministry will be finalised this year. We will also continue to upgrade the two agricultural colleges. These are Neudamm and Ogongo. We will spend a total amount of N\$10 million on these two colleges.

The Forests Act of 2001 and the Forests Policy of 2001 were translated into Oshiwambo, Otjiherero, Silozi, Afrikaans and Rukwangali to educate the public on these documents. That was done in March 2005. Soon it will be available in Oshikwambi.

Uncontrolled forest and veldt fires are causing degradation of forest resources and I am happy to inform this Honourable House that there is now a Draft Forest and Veldt Fire Management Policy of Namibia, which will be finalised soon and implemented this Financial Year. Conditions for strategic forest management, planning and decision-making have been improved by establishing a set of management information systems. The systems that are already operational include the forest permit system for issuing and record keeping of forest permits, forest fire monitoring for monitoring the prevalence of forest and veldt fires as well as the wood resources monitoring system for monitoring vegetation changes. Selected strategic forest areas were surveyed and demarcated and Joint Management Committees were established for all selected strategic forest areas and integrated into community forest planning. 1,1 million hectares were identified as community forests and Forest Management Committees for all identified areas were established. Fifteen emerging community forests have been demarcated and their boundaries surveyed. Applications were submitted for approval to be proclaimed as community forests according to the Forests Act.

Aforestation remains a key strategy in restoring our vegetation and we continue to increase areas planted with trees. It resulted into 100,000

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seedlings planted in the last year. The progression of the planting programme is being monitored and the average survival rate of plants is 60 percent, which is very good indeed. This is especially a very challenging task in the Namibian environment due to limited water availability, hot temperature and poor soil.

We will continue to promote community-based forest management in all Regions. Community fire units were established and equipped in all Regions. Community-based fire management activities, such as firebreak construction and maintenance are taking place in most fire-prone areas, such as Omusati, Ohangwena, Oshana, Caprivi, Kavango, Omaheke, Otjozondjupa and Kunene Regions.

Honourable Chairperson, Honourable Members, let me now turn to the Water Sector achievements of 2004/2005 and plans for 2005/2006. I will start with the strategic plans for the overall Water Sector before I deal with water supply to the rural communities and the utilisation and management of our national water and water resources.

The single most significant achievement in the Water Sector since Independence has been the implementation of the new Water Resource Management Act, which occurred in December 2004. This new framework for managing this most precious and scarce resource in Namibia is very important.

The future of our economy, our people, in fact, the existence of this country depends on the way we manage the very little water resources at our disposal in order to ensure the availability and long-term sustainability of our water resources. For this reason, activities in the Water Sector will evolve around technical implementation of this piece of legislation during the following years.

Honourable Chairperson, Honourable Members of the National Assembly, water resource management remains an important requisite for economic prosperity and social survival in many arid countries like Namibia. Due to the geographic position of Namibia and the low rainfall we experience, we are absolutely dependent on the water in the perennial rivers at most of the

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northern borders and the southern border of our country. The water of these rivers is shared with our neighbours and we have to ensure that we remain fully informed and involved in all activities pertaining to the joint management of these rivers so that we can ensure and protect our interest in having secure access to this water.

A major landmark was reached when the Governments of the eight riparian countries of the Zambezi River came together in Kasane in Botswana to sign the Agreement on the Establishment of the Zambezi Water Commission. The Honourable Nangolo Mbumba signed the agreement on behalf of Namibia during a ceremony presided over by His Excellency, the President of Botswana, His Excellency Festus Mogae.

A National Steering Committee has been established in Namibia to facilitate communication between ZAMCOM and the communities in the Zambezi Basin in Namibia. This Steering Committee held its first meeting in Katima Mulilo in September 2004. Other international river commissions that meet regularly are the Permanent Water Commission between Namibia and South Africa on the Orange River, the Orange-Sebu River Commission between Botswana, Lesotho, Namibia and South Africa, as well as the Permanent Okavango River Basin Water Commission. The Orange-Sebu River Commission in particular is very, very active and receives considerable international attention. Due to this, many operating partners are interested to assist the Commission with various joint projects between the basin States.

On the utilisation of water from the Orange River, my Ministry is negotiating with its South African counterparts regarding various measures to make more water which is shared between Namibia and South Africa available along the lower Orange River. One of these measures is a dam that is envisaged to be built just upstream from Noordoewer. This is one of the activities to be addressed under the project Research and Feasibility Studies and Water Resource Management at a cost of N\$2,1 million.

Concerning the sharing of resources between Namibia and Angola, both countries cooperate on all fronts to ensure stability and to encourage

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economic growth in the region. One sector where it is most essential for Namibia to cooperate with Angola is the Water Sector. Namibia imports water for nearly half its population from Angola by means of a pumping scheme at the Calueque Dam on the Kunene River in Angola. Water is distributed from there as far as Eenhana, Omutsegwonime and Oshikango on the border and onwards to Angola. The infrastructure of this project needs upgrading so that Angola can benefit from this project as well, because Namibia needs the goodwill of Angola to continue importing water from the Kunene River. The intention is that water will eventually be withdrawn from Kunene River at Shangongo in Angola.

With regard to rural water supply, we have continued and will continue with the construction of water pipelines and water supply points. We have also continued with the establishment of Community Water Point Committees which manage the established water points in their respective communities. During 2004/2005 my Ministry has constructed 67 new water points and pipelines covering 229,3 kilometres and 43 new water points with other technologies on boreholes to the value of N\$51,3 million. These have benefited nearly 21,000 people.

For the 2005 /2006, Financial Year the Ministry will continue with construction of the Oshivelo-Omutsegwonime-Okankolo pipeline phase 4 in Oshikoto Region and Katima Mulilo-Linyanti phase 4 in Caprivi Region. The Katima-Linyanti scheme will benefit 30,000 people upon its completion, while Oshivelo-Omutsegwonime will benefit 40,000 people. Both of these schemes will be completed by December 2005.

Phase 1 of both the Tsandi South as well as the Onambundu pipeline scheme in the Omusati and Ohangwena Regions, respectively, will be constructed. The European Union has agreed to co-fund phase 1 of these two projects under its Rural Poverty Reduction Programme. The total cost for the two pipelines is estimated to be N\$216 million, of which N\$73 million will be spent during 2005/2006.

The community-based management of rural water supply is a strategic approach aimed at sustainable and reliable water supply to our rural communities. This requires continued training of rural communities and

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their committees, rehabilitation of rural water infrastructure, drilling of replacement boreholes and construction of rural supply points. The process has been going slow due to limited financial resources. Only N\$15 million was allocated to this activity during 2004/2005 Financial Year. At least N\$17,7 million are needed for implementing the community-based water management programme in 2005/2006.

Honourable Chairperson, the Regional Rural Water Development Plans are a prerequisite to control and development rural water supply in communal areas. Development of water in the Regions will be guided by the respective plans. However, due to the limited funding from State coffers, the Ministry was unable to compile the much-needed outstanding regional rural water supply development master plan for Otjozondjupa, Ohangwena, Omusati, Oshana and Oshikoto Regions. This will also not be possible during 2005/2006. A request was submitted for possible donor funding with no success so far over the past three years. We will continue to do so. The issue will be revisited during the following period of the Rolling Budget.

In line with the decentralisation policy, the Ministry has constructed regional offices at a cost of N\$10 million in Omusati and Ohangwena Regions at Outapi and Eenhana, respectively, to bring services closer to the people.

Let me now move to the development partners: The role of development partners remains crucial to Namibia's development process. As we bow to their general assistance, it will be more difficult to achieve the goals that we have set for ourselves. I am, indeed, pleased to inform the House that the European Union has allocated N\$40 million, which will be spent on Rural Water supply, specifically on the Tsandi South as well as Onambutu pipelines which have been delayed for some time now due to insufficient funds. Funds would also be spent on the continuation of the community-based management programme. The N\$40 million from the European Union for this project will be spent during the 2005/2006 Financial Year. My Ministry will contribute 10% of the total cost of these schemes during the construction period. Onambutu Scheme will benefit 93,000 people in Ohangwena Region, while Tsandi South will benefit

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57,000 people in Omusati Region. The total construction cost for all these pipelines is estimated to be N\$216 million, of which N\$73 million will be spent during 2005/2006.

Honourable Chairperson, Honourable Members of the House, may I point out that what I have presented are highlights and summaries of achievements and plans of this Ministry. A technical document has been distributed for you to familiarise yourselves with other activities of the Ministry. I, therefore, draw the attention of the Honourable Members to that document for technical information.

It is important to note that the Ministry has realised that only a participatory and stakeholder-based development planning process will produce the result that we aspire to have and the Ministry will adopt this approach in the subsequent years. This will go a long way in ensuring commitment and dedication to the development initiative from all stakeholders. I thank all those who contributed in one way or another to the improvement of the livelihood of our rural communities. In particular, I thank local and international cooperating partners that are donors, farmers, the Private Sector, including Non-Governmental Organisations and Government agencies for their support and confidence invested in the Agriculture, Water and Forestry Sectors. It is our intention to continue strengthening these relationships during the subsequent years so that we can improve the output and quality of our service to our clients, the farming community and other stakeholders.

Honourable Chairperson, I have full confidence that my Ministry will continue improving the quality of services, particularly for the farming community. We will continue to find ways of improving our services so that we can create an enabling environment.

Lastly, Honourable Chairperson, Honourable Members, I want to inform you that an amount of N\$1 billion was pledged by Cabinet to agriculture on the 6th of August 2002, Decision 004. Up to date my Ministry has not been allocated any portion of this amount due to insufficient funds available in our Fiscus. That is understandable, but we have confidence that should the funds become available, we will be allotted such funds in

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order to pursue the development endeavours. I have taken up the challenge to make my contribution through the Agriculture, Water and Forestry Sectors towards Vision 2030, but then I am in need of the amount that I mentioned, which I am sure will be made available once the resources permit and that N\$1 billion are meant to be spent for the next ten years. This will also satisfy the African Union Maputo Declaration, which calls on African countries to raise their annual allocation to agriculture to the level of 10% of the National Budget. At this point in time, I would like to thank my predecessors sincerely, Honourable Helmut Angula and Honourable Paul Smit, now my Deputy Minister, for the good work they have done for this Ministry.

With these remarks, Honourable Chairperson, I now call upon this Honourable House to approve the Budget for Vote 20 for the 2005/2006 Financial Year and I thank you all.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: I put **Vote 25 – “LANDS AND RESETTLEMENT”**, N\$138,681,000 for Introduction.

HON MINISTER OF LANDS AND RESETTLEMENT: Thank you, Comrade Chairperson of the Whole House Committee, Honourable Members. I rise this afternoon to introduce Vote 25 to this august House for support and approval in this first Budget presentation since my appointment as Minister of Lands and Resettlement.

Allow me, Comrade Chairperson, to first confer congratulatory remarks upon Honourable Saara Kuugongelwa-Amadhila, Honourable Tweya and the staff of the Ministry of Finance for the hard work and meticulous care that went into the preparation of this Budget.

Comrade Chairperson, I would first like to remind this House of the calling of the Ministry of Lands and Resettlement. We exist as a Ministry in order to contribute meaningfully to the goals of NDP2 and Vision 2030.

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In pursuit of the above goals and especially as they relate to poverty eradication, it is our mission to prudently administer Namibia's land policy by pursuing reforms that facilitate affordable access of all citizens to land services, for their responsible exploitation, efficient use, shared and sustainable benefits of all Namibians. We are in the business of land management. Our functions entail custody of State land and of the National Land Policy, allocation of land to those in need, support services to the resettled farmers, land survey and mapping, valuation of State properties, valuation of farms for the purpose of land tax and for the lease of Government farming land and the registration of deeds and maintenance thereof.

Due to skewed land ownership, that has characterised this Nation for decades, land redistribution and allocation is a crucial component of our responsibility. We are aware that land is limited in nature, that hard choices have to be made in redistributing it, and we mean it. Effective realisation of our strategic goals requires that we closely work together with all stakeholders to achieve consensus on land use and its development. In addition, we are aware of the multitude of competing interests and claims for land. Consequently, our work requires close liaison with land stakeholders in the public and private domain to ensure that the land policy remains consistent and coherent with economic policy goals and their developmental systems.

Redistribution and resettlement will not in itself bring about the goals of NDP2 and Vision 2030. Formerly disadvantaged citizens need skills development and start-up capital to improve their ability to create sustainable livelihood from the land. The resettlement areas should not be seen as islands of the Ministry of Lands and Resettlement. Beneficiaries of the resettlement programme remain citizens like other Namibians who need access to health services, water, education and infrastructural support. Whilst it is our responsibility to resettle landless Namibians and coordinate support to resettlement areas, it remains the responsibility of all governmental Line Ministries and institutions to provide the resettled families with the necessary support in areas such as infrastructure, agricultural skills, water, health and education. Line Ministries should therefore play a role in the post-resettlement support of beneficiaries. This

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should be done with a view to accelerate self-reliance and, where applicable, to develop those areas to settlement status.

Comrade Chairperson, Honourable Members, resettlement, in a nutshell, is a national programme that requires participation of all.

Comrade Chairperson, Honourable Members, I will now turn to the programmes for which we ask this House to approve an amount of N\$138,461,000 for the 2005/2006 Financial Year.

In line with our objectives, we shall carry out the following programmes as per the amounts indicated below:

Duo Special Information	N\$37,649,000
Title Security and Tenure	N\$10,326,000
Resettlement	N\$16,155,000
Communal Land Usage	N\$55,398,000
Administration and Planning	N\$18,933,00
Total	N\$138,461,000

The Duo Special Information programme generates cartographic and cadastral maps in addition to facilitating the development of a National Land Management Information System that provides strategic information to policy-makers, stakeholders and the public. To date we have completed more than 65% of what would form the bedrock of the Namibian special data infrastructure. However, due to insufficient funds, our target of completing the digital map revision for the entire country this year is no longer feasible. We shall complete the digital map revision of the 1:250,000 topographical maps of Omaheke, Erongo, Khomas and part of Hardap this year.

Programme 2 – Title Security and Tenure, entails the development and maintenance of the geodetic network, maintenance of deeds records, the delineation of Namibia's continental shelf, the demarcation of boundaries between Namibia and her neighbours, the surveying of new townships and

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farms and activities aimed at establishing a flexible land tenure system. Through this programme, we ensure security of tenure to real property by creating a digital cadastral database that facilitates registration of immovable properties. We shall continue to survey farms for resettlement purposes. The survey diagram derived from this exercise will be used for the registration of leasehold rights over the resettlement farms. During this Financial Year, we plan to survey 18 resettlement farms.

This programme further ensures the integrity of Namibia's international boundaries with her neighbours. It is an ongoing exercise that involves periodic inspections and when necessary, the replacement of damaged boundary beacons.

The Ministry will continue with the delineation of Namibia's continental shelf and the surveying of new townships in the country. We shall ensure security of land titles through registration of immovable properties, mortgage bonds and other related activities. During this Financial Year the computerisation of the Deeds Data will continue. We also aim to conclude the new Deeds Act. The proposed Act will make deeds registration in the country uniform. We further plan to open a Deeds Office in Oshakati.

The purpose of Programme 3 – Resettlement programme is to resettle landless Namibians on farms acquired by this Ministry to ensure that they become self-supportive. The main activities of this programme will be the acquisition of adequate farmland and the resettlement of beneficiaries on those farms. During the last Financial Year we resettled 23 families with their 138 dependents on five farms of 50,000 hectares in the commercial farming area.

Support to beneficiaries of the resettlement programme remains a challenging issue. It has been difficult for resettled families to put their allotments to full productive use without initial Government support. As such, part of the resettlement funds will be used for infrastructural support on the resettlement farms. We also anticipate that other Ministries will provide relevant support to resettlement, as this programme requires expert input from other Line Ministries. As part of this programme, we

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receive N\$50 million annually to purchase commercial land and resettle the needy Namibians. Twenty percent of the above amount has been approved for the improvement and development of infrastructure on the farms that had been purchased. This amount appears under the programme known as Communal Land Usage.

The purchase of commercial land for resettlement purposes requires valuation services. In order to get value for money, valuers of the Ministry will ensure that appropriate prices are negotiated for the commercial farms that we purchase.

Comrade Chairperson of the Whole House Committee, Honourable Members, I have to point out that due to a number of factors that involve inadequate availability of proper funds, protracted negotiations on prices and lengthy operational procedures in the process of land acquisition, it has been difficult to implement the land acquisition programme at the desired pace. I note both the difficulties involved in the acquisition of commercial farmland and the impatience of Namibians seeking to be resettled. I would like to reassure Honourable Members that I have been carefully looking at innovative ways to accelerate this programme. Through increased focus and dedicating the required number of officials on land purchase activities, we shall move at a faster pace. We are continually making improvement in the way we manage this programme. I am also considering new initiatives that will hasten implementation of this programme.

The Communal Land Usage programme entails the development and implementation of the National Land-Use Policy and the management of the Communal Land Reform Act. Through this programme, we shall provide administrative assistance to the twelve Land Boards in the administration of communal land. Registration of existing customary rights by the Lands Boards is underway and we are looking at ways to improve the pace of registration.

As my predecessor informed this House last year of the survey of the 177 small-scale farms in the Kavango Region, we shall continue surveying small-scale farms in Caprivi during this Financial Year. We plan to

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continue with activities in the production of integrated regional land-use plans.

The Administration and Planning programme covers both the development and review of policies through the Office of the Minister and the administrative support functions of the Ministry. Administrative support functions involve planning and research activities, human resource management, accounting and auditing services, general services, the development and management of the information system as well as the collection of land tax.

A substantial amount of the funds goes towards property rentals and to municipal and telecommunication services to our premises, including all the regional offices of the Ministry.

In addition to the above functions, the Ministry of Lands and Resettlement, with the assistance of the Ministry of Finance, has a responsibility of collecting land tax. In the last Financial Year, we commenced with the taxation of commercial farming land. This activity has added an additional taxation base to the Government and will bring in an amount of N\$28,200,000 in revenue this year. We shall spend N\$89,872,000 on expenditures of a capital nature. N\$50 million of this Capital Budget will go towards the purchase of commercial farming land, as well as the development of infrastructure on those farms.

Comrade Chairperson, Honourable Members, with the above motivation I wish to request approval and support of this august House for an amount of N\$138,461,000 to carry out the programmes of the Ministry as I have elaborated earlier and I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Vote 26 – “NATIONAL PLANNING COMMISSION” put for Discussion and agreed to.

I put **Vote 07 – “FOREIGN AFFAIRS”** for Discussion.

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HON SCHIMMING-CHASE

HON SCHIMMING-CHASE: Thank you, Honourable Chairperson of the Whole House Committee. I rise to speak in support of this Vote and I would like to raise a few issues that I think we need answers to.

I want to commend the Minister for having given good and extensive account of the stewardship of the moneys that were made available during the last Budget session. I would, therefore not like to dwell on the explanatory part of the Vote, but to come straight to the contributions as requested.

Honourable Chairperson, I have travelled for years and since I am in Parliament, also attended meetings of international organisations and it has always been a source of great pride to know that Namibia has always fulfilled its international financial contributions, contributions, as the Minister says, to both regional and international organisations. I think that that is a source of pride. However, it pains me sometimes when I listen to the number of countries, especially from our part of the world, that are in arrears with their membership, but if you look at the staff in these organisations, including the United Nations, the number of people from those countries who are employed in these organisations, makes one to want to ask, what is our *quid pro quo*? We are a country that has a problem of unemployment; we are also a country that in the last fifteen years has come up with quite a number of highly qualified young professionals who will definitely qualify for jobs in international organisation.

I remember in 1996 we opened a databank in the Ministry of Foreign Affairs where we collected the CV's of such young Namibians and I have been trying to see how often these vacancies in international organisations are made so public that all Namibians can see them. Unfortunately, it is not happening and, therefore, I would plead with the Minister that we find a way in which to make all these international job vacancies public, so that our young Namibians can also enter international organisations and maybe also one day have a Secretary-General of the United Nations.

To come to the portion allocated to capital development projects, there is an amount of N\$37,380,000. Honourable Minister, I know that this is

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HON SCHIMMING-CHASE**

very low. It has however been low for the past fifteen years. Every time we find that there is not enough money to build chanceries and residences for our diplomatic staff, but I would like the Minister please to tell us just how much money has been expended on rentals for our foreign missions abroad and compare that amount with what it would have cost us to buy or to build, because we have been paying millions and we do not own the properties.

Honourable Minister, I feel it is important for us to assist in the construction of the United Nations House in Windhoek and I understand the Minister's rationale when he says that the United Nations House will alleviate the burden that Government is paying for rental, but I wish to put it to the Minister that the same applies for our chanceries and residences abroad. Once again, whilst I am not objecting to the amount, Honourable Minister, I think for us to apportion N\$18,880,000 for purchase and maintenance of all our diplomatic missions abroad and N\$17 million for the United Nations House, I really think that our diplomatic missions are perhaps more important and the difference of N\$1,8 million is just slight. If you convert that into Euro, you will not be able to buy a one-room residence in Germany. Therefore, we really need to look at that and to change that situation.

When it comes to other conditions of service, Honourable Minister, you will recall that the Standing Committee on Foreign Affairs visited some of our Missions abroad, Missions that were at that time referred to as Hardship Missions. I noticed that the amount of N\$10,466,000 is budgeted to cater for medical services and other expenses. However, Honourable Minister, I hope that the recommendations that were contained in the Report have been taken up by the Ministry. We committed ourselves in speaking to our Colleagues abroad to look at how we can be a bit fairer, because those members who are in countries that do not have a compatible system of education have to send their children to international schools. The money that they pay for that is exceptionally high and they have to contribute to it. On the other hand, our people who are in South Africa or in Britain do not have that expenditure and in the end, there seems to be an unequal situation, depending on where you are posted. I would, therefore like to plead with the Minister to look at that

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and see how one can help those members who are in countries where the education is not compatible.

Finally, Honourable Minister, I would just like to plead that from time to time we accede to international agreements, we attend international meetings, but very often we find that when we go, we do not get adequate feedback from the Ministry to enable Parliamentary Committees to be up-to-date with information. Therefore, I would like to conclude with the plea that we find some way of sharing information so that Members of Parliament are brought up to date and when they attend international conference, they can participate from the basis of a knowledgeable position. I thank you and I support the Vote.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Honourable Peya Mushelenga.

HON P MUSHELENGA: Thank you very much, Honourable Chairperson of the Whole House Committee. I would like to express my support to the amount allocated to Vote 07 – Foreign Affairs of N\$217 million. Having worked in that Ministry for some years, I have a particular interest and still follow the activities of the Ministry very carefully. Therefore, I would like to add my voice to what the previous speaker has said that Namibia has actually done very well within the international political system. I mentioned it during my maiden speech here.

Another thing I want to mention is the issue of Namibians serving in international organisations. Honourable Minister, we need to do more. I am told that the reason why some countries that became independent in those years, countries such as Ghana and Nigeria, have their people working in these international organisations is that they had a system whereby they were seconding their people to these organisations. I feel we should come up with a comprehensive programme to ensure that our

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people are seconded to some of these institutions in a very transparent process, so that we can rightfully take up our quota of employees in those institutions. (Intervention)

HON DEPUTY MINISTER OF JUSTICE: May I put a question? I just want to find out from Honourable Mushelenga whether he is aware that the entry level to these organisations are so low that these posts become very unattractive to many Namibians? I heard that most Namibians are not interested in those posts and that could be the reason why we are losing out sometimes.

HON P MUSHELENGA: It is true that the entry level to some of these positions is very low, but I also know that there are so many Namibians who can enter at those levels. That is why we have some that were serving the Foreign Ministry, they were posted to our Mission in New York and they managed to get some of these positions. We just need to do more on that front.

As we are debating this very important Vote, my heart goes out to the desk officers in the Ministry of Foreign Affairs, the people who do the actual job, but sometimes these staff become demoralised. You find a particular desk officer assigned to countries, which are very inactive for two or three years, such as Fiji or Cape Verde, and should have a mechanism where people should not stay at inactive desks a long time. They become demoralised because they do not learn much and that is why sometimes some people leave.

With these few words, I would want to express my support for the Vote. I thank you.

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CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Honourable Kazenambo.

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

Thank you, Honourable Chairperson. First of all, I want to support Vote 07 wholeheartedly and I would like to make a few remarks on issues, which concern multilateral trade negotiations, cooperation and me, especially the issue on Page 5 and especially the issue of cooperation. Before I do that, I want to share my views with the two previous speakers, Honourable Nora Schimming-Chase and Honourable Comrade Peya Mushelenga about the issue of Namibians benefiting in terms of job allocation in those organisations where we are members, be it the Commonwealth Secretariat, or anything else. I share their sentiments and as a former student, I visited the Commonwealth Secretariat in London to get information. Judging from the reception there, one sometimes feels as if you are not a member of the Commonwealth. You are not from the country of the people working there and those who have filled the quotas there create an atmosphere that some are not welcome, which is painful while your country is paying its dues better than other countries. The Minister really needs to revisit this issue, because we have both under-qualified and highly qualified people and I do not believe that we will not meet the criteria in those two categories. This goes for the entire organisation and it needs to be revisited seriously, because it affects us. That also goes for scholarships given by these organisations where we are at the receiving end and this we know from practical experience.

Another related issue of serious concern is that foreigners travelling to Namibia on different passports are welcomed here and we have not heard complaints of people being refused entry at our entry points or manhandled, but when you as a Namibian travel abroad, you experience some difficulties. We are told that in certain countries, we are not required to carry visas, but when you land at Heathrow in London, it takes hours for your passport to be scrutinised. You meet all the necessary requirements, you are a legal student at the University, but you are pushed

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out of the line as if your Passport is illegal and you do not know what crime you have committed. This even happens in Germany and sometimes you are travelling on an official transport. We need the Ministry of Foreign Affairs to look at how this issue can be addressed and to facilitate smooth travelling for Namibians. Thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you. Honourable Kerina.

HON PROF KERINA: Honourable Chairperson, I would like to express my appreciation to the Honourable Minister of Foreign Affairs for his exceptional and impressive motivation regarding his Ministry's appropriation Vote. I noticed, however, that the Honourable Minister ignored to mention NEPAD, which Honourable De Waal referred to in this House last week.

Honourable Chairperson, the creation of the NEPAD Secretariat as a component of the Ministry of Foreign Affairs today is long overdue. The NEPAD Secretariat promotion at home and in our diplomatic activities will become central to the work of Namibian Ambassadors at the level of the OAU, the Pan African Parliament, UN, SADC, World Bank, etcetera. The proposed NEPAD Secretariat will help to streamline the Namibian Government's strategies and efforts in strengthening and horizontally transferring the ownership of those efforts to our Ministry of Foreign Affairs in its role as advisor, coordinator and priority-setter for the Government of the Republic of Namibia. The Budget and operational authority of the NEPAD Secretariat must be incorporated in the Ministry's allocation in future. That being so, the Budget of the Ministry must be increased also in future to cover the cost of the proposed initiative. I support the Vote.

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CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Honourable Ankama.

HON DR ANKAMA: Let me thank you, Comrade Chairperson of the Whole House Committee, Honourable Members. While supporting this Vote without any reservations, I would like to make some remarks on certain issues. Perhaps it is because certain areas are so vast, but I have been in many parts of the world and when you talk about Namibia in Europe and the Americas, people would frown and ask, “*What is that?*” Another one would ask, “*South of Chicago?*” What I am trying to say is that while the Ministry of Foreign Affairs is doing a lot to put Namibia on the map internationally, I think we need to do more to educate the world that there is a country called Namibia, a democratic country for that matter and people should know this country because of a, b, c.

Secondly, on Page 5, Multicultural Trade: While this issue of trade may lie with the Ministry of Trade and Industry, I would think that the Ministry of Foreign Affairs has a stake in that. Namibia has so much to offer. Let me just tell you that once when I went abroad, I took my traditional foodstuff, Omagungu, ekaka and mahangu meal, and these guys would ask, “*What is that?*” I do not know what should be done, but something should be done in actual fact. I am trying to say that we should try to put Namibian foodstuff on the map internationally. For example, with our SADC counterparts we produce a lot of stuff, such as mahangu, millet... (Intervention)

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Does that not resort under Trade and Industry?

HON DR ANKAMA: What I am trying to say is that while we are trying to put Namibia on the map, let us also educate the other world over there

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that we also produce stuff that could be edible. It is a matter of coordination between the Ministry of Trade and Industry and Foreign Affairs. In that respect, they could work together. Otherwise, I would like to say that we should make more efforts to make this country known internationally.

There is very little on the websites about Namibia. Some international students are doing research on Namibia and they can hardly get sufficient information. They come to us individually and maybe we should try to update our websites as Ministries, but Namibia needs to be expounded internationally in order to make headlines over there. I support the Vote.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Honourable Namoloh.

HON MINISTER OF DEFENCE: Thank you, Comrade Chairperson of the Whole House Committee. I would like to make some comments on the Vote and of course, I support the Vote since I have served with the Ministry of Foreign Affairs for almost ten years.

Comrade Chairperson, in Paragraph 4 on Page 4 there is mention of the present situation in Western Sahara. It says the present impasse should be broken by initiatives that are in compliance with the UN settlement plan.

When I hear the Ministry of Foreign Affairs making a statement of an impasse in the settlement of a conflict, I think back of our own situation where there was also an impasse and our side had the solidarity of the world. Now I would like to ask the Minister what we are doing to break this impasse in support of the people of Sahara in order for us to accelerate the process. Solidarity has influenced our cause when we were fighting, because there is similarities in how these people are struggling and our struggle. It is an occupation by a neighbour, Morocco, and we were occupied by South Africa. I feel strongly that Namibia needs to do more

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in order for us to show our solidarity by sensitising our youth. I do not know where our unshakeable youth are now... (Interjection)

HON MEMBER: Kapia is here.

HON MINISTER OF DEFENCE: There is Kapia but they need to be seen showing our solidarity with the people of Sahara in order to demand for the referendum to be held as soon as possible. We can also use our own experienced negotiators who were involved in the implementation of Resolution 435 and we should initiate something.

On Page 7, Comrade Minister, I am personally touched, because the almost ten years I served with the Ministry of Foreign Affairs I was denied some of the privileges and benefits. I think my Colleague, Honourable Schimming-Chase, understands what I am referring to. We have been denied certain benefits as Ambassadors and members of the management cadre. We did not have the car and housing allowances and I will feel it when I retire. My retirement benefit is very low because I was denied this package. My Colleagues who have been serving with me for the past ten years have much higher benefits than mine and I would like the Minister to look into that. I retired without a car, without a house and I would like you to look into that. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you. Honourable Gurirab.

HON T GURIRAB: Honourable Chairperson, our support for this Vote is already on record. I only have one question to pose to the Minister in view of what the Honourable Minister says on Page 3 of the developing

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infrastructure of African institutions.

The Minister talks about the Pan-African Parliament and the rest of the institutions still to be set up under the AU Convention, but my question is with regard to a programme which is already ongoing. Honourable Kerina has made reference to NEPAD and my question is on the Peer Review Mechanism which is an ongoing programme and my brief question is to ask where we as a country stand on this Peer Review Mechanism. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you. Honourable Kaiyamo.

HON KAIYAMO: Comrade Chairperson, it is understood that I fully support Vote 07 for two reasons. I congratulate Comrade Marco Hausiku, the Minister, for a very good speech. When the Honourable Attorney-General was speaking here the other day, talking about how she was commanding the forces, I wanted to stand up and say those people she commanded were commanded from Marco Hausiku's two-bedroom house to go to the front and we are proud about that. I want the history to be put straight. I support that and secondly, Honourable Minister, I want your support that people must start paying for Visas and Airport taxes. For the past fifteen years, Namibia extended a kind of courtesy to these capitalist countries to come free to Namibia. Now the holidays are over, let them start paying for the Visas.

Thirdly, and I am talking out of experience, the desk officers in the Ministry of Foreign Affairs should start working. For example, yesterday we learned about the President of South Africa appointing a Deputy President, but up to 14:00, the Minister did not know about this. What were the desk officers doing? The desk officers should start working and write reports. If something happened today, the report must be ready the next morning and on the desk of the Minister and the Director, so that we

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can defend the Republic at all times.

Comrade Minister, I want you to support the desk officers and the Ambassadors who are returning to Namibia. As a diplomat, you receive a letter that tomorrow you must report back to Windhoek or next week or next month. Your child was in school and when you come here, your child cannot get a place in a school, especially these former white schools. The diplomats experience problems and I want you to pay attention to this. I want them to have a quota in these schools, because they were on national duty. I support the Vote.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Honourable Kapia.

HON DEPUTY MINISTER OF WORKS AND TRANSPORT: Thank you very much, Honourable Chairperson of the Whole House Committee. I rise to support Vote 07 wholeheartedly. This is a serious and very important Vote because it is a Vote, which represents us as a country.

Comrade Minister, the second-last point mentioned by Honourable Kaiyamo, the desk officers, the SWAPO Party Youth League wants to work very hard in solidarity with people of the world who are progressive, such as the people of Palestine, Western Sahara and others, but the desk officers responsible are not giving information to the Namibian people. When you want to travel to that country you want to know what is really happening, what are the relations of Namibia with this country? This thing should end. We must have people who understand those countries politically and understand our politics as Namibia and make reports on developmental issues in those countries, be it political, economical and otherwise. When we are travelling we should be well informed and all the Ministries should be updated with what is happening throughout the world – the changes in Government, everything. Therefore, I really want to put emphasis on the work of the desks officers and to have the right

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people there who understand the situation.

Another issue is about countries represented here. When we are travelling to those countries, we are subjected to all kinds of inhuman treatment. When you arrive at the airport in Frankfurt and you are black, then you are looked at as such. After 11 September, the situation has become worse. However, when the people arrive in Namibia, they want to be treated as kings and queens. I think our Ministry should really engage some of these Ambassadors around this country to inform their Governments and their officers to treat people as human beings. I fully support our Vote. Thank you very much.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Any further discussions? I revert the Floor to the Minister to respond.

HON MINISTER OF FOREIGN AFFAIRS: Thank you, Comrade Chairperson of the Whole House Committee. Comrade Chairperson, I will briefly respond to questions and acknowledge comments.

Ambassador Nora Schimming-Chase, I thank you very much for the positive comment. I agree with you that there are problems in our representation in international organisations, but we have taken up this matter quite seriously and I remember that for the last few months this year we have already placed two to three in Addis Ababa at the African Union. We are trying our utmost best. Maybe what we should do now, for your information, is to present you with a list of how many people are representing us at different organisations. I however agree with you, it is not so visible when you go to those organisations.

The flow of information to individual people in terms of those who are not serving in Government could be a problem, but maybe senior officials are

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not doing their job by informing those serving in Government. Letters are sent to all the Ministries to be circulated to all staff members. Of course, if they do not filter through to the ordinary members, it is true that they will not take up those opportunities.

The other issue is what the Deputy Minister of Justice has referred to. Last year I was called in by the President and I was asked: *“I heard from Honourable Amathila, the Chief Whip of SWAPO, that we have a problem. Can we not top up on the salaries of those who are supposed to be deployed in international organisations, because most of our people are saying the salary is too low, they do not want to go there?”* We said: *“Comrade President, we will kill ourselves, we cannot top up.* We have that problem and maybe what the individuals have been overlooking is the different allowances, which are added to the basic salaries and the international exposure that you gain. We have to look at those very important gains.

The other issue Honourable Schimming-Chase has raised is on the Hardship Missions. Yes, I recall we had a very important delegation, led by Comrade Amathila, to our Hardship Missions. You reported and we have taken that Report very seriously, but of course, within the framework of the financial resources available. However, we are doing our utmost best in order to address some of the issues that you have reported on in terms of those Missions. I agree on feedback when we attend conferences.

I received a letter yesterday after our visit to the United States from the Minister of Presidential Affairs. We have agreed to establish a Committee that will be chaired by the Minister of Foreign Affairs to follow up all the activities and missions abroad and to make Reports available to the relevant institutions. I am sure that we will address that issue in that context so that you can get feedback.

Comrade Mushelenga, thank you very much for your support. I agree that we need to get a way to process information to the ordinary people outside there and then you have also mentioned a very interesting point of rotation of the desk officers. Maybe we can look into this, as it is true that if you stay too long on one desk, you do not learn much and one needs to

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move around to learn more. It is also in accordance with our Public Service rules that people should be rotated in order for them to gain more knowledge.

Comrade Kazenambo also mentioned the low representation and I have addressed that. You also mentioned the treatment at entry points. I fully agree with you. You know, I was so embarrassed last time when we went to Botswana. Just before going we were informed by our officials that we have to expect a very serious question about people who came to Namibia from Botswana for sports activities and that they were detained at the airport because they did not have Visas. The Minister of Home Affairs and Immigration said, but how could this happen because Botswana is a member of the Commonwealth, how could this happen? We called in these people and the explanation could not be accepted. I said maybe we have to get a way of not apologising, but accepting that there have been misunderstandings. We are not the ones who complain. At many entries, you have this bad attitude, specifically after the 11th of September. In the US, we have to take off our shoes at the airport, take off our jackets. I was wearing an Indian suit and I said, *"If I take it off, I am not wearing anything."* I agree that we need to do more in addressing those issues.

Honourable Kerina mentioned the NEPAD Secretariat. You see, I was at one of the Summits in Addis. The President of Senegal has been spearheading NEPAD, we were discussing, and then he said, *"What is this thing NEPAD"* and I said, *"President, you have been spearheading this"*. That is how far this thing is confusing us. According to the AU, NEPAD is not standing alone. NEPAD is an implementing organisation for the development of the AU. Being an implementing organisation of the AU, it is part of the AU. We do have a very efficient desk officer for the AU who is coordinating the activities of the AU and its developmental organisation and other institutions attached to the AU. Therefore, we have taken care of that. It is true that we might not have done enough in terms of exposing our people, but please let us not see NEPAD as an organisation on its own. It was one at the beginning, but we have realised that it was damaging to the unity of Africa in terms of the purpose of creating the AU if you have an organisation standing on its own, and again coordinating activities on the African Continent.

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The Secretariat of the AU and the Secretariat of NEPAD in South Africa have been instructed now and maybe by next week they will finally report that they have fully integrated NEPAD into the AU programme and, therefore, we will only apply for developmental assistance within SADC programmes to NEPAD as an arm of the AU. However, I will not encourage Honourable Members to believe that we should establish a Secretariat. We do have a desk for the mother body to which this programme is going to be attached.

Comrade Ankama spoke about putting Namibia on the map with mahangu and Omagungu. When he was talking about taking Omagungu on the plane, I was laughing because we heard the story right at the beginning of the Turnhalle Government. The Members were apparently requested to travel somewhere, being a Namibian, one of our senior Members of that institution took a *skaapkop* as *padkos*, and you cannot pass with those things. People could not understand why he took a *skaapkop* with him.

I agree with you, in terms of the policy, we are trying to put Namibia on the map. What many of us experienced is that people of the United States have more things to be concerned about; they are not concerned about reading all the other things. They listen to what their leaders say sometimes and that is enough. I went to buy something in New York and the person was asking me, “*where do you come from*” and when I said Namibia she asked where is it, on which Continent. The other one there said, “*Do not worry, the Americans are very ignorant, they do not care about those things*”. However, there are those that are really getting the information. Maybe we have to do more. There are times when we have exhibitions at our Embassies where we do expose the foodstuff we consume here to other people.

Comrade Namoloh, thank you very much. I am sure that you know that we are doing what we can do under the circumstances. We support the people of Sahara, together with other countries at international platforms, we continue to put pressure and of course, we are having meetings and there are times that we encourage these people to insist, with our assistance in terms of pressure. We could do more, as you have said, but I

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think what we are doing at the present moment is acceptable under the circumstances.

You said the Ambassadors are denied allowances and we are looking at this. Every time your Colleagues come to my office, they talk about these things. There are technicalities that have to be sorted out, but I agree with you, it is not good to send somebody on retirement without benefits. That is a point well taken.

Honourable Gurirab mentioned the Peer Review Mechanism. I want to start by stating that, of course, we support the Peer Review Mechanism. A few months ago, I launched a project, which is looking into the investigation of the Peer Review Mechanism. The project, through the real Peer Review Mechanism, do research and make recommendations. This is being done internally by a Namibian organisation.

Honourable Gurirab, the Peer Review Mechanism is going to investigate and look at what we are doing and what we have achieved. I sometimes feel it is a pity that we press for these things to be evaluated with countries that do not have any system in place. Some countries do not have a Budget system, they do not have any electoral system and then we want to compete with those countries that are zero points in terms of democracy and good governance. We are saying we have achieved a lot, let us give it time and moreover, many of those countries which have been listed already, only three have been subjected to that scrutiny. The process is so slow that to hurry to declaring that we are part of it does not make sense in reality. Did you know that we are paying money for this Review? People can make money out of anything. This review will cost us plus minus US\$100,000, more than half a million. Will you allow me to come here and Budget N\$700,000 to pay for a Peer Review because they want to come and look at whether you are free to speak in your country, whether you are participating in democratic elections? We accept that as part of the institutions that we are putting in place in order to assist in developing and encouraging the systems of democracy, the systems of continuous electoral processes, etcetera. However, we believe that at this stage we do not need to be in a hurry for that.

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Comrade Kaiyamo, thank you very much. We issue Visas on behalf of the Ministry of Home Affairs and Immigration and we had a meeting recently. The Ministry is seriously considering introducing payments on Visas and many other documents, specifically for those categories that have not been paying for these documents.

Honourable Kaiyamo, work culture is a serious problem Namibia is facing. We can talk and sometimes I have realised that when people talk a lot, I do not think they can work more than they talk. We are talking about this issue of work culture. People knock off work before the time, they are late for work and maybe as Parliamentarians we have to make it part of our programmes to talk to our communities. We cannot survive if we continue having this weak culture in terms of work. We are very, very weak and I agree with you. Sometimes you do things yourself that you are not supposed to do, but let us as Parliamentarians educate our people to do their utmost best.

I agree with you on the recalling of Ambassadors and I have been talking to many Ambassadors who have indicated that it is not easy when you are recalled. However, I am also encouraging our Ambassadors and Heads of Mission that they should read their letters of posting very carefully to understand that maybe it is only for four years and in the third year you have to start preparing yourself to be recalled. However, I agree that it is a problem in terms of schools. We are trying to develop a system where we consult continuously and we take into account the school years, which differ from one zone to the other.

I will be happy if you can assist me, Honourable Members, that we get a quota for the children of Ambassadors in schools, so that they enter schools when they come back and not wait until the next school year.

Honourable Members, I think I have done justice to your comments and questions. Thank you very much.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Any

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ADJOURNMENT

further discussion? Vote 07 agreed to.

I shall report progress and ask leave to sit again.

ASSEMBLY RESUMED:

Progress reported and leave granted to sit again.

HON SPEAKER: The House shall now rise under Automatic Adjournment until tomorrow morning, 09:00

HOUSE ADJOURNS AT 18:30 UNTIL 2005.06.24 AT 09:00

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
24 JUNE 2005**

The Assembly met pursuant to the adjournment.

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

HON SPEAKER: Any Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Notice of Questions? Notice of Motions? Honourable Mushelenga

NOTICE OF MOTIONS

HON P MUSHELENGA: Honourable Speaker, I Move without Notice, that the proceedings on Votes 12, 20, 21, 22, 24 and 25 be, in terms of Rule 90, interrupted if still under consideration at 12:30.

HON SPEAKER: Will the Honourable Member please table the Motion? Any further Notice of Motions? Any Ministerial Statements? We shall start the business with the Second item on the Order Paper.

**RESUMPTION OF DEBATE ON THE CONFIRMATION OF THE
CONDITIONS OF SERVICE OF THE DIRECTOR AND DEPUTY
DIRECTOR OF THE ANTI-CORRUPTION COMMISSION**

24 June 2005

**CONFIRMATION OF CONDITIONS OF SERVICE
HON VENAANI**

HON SPEAKER: When this Debate was adjourned on Wednesday, the 22nd of June 2005, the Question before the Assembly was a Motion by the Right Honourable Prime Minister. Honourable Venaani adjourned the Debate and he now has the Floor.

HON VENAANI: Thank you very much, Honourable Speaker, Honourable Members, I will be very brief.

Honourable Speaker, we support the conditions of service of the Director and Deputy Director of the Anti-Corruption Commission and I just have a few comments to make and maybe a question.

Honourable Speaker, the intention of the Legislature is always important and the reason why we wanted to adjourn this Debate until Tuesday was to look at the actual cost of remuneration of a High Court Judge and a Regional Magistrate and perhaps the Right Honourable Prime Minister can just inform the House of what the amounts are, because it is very difficult to approve something in principle without the intention being clear. I think the intention in this regard would be the actual cost that we are going to spend on these two officials.

The other question, Honourable Speaker, through you, is that the Office of the Prime Minister has budgeted N\$1,5 million. My question is, due to various corruption cases and Commissions that are underway in this country, will this be sufficient, in the view of the Right Honourable Prime Minister, to cover the operational cost of this very important body during the course of this Financial Year? Looking at other examples in other countries, especially Asian countries which also went ahead with these Commissions, both positions of the Head and the Deputy are always equal in terms of remuneration and the reason these people advanced is that you always have a problem that the Deputy position is always aspiring for the senior position and corruption has always taken place between those two offices because of competition. I do not know whether the Right Honourable Prime Minister is aware of this. It was quite interesting to have learned that these two positions are filled at the same salary scale.

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**CONFIRMATION OF CONDITIONS OF SERVICE
HON T GURIRAB**

With these few remarks, we support the intention and the principle to appoint them under these conditions. I thank you.

HON SPEAKER: I thank the Honourable Member. Honourable Gurirab.

HON T GURIRAB: Honourable Speaker, I rise, firstly, to commend the Right Honourable Prime Minister for the single-mindedness with which he has moved to give practical expression to the Anti-Corruption Act of 2003. We support the intention to appoint the Director and the Deputy Director as swiftly as possible. However, we have a few comments to make.

The Right Prime Minister quotes in his observation on Section 7 of the Act and I wish to take that together with Section 4. The two refer to the Public Service Act and my first question is on what the two Sections do, both 4 and 7. It is to exempt the Director and Deputy Director from the application of certain provisions of the Public Service Act. The question I wish to pose is whether that means that apart from those exemptions, the Director and Deputy Director are, for all practical purposes and intents, therefore Civil Servants and that apart from their salary, other conditions of service, like their pension and other requirements would be covered by the Public Service Act.

The second comment we wish to make is on the nature of the work done by this Commission. We are, of course, aware that many commissions of inquiry were appointed in the past, three years ago, and the conclusion of which we still have not seen. Whilst we are aware that there is a need to do this work thoroughly, there is equally the need to dispense justice swiftly. The lawyers talk about justice delayed is justice denied and we hope that this Commission will not work in the fashion of these Commissions where inquiries are carried out and that we wait for two or three years for the results of the Commission. For example, we had the recent case in the Caprivi where we had a mountain of maize stockpiled in

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some place and clearly, somebody is responsible. The first person who is responsible is the Governor of Caprivi, because he is the person who receives these goods. We read from newspapers that a Commission has been appointed to investigate. It is a case of dereliction of duty on the part of the Governor, he should not be Governor today, but we hope that soon, before the next Budget Year, we will hear that the investigations have been concluded and some action has been taken.

Honourable Speaker, we support the intention of the Prime Minister.

HON SPEAKER: I thank the Honourable Member. Any further discussions? Does the Right Honourable Prime Minister wish to reply?

RT HON PRIME MINISTER: Thank you, Honourable Speaker. Let me start by thanking the two Honourable Colleagues for their input into this Motion.

Honourable Venaani wants to know what the actual Conditions of Service are. The Conditions of Service of the Director is equal to the conditions of service of a Judge of the High Court and the conditions of service of a Judge of the High Court were gazetted in the public *Gazette*, which is available to everybody. I thought it is not my duty to spoon-feed the Parliament with obvious information, which is available in the public domain. That information is available in the public domain and I would like to request Honourable Venaani to consult the *Gazette*, which gives the details of the conditions of service of the Judges.

The Conditions of Service of the Deputy Director is equal to those of the Chief Regional Magistrate and that information is available in the public domain.

As you know, you passed this Act here and the Act prescribes that the Commission will be a Statutory Body with certain powers vested in it by

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that Act. The idea is to give this Commission a certain measure of autonomy, so that they are not under undue political pressure from any quarter. That is why their conditions of service are determined by you, not by the Public Service Commission as such, which would endorse them on the recommendation of the President. The names of these people will also be brought here for your endorsement or rejection, if you so wish, so that this Commission has a certain measure of autonomy, which is very important for the execution of their duties.

We budgeted N\$1,5 million as a starting point, but obviously, the work of the Commission will require more than that, because at a certain point the Commission may wish to seek technical services from investigators from elsewhere and that means that they have to pay them. I therefore hope that we should get this Commission off the ground and we will look at their workload and at the appropriate time we could perhaps even ask our development partners to chip in here and there, so that if there is a heavy workload, we want to see that justice is done.

You talked about equal salaries and I was not quite sure what you were driving at. They are not equal, the Director is at the level of the Judge and the Deputy Director is at the level of the Chief Magistrate.

Honourable Gurirab, thank you for supporting the Motion. As I was saying, we want to create some kind of professional autonomy for the Commission. Therefore, they are exempted from certain requirements of the Public Service Act for that purpose, but we have to compare their Conditions of Service with the set standards of the Public Service Commission. However, in terms of their work we hope that they will be professionally autonomous and do their job properly without fear or favour and knowing the activities of some of the members well, especially with the import of used Japanese cars, those cases may be coming up and we want them to do their work properly in terms of law.

The work of the Commission should not be compared to the specially appointed Commissions of Inquiry. This is a statutory body and in fact, it has to work very closely with the Prosecutor-General. When they investigate a case, they report it to the Prosecutor-General. The

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Prosecutor-General may decide in his or her own right to prosecute or delegate powers of prosecution to the Commission. The law is very clear on that one. Therefore, I do not see any delays in this regard, unless the case cannot be prosecuted. The point is that now we have a watchdog and whistle-blowers can blow their whistles, everything will be investigated and the truth will come out and the truth will speak for itself. The goal is to protect the public from unscrupulous Public Servants, including politicians, and unscrupulous private operators who want to bend the rules in order to get tenders and the Public Servants who want to get rich whereas they still receive their pay as Public Servants. We want to make sure that everything is done according to the law in a transparent manner and in an accountable fashion. That is the purpose. I thank you.

HON SPEAKER: I thank the Right Honourable Prime Minister. I now put the Question, that the Motion be adopted. Any objection? Agreed to. The Motion is adopted. I ask the Secretary to read the First Order of the Day.

RESUMPTION OF COMMITTEE STAGE:
APPROPRIATION BILL

HON SPEAKER: Does the Honourable Minister of Finance Move that the Assembly now goes into Committee?

HON MINISTER OF FINANCE: I Move so Honourable Speaker.

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HON SPEAKER: It is moved that I leave the Chair. Any objection? Who seconds? Agreed to. I now call on the Deputy Speaker and Chairperson of the Whole House Committee to take the Chair.

ASSEMBLY IN COMMITTEE:

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: The Committee has to consider the *Appropriation Bill*. When progress was reported yesterday, the 23rd of June 2005, Votes 07, 15, 16, 23 and 26 had been agreed to and Votes 12, 20 and 25 had been Introduced.

I put **Vote 21 – “PRISONS AND CORRECTIONAL SERVICES”, N\$156,704,000** for Introduction.

HON MINISTER OF SAFETY AND SECURITY: Thank you, Honourable Chairperson, Honourable Members of this august House. I take this opportunity to introduce Vote 21, the Namibian Prison Service, to this august House for your consideration and approval.

My Ministry is asking a total Budget of N\$156,704,000 of which N\$140,704,000 is for the Operational Budget and N\$16 million is for the Development Budget. This allocation of funds is intended to support our mandate of protecting society by providing reasonable, safe, and secure and humane custody of offenders. In the course of doing that, offenders are to undergo rehabilitation, reformation and finally able to be socially reintegrated into society as acceptable law-abiding citizens. This requires the Namibian Prison Service to ensure sufficient prison capacity, provide for offenders' needs, such as food, clothing and bedding, health, sanitation and to work on effective social rehabilitation in order to prepare offenders for release and reduce recidivism. By implementing this, the Namibian Prison Service is enforcing the Court sentence by providing a safe and

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humane institutional environment that can contribute to a short and long-term community safety.

Honourable Chairperson, Honourable Members, the public needs to know that prisons play a tertiary role when it comes to public safety, because it is dealing with offenders who have already been proven guilty, unlike other law-enforcement agencies that deal with suspects, most of whom end up being acquitted as not guilty. Therefore, adequate resources for the necessary infrastructures for safe custody, rehabilitation, and reintegration are necessary not only from the inmates incarceration point of view, but should be seen in the context of contribution to public safety. We should remember that those who are right now in our prisons would eventually go back to society. Should they go back to society as they went in prisons or should they go back to society as changed persons?

Honourable Chairperson, Honourable Members of this august House, I would like to brief this august House on the major achievements of the Namibian Prison Service despite its constraints during the last Financial Year. At Divundu Open Prison Farm the Department has produced 156,072 kilograms of vegetables, 257,100 kilograms of maize-meal and 52,825 kilograms of wheat. The excellent production of wheat has convinced us to open bakeries at Divundu and Oluno. We intend to extend these services to other big prison institutions, like Windhoek and Hardap. Bread in prisons is one of the items that are very costly. With the big four prisons being self-sufficient in bread-baking, this could ease the budgetary constraints in terms of rations of prisoners.

Other agricultural activities are carried out at Hardap and Omaruru Prisons, respectively, producing lucern and vegetables, respectively. The harvest of lucern and fodder for the previous year from Hardap was 13,485 bales. Hardap has become the main source of supply of lucern for feeding the livestock at Farm Scott.

We have started a small project on pig rearing at Oluno Prison. The meat is distributed to inmates as prison rations. Farm Scott in Tsumeb is a Ranching Centre, expected on completion to become a major beef and

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food production centre. We produced 32,164 kilograms of meat which was consumed by the offenders.

The prison workshops have also continued to render services aimed at reducing cost to the Government. The Windhoek Central Prison houses a number of trades that provide skills to inmates. They include carpentry, motor mechanics, panel beating and sheet-metalwork. Another section has been added which is the shoe factory. Between ten and twenty inmates are expected to work in this section when it is operational in its full capacity.

Construction work is another area where inmates were actively engaged in. Our capital projects at Elizabeth Nepembe, Farm Scott, and Omaruru Training College are the institutions where the offenders are working.

Our prisons or correctional institutions are about crime fighting, reducing recidivism and building safer societies. The security and social stability of any Nation depends in part, on how it runs its penal institutions. Cognisant of that, we have opted to deal with offenders by adopting the case management system, which is the new method of treatment of offenders, by addressing their offending behaviour, reducing recidivism and contributing to public safety. I am glad to inform this august House that a second case-management-training programme was conducted locally in Windhoek at Patrick Iyambo Police College from January to March 2005. Participants were trained, amongst others, in the concept of risk management, which includes security classification of offenders to allow effective placement in the living units and already we have started a pilot project at Windhoek Central Prison on running this institution according to the unit management system.

My Ministry, in collaboration with financial institutions, has initiated training on marketable skills to inmates by empowering them with the requisite living skills after their imprisonment. Bank Windhoek is one of the financial institutions that did a great job to that end. Bank Windhoek initiated entrepreneurship training to a selected number of inmates who have since then acquired skills in running a business. In 2003 and 2004, seventeen and five offenders, respectively, benefit from this course. I am

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glad to announce that the Bank had even given loans to some of the released rehabilitated offenders to open up their businesses and I understand that they are doing excellently.

We have good examples of such people working on their own and others who have been re-employed by their former employers after getting such skills. We hope that other public institutions would emulate the example set by Bank Windhoek. We would require this kind of assistance to supplement the shortfall caused by under-funding that impedes our efforts in organising and running our rehabilitation programmes.

The non-existence of diversion and non-custodial sentences, such as community-based services, puts the majority of short-term offenders at high risk, as hardened criminals will expose them to contamination. With the assistance of the French Government on the project, Support to Security and Crime Prevention in Namibia, through French funding, the Namibian Prison Services, in collaboration with other organs of the criminal justice system, has been able to push forward the community service orders agenda.

A workshop of implementers to the expected project areas of community service was conducted at the end of last year. The seminar was intended to enlighten the District Committees on community service of the four pilot Regions, the Caprivi, Kavango, Oshana and Kunene. Later on, Magistrates, Social Workers, Prosecutors and Prison Service members were sent to Kenya and Malawi to have an insight on how community service is run in these countries. The official launching of the pilot project on community service, together with a seminar for the members of the press, was successfully held in the town of Tsumeb last Tuesday, the 21st of June 2005. It was highly attended by all stakeholders, which is a clear indication of its acceptance. Should the pilot project work as expected, it may reduce the number of short-term prisoners coming to prisons by a big margin.

We have entered into an agreement on cooperation with the Finnish Criminal Sanctions Agency at the end of last year in issues of training and are looking forward to train some of our senior and middle cadre in

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strategic courses that may enhance their working skills.

The major setback we have experienced during the last Financial Year was insufficient funding in our Budget. Because of this, we could not honour our creditor obligations in that Financial Year. Although the services had been rendered to the Namibian Prison Service, payments totalling N\$7,251,000 could only be made in the current Budget. The following are obligations towards our creditors:

Various institutions, like City of Windhoek, Walvis Bay Municipality, Omaruru Municipality, Town Council of Ondangwa, Lüderitz Town Council, NamWater, NamPower, etcetera, for water and electricity charges an amount of N\$5,445,000 is owed by the Service.

Food rations to inmates of an amount of some N\$316,000 is outstanding. This amount was N\$2,916,000 from the 2004/2005 Financial Year and was reduced by N\$2,600,000 from last year's Contingency Fund.

The Service owes TransNamib an amount of N\$498,000 for the previous Financial Year.

The outstanding amount of Telecom for the previous Financial Year amounts to N\$401,000.

An amount of around N\$193,000 is outstanding for pathology services from the previous Financial Year.

Outstanding for the gratuity and material assistance payments amounts to some N\$98,000.

An amount of N\$267,000 is outstanding for fuel purchases the previous year.

We owe NamPost an amount of N\$33,000 for the previous Financial Year.

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The total amount outstanding for these items is N\$7,251,000. This must be deducted from the amount of N\$38,069,000, which is allocated for Goods and Services for this Financial Year. The Department cannot run its operations on this arrangement and thus the following measures may be considered:

We will have to stop the supply of water and electricity to the institutions on a credit basis for a couple of months. The safety and security of the public members and the offenders will be compromised without lights at night. The preparation of the meals of offenders will not be possible without electricity. The general unhygienic conditions within the prisons will result in epidemic breakout if water for the proper washing and cleaning by the offenders is not available. We would have to reduce the current meagre dietary scale used by the Namibian Prison Service, as feeding is very costly. A result of this action could be an epidemic breakout if the dietary scale is insufficient. The previously mentioned issues could lead to riots, jailbreaks and in excessive cases, even loss of life.

Comrade Chairperson, Honourable Members of this august House, I shall now explain the specific allocation for each programme of Vote 21 – Namibian Prison Service as follows:

The main purpose of the Safe Custody Programme to which the Namibian Prison Service is totally committed, is seeing that offenders placed under our care are safe and secure. This is not only limited to prevention of escapes from lawful custody, but it goes further to their health and other essential services. The total requested for this programme amounts to N\$136,039,000 to pursue the following activities:

- To provide for, amongst others, the sanitary, clothing, bedding, health care, water, electricity and food needs of offenders;
- The upgrading, construction and maintenance of institutions according to approved classifications;
- To obtain security equipment and transport means, including fuel,

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repair and maintenance, escort vehicles, ambulances, etcetera.

- To determine the training needs of members and develop training materials according to these needs and train members on rehabilitation. The purpose of this programme is to develop tools for us to be able to assess offenders on their admissions to prisons and to develop appropriate programmes, which will address the factors that may have led to their criminal behaviour for which an offender has been sentenced. The total needed for this programme amounts to N\$2,260,000 for the following activities:
- To purchase seeds, fertilisers, animal feed, fencing material, workshop material for the work programmes in the field of farming, various types of workshop and literacy education for offenders.
- To computerise the offender records and develop a database on offenders.
- Hiring of specialised services, such as psychologists, when instructed by the Court.

With the Reintegration Programme, a feasibility study will be conducted to establish post-release services with capable community correctional staff and suitable facilities to provide sufficient material and social support to offenders upon their release; to consider and review potential offenders for the early release programme. The total request for this programme amounts to N\$289,000 to pursue the following:

- To conduct a feasibility study to establish halfway houses;
- To hire specialised support services while on conditional release in the community;
- The training of offenders, using our working partners in the community.

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The purpose of the Poverty Reduction Programme is to provide employment and training opportunities for offenders, thereby increase our self-sufficiency in food, and enhance their employment and independent survival opportunities after release. The total amount needed is N\$334,000 and will be utilised as follows:

- To purchase seeds, fertilisers, animal feed, fencing materials, etcetera, for the farming activities at Divundu and Farm Scott Rehabilitation Centres,
- Transport related expenses, fuel, repair and maintenance in the field of farming;
- For the upgrading and maintenance of the current workshop equipment with the newest technology and the erection and equipping of workshops;
- Training of offenders in marketable skills, that is trade test expenses.

The Administration Programme manages the organisation through the provision of corporate leadership in formulating and implementing policies, plans, priorities and initiatives and the provision of financial personnel and material management as well as accommodation and information management. The total requested for this programme amounts to N\$17,828,000 for the following activities:

- Expenses related to general administration and maintenance of office equipment;
- Develop a streamlined report-writing system by conducting training seminars and workshops;
- To maintain and upgrade the Offender Management System and the Integrated Security System.

In conclusion, I present the sum of N\$156,704,000 to this august House

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for approval although I am certain the amount is insufficient to maintain safe custody of offenders. As you have heard from my presentation, my Ministry will be forced to suspend some services, which we received on credit basis. This is not affordable. However, the implication of this suspension will be great not only to my Prison Service members, but also to the public at large. I, therefore, trust that this august House would support me in calling for an increase in the Budget allocation to the Namibian Prison Service for the 2006/2007 Financial Year and beyond. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: **Vote 22 – “FISHERIES AND MARINE RESOURCES”, N\$118,142,000** is put for Introduction.

HON MINISTER OF FISHERIES AND MARINE RESOURCES: Honourable Chairperson of the Whole House Committee, I rise to motivate Vote 22 – Fisheries and Marine Resources for the Financial Year 2005/2006.

Namibia's fisheries management remains laudable and solid. During the 2004/2005, Financial Year a contingent of men and women of the Ministry of Fisheries and Marine Resources judiciously carried out their mandate with focus, passion and living dedication. The allocated financial resources were duly utilised with due prudence and in the ambit of the Finance Act. Our guiding beacons are anchored in a crystallised foundation of biological sustainability of fish resources. Sustainability is an essential tenet of our Fisheries Policy. Sustainability is ensured through monitoring, control and surveillance of the EEZ under our jurisdiction. Sea surveillance is not a light duty, neither is it undertaken on foot, but through a coordinated deployment of versatile patrol vessels and aircrafts. The inspection and control duties are not confined to sea activities they extend to Fish Factories on land. Control of our 1,500 kilometres coast is also conducted using vehicles. Sustainability is further cemented by the collection of oceanographic, hydrological, chemical data as well as fish estimation through the deployment of research vessels.

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Sustainability is further solidified by our key inter-sectoral activities, spanning from policy, planning, administration and economics.

Honourable Chairperson, during the course of the 2004/2005 Financial Year, the Fishing Industry was engulfed by a contagious wave engendered and driven by the awesome forces of external shocks. The pain was compounded by the decay of industrial peace and the disturbing losses of jobs. I, however, deem the prevailing economic odds facing our industry as a transient hiccup. We are virtually emerging out of this blip. The future of Namibia's fisheries looks bright and it will overcome the hump.

A colossal leap was achieved in the development of aquaculture during the 2004/2005 Financial Year. The seeds of this sector have been planted, fertilised and watered. They are now germinating and will flourish to provide economic fruits. Aquaculture is a sector with a huge potential, we just need to invest in it.

May I now turn to the specific needs of the Ministry of Fisheries and Marine Resources? I seek a total allocation of N\$118,142,000. This represents a decrease of just fewer than 3% relative to 2004/2005 Financial Year. The total amount allocated for 2005/2006 is apportioned as follows:

- N\$91,142,000 for Operational Activities; and
- N\$22,000,000 for Development Projects.

Over the course of 2005/2006, the Budget of the Ministry of Fisheries and Marine Resources will be executed in accordance with four programmes.

Fisheries is not insulated from the vagaries of nature, but is instead dictated and a victim of the vagaries of nature. Climatic variations affect the healthiness of fish stocks. May I report that during the course of 2004/2005 Mother Nature was kind to us? We feared the worst that El Nino will hit us, but it did not. All parameters, such as dissolved oxygen, temperature, primary productivity and wind patterns were on average normal.

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I believe in well-versed conservation and management measures, based on both available scientific evidence and in the principles of precautionary approach. Through these, we can reap sustainable benefits in perpetuity. I am happy to inform that the levels of major stocks are generally in a healthy state. For example, in 2005 the total biomass of our spawning hake is estimated to be 1,3 million tons, while the horse mackerel total biomass stands at 1,4 million tons.

To fulfil our responsibilities, we would need an amount of N\$31,759,000 for the running and maintenance of research vessels. This amount will also be used for the inland fisheries research, including the finalisation of the building of an Inland Fisheries Institute that is currently under construction at Kamutjonga in the Kavango Region.

The main purpose of Programme 2 is to monitor, control and undertake surveillance activities within Namibia's EEZ as well as our inland water bodies. Namibia is not and will never be a safe haven for fish pirates. We will combat illegal fishing and the plundering of our fish resources. This will be done through the implementation of a highly effective system of monitoring, control and surveillance. For this programme the Ministry needs N\$74,960,000. This amount will be used for the construction of a Patrol Aircraft, deployment of Fisheries Inspectors, sea going and air wing personnel, observer programme, provision of rations, lubrication and fuel, maintenance and insurance of surveillance craft and equipment.

Furthermore, the acquisition and installation of a Vessel Monitoring System will ensure proper monitoring to deter illegal, unregulated and unreported fishing by both locally licensed and foreign fishing fleets.

Honourable Chairperson, Aquaculture has a great potential to increase food security, generate employment, contribute to poverty reduction and increase income. Allow me, Honourable Chairperson of the Whole House Committee, to highlight some developments in the Aquaculture Sector.

The Ministry has successfully developed an Inland Aquaculture Centre at Omahenene/Onavivi, in the Omusati Region. The Centre produces fingerlings or small fish for distribution to communities. To date, more

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than 290,000 fingerlings have been distributed to 195 fish farmers in the Omusati, Oshana, Ohangwena and Oshikoto Regions. On the 25th of August, this year a fish harvest and sale will take place at Omahenene Onavivi Aquaculture Centre. The construction of another fish farm at Olushandja/Epalela Dam is progressing well and the first phase will be completed around October this year. The Government has also built three fish farms in the Kavango Region at Nkurenkuru, Kaisosi and Kangongo where tremendous progress is being recorded. In addition, three fish farms are situated in the Caprivi Region at Kalimbeza, Lisikili and Musanga. The progress in the Caprivi Region has been severely hampered by numerous shortcomings. The Ministry is hard at work to ensure productivity of these farms in the Caprivi Region soonest.

During the course of 2005/2006 Financial Year, we will be paying attention to other Regions in the country. We have identified many places that have great potential across the country. We have started with tests on small-scale in the Hardap, Karas, Oshikoto, Erongo and the Omaheke Regions. The Eco-Fish Farm in the Hardap is producing a sizeable amount of fish and we will be using this centre for producing fingerlings for distribution to the Hardap and the Karas Region in particular. We are, however severely handicapped by scarce financial resources.

With respect to Mari-culture or the fish at the sea, small-scale production has been started in Lüderitz, Walvis Bay and Swakopmund, concentrating mainly on abalone, oysters and mussels. These are mainly destined for export. There is so much interest in Mari-culture from foreign investors.

A total amount of N\$9,917,000 is required for aquaculture projects. Funding is required for the recruitment of staff, support services and equipment. I would like to propose that in the future the Aquaculture Vote be increased significantly in order to support the development of this highly important sector adequately. Concerted efforts should be made to secure external funding if we are very serious with this sector.

Namibia's fisheries and aquaculture will continue to develop and evolve. I believe in knowledge capital as an indispensable and long-term investment. Sustained development and efficient service delivery depend

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on enlightened and prepared workforce. The Namibia Maritime and Fisheries Institute in Walvis Bay continue to play an important role in training deck officers, marine engineers, fisheries inspectors and observers. Furthermore, the Ministry recognises the importance of Aquaculture development and consequently, we need to train scientists, researchers, extension officers and technicians as to be able to support development of this fledgling sector. Therefore, an amount of N\$1,506,000 is required for staff training.

In conclusion, Honourable Chairperson, together with my team at the Ministry of Fisheries and Marine Resources, as custodians of Namibia's fisheries, we are committed to our work and look forward to implementing Government's programmes during the course of 2005/2006 Financial Year without fail. My gratitude to all staff members at the Ministry of Fisheries and Marine Resources and all stakeholders for the valuable contribution and support rendered to me throughout the 2004/2005 Financial Year. I look forward to working closely with my Honourable Deputy Minister Kilus Nguvauva.

Honourable Chairperson of the Whole House Committee, I submit Vote 22 to this august House for consideration and approval and I thank you very much.

HOUSE ADJOURNS AT 15:40

HOUSE RESUMES AT 16:00 PURSUANT TO ADJOURNMENT

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Vote 24 – 'TRANSPORT', N\$284,999,000 is put for Introduction.

HON MINISTER OF WORKS, TRANSPORT AND COMMUNICATION: Thank you, Honourable Chairperson of the

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Whole House Committee. Allow me to congratulate Honourable Saara Kuugongelwa-Amadhila, her Deputy and the staff for a job well done in the preparation of this Budget.

I would like to take this opportunity to inform you about some initiatives and measures being taken to improve and streamline the activities of the Ministry.

A rescue plan to address all the problem areas has been put in place to guide the reform process. Among issues to be addressed would be the scarcity of professional skills in technical areas, such as architecture, engineering, quantity surveying, transport, economics and meteorology, aviation, etcetera. The Ministry has repeatedly advertised technical positions, but failed to attract or retain suitably qualified candidates who combine both professionalism and integrity. The Ministry will initiate discussions with the Office of the Prime Minister in order to solve these pressing issues.

To demonstrate our desire to root out malpractices and corruption and in line with the clarion call by His Excellency the President for zero tolerance for corruption, an Inter-Ministerial Investigation Committee has been established. As a result, several staff members have been suspended pending the outcome of the investigation.

Honourable Chairperson, Honourable Members, central to achieving the operational objectives of all Ministries, Offices and Agencies to move Government beyond Vision 2030, the Government Garage has a significant role to play. However, because of numerous operational difficulties, ranging from inefficient service delivery, lack of multi-skilled and qualified administrators in fleet and financial management, this unit failed our expectations. I am now confident that the newly established special task force to reform Government Garage will address this crucial problem. Furthermore, the Ministry is in the process of finalising its strategic plan to serve as a road map to guide the operations of the Ministry to achieve its objectives. The Office of the Prime Minister is assisting in this regard.

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At the outset I will give an overview of the Department of Transport and Communication in motivating the Budget allocation of N\$284,999,000. The Department of Transport and Communication is a multi-functional entity, which is responsible for different modes of transport, namely road, rail, air and sea. Its mission is to ensure the promotion of safe, effective and efficient transport services, infrastructure and communication in the country to commensurate with the public demand.

Honourable Chairperson, Honourable Members, allow me to share some of our recent notable achievements before motivating the Budget. The Nation has recently witnessed the historic maiden trip by Ongulumbashe Star on the rail track from Tsumeb to Oshivelo at the inauguration of Sam Nujoma Railway Station at Oshivelo. The conceptualisation and passionate involvement of the Founding President, Comrade Sam Nujoma, in the Northern Railway Extension is a testimony of his resilience and unwavering human spirit. The construction of the first phase, Tsumeb-Ondangwa, of this very important national project is progressing well. It is currently 85% done and is envisaged to be fully completed by the end of September 2006. The second phase, Ondangwa-Oshikango, will commence when funds are available.

Honourable Chairperson, it is pleasing to inform this august House that 157 kilometres of new tracks, valued at approximately N\$440 million, were added to our rail track network since Independence, bringing the total length of railway line to 2,539 kilometres to date. Before Independence, Namibia's railway infrastructure was developed to benefit South Africa, however, with the extension of the Northern Railway Line, Namibia will now be linked with her northern neighbour to promote trade and economic cooperation.

Last year TransNamib procured thirty fuel rail tank wagons, four locomotives and one diesel multiple unit (DMU) at a value of N\$42,6 million, which has increased their passenger and freight capacity.

Honourable Chairperson, Honourable Members, the need to construct, rehabilitate and maintain our roads through the country cannot be over-emphasised. Regrettably, the financial resources to execute this notable

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task are limited. Furthermore, my Ministry has developed a road map master plan. Through popular participation and wide consultation with Regional Authorities in setting priorities, the master plan will serve as a guiding tool for the implementation of identified road projects.

Honourable Chairperson, I would like to highlight the status of some of the road projects:

ROADS REHABILITATION: Kongola-Katima Mulilo completed; Mururani Gate-Rundu completed; Okahandja-Otjiwarongo ongoing; Ondangwa-Oshikango ongoing.

ROAD CONSTRUCTION: Opuwo-Omakange ongoing; Outapi-Tsandi-Okahao ongoing; Aus-Rosh Pinah ongoing; Kamanjab-Omakange commencing August 2005.

CONSTRUCTION OF LABOUR-BASED PROJECTS: Ongwediva-Ongha completed; Odobe-Omafo completed; Mpungu-Vlei-Katope completed; Bukalo-Ikumwe completed; Onyaanya-Onanke commencing this year; Nepara- Gava ongoing.

In response to the clarion call by His Excellency the President to improve the quality of life in our rural areas, my Ministry has made concerted efforts in carrying out feasibility studies for the construction of the following roads:

Gobabis-Drimiopsis link; Otjinene-Grootfontein; Windhoek-Walvis Bay link; Trans Caprivi Highway-Cape Fria.

Honourable Chairperson, my Ministry has made significant strides in the construction, rehabilitation and maintenance of 5,500 kilometres of bitumen roads. We should be proud of this unprecedented achievement. However, the skewed distribution of roads linking rural areas to commercial centres remains an inhibiting factor to rural development as well as macro-economic economic growth. The road network represents one of our country's biggest assets, valued at N\$9 billion. The Ministry, through its Roads Authority, will continue to guard against deterioration

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of our national roads by enforcing the overload control through weighbridges.

CIVIL AVIATION INFRASTRUCTURE: The Ministry has embarked on a project to upgrade civil aviation infrastructure in the country. This was preceded by the Gold Bridging Ceremony, which was officiated by the Founding President on the 10th of November 2004 at Walvis Bay. The Gold Bridging works commenced in June 2005 and is scheduled for completion by 2007. This project is financed in accordance with the Namibia-Spanish financing agreement.

The Walvis Bay International Airport will be upgraded to comply with the standard of the International Civil Aviation Organisation (ICAO), Category F, to accommodate new very large aircraft, such as the Airbus A-380. It will also serve as a stopover to and from South Africa, Cape Town, Johannesburg, Europe, Asia and the Americas. Provision has also been made for the upgrading of Hosea Kutako International Airport, Eros, Lüderitz and Ondangwa Airports.

Air Traffic Control, meteorological equipment and emergency fire-fighting vehicles will be provided. The Ministry recently procured two twin-engine state-of-the-arts AB 139 helicopters at a cost of N\$129 million to be used for emergencies and natural calamities as well as to meet Government transport demands.

Honourable Chairperson, I would like to inform the august House that NamPort is currently busy with maintenance and upgrading of the port facility in Walvis Bay and Lüderitz. In addition, NamPort is gearing itself towards establishing a dry dock at Walvis Bay. The Ministry has commissioned a pre-feasibility study for the new harbour near Cape Fria or Agra Fria. The draft report will be submitted to the Ministry by the end of August 2005 for consideration.

Honourable Chairperson, Telecom Namibia, the only fixed-line telephone operator, a national telecommunication network that is one hundred percent digitalised covers a distance of about 6,000 kilometres. Tele-

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density has increased significantly from 4% in 1992 to 6,9% in 2005. The teledensity refers to one telephone line for every hundred inhabitants.

Mobile Telecommunication Limited (MTC), the only cellular operator, has covered 350,000 customers. MTC customers can roam with 225 networks in over hundred countries.

Government is at an advanced stage with the process of alienating 49% of MTC shares to technical partners and Black Empowerment groups.

In terms of postal infrastructure development, the Namibia Post has a network of 114 post offices throughout the country, of which 45 post offices have been computerised to increase access to information and communication technology for rural communities.

In positioning itself to serve emerging businesses, NamPost opened at a strategically located post office at Oshikango, offering amongst others foreign exchange services. Namibia Post and Telecommunication Holdings, a holding company for NamPost, Telecom and MTC, has paid N\$15 million to Government as a dividend for the 2003/2004 Financial Year. In order to streamline the management of Telecom and NamPost, the Ministry is in the process of dis-bundling NPTH.

Honourable Chairperson, Honourable Members, financing has been and remains a major obstacle to ensure the smooth implementation and completion of projects. For example, the second phase of the Ondangwa-Oshikango Northern Railway Extension, which was scheduled to commence in April 2006 has been postponed. The completion of the rehabilitation of the Aus-Lüderitz railway line will be delayed. The Omakange-Okahao road, which could be a vital link to emerging commercial centres of the northern Regions, such as Oshakati and Ondangwa, has been put on hold. The rehabilitation and improvement of the Windhoek-Okahandja road has been put on hold.

The Government Garage could not replace an aging fleet of 2,700 vehicles. A number of strategic airfields could not be fenced off to prevent animals and unauthorised persons from entering restricted areas.

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The Ministry is unable to procure civilian surveillance radar to separate the air traffic. The Namibia Meteorological Survey is unable to establish the minimum required number of Weather Stations across the country to mitigate the effects of extreme weather conditions, which could otherwise lead to damage of property and loss of lives. The construction of Government hangers for the two AB 139 helicopters, which is essential for the protection of these valuable assets, could not be carried out.

Honourable Chairperson, Honourable Members, having outlined above achievements and constraints, allow me to present individual nine programmes under this Vote:

The Northern Railway Extension programme entails the construction of 304 kilometres of railway line to link Namibia with Angola to facilitate the movement of goods and services. The railway line will eventually also link the proposed harbour at Cape Fria/Agra Fria to northern Namibia and SADC States. Because of this activity, I request an amount of N\$100,939,000.

Railway Infrastructure and Maintenance entails the rehabilitation of the 125 kilometres of railway line between Aus and Lüderitz, as well as the maintenance of the railway infrastructure across the country. For this activity, I request an amount of N\$13,254,000 under this programme.

The Roads and Streets programme is to ensure development, upgrading, maintenance of rural and urban roads network, small aerodromes and airport infrastructure. This programme covers the following projects:

- Outapi-Tsandi-Okahao road: This road is being upgraded to bitumen standard and commenced in May 2004 and will be completed in June 2006.
- Opuwo – Omakange road: The construction commenced in March 2004 and will be completed by September 2005.
- Kamanjab – Omakange road: This project is co-funded by the Government and the African Development Bank. The project will

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commence in August 2005.

- Rundu-Siko-Nkurenkuru road: The Ministry of Finance and the Ministry of Works, Transport and Communication are in the process of securing a loan from the Japanese Government for the construction of the 370 kilometres of road between Rundu and Nkurenkuru up to Elundu in the Ohangwena Region.
- Nepara-Gava road: The project commenced in March 2004 and will be completed by September 2005.

The EU Fund Rural Access Programme covers the following labour-based projects:

- Eiseb-Gam Settlement – Ngoma-Muyako, which will lead to the Namibia-Botswana border;
- Tondoro-Kambuku-Kongola-Zambian border;
- Rupara-Muveve-Gcangcu; and
- Drainage structure for Sesfontein, Okangwati and Okombahe.

The nation-wide transport planning, feasibility studies not funded for this Financial Year will be covered under this project:

Gobabis-Drimiopsis (Otjinene-Grootfontein) road construction:

Under the extension of the Trans-Kalahari Highway, the feasibility study for the Gobabis-Drimiopsis-Grootfontein link is ongoing and will be completed in September 2005.

The Upgrading of the Civil Aviation and Meteorological Infrastructure project involves the expansion of runway at Walvis Bay International Airport, provision and upgrading of fire fighting meteorological and air-transport-control equipment at Walvis Bay, Windhoek, Eros, Ondangwa

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and Lüderitz Airports. I therefore request an amount of N\$83,274,000 for this project.

The purpose of Road Traffic and Transport Act and Regulations programme is to analyse, coordinate and implement economic regulatory policies in order to ensure safety, quality, and efficiency in all modes of transport. Because of this activity, I request an amount of N\$9,458,000.

The Aviation and Meteorological Facilities programme is intended to ensure a safe, secure and efficient civil aviation system, provision of weather and climate information as well as to investigate all aircraft accidents and incidents. The hanger is required to ensure the security of the helicopters to comply with Civil Aviation and insurance requirements. Because of this activity, I therefore request an amount of N\$47,863,000.

Maritime Safety and Pollution Control ensures safety of life and property at sea, protection of marine environment from pollution by ships through regular inspections and patrols, as well as promotion of national, regional and international maritime interests. The Ministry is currently carrying out a pre-feasibility study to determine the viability of creating Namibia's third harbour near Cape Fria/Agra Fria. I request an amount of N\$6,151,000 under this programme.

The Communication Policy Programme is intended to ensure effective provision and development of telecommunication, postal infrastructure and services through policies and legislation that would promote private sector participation and rural access to information technology. This activity needs an amount of N\$1,129,000.

The Government Services Programme is intended to provide Government with reliable, efficient and safe road transport services through Government Garage. Although it operates on a trade account, the Government Garage operational costs for personal expenditure, subsistence and travelling allowances will now be funded through Vote 24 to lessen the pressure on the trade account, which has been operating at a loss for many years. Because of this activity, I therefore request an amount of N\$22,431,000.

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The Ministry Restructuring Programme will re-evaluate all the operations of the Ministry to determine core and non-core functions and to adopt the best organisational structure. I request an amount of N\$500,000 under this programme.

Honourable Chairperson, Honourable Members, in view of this programmes I have just outlined, the Operational Budget will require N\$82,099,000, while under the Development Budget we will require N\$202,900,000. A summary of the item expenditure by cost is reflected in the Medium Term Expenditure Framework book.

In conclusion, Honourable Chairperson, Honourable Members, in the light of the programmes outlined above, I would now like to humbly request this august House to approve the total expenditure of N\$284,999,000 for the Department of Transport and Communication, Vote 24. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Vote 12 – “GENDER EQUALITY AND CHILD WELFARE” is put for Discussion.

HON T GURIRAB: Honourable Chairperson, I rise to express our support for this Vote, less I be misunderstood, but I have a few observations and questions, first of which is on the mandate of the Ministry, because this Ministry has been re-christened. My question is whether, the mandate and the focus of the work of the Ministry has also changed or whether it is more of the same minus the Social Welfare function.

The second observation is with regard to the percentage representation of women in Parliament. I see the Honourable Minister deals with that on Page 3 of her motivation. It gives a figure in excess of 35% of women representation in decision-making bodies. The SADC decision, of course, is quite clear. The SADC decision says that by this year, Parliaments of SADC would have achieved the minimum of 30% representation. What

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the Honourable Minister does here amounts to what the Right Honourable Prime Minister would refer to as sophistry, what in the language which all of us understand would be “*cooking the figures*”. I would have expected the contrary from a Minister of this portfolio, that it would be her function to fight for the achievement and to get more women representatives at this level instead of what the Minister attempts to achieve here by sophistry.

On Page 5 of Main Division 03, it deals with Gender Equality. In previous Budgets I have already expressed my problem with how this year’s Budget is presented, because we do not know how many people are being budgeted for, etcetera, but in earlier Budgets, particularly during Honourable Mbumba’s time, the Budget would reflect also the gender breakdown in terms of persons which we have in the Civil Service, that we have so many women as opposed to so many men in the Civil Service. I do not know why the Government has stopped that, because I think it was something, which served our interest and it showed how far we are meeting this objective of mainstreaming as a Government.

On Page 6, Honourable Chairperson, the Minister reports on research, this has been done on the good causes of commercial sex, violence against women and children, etcetera. My question is whether these Reports are available, so that we can use them in our education.

On Page 9, Main Division 05, it mentions institutions such as the Namibian Children’s Home, the After-School Centre, etcetera. While I was a student one of the prescribed books was called “*Urban Bias*” and my question in this regard is why we should spend about N\$6 million to cater for young people in Windhoek and not in other Regions, how we justify this as a Government to have this in Windhoek. We have the Namibia Children’s Home to take care of people here. We have the After-School Centre, why should we spend N\$6 million on people in Windhoek as if the whole of Government is in Windhoek and not in other Regions.

With those observations, we support this Vote.

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HON DIENDA

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Honourable Dienda.

HON DIENDA: My concern is on Page 7 and I just want to know, what is the means of communication to the public, because the aims and objectives of this Ministry are not clear to the people on the ground. I think they need more information so that they can know what this Ministry is all about.

Then, Honourable Minister, as a new Member of Parliament, I wish to know what programmes the Ministry has in place to strengthen the gender analysis skills of women Parliamentarians. Since this Ministry has been changed now to include men, I just want to know whether the gays and lesbians in our society... (Intervention)

HON MINISTER OF LANDS AND RESETTLEMENT: On a Point of Order. It has been forbidden to mention that issue here and I think your Party should have informed you. Come with something else, not that, not in the Parliament.

HON DIENDA: Are there specific programmes for them so that they can know their ... (Intervention)

HON DEPUTY MINISTER OF WORKS, TRANSPORT AND COMMUNICATION: Honourable Chairperson of the Whole House Committee, I do not think we have to allow Members to discuss gays and lesbians here; otherwise, you are offending some of us who are seriously against this. Therefore, if the Member does not have anything else, she should rather sit down.

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HON DIENDA: Honourable Chairperson, I am a woman and these people are coming from women. (Intervention)

HON MINISTER OF LANDS AND RESETTLEMENT: May I ask a question? Honourable Dienda, are you a lesbian? (Interjection)

HON DIENDA: Do I look like one?

HON MINISTER OF LANDS AND RESETTLEMENT: Why are you speaking on their behalf?

HON DIENDA: I think I have made it clear already by saying that these children are born by women and I am a woman.

HON MINISTER OF PRESIDENTIAL AFFAIRS: On a Point of Information. According to the existing law of Namibia, as per the Supreme Court decision, homosexuality in Namibia is a criminal offence and as a Member who swore to uphold the laws of the Republic of Namibia. That subject matter is academic.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: I need guidance from the Prime Minister because this is getting out of hand. I want the Prime Minister to assist me on how to deal with this.

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HON MOONGO

HON MINISTER OF ENVIRONMENT AND TOURISM: Comrade Chairperson, on a Point of Order. The guidance of the Right Honourable Prime Minister notwithstanding, this is the Committee Stage and I would like to appeal not only to the Member who has the Floor, but also to all of us to discuss the details of the Vote. I do not know which Budget line this one fits into.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you for the assistance. Honourable Member Dienda, I said all along that we stick to the details of the Votes. If we mention things, which offend others, we will be out of line. I request you to stick to the details of the Vote instead of ruling you Out of Order.

HON T GURIRAB: On a Point of Information. In this House we discuss rape, which is criminal, we discuss murder, we discuss all criminal things, which does not mean that the Parliament approves of these things, but in Parliament we discuss all these things and decide how to deal with them. Therefore, we will discuss rape, we will discuss lesbians, we will discuss all these things.

HON DIENDA: Honourable Chairperson, I wish to know whether the Gender Commission appointed by the President is still reporting on its activities to the President. If yes, what is the possibility for the Parliamentarians to see these Reports? I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you. Honourable Moongo.

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HON SCHIMMING-CHASE

HON MOONGO: First of all allow me salute our Minister for the work well done and I would also like to request the Committees who deal with the home-based orphans to serve them fairly and equally. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: I thank you. Honourable Nora Schimming-Chase.

HON SCHIMMING-CHASE: Thank you, Honourable Chairperson. I would just like to raise three short issues. The first has to do with the income-generating activities and I would just like to ask the Honourable Minister, commendable, as they may be, how many of the seamstresses, flower-makers, bread-makers have managed to have their companies registered as big productive companies on the stock exchange? I am raising this question because I think the time has come for us to make a paradigm shift. You are not going to eradicate poverty by subsistence. Women in especially the SADC Region have entered very important positions in politics, but it seems we stare ourselves blindly on income generating projects instead of economically viable project that will bring the women into the mainstream of the economy. What attempts are being made in that regard?

With regard to Early Childhood Development, I still believe that pre-primary education is the most crucial in a child's education and I accept it as a reality, but not because I support the fact that instead of it falling under the Ministry of Education, it is under your Ministry. Honourable Minister, conceding the fact that your Ministry has to deal with it, what attempts are being made to secure the highest qualified possible educationalists at this level, so that the educational foundations that are laid there are solid?

Finally, we will never have enough money for this Ministry and we cannot avoid the fact that the number of orphans is going to increase. Has the Ministry started thinking of some projects? Sometimes you switch on the

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HON PANDENI

television and you see an American company saying, if you pay ten dollars a month, you can educate a child in Bangladesh or you can feed a child somewhere else. Has the Ministry thought about the possibility of starting such a project where people can adopt at least the educational aspect of an orphan, so that more orphans are exposed to education? I thank you and I support the Vote.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Honourable Pandeni.

HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Thank you very much, Comrade Chairperson of the Whole House Committee. I would like to give my support for this Vote and I would like to raise a few points.

On Page 7, there is mention of a programme to embark on capacity building, which would target women entrepreneurs and I am wondering whether it is not high time that men should also be involved, so that gender includes both women and men, and not women only.

My next point is on the application for child welfare grants, especially the aspect of showing the receipt as proof for that application. Is it not perhaps advisable to rely on the computerised records of application forms as receipts can easily get lost and I would really be disappointed if my application is not considered because I lost the receipt?

Comrade Chairperson, I would like to give my support for the Vote and I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Honourable Ben Amathila.

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HON B AMATHILA / HON NANDI-NDAITWAH

HON B AMATHILA: Honourable Chairperson, I rise to support the Vote and to appeal to the Honourable Members that we still have two Votes. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Any further discussions? Honourable Ndaitwah.

HON MINISTER OF INFORMATION AND BROADCASTING:
Thank you very much, I will really adhere to the appeal, I will be very, very brief. I want to congratulate the Honourable Minister and I only have two questions. On Page 5 of the statement, we are now talking about Gender Equality. Knowing that the existing imbalance in Namibia is to the disadvantage of women, I want to know what strategies we have to make sure that we are not going to lose the focus in the process because of this misunderstanding of the whole question of gender. Even yesterday and now, when the Minister talks about women, then there is a Point of Order on gender. We need a very strong strategy so that we do not lose focus.

The last question is on the very important information, which the Minister has given us on grants. I just want to find out how Members of Parliament can also be helpful in disseminating this information, especially for our rural areas, for the people to know how they can apply, because this is the intention of this leaflet. Once again, congratulations, I know what we have in common. We are both daughters of reverends. Thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:
Honourable Kazenambo.

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HON KAZENAMBO / HON MUNGUNDA

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

Briefly on the question of orphans, I would suggest that the Minister in future should look into the issue of those orphans which are in the care of abusers, because some families do not register the orphans and you are left to the mercy of God. Some people hide these orphans, they do not register them and the neighbours do not alert anybody. It would go a long way if a mechanism could be built in to have those vulnerable children registered. I support the Vote.

HON DEPUTY MINISTER OF FINANCE: Comrade Chairperson of the Whole House Committee, I wanted clarity whether this is going to be only for today or is this the trend that, because of time we cannot debate on issues? I hope it is only for today.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: I revert the Floor to the Minister to respond.

HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE: Comrade Chairperson of the Whole House Committee, in Afrikaans they say, “*as die gety verander dan moet jy die bakens versit*” and that is why we had to adjust according to the changes of the seasons.

I will be brief and I will summarise, but I am inviting all the Members of Parliament to contact the responsible divisions at the Ministry of Gender Equality and Child Welfare for proper information on the issues.

We have to promote the issue of women in decision-making/politics and we have to recognise the achievements and thank those who contributed towards that.

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The Gender Commission has not yet been established because the Act must first be passed by Parliament. Then I thank all those Members who saluted me on these programmes and *Honourable Schimming-Chase*, it is also our intention and we are now giving more grants because we want a bigger scope of really empowering women economically.

I need to give clarity on the question by *Minister Ndaitwah*, because she is asking these questions because of the inside information she has and wanting us to know about it. We have now changed to Gender Equality, but we all know of the past inequities and the status of women traditionally. We are now also taking the men and boys on board with Gender Equality, but we all know that women are still not treated equally to men. Therefore, it is just to say it is not only women issues, but all of us are on board, because you need two wings for a bird to fly and if you cut one wing, the bird will not be able to fly. That is the reason why we emphasise gender equality, but we know that to have that equality, we still have to strengthen the one weaker part and that is why we have certain programmes for women. That is why the vision is called “*gender equality/women empowerment*” and that is how it is. Comrade Minister, you know the programmes which we have put in place to empower gender, but you can come to have more information.

With regard to children welfare, we know that we do not have enough social workers and as I said yesterday, we have about 156,000 orphans according to the 2001 census and only 28,000 of them are benefiting from the grants. There are many reasons for that, but the biggest one is the lack of dissemination of information and also because of the shortage of Social Workers.

We received some money for the country programme of orphans and vulnerable children from UNICEF and we will establish child protection officers. It will be young people who will be trained as child protection officers to carry out the services in the communities, to make people aware that such support is available and also to assist them to fill out the forms, to make sure that the forms are presented and to follow up that the children are receiving the money and also to monitor and evaluate, because some people are taking in children for their own benefit. We

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HON VENAANI

have a package for children, consisting of school uniforms, food baskets, toiletries, blankets and now the family is using these things and that child is still naked, the child is hungry. Therefore, these child protection officers will be trained and it will come into force this year in all Constituencies.

With these few word I would like to thank everybody, because I know all of us are parents. I thank you.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Vote 12 agreed to.

Vote 20 – “AGRICULTURE, WATER AND FORESTRY” is put for Discussion.

HON VENAANI: Thank you very much, Honourable Chairperson of the Whole House Committee. I rise to give my unequivocal support for the Vote before the House. Honourable Minister, let me start by congratulating you for your quest to get the Veterinary Cordon Fence removed with the allocation of N\$5 million, which exercise is much needed in our country.

Honourable Minister, I want to draw your attention to our farmers north of the Cordon Fence and I am really impressed with the Karakul and the Meat Boards which have donated goat rams and 168 karakul rams to the farmers in the South and the Omaheke Region, but I think as a country we need to really put greater emphasis on our farmers north of the redline to get assistance in terms of quality bulls. In areas, such as south of Oshikoto, Ohangwena, Omahuni, you find many cattle, but the quality of those cattle can be improved. We could have a system where farmers can share bulls. You can donate one bull to one village, because if the village has 80 heads of cattle and you donate one Simmenthaler or one Brahman bull, the village would benefit from quality products.

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Honourable Chairperson, we should also encourage our farmers north of the redline to start acquiring commercial land south of the redline; because there are farmers with many cattle, especially in the old traditional Ndonga area, Kauluma's territory, he is the King there, who can qualify to buy commercial land. (Intervention)

HON DEPUTY MINISTER OF HOME AFFAIRS: On a Point of Order. Through the Chairperson of the Whole House Committee, I would like to urge the Honourable Member to respect the Chief. You do not call a Chief by name.

HON VENAANI: I said King, His Royal Highness, and His Majesty King Kauluma. That is the international standard how you call Kings, His Royal Highness.

Honourable Chairperson of the Whole House Committee, I am impressed with the extensions initiated by Rural Water Supply in the Tsandi area, the Okankolo-Omutsegwonime pipeline and the Katima-Linyanti pipeline. I support these efforts, because in the Kavango and Caprivi Regions you find citizens being eaten up by crocodiles because they have to fetch water from the rivers and this initiative would alleviate some of these problems.

Honourable Chairperson, we have one great problem with rural water supply. I have two Constituencies that I have identified which have serious water problems, namely the south of the Kapako and Epupa.

In the Epupa Constituency, the people still dig wells by hand and we want to see some efforts by the Ministry to drill boreholes in those areas because the people are suffering because of water shortages.

With the Otjozondjupa Water Carrier we had a situation where farmers were at first refusing to pay because they did not understand the new operations of NamWater, but the current debt of close to N\$15 million is a

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matter of great concern to the Agricultural Industry as a whole, because if you look at the number of animals in that area, especially in the Okamatapati area and the debt of N\$15 million, if you ask communities to pay N\$15 million today, very few farmers will be able to sustain their agricultural activities. There is also a problem of underground leakages of pipelines and people are billed. When NamWater repairs the leakages, they would not necessarily tell you that you have paid wrongly because there is a leakage here. I also want to draw your attention to that point, Honourable Minister. I support the Vote.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Honourable Nambahu.

HON NAMBAHU: Honourable Chairperson, I am conscious of the issue of time and I will try to be brief. I also know the importance of this subject to the people where I come from and it will be difficult for me to leave some of the most important things unsaid.

I had some issues on the forestry area, but I am going to skip one and concentrate on water. I support the Vote. There is however, a few things that I want to bring to the attention of the Minister. Page 288 talks about the finalisation and implementation of the new *Water Resources Management Bill* to ensure that Namibia acquires its own capacity. This House passed the Water Resources Management Act and it is a bit of an anomaly that it is still being referred to as a Bill. I know that the Minister is new in that area and the officials are supposed to be more in this regard. It is Act 24 of 2004. The regulations probably have to be developed and subsidiary legislation, which is supposed to be budgeted for and not the implementation of the Bill.

I want to implore the Minister to put emphasis on the issue of a water regulator in the country, in order for us to pass on to the next stage of utility regulation, which is a pressing area of the service providers that we

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need. There is a clear roadmap on this aspect and if that can be done so that we pass onto the next stage of utility regulation it would be a good thing. I support the Vote.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Honourable Moongo.

HON MOONGO: Allow me to congratulate the Minister with this well-planned Vote. I only want to ask the Minister when the multi-tank, similar to the one at Onyuulaye is going to be erected at Oshipala. Then I want to confirm whether it is true that the workers of the Department of Forestry got their last increment three years ago.

The other question is whether it is true that there is corruption whenever boreholes are broken. The affected people give goats in order to be the first to receive service. I also want the Minister to confirm whether it is true that the fences are stolen.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Honourable Tjihuiko.

HON TJIHUIKO: Honourable Chairperson, I will try to be brief. I had 43 questions that I wanted to ask, but I will cut it to 22. I want to start with Paragraph 2.1.6. It is very unfortunate that we were not given much information on the Green Scheme itself and that the only thing mentioned here is actually on the agency. Nevertheless, looking at this statement, it says, "*The Green Scheme Agency has been established during 2004 to facilitate the operation of irrigation projects. Among the functions the Agency will handle the demarcation of existing irrigation projects.*"

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Honourable Chairperson, I am getting the impression that the existing projects are going to be demarcated into smaller projects in order for these projects to be given to our people. Is the Minister really trying to tell us that the black people cannot run big projects? Why is it necessary that these ongoing successful projects are now going to be demarcated into smaller projects? Can we not perhaps through this Black Empowerment project look at this and identify capable black people who are going to be able to run big businesses? These are real big business and by demarcating it, you will bring it down to the level where it is not going to be successful and it will be subsistence.

Secondly, these projects are also in communal areas. First, you commercialise it, knowing that these areas are open to everybody. Everybody has the right to go there and have a business as long as you have consulted the Traditional Leader. Are we really saying that our people are going to benefit by this demarcation? How are we going to ensure that our people will be the beneficiaries? When we started back in 1990, we were saying exactly the same thing about areas such as Oshakati, Ongwediva and Ondangwa. We were saying that we have to encourage investors to come to these areas. If you go there, you will see Shoprite, Jet and all these places. Who has benefited from that? The very same people who own the land are the people now owning the land in the area where we were supposed to own the land. The black people in those areas are now the owners of these businesses. They have created a few jobs, we thought they are going to open up the economy, but our people have suffered. If we are not careful with this programme, this is exactly what is going to happen. If you take the dates, who are going to benefit from these things, Honourable Minister? I would love to know how our people would benefit from these programmes.

In Paragraph 2.1.8, it is stated: *“We are extending irrigation development beyond the borders of Namibia. A study will be done by 2005/2006 to determine viability of food production ventures in Zambia.”* What is the logic of developing a food production venture in Zambia? Have we given up on Namibia? Is there not any possibility for us to develop something of this nature inside Namibia rather than doing it in Zambia? I do not understand and that is why I am asking. (Interjections). Once we have the

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answers, we will definitely know who is shortsighted.

Paragraph 2.2.1: *“We have and will continue to support local communities and entrepreneurs in the development and value addition to the indigenous fruits”*. Honourable Chairperson, I know that some time back the Ministry of Trade and Industry, together with the Ministry of Agriculture, has supported an NGO called CRIA to do a study on marula seeds. This study has been done, the system was developed and I am sure that once the opportunity has arrived, CRIA turned itself into a business unit and the women in the North who were collecting these seeds are still collecting the seeds and CRIA is now the owner of this project. We have paid for it and our people who were supposed to benefit from this project have not benefitted.

Honourable Chairperson, I do not want to touch on the water issue, my neighbour here has already touched on that and due to the time factor, and I will support the Vote.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Any further discussion? I revert the Floor to the Minister to respond.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY: Thank you very much Honourable Chairperson, Honourable Members. Four Colleagues have spoken, making comments and posing questions. This Vote is our Vote. We all need water and food in order to survive.

Honourable Venaani, the removal of the Cordon Fence to the border of Namibia and Angola is an ongoing project, but it does not mean that the current Cordon Fence will have to be removed. It will be safer that we have many Cordon Fences in the country, so that in the event of a disease breaking out in the area of one Cordon Fence, then the other Cordon Fence is safe.

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The distribution of bulls is an ongoing project in order to introduce a superior quality of animal genetics in the northern areas.

We are not happy that people still have to dig wells, but it is a matter of finance. This is an ongoing project and we hope that one day we will reach there to provide safe drinking water through boreholes or piped water. Water leakage is the responsibility of NamWater, Government and the community. If a leakage is identified by the community, the community should report, because it may be that when the people of NamWater come, they will only look at the meter and they do not know there is a leakage.

Honourable Nambahu, thank you very much, we would also like the new Act to become operational, but it is true that the regulations are not yet in place, and that this Act was passed last year in December while we were engaged in so many things. It has been a period of transition, new Ministers, new Ministries, but we will get there.

Honourable Moongo, I know under one programme in the Ministry there is supposed to be an effort to do something in the area of Oshipala, because the inhabitants there complain about the long distance to Onyuulaye to sell their animals. You should give us concrete evidence about the corruption, so that we can take those corrupt officials to task, but if you just mention it without identifying who is doing this, it will be difficult. I hope you will have the courage to tell us who are the people involved. The same with stolen wires, please tell us where the wires were stolen and these matters have to be reported to the Police for them to investigate.

Honourable Tjihuiko, the Green Scheme policy has been approved but the Green Scheme, *per se*, has not yet started. We have some Government projects and NDC projects which need to conform to the Green Scheme. Most of these projects are one huge project and tenders will be issued for people to offer how they want to farm, alone or with others. Since many of these projects are in the communal areas, we want the communal people to participate as well. It could be that people want to farm them alone and we will have to look at that. However, the issue of demarcating

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the areas into small plots is simply because of the capacity of people who are going to get money commercially. The tenders will determine the people who will be allocated those plots, whether three, six, ten, twenty hectares and beyond. It depends on how much an individual is capable to take up. If a person can prove, he needs more than three hectares that will be entertained.

You mentioned the irrigation projects beyond the borders. The problem is that we have limited fertile land in Namibia to produce the food that we need in this country. There has been contact at the Head of State level that there exists an opportunity for both Namibians and Zambians to enter into joint ventures and I am sure you are not opposed to joint ventures by Namibians and others to produce what can benefit Zambians and Namibians. After all, we are neighbours.

With regard to the indigenous fruits, I know that a factory was opened in the North in March this year, run by women who are involved in these marula fruits. The story of CRIA dominating therefore seems not to be correct. That is all I wanted to say, Honourable Members, I thank you very much.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Vote 20 agreed to.

Vote 25 – “LANDS AND RESETTLEMENT” is put for Discussion.

HON DR GEINGOB: Thank you very much. I am talking as a farmer. I would like to congratulate the Minister and his Colleagues on this very important Vote and since we do not have time, I will just go straight to the questions.

I never thought that Affirmative Action would affect those who are already affirmed. I thought it would only apply to those who are not

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affirmed by being a Minister for fifteen years. In view of that, some of us went to commercial banks to take loans to buy the farms. Now the Amendment also includes all those who were previously disadvantaged and Ministers are going to benefit from this. I hope this Anti-Corruption Commission will deal with that issue. When it comes to that, I will be the safest person.

My question is on the land tax. While some of us had to go through the trouble of going to commercial banks, we have to pay land tax. I was asking somebody why the Ministry did not first determine what kind of land a Namibian is entitled to, whether it is 10,000 or 1,000, and thereafter you pay taxes. When I asked that, I was told that when we buy houses we pay taxes, but we do not resettle people in houses free of charge. They buy houses and they pay taxes, we do not resettle people in Katutura. We do not build houses and say, "*Come and settle here free of charge*". That is the difference. Here we are resettling those who are poor, which I support completely, free of charge and we must give them ammunition to be able to make a living out of that. Anyway, the question is on the land tax. Of course, exemptions are given and one can apply for that, but we have to clarify this issue.

For example, tax on luxury goods, the previously disadvantaged who want to buy luxury goods must now pay 30% tax. When are we going to re-establish ourselves in Namibia? In fact, the whites who were previously advantaged are also now becoming disadvantaged and we have to be careful, we will have to reaffirm them in the end. Thank you very much.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Honourable Moongo.

HON MOONGO: Allow me to congratulate the Minister. I would only like to put a few questions. Recently forms were distributed to the communal farmers to evaluate the 20 hectares of mahangu fields. If it

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exceeds 20 hectares, will it not cause more dispute and trouble if they cut the land, which exceeds 20 hectares? Would it not be better to give 20 hectares to the new applicants rather than to cause more trouble by cutting those who exceed 20 hectares?

The Minister mentioned a new commercial farm agreement. Will the Minister explain this, because we only know of the 99 years leasehold and we want to know what this new agreement is.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you very much. Honourable Venaani.

HON VENAANI: Thank you very much, Honourable Chairperson of the Whole House Committee. I want to congratulate the Minister and his staff for a job well done in their attempts at resettlement, but I have two issues that I want to raise in relation to communal land usage.

Honourable Chairperson of the Whole House Committee, we as citizens of this country are disadvantaging ourselves, in the sense that when we speak of land resettlement, we only focus on commercial land. Of course, it is important, but we must also put greater emphasis on communal land, because you have demarcated farms, such as the Mangetti farms, and one has to introduce credibility in communal land in cooperation with Traditional Authorities. A farmer is farming in Mangetti and I am just farming five kilometres south of him on commercial land, I can use my land as security, but the farmer in Mangetti does not have security in order to go to a bank. We have to make some parts of our communal land tradable. It will increase our capital required for development. Even if a farm in Mangetti would cost N\$500,000, at least that farmer is empowered to approach a commercial bank or the Land Bank to borrow money to buy cattle.

We should also look at under-utilised virgin lands and I think the

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Honourable Minister has highlighted this under communal land usage. The Right Honourable Prime Minister has just left. He is a subsistence farmer at Onyaanya. We have the Mauni area in the Ohangwena Region, which can be surveyed, demarcated into farms, fenced off and given to people. (Intervention)

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: On a Point of Order. Honourable Venaani is talking about demarcation in the Ohangwena Region. Are you talking about demarcation in the Ohangwena Region only or also in Kaoko? When demarcation comes to Kaoko, will you not tell the people the Owambos will come and take your land?

HON VENAANI: I am coming to that, I was dealing with the Mauni area south of Kavango, but in the Ohangwena Region. These areas can be demarcated, developed and allocated to farmers to be resettled. (Intervention)

HON DEPUTY MINISTER OF INFORMATION AND BROADCASTING: On a Point of Information. The area south of the Kavango is an inland area and for now, they are busy demarcating the areas. What you are saying is already in place.

HON VENAANI: What is happening there is that they are surveying small areas, small plots of 20 hectares. The Gam and Eiseb Blok is virgin land and needs to be developed including Kaoko.

Before I support the Vote, I want to say the following: Honourable Minister, it is really a matter of great concern that the Development

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Budget of the Ministry of Lands is not exhausted to its full capacity, that you receive N\$50 million and you do not buy the available farms. I think it is the duty of the Minister to assert pressure on our white commercial farmers to make land available, because we want you to come to this House to ask for more money for the land resettlement process. We do not want you to come here and tell us that you have not spent your N\$50 million. Then you will not accelerate the land reform process.

In conclusion, we must really revisit our resettlement policy, because if you are going to resettle a farmer for 99 years, we create a very dangerous trend. I was speaking of the subsistence farmers, for example the Right Honourable Prime Minister who is farming in Onyaanya. He is growing, from Onyaanya he can go and buy commercially. I want us to create a system where we resettle people in order for them to be able to improve their agricultural productivity and to be able to farm commercially. If you give me 2,000 hectares and tell me that I can farm there for 99 years, I will curtail my products so that they never exceed the benchmark for me to remain on that land. We must give our farmers a period on a particular farm, try to help those farmers with loans to augment their products and if after ten years that farmer has been successful, he must go and buy commercially. I support the Vote.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: I
revert the Floor to the Minister to respond.

HON MINISTER OF LANDS AND RESETTLEMENT: Thank you, Comrade Chairperson of the Whole House Committee. I would like to thank all the Members who supported the Vote. I thank you very much.

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ADJOURNMENT

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Vote
25 agreed to.

I shall report progress and ask leave to sit again.

ASSEMBLY RESUMED:

Progress reported and leave granted to sit again.

HON SPEAKER: This House stands adjourned under automatic
adjournment until Tuesday, 14:30.

HOUSE ADJOURNS UNTIL 2005.06.28 AT 14:00

Tuesday, 28 June 2005

No. 26-2005

FIRST SESSION, FOURTH PARLIAMENT

REPUBLIC OF NAMIBIA

**MINUTES OF PROCEEDINGS
OF THE
NATIONAL ASSEMBLY**

TUESDAY, 28 JUNE 2005

The Assembly met pursuant to adjournment.

1. The Speaker took the Chair and read the Prayers and Affirmation.
2. The Minister of Foreign Affairs laid upon the Table the 2004-2005 Annual Report of the Ministry of Foreign Affairs.

MOTION WITHOUT NOTICE:

3. Mr P Mushelenga moved without Notice:

That the proceedings on Votes 21, 22 and 24 Clauses, Schedules and title, be in terms of Rule 90 not interrupted if still under consideration at 17h45.

FIRST ORDER READ:

4. The Minister of Finance moved, seconded by the Minister of Environment and Tourism that the House now goes into Committee.

Agreed to.

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ASSEMBLY IN COMMITTEE

THE FOLLOWING VOTES WERE PUT FOR DISCUSSION:

Vote 21 – Prisons and Correctional Services – Agreed to.

Vote 22 – Fisheries and Marine Resources – Agreed to.

Vote 24 – Transport and Communication - Agreed to.

ASSEMBLY RESUMED

Bill reported without Amendments.

The Minister of Finance moved, seconded by Mr. Kaiyamo, that the Bill be now read a Third Time.

Agreed to.

Bill read a Third Time.

SECOND ORDER READ:

5. Resumption of Debate on the restoration of place names to their pre-colonial indigenous names.

Question before the Assembly on Tuesday, 17 May 2005 as moved by Mr. Kaura.

On the Motion of Mr. Amathila, seconded by Mr. Ankama the Debate adjourned until Wednesday, 29 June 2005.

THIRD ORDER READ:

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6. Resumption of the Debate on the current ugly face and forms of ethnicity and tribalism in Namibia.

Question before the Assembly on Wednesday, 22 June 2005 as moved by Mr Venaani.

On the Motion of the Minister of Fisheries and Marine Resources, seconded by Ms Kasingo, the Debate adjourned until Wednesday, 29 June 2005.

7. The Assembly adjourned in terms of Rule 90, automatic adjournment at 17h45 until Wednesday, 29 June 2005 at 14h30.

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBER
29 JUNE 2005
WINDHOEK**

The Assembly met pursuant to the adjournment.

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

MOTION OF CONDOLENCE

HON SPEAKER: Honourable Members may we all rise to observe a minute in silent prayer or meditation at the untimely passing on of Honourable Mr Rodwell Munyenyembe, Speaker of the Malawi Parliament on 28 June 2005. On behalf of Parliament and on my own behalf, I have sent a message of condolences and sympathy to the bereaved family, the Malawi Parliament and the people of Malawi.

THE HOUSE OBSERVES A MINUTE OF SILENCE

HON SPEAKER: Any Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Notice of Questions? Notice of Motions? Honourable Deputy Prime Minister.

NOTICE OF MOTIONS

HON DEPUTY PRIME MINISTER: Honourable Speaker, Honourable Members, I give Notice that on Tuesday, the 5th of July, 2005, I shall Move –

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**NOTICE OF MOTIONS
HON GERTZE**

That this Assembly –

In terms of Article 112(3) of the Namibian Constitution reappoints Messrs J Ithana, A Shihepo and F Muundjua as Members of the Public Service Commission. I further Move that this Assembly reappoint Mr Joe Ithana as Chairperson of the Commission in terms of Article 112(3) of the Namibian Constitution. I so Move, Honourable Speaker.

HON SPEAKER: Will the Honourable Deputy Prime Minister please table the Motion? Honourable Gertze

HON GERTZE: Honourable Speaker, I give Notice that on Thursday, the 7th of July, 2005, I shall Move –

That this Assembly –

Debates the appropriateness of penalties against default payments or dishonoured cheques by banks, creditors and businesses and their adverse effect on both business and the public.

Honourable Speaker, in the midst of inefficiency in financial institutions, on the one hand, and non-compliance of clients to warnings, on the other, it is difficult to know the gravity of the default and the justification of the punitive measures. It is therefore my wish that this Assembly resolve to look into our banking and transactional regulations and their applications and take appropriate action. I so Move, Sir.

HON SPEAKER: Will the Honourable Member please table the Motion? Any further Notice of Motions? Any Message from the State House? Any Ministerial Statements? The Secretary will read the First Order of the Day.

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**MOTION ON ETHNICITY AND TRIBALISM
HON DR A IYAMBO**

**RESUMPTION OF DEBATE: MOTION ON UGLY FACE OF
ETHNICITY AND TRIBALISM IN NAMIBIA**

HON SPEAKER: When this Debate was adjourned yesterday, 28 June 2005, the Question before the House was a Motion by Honourable Venaani. The Honourable Minister of Fisheries and Marine Resources adjourned the Debate and I now give him the Floor.

HON MINISTER OF FISHERIES AND MARINE RESOURCES:
Honourable Speaker, Honourable Members, I stand to say a few words on the Motion moved by Honourable Venaani for this Assembly to debate the ugly face of ethnicity and tribalism in Namibia.

Honourable Speaker, this is one of the saddest days for this Parliament. We are discussing tribalism and ethnicity. Honourable Speaker, tribalism and ethnicity are not inherited riches or virtues, but these are deformed values and learnt behavioural patterns, just like racism and tribalism. The contemporary generation should and must concentrate on bigger and urgent issues, such as poverty alleviation, job creation, the fight against grave diseases and the intensification of our efforts to ensure economic growth. I deem these as relevant and opportune priorities that deserve the Nation's energy.

Honourable Speaker, I contend that the purity of a tribe or a race does not exist. That is sophistry. Tribalism and ethnicity are propagated and championed by human beings and entities, especially desperate Political Parties. In politics, Honourable Speaker, especially in many African countries, whenever the support base of a certain Party is dwindling and vanishing, politicians use their obvious tricks to woo voters by hook and by crook. This is what is happening here, they revert to tribalism, ethnic and the most exotic rhetoric to curry favour. Tribalism and ethnicity are the curse of Africa and should not be the curse of Namibia. They poison,

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their claws and jaws are too painful to contemplate. I compare tribalism and ethnicity to the following:

Imagine, Honourable Speaker, a loose black mamba entering this Chamber. That will be dangerous. Imagine a savage wild dog with rabies going mad in this House. That will be dangerous. Imagine a scorpion loose in this Chamber. That will be dangerous. That is how I see people and Political Parties who encourage and practise tribalism and ethnicity. They will harm, they will destroy and decay our living and greater unity.

Chapter 3, Article 10 of our Constitution makes an important proviso...
(Intervention)

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: May I ask a question? Honourable Member, are you aware that DTA belongs to one tribe, because on their list they have two Herero's, one speaking Oshiwambo, and one speaking Afrikaans. They have been getting votes from the Himba-speaking since Independence, but there is no single person from Opuwo sitting in this Chamber. Is that not tribalism?

HON MINISTER OF FISHERIES AND MARINE RESOURCES: Honourable Speaker, that is revealing, but I am not that well versed on the topic. Chapter 3, Article 10 of our Constitution, makes an important proviso of universal equality and non-discrimination when it says no person may be discriminated against on the ground of sex, race, colour and ethnic origin and I underline "*ethnic origin*". Furthermore, the Racial Discrimination Prohibition Amendment Act of 1991, Section 7, deals with employment and prohibits ethnicity. Namibia as a Nation will perish if tribalism is allowed to flourish. Tribalism is and will remain the devilish parent of civil wars and the greatest pain to peace. In the case of Namibia, tribalism and ethnicity are abominable, unconstitutional, condemnable, illegal and inherently destructive to our country. Yes, some people are

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certified, graduated and infatuated tribalists, but we should not have blind spots in our eyes. History is littered with the debris of wars and vividly attesting to this sorry tale of Nations plunged into darkness. We should therefore cherish the things that we have in common, seek the good of the whole Nation, continue believing in unity that transcends the theatre and caricature of tribalism. Tribalism and ethnicity signify the death-think of a Nation. The only way to win against tribalism and ethnicity is not to practise it, neither to promote it, neither to think in terms of tribalism since this is at variance with our moral compass and Constitution.

Having said all these, who actually practises tribalism in our country? Why did Honourable Venaani invest his time and intelligence to a practise of mental and heart tribalism? Why is he masquerading this as a legitimate structural phenomenon for redress? I think that this is a Motion calculated and intended to steer this House to think in tribal and ethnic terms as well as to stir up the emotions, the bitter of the past, and the fractured misery from the past.

The nostalgia of tribalism and ethnicity should be buried. Some Political Parties seem to have a tribal face and bone. Today I am not going to mention names of any Political Party, I am mindful of the sensitivities of some Members. Last time when I took the Floor, my dear Colleague Schimming-Chase stood on a Point of Order and in her charming and ever sense of humour said, *“My son, do not scratch where it does not itch.”* Honourable Speaker, this time I will not scratch, but next time I will bite, if that is bearable.

Honourable Venaani, whom I deem as well meaning, promising and with the judgment unfortunately and erroneously premised his argument on falsehood. He stated that tribalism and ethnicity are practised and that policy implementers collectively should be blamed. He cited a few areas where he alleged that tribalism and ethnicity are practised, including bursary allocation, Defence, Foreign Service, appointment of Permanent Secretaries as well as at the State-Owned Enterprises, the granting of mineral and fish concessions. Honourable Venaani, if your research can stand the test of time and the vigour of the law, why not approach the Honourable Courts? May I take the pain to assist the Honourable Member

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to correct the falsehood of his statement? I hope that others who harbour the same aspersions and innuendos will care to listen.

The vacuity of the Motion is that he has not quoted authoritative and authentic policy or legal document that states that tribalism or ethnicity should be taken into account in the areas that he listed. It is very important to be kind and not to invent the impossible. When at work we should first look at ourselves as Namibians and then the rest can be secondary. Numbers do not mean tribalism and ethnicity. For example, blacks in Namibia outnumber our colleagues, the Caucasians, if that is the right word. That does not mean tribalism and ethnicity. It is a fact that more positions in the Public Service are held by blacks than Caucasians, not because of tribalism, but due to the sheer number of black people in this country. The sheer number of blacks does not mean tribalism and ethnicity.

Ethnicity is not a criterion for economic empowerment and access to natural resources. Fishing rights and diamond concessions are granted based on crystal-clear criteria, as stipulated in the Marine Resources Act, for example. Any other vices do not pass the evaluation litmus test. The shareholding structures of empowered companies mirror and celebrate the configuration, diversity and versatility of our people. No tribal and ethnic phrases are entertained, as it is insinuated. If you have evidence to the contrary, I suggest and advise as well as challenge that you approach the Court for rectification.

Honourable Speaker, this Assembly should concentrate on urgent and pressing national issues of bread and butter. The imperatives of economic growth, job creation and poverty alleviation are our priorities, are our grand responsibility as called for in the SWAPO Party Election Manifesto 2004 as well as by the Namibian Cabinet to discuss the Nation's economy. Tribalism and ethnicity are due to indoctrination, they are deformed values, they are just issues of emotions and unconstitutional. They are not genetic.

Honourable Venaani's Motion, therefore, is divisive and should be rejected. Honourable Venaani should not learn some of these bad

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manners from Honourable Kaura with his other Motion. With those few words, I reject the Motion.

HON SPEAKER: I thank the Honourable Minister. It is never late to do the right thing. I should have earlier recognised the presence of up-and-coming diplomats, future Members of Parliament, future Political Office-Bearers who are here from South Africa, observing what we are doing. You are welcome. Honourable Kamwi.

HON MINISTER OF HEALTH AND SOCIAL SERVICES: Honourable Speaker, Sir, Honourable Members. I rise to make a humble contribution to this most unfortunate Motion on ethnicity and tribalism in Namibia, introduced by Honourable Venaani.

It is indeed surprising that the Honourable Member has decided to use this platform to table his Motion while he had all avenues and opportunities to raise his concerns at an appropriate time. When His Excellency, President Hifikepunye Pohamba officially opened Parliament this year, he informed this House that he was visited by leaders of the CoD and the Republican Party at State House and he encouraged such types of visits by Opposition Parties to State House. I recall very well that President Pohamba asked why the DTA has not paid him a visit at State House and went further to extend such a kind invitation so that issues of interest to the country could be discussed. As far as I am aware, that meeting is still pending. If the Honourable Member is serious, why did he not wait for the opportunity to present his case to the Head of State once the DTA finds time to visit State House? I can only conclude that the Honourable Member's Motion does have a hidden agenda with the ill intention of inciting tribal and political instability.

Before I look at the specific issues, let me educate the Honourable Member about Government priorities and allocations. We have just approved our National Budget yesterday and the Member might have seen

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that the four northern Regions of Ohangwena, Oshana, Oshikoto and Omusati had the lowest allocation from Government Budget. According to the Labour Survey, Ohangwena's unemployment rate is the highest in the country at 58%, followed by Omusati, Oshana and Oshikoto at 40% unemployment rate. Other Regions have much lower unemployment of below 30% and Omaheke, for example, at 25% unemployment rate. In contrast, however, these Regions with such high rates of unemployment, receive the lowest allocation from the National Budget. For example, in 2005/2006, the four northern Regions received an amount of N\$486 million out of a Development Budget of N\$1,8 billion, representing only 27% of the total amount, despite the fact that the Regions' population is at 60% of the total population. In terms of per capita allocation, taking the population into consideration, these Regions receive the lowest allocation, lower than Omaheke and Kunene, for example.

Honourable Speaker, Sir, the SWAPO Government does not condone or practise ethnicity or tribalism, which are forms of racism. One of the first things the SWAPO Government did was to outlaw racism and racial discrimination immediately after Independence. However, the manner and context in which this Motion was introduced to the House is inappropriate. Although the Honourable Member who sponsored this Motion is not courageous enough to say so, we know whom he is targeting. The apartheid regime used the same tactic to sow hatred and discontent among the population groups of Namibia.

Let me advise my young brother on the other side that whenever we evaluate who is who in Namibia and who occupies what position, we should do this in the context of our long history of fighting for the liberation of this country. I must remind the Honourable Member that the liberation movement and the People's Liberation Army of Namibia, PLAN, was dominated by the same people the Honourable Member is accusing of dominating key positions.

The Motion is selective and biased. That illustrates the motive behind it. One would have expected the Honourable Member to start right here in the National Assembly where four out of seven Political Parties have Members from one ethnic group only. The Honourable Member should

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have included in his list the financial institutions, in addition the unemployed youth who are sitting at robots and street corners every day, waiting to be offered menial jobs that are all from the same population group, which the Honourable Member claims to be favoured for employment. You will not find job seekers from different population groups among them.

Honourable Members would recall the Peace Project, which was undertaken to address the plight of ex-combatants. Over 90 percent of those ex-combatants were from the same population group, which Honourable Venaani claims to be favoured for employment. The list can go on. Honourable Member Venaani claims to have done research. If this is called research, it is a poor one indeed.

Honourable Speaker, Sir, Honourable Members, as a former Member of the Peoples Liberation Army of Namibia, PLAN, I shall single out one of the examples which were cited in the Motion, that of the Namibia Defence Force. I wish Namibia had compulsory national service so that lawmakers are not ignorant about military matters. The Namibia Defence Force was created from ex-PLAN combatants, of which I am one, and ex-SWATF members. The ex-PLAN combatants are men and women with many years of combat experiences. These were officers, Brigade Commanders, Regional Commanders, Battalion Commanders and Company Commanders, etcetera, during the war of liberation. Their counterparts on the South African side all went back to South Africa with all their armaments. What was left behind were mostly non-commissioned privates who were used as canon fodder. There are no shortcuts in the military, you move from one rank to the next one on merit. Ranks are not advertised and officers do not apply for them, you are promoted on merit. The Chief of Defence has over 30 years of uninterrupted military service and, likewise, the Army Commanders, the Chief of Staff, Brigadiers and others. I challenge Honourable Venaani to produce evidence that an equally experienced competent army officer from other population groups was denied promotion based on his or her tribe, for that matter.

I further challenge Honourable Venaani to produce evidence that any other Civil Servant was denied promotion or employment on the basis of

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his or her ethnicity. There is a myth that all developments are taken to the North by the Government. The Government..... (Intervention)

HON MINISTER OF LANDS AND RESETTLEMENT: May I ask a small question? Do you remember that in 1990 when Namibia became independent, all those Namibians who served under the South African colonial apartheid army went back to South Africa and acquired South African citizens and today they are involved in coups in Central Africa? The former SWATF and Koevoets are no more here, so which of their members are experienced, except Honourable Gende who was a Member of Parliament?

HON MINISTER OF HEALTH AND SOCIAL SERVICES: I am grateful that the Honourable Member is enriching my contribution. Let me repeat myself, there is a myth that all developments are taken to the north by the Government. The Government is trying to rectify the imbalances of the past. There is no need to build a railway to Lüderitz because there is already one, but if Game or Pupkewitz establish new markets in the north, it is because they already have business in Windhoek. This is no business of the Government, but of the Private Sector. Business people go where there are business opportunities.

Honourable Speaker, Sir, Honourable Members, in the Public Health Sector we have inherited inequities in resource allocation to the Regions, a situation which is still in existence to this day. During the past two years, we carried out a scientific research on resource allocations to the Regions. The research found out that Ohangwena, Caprivi and Omusati are the most deprived Regions, while Hardap is the most resourced Region. Ohangwena, for example, receives a Budget that is 89% less than its equity share, whereas Hardap receives a Budget that is 73% more than its equity share. The same trend is seen among other Regions, with the Regions in the former police zone being well resourced at the expense of the northern Regions. (Intervention)

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HON ULENGA: Honourable Speaker, I am very sorry about the interruption. Seeing that the Minister is informing us with some quite sane information, can I ask the Minister a relevant question on the issue that he is dealing with?

HON MINISTER OF HEALTH AND SOCIAL SERVICES: No Sir, I do not want him to belittle my intelligence. The Honourable Member should rather listen, I wish him to lend me his ears.

Would it make sense for any sensible politician to ignore addressing the needs of Namibian people living in Hardap or Karas Regions because they are better off than those in Ohangwena and Caprivi? Certainly not.

Honourable Venaani is talking of balancing. His Party has even failed to achieve balancing in its representation in the National Assembly. His notion of balancing is that for one Herero there must be one Afrikaner, etcetera. We must be realistic in our approach, there is one thing we cannot change, and we cannot change the demographic constitution of the Namibian population. If we have to do proper balancing, as advocated by Honourable Venaani, then it means for every one Otjiherero-speaking person we appoint, we must appoint six Oshiwambo-speaking and this cannot be accommodated.

Honourable Speaker, Honourable Members, while appreciating the good of multi-party democracy by accommodating Opposition Parties to serve as watchdogs for the Political Party in power, the current events suggest clearly that the Opposition Party, in the case of DTA, is tearing apart its membership by offending the membership, referring to other tribes as invaders, etcetera.

The Motion by Honourable Venaani is opportunistic, ill conceived and irresponsible and has the intention to instil hatred among the different population groups of Namibia, thereby undermining our policy of national reconciliation. It must, therefore, be rejected with the contempt it deserves. I thank you for your kind attention.

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HON SPEAKER: I thank the Honourable Minister. I give the Floor to Honourable Kerina.

HON PROF KERINA: Honourable Speaker, Honourable Venaani, in his elaboration regarding the problem of ethnicity and tribalism, stated the following: *“That this Assembly discusses and debates the current ugly face and forms of ethnicity and tribalism in Namibia”*. The key to the solution of tribalism in Namibia is to discover the ingredients or recipe, which can be superimposed on the natural change of cultures and languages which have linked the different ethnic groups inhabiting the Republic of Namibia to enable them to develop and cultivate a feeling of personal security under the Namibian Constitution. The birth of the Namibian Constitution has considered the existence of ethnic groups and accorded them the right to co-exist on this basis of equality within a framework of constitutional guarantees that will protect their individual freedom under the Rule of law.

Honourable Speaker, unqualified loyalty to the Namibian Constitution is the right incentive to mobilise the genius of all Namibians to build an affluent Nation based on merit, loyalty and patriotism to our Republic. Now that we are confronted with the statistics of the Honourable Venaani, the obvious action is for all of us, not just one Party, but all our Political Parties, like a captain of a ship who has drifted from the ocean to the fresh water without realising it, to cast down our buckets where we are and to draw fresh water to assuage our thirst. Yes, we must dig deep into our roots to rediscover the secrets of successful co-existence. This is the challenge facing all our Political Parties represented in this august House.

In order to address the problem that Honourable Venaani brought to the attention of this Honourable House, without impugning on the integrity of none, it is high time that our Government continues to ensure all Regional Governments, as well as Local Governments' equality of treatment in distributing revenue allocations for local developments, which the Government has thus far been trying to do for the past 15 years.

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To be honest, if our Government mobilises the courage to confront the problems under discussion and all the talks about the policies of ethnicity and tribal discrimination at all levels of our Government, then many of the shortcomings of the present will be arrested, if not completely obliterated.

Honourable Speaker, why am I very optimistic about our country and its survival as a multi-party democracy? (Intervention)

HON DEPUTY MINISTER OF JUSTICE: May I ask the Honourable Mr Kerina a question, through you? Honourable Speaker, I just want to ask the Honourable Kerina whether it would be fair, just and reasonable for a Political Party with a 99% ethnic base and support to introduce a Motion on ethnicity in this august House. We are well aware that ethnicity has caused so much misery, devastation and destruction on our continent. Is it fair to waste so much time in this august House, trying to revive ethnicity? It is a shame. I think Mr Venaani and his leader, Mr Katuutire Kaura, must reform from within.

HON PROF KERINA: Honourable Speaker, Honourable Nujoma must listen to my concluding statement.

Honourable Speaker, why am I very optimistic about our country and its survival as a multi-party democracy under the rule of law? It is because as a co-author of the Constitution of the Republic of Namibia I know that the North and the South are one and indivisible, whether we like it or not. The historical developments have made it so and no one will change that. It will remain so as long as God allows the work of men to remain. This Motion is rejected.

HON SPEAKER: I thank the Honourable Member. I now call on Chief Riruako.

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HON RIRUAKO: Mr Speaker, it is an unfortunate happening this afternoon. Tribalism and ethnicity is something that comes a long way, but we did not erase it from the scene. We have a Constitution and method of understanding that was arranged, to canvas for everybody of this country and to bring him or her together whether it is wanted or not.

I borrow a certain word from Honourable Mr Kamwi. We have a venue for discussing these kinds of topics. We have an area where we are supposed to elaborate on our thoughts, but not in the Parliament, if you are serious, but if you want political gain, that is another matter. Let us face the problem it is supposed to be faced because we are grownup people. One, nobody is going to run away from what happened, Two, the venues are there for us to consult one another and we have a variety of Committees within the Assembly to tackle this issue outside the Assembly, outside the public. Even if it happened or it is happening, this is not the place, we have to look for a venue where we will have that opportunity to discuss it. Why are you in such a hurry? To gain what? We want to achieve certain objectives that can remedy our problems and this is how we are supposed to conduct it. This is not the right place and I propose to the Government of the day and to the people of this country: Let us find a way out to solve this problem finally.

Let us think about how we are going to tackle what Honourable Venaani brought to Parliament. It is quite easy and understandable, nobody is reluctant to discuss this issue, but not in the forum where we are now. We embarrass ourselves to the public. We are not here to argue with one another and point fingers at one another and the next morning we have to solve problems together. That is not the way to tackle the problems of the day.

Mr Speaker, I want to ask your good office to come up with a venue for this kind of discussion. This is necessary and I am pleading for that. It is for you to propose where we are supposed to discuss, what kind of decision is supposed to be taken and then we come up with a proposal. I am not going to accept what Honourable Venaani said here, because we have a Government that is going to solve this and people who are grownup to solve this kind of problem. We are supposed to find a forum

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to tackle this problem as grownup human beings. I am not going to support your Motion if you bring it here. This is not the place to discuss that Motion if you are serious. If you want to score points, it is something else. Am I well understood? Mr Speaker, I leave it to you to come up with a proposal on that venue. I thank you.

HON SPEAKER: I shall listen to everybody, but this particular point in time I do not intend to convene a tribal gathering. Honourable Moongo.

HON MOONGO: Thank you, Mr Speaker, Honourable Members. Discrimination and corruption is a ruthless beast that has destroyed many African countries on the African Continent. That is the reason why some African leaders cling to power until they become very old. When a leader comes into power, he or she will appoint kith and kin as well as tribesmen in key positions. Even the white minority used the same tactic to control power in the olden days.

I still remember some whites who were discriminated against because they fought for equality. (Interjection)

HON MEMBER: Like De Waal?

HON MOONGO: Yes, even De Waal. I remember some time back when Judge Brian O'Linn was intimidated and called names even though during the struggle he chose to stand by the black men despite open hostility from his fellow whites. The same was demonstrated against Judge Elton Hoff recently. There are examples that are aimed at turning the Judiciary into a puppet organ of a certain Party. In fact, it is only one

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Party that has the tendency to violate Article 78(2) and (3) of the Constitution, which states that the Courts shall be independent and that no Member of the Cabinet or any other person shall interfere with the judicial officers in the exercise of their duty. A distance of at least 500 metres from any Court premises must be a free zone and no demonstrations should be allowed in that area.

Mr Speaker, Honourable Members, I was shocked to learn that the SWAPO Government failed to implement Article 10, which makes provision for equality and freedom from discrimination and that all people shall be equal before the law and no person may be discriminated against, whether for social or economical reasons. Some Traditional Leaders are discriminated against up to this moment and they are not recognised by the Government. (Intervention)

HON MINISTER OF LANDS AND RESETTLEMENT: May I ask the Honourable Headman of my village a small question? I am asking you in your capacity as the Vice-President of the DTA. Is this a DTA position that the Nama people are invaders in Namibia? Is it a position of the DTA? I am asking you because you are number two and you are defending that position. It is what your President has said in this august House, that they are invaders in the Republic of Namibia. Is it true? Is it the position of the DTA? If that is the position of the DTA, why do you go to the south and campaign?

HON MOONGO: Mr Speaker, I think Mr Kaura is about to return from an official mission and will answer you properly, but I believe in freedom of expression. It is his right to say what he thinks is right. I think he will answer you.

The San communities and others who do not want to join the SWAPO Party are being denied their fundamental rights. (Intervention)

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HON MINISTER OF PRESIDENTIAL AFFAIRS: May I ask the Honourable Member a question? Honourable Member, which tribe is the SWAPO Party?

HON MOONGO: No, the SWAPO Party is using a special tactic to deprive the Opposition Members of job opportunities. It is a fact that there are still discriminatory practices in existence. Some newspapers are giving firsthand information of people discriminated against. (Intervention)

HON MINISTER OF LABOUR AND SOCIAL WELFARE: Honourable Speaker, may I ask a very simple question to solicit clarity? Comrade Speaker, it is not my nature to intervene when people that I respect have taken the Floor and I respect Mr Moongo, but I am really getting concerned that the Debate, sensitive as it is, has been moving quite remarkably well. Mr Moongo is really making all sorts of statements. He started with the Judiciary, which he knows that as he sits there is not true and now he is venturing into an arena, which he also knows, cannot be factual. I am afraid that the Debate is really degenerating. With all the respect that I have for Honourable Moongo, maybe it is better for him not to say anything.

HON SPEAKER: The Speaker will not allow the Debate to degenerate and we will confine ourselves to what we must say and not question the competence and authority of other organs outside Parliament. Honourable Moongo continue.

HON MOONGO: And should we not uphold and obey that all persons shall be treated equally before the law? I hope the President will eradicate

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the abovementioned shortcoming. Article 23 stipulates that discrimination and the ideology of apartheid will be punishable and that the Parliament must legislate for the advancement of a person who has been disadvantaged socially, educationally and economically by past discriminatory laws.

Mr Speaker, Honourable Members, some Ministries and Institutions are still discriminating and fail to implement Article 10 of the Constitution. People in power tend to appoint members of their own ethnic groups. (Intervention)

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: On a Point of Order. Honourable Moongo is not supposed to be here. Please give your chair where you are sitting now to the Kaoko people who voted for you.

HON MOONGO: I am here because my Party decided. I am not here because of the SWAPO Party. Leave it to the DTA to decide and try not to interfere.

Mr Speaker, SWAPO even continues to discriminate against people when implementing their own policy of only appointing SWAPO cadres in senior positions. They are discriminating between their own Members. (Intervention)

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: On a Point of Order. Honourable Speaker, Honourable Muyongo must please not mention SWAPO, because among the SWAPO Members we do not have a problem. When you have a problem in the DTA, talk of yourself and not of the SWAPO members. We are not complaining to you.

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HON SPEAKER: Just for Record sake, it is Honourable Moongo, not Muyongo. (Laughter).

HON MOONGO: Mr Speaker, I was saying, SWAPO even continues to discriminate between people when implementing their policy of only appointing SWAPO cadres in senior positions and this is true. They are discriminating between their own Members by giving priority to Members who were in exile. Is it not true?

Mr Speaker, non-Ovambo people feel they are discriminated against when it comes to top positions. This type of discrimination is against the Word of God, you must treat others, as you would like to be treated. (Intervention)

HON MINISTER OF PRESIDENTIAL AFFAIRS: May I ask the Honourable Member a question? Honourable Vice-President of the DTA, are you aware that shortly after Independence the then Founding President wanted to appoint a member from the Opposition, particularly the DTA, as a Cabinet Minister and the Party declined? Are you aware of that? Why are you again complaining today?

HON MOONGO: Mr Speaker that was political mockery. It was not meant from the heart, they were only trying to influence the community that they are transparent and where is Rukoro and where is Hidipo? If you want to appoint someone from our side, where is Hidipo and others? (Intervention)

HON MINISTER OF FINANCE: May I ask the Honourable Member a

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question? Honourable Member, is it not true that when the DTA declined to take a Ministerial position, it was because they believed the story that was being told to them by the South Africans that come the next elections they would win and they would take up all the Cabinet positions and now that they realise that their only future is outside the political scene in Namibia, they are now crying to be taken on board.

HON MOONGO: SWAPO cannot appoint a member of the DTA if it fails to appoint its own Members. Members who served the Party since the time of the liberation struggle were fired without even taken to Court to be proven guilty. (Intervention)

**HOUSE ADJOURNS AT 15:40
HOUSE RESUMES AT 16:00 PURSUANT TO ADJOURNMENT**

HON MOONGO: Mr Speaker, I was saying that somebody needed to convince me.... (Intervention)

HON MINISTER OF LANDS AND RESETTLEMENT: Honourable Member, in 1989 with the UNTAG election the DTA got 21 seats. In 1994, the DTA got 17 seats. In the 1999 election, they got 7 seats and in 2004, they got four. Do you think there is a future for the DTA in this country?

HON MOONGO: SWAPO became experts at rigging the elections and that is why our seats diminished. Somebody needs to convince me that able men and women are only found in one tribe. Able men and women

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are found in every tribe of this country. People are discriminated against based on their tribes. (Intervention)

MINISTER WITHOUT PORTFOLIO: May I ask the Honourable Member a question? If I understood you properly, you asked a question as to where Hidipo and others are. Can the Honourable Member explain where is Nico Smit, where is Chief Riruako, where is Dirk Mudge, where is Staby, where is Katjimune, where is Uahongora, where is Kerina, where is Muyongo?

HON MOONGO: As I said, we believe in freedom of choice and, therefore, if they choose to go and serve their tribes, that is in order. (Interjection)

HON DE WAAL: We did not kick them out!

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: On a Point of Order. Even last year Honourable Moongo and his team were mobilising people to chase Mumbuu away from the DTA. What happened to him?

HON MEMBER: That is not true. He is still a member of the DTA.

HON MOONGO: Honourable Mumbuu is my Chief and he is a Member of the DTA, so I am happy with him. He is still serving the national

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politics. He is not a tribalist.

I was saying it is no longer a secret, people talk openly... (Interjection)

HON MINISTER OF FINANCE: May I ask the Honourable Member a question? Does the Honourable Moongo know that the representation of his Political Party, the DTA, in this House is 50% one tribe? (Interjection)

HON DE WAAL: And your Party? Have you counted on that side? We will count for you. Go and make the calculations.

HON MOONGO: It is no more a secret, people talk openly in Oshiwambo that if you are not an Ovambo within the SWAPO Government, you will not be appointed in any high position.

Mr Speaker, it is high time that the Army and the Police are restructured because all top positions are allocated to men and women from one tribe. (Intervention)

HON NAMBAHU: May I ask the Honourable Member a question? Is the Honourable Member aware that many of the former SWATF Koevoet members are very unhappy with him and his Party because they were discouraged to join the Namibian Defence Force at its inception?

HON DE WAAL: That is a lie.

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HON MOONGO: Why the ex-Koevoet and SWATF members left Namibia and why other people are still in exile is because of fear of this discrimination. If they were here, they would be discriminated against. (Interjections). I am a different person, I am a freedom fighter, I could liberate myself. We can be in one room together. I will castrate you. (Intervention)

HON SPEAKER: Honourable Member...(Intervention)

HON MOONGO: I withdraw that.

HON SPEAKER: Honourable Member, before you proceed, please withdraw that word.

HON MOONGO: Yes, I withdraw it. Some positions are filled with people of low academic standing because they prefer only one tribe. This reminds me of one book I read, "*The Animal Farm*", written by George Orwell. Is it not corruption, for example, to force an Ovambo Governor on the San community? (Intervention)

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: On a Point of Order. Honourable Speaker, is it allowed in this House for the Vice-President of a failing Party, the DTA, to continue talking about tribalism in this House? When Honourable Venaani's father was ruling that time, the Himba was not recognised. (Interjection)

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HON VENAANI: My father never ruled this country.

HON SPEAKER: Is it a question, Honourable Member?

HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE: It is a Point of Information. The Chief is not allowed to talk about that, Honourable Iyambo already rejected the Motion and now we keep on talking. When are we going to vote and reject the Motion? Divide the House!

HON SPEAKER: If you would reduce the Points of Order, we will make progress.

HON MOONGO: Yes, it is a pity they are taking my time. All the people love their country and want to use their talents to develop their country to its full potential. Putting a person in a high position only because he is from your tribe or he is a member of your Party, is dangerous and is causing a negative chain reaction.

Mr Speaker, Honourable Members, discrimination is a deadly demon, we need to find a heavenly feeling of power to eradicate this systematic, draconian practice. I hope the motive behind this Motion is not to discredit some people, but to iron out corruption and nepotism. We all are sinners one way or the other, nobody is clean in Namibia, some are protecting discrimination, and some are practising discrimination indirectly or in kind. Therefore, let us discuss the Motion with a sober mind and in a more mature manner in order to find a lasting solution.

Mr Speaker, when you are an Oshiwambo-speaking person, you will know

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about the differences between Ndongas and Kwanyamas, etcetera, but the non-Ovambo-speaking people will only say they are Ovambos. There are many differences in any group; even whites are not one group but consist of Germans, Afrikaners, etcetera.

Mr Speaker, the aim is to find a lasting solution to prevent tribal or racial tension. Let us establish a commission from all ethnic and racial groups to come up with a practical code of conduct to prevent unfair treatment based on ethnicity in future.

Mr Speaker, Honourable Members, I have two types of goats on my farm, some are rooinek (Boerbok), some are Oshiwambo goats and they stay in one kraal but they separate themselves in a group whenever they are grazing. At first I wanted to tie them together to integrate them by force, but that was impossible. (Intervention)

HON ULENGA: May I ask the Honourable Moongo a question, please? Honourable Moongo, you are talking about Oshiwambo goats in your kraal, what ethnicity are the rooineks?

HON MOONGO: However, after almost twenty years, they have now fully integrated and are now all black and white. We, therefore, need sober minds and lots of patience to unite our people peacefully.

Mr Speaker, the struggle is over and the blood of Namibians was shed for true Independence, true unity and for peace and democracy. Let us not abuse this power, which was given to us through their blood. With this, I support the Motion.

HON SPEAKER: I thank the Honourable Member. Honourable Namoloh.

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HON MINISTER OF DEFENCE: Honourable Speaker, Honourable Members of this august House, I rise to respond and give clarity on the alleged ethnicity and tribalism in some Government institutions and State-Owned Enterprises raised by Honourable Venaani. I however wish to register my disappointment with the Motion, which creates fear, promotes violence, ethnicity and tribalism as well as aiming and undermining the Policy of National Reconciliation in our country.

I would like specifically to highlight the alleged ethnicity and tribalism in the Defence Sector. Namibia was under the occupation of the South African apartheid regime for about 75 years. In that process, the South African apartheid regime brought in the security forces that suppressed our people for such a long time. They also created auxiliary forces in Namibia, such as South West Africa Territory Force, Koevoet and South West Africa Police as tools to fight SWAPO's military wing, the Peoples Liberation Army of Namibia, PLAN. Those auxiliary forces were not legal institutions and were mainly led by South African military officers. Namibians who joined either South West Africa Territory Force or Koevoet were mainly non-commissioned officers and those who happened to be turned into officers were few and most of them decided to relocate to South Africa at the time of Independence of our country. I should also state here that some Opposition Parties at that time and still in this august House encouraged those officers to leave Namibia and to become South Africans, with intentions known only to themselves and these elements are still in South Africa serving the South African National Defence Force.

During the liberation struggle, access to join PLAN was not that easy due to geographical aspects as well as security control mechanisms imposed by the racist regime. Despite those restrictions, people from the northern Regions managed to flee the country in large numbers into Zambia and Angola in search for freedom. The majority of those refugees opted to be trained as freedom fighters under PLAN, which was instrumental in the fight against the South African racist regime in Namibia.

At Independence and in the process of the implementation of the United Nations Resolution 435 and in accordance with the Namibian Constitution, Article 118, the Namibian Defence Force was formed. At

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that early stage of our Independence, there were more PLAN ex-combatants in comparison to the ex-South West Africa Territory Force, as some members have left Namibia to South Africa, more particularly the commissioned officers and we were left only with non-commissioned officers. Maybe some Honourable Members may not understand what commissioned and non-commissioned officer means. The difference between a commissioned and non-commissioned officer is that at the entrance or induction in the Force, you go through certain tests to prove certain qualities and that includes, amongst others, your qualifications and leadership qualities, to mention but a few. Those who pass the tests are selected for training as cadet officers, while those who did not pass are nominated to non-commissioned courses. The cadet officers, after completing their training, are given a commission, signed by the President, as officers in the Defence Force.

Honourable Speaker I would like to emphasise that the non-commissioned officers who were left here, could not climb the ladder and become Brigadiers or Generals, as requested by Honourable Venaani. I would also tell you that I was at the induction myself and it was a problem to get officers from the ex-SWATF to be inducted into the NDF. When you became a commissioned officer that time, you automatically became a South African officer and all your benefits were transferred. A few came voluntarily, but they had to resign from the South African Force. The majority of those who remained here were non-commissioned officers. Those officers, who remained, opted not to join and joined other institutions.

I should, however indicate here that it was not easy to create a National Defence Force from the opposing forces who faced each other in the battle after a few months. We are proud of what we have achieved so far and if you want to see reconciliation in practice, visit the Namibian Defence Force.

When the Namibian Defence Force, few officers from the ex-SWATF who opted to stay and those who returned voluntarily, were accommodated at all levels of the Ministry of Defence and the Namibian Defence Force and those non-commissioned officers who were not even

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qualified to become officers, have been promoted to officers. Today they are Lieutenants, they are Majors, but they cannot be Generals overnight. In the Defence Force you have to climb a pyramid, you cannot jump to the top of that pyramid, there are stages which you have to go through. (Intervention)

HON MINISTER OF LANDS AND RESETTLEMENT: May I ask a small question? The top management of the Namibian Defence Force consists of men and women. Can you tell this House how many years of military experience those in top management have, including yourself. How many years have you spent in the army? Can the ex-Koevoet and ex-SWATF climb the ladder overnight whereas the PLAN fighters have more than 30 years of experience? How many years of experience is required and did those men and women in top management join the military after Independence or have they been on the battle field for more than 30 years? Could you just elaborate a bit?

HON MINISTER OF DEFENCE: As I said earlier on, at entrance and induction, you can become a cadet officer and then you progress as time goes at all levels. You can attend academies and become a Captain, Major, Lieutenant-Colonel, but you cannot attend an academy to become a General. You must have experience of participating in war, of commanding battles and campaigns. You do not write examinations to become a General. It goes with the experience, which you have gained and your qualities. In the military, there should be criteria to determine the leadership qualities. (Intervention)

HON DE WAAL: Honourable Speaker, may I ask the Honourable General a question, please? I am a little bit lost now, because I was always under the impression that PLAN consisted of all the people of the country. All the groups of this country were members of PLAN. What I

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do not understand, the General and the Minister in front of him keep on referring to Koevoet and SWATF, but what about the PLAN people who do not belong to one tribe? The Kavango's in PLAN also have 30 years experience, so why are they not Generals?

HON MINISTER OF DEFENCE: I do not want to engage in direct dialogue with the Honourable Members, but the members of PLAN you see here, including myself, are survivors of the liberation struggle, a few of those who survived. Many have died and those who came here are survivors. You cannot have a thousand Generals, they are only a few and they are still coming.

In the Namibian Defence Force, we do not promote tribalism neither do we promote ethnicity. When we recruit, we post advertisements in both the electronic and print media in which all the youth of Namibia, from all walks of life, are encouraged to apply. Selection is based on set standards and those who qualify are accepted, depending on the number, which is required, also depending on the resources available, which are approved by this august House.

Furthermore, the Ministry of Defence went to the extent of allocating quotas to all thirteen Regions of the Republic of Namibia in order to ensure balanced geographic representation in the Force. We have even gone to the extent of recruiting the same people, regardless of whether they meet the entry requirements, including educational requirements, or not.

Promotion in the NDF is done in accordance with Chapter 4 of the Defence Act (Act 1 of 2002) and as prescribed in the personnel policies. There are also various Promotion Boards, depending on the rank groups and this includes the Board that is chaired by His Excellency, the President who is the Commander-on-Chief of the Namibian Defence Force, the Board under the Chairmanship of the Minister of Defence and another Board, which is chaired by the Chief of the Defence Force.

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I should further stress that the Honourable Member does not have any clue of the management of the Defence Forces. In military traditions, it is not easy to get a person who joined the Force to reach the rank of General within a period of six to ten years. Career progression will have to be followed. Few officers may reach that level. Others may retire at the level of Captain and Major. Military career demands a lot of commitments, training and self-discipline.

Honourable Speaker, Honourable Members of this august House, there is also one serious allegation made by the Mover of this Motion, which needs to be clarified and put into proper perspective and that is the issue of the 2nd of August 1999 in the Caprivi Region. Indeed, our security forces and the Namibian Defence Force, in particular, need commendation for the manner in which they have handled the secessionist attempt in that Region. They acted in a way that ensured minimum loss of life and the destruction of properties. It is not always easy to handle an attack in a built-up area such as a town and to repel such an attack with minimum loss of life. The way it was done in Katima Mulilo, especially in the town centre and at the NBC Radio Station, our forces had acted with maximum care and caution to avoid injuring innocent civilians. Had they acted recklessly, more lives would have been lost than what we experienced. Those of you who watched the war in Iraq, Chechnya, Bosnia and other places around the world have seen how destructive urban warfare could be. This was not the case in the Katima Mulilo town.

In conclusion, Honourable Speaker, Honourable Members, I should strongly emphasise that promotion of ethnicity of tribalism is just dangerous and the Honourable Venaani wants to confuse the Motion with his factious thinking. Namibians have learned a lot and we also know the intention of the Honourable Member, hence we should not allow ourselves to be kept hostage by this Motion, which does not serve any purpose but rather to create friction and hostility amongst our people. On these grounds, I will not support the Motion and propose that this Motion be rejected in its entirety by the House. I thank you.

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HON SPEAKER: I thank the Honourable Minister. Ex-PLAN combatant, Honourable Gurirab.

HON T GURIRAB: Honourable Speaker, unless there are speakers today, I pray to adjourn the Debate until Tuesday.

HON SPEAKER: The Debate stands adjourned until Tuesday, next week. The Secretary will read the Second Order of the Day.

**RESUMPTION OF DEBATE:
MOTION ON RESTORATION OF PLACE NAMES**

HON SPEAKER: When the Debate was adjourned on 28 June 2005, the Question before the House was a Motion by Honourable Kaura. Honourable Amathila adjourned the Debate and he now has the Floor.

HON B AMATHILA: Honourable Speaker, I was informed that this Motion was properly addressed by Honourable Schimming-Chase, Honourable Riruako, Honourable Mungunda and Honourable Diergaardt and I was told that what came across was a total rejection of the Motion. Therefore, I feel there is nothing I can add to the Motion, but to cede the Floor to somebody else who might wish to take the Floor.

HON SPEAKER: Thank you, Honourable Member. Any further discussions? Honourable Ulenga.

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HON ULENGA: Thank you, Honourable Speaker. I did not have the benefit of listening to those others who participated in the discussion on the Motion, however I want to stand up and add my little contribution to whatever might have been said about this Motion. It is very unfortunate that the Honourable Kaura himself is not in the House today, because I have wished that he should have been present. He introduced, I think, an interesting and important Motion, a Motion that creates the opportunity for us to express ourselves on some of the aspects at least of the issues that he raised, even though I will have to say that unfortunately I am not able to agree with the need of the call of the Motion, but still it is important that we can talk on an issue like this one.

Honourable Kaura's Motion provides us with the opportunity to debate an important issue, the question of changing of place names and of other entities in a free and independent Namibia and what the reason should be for any name change than the proposed one.

Honourable Speaker, the Motion is flawed. That means it rests on false premises or false assumptions. In the first place, Honourable Kaura wants certain names to be changed because apparently they are colonial names and Honourable Kaura has gone ahead to mention about eight or nine names. In fact, in his introduction, he mentioned, interestingly, the name, Caprivi, and I am surprised that in the end he did not include the name Caprivi under those that he is proposing to be changed. I would have agreed with him on this particular one, but it is now beside the point because he does not include it in the particular names that need to be changed.

The names that Mr Kaura is proposing to be changed are not colonial names, but in order to find out exactly what we are talking about, we should be able to agree on a definition of "*colonial names*". My understanding of the adjective "*colonial*" is that it refers to something that has the characteristics or the status of a colony or something that relates to a colony, something that is adopted from, or reminiscent of a colony or of a colonial mode or a colonial design. For example, in history and in other areas they will be talking about colonial, in America when they referred to the thirteen British colonies which initially formed the initial United States

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of America, but “*colonial*” could also mean something that tends to honour colonial activities, that tends to honour or aggrandize the colonial period of that tends to honour colonial Governments or the leaders and rulers of colonies.

You will find in Africa, for example, there is a place very near to us that is called Victoria Falls. As you will all remember, when Victoria was a grand coloniser, she ran a colonial empire. In Africa, there is the Lake Victoria, the Victoria Falls, and there are several other areas, which are named not only after Queen Victoria, but also after other colonial rulers. As it was mentioned, in Namibia we have the instance of the Region, Caprivi. There is no escaping it, the name Caprivi derives from a colonial premier or as they are called in Germany, Chancellor Von Caprivi.

Of course, we forget in our case colonialists such as Kaiser Willem, Verwoerd or Smuts. These were the latter-day colonialists who colonised us only from next door.

In the case of the names given here, Honourable Speaker, let us start with Windhoek. I want to take out Windhoek and deal with Windhoek, Gobabis, Walvis Bay and Grootfontein. Windhoek and Grootfontein are in Afrikaans. Windhoek was the name coined by Jonker Afrikaner under whose leadership a proper inhabited village of this city, which we are living in, which is now the capital of our country, was established. Jonker Afrikaner was not a colonialist, Jonker Afrikaner, in fact, was one of the great pioneers of this country. We must remember that not everybody can claim to be a hundred percent perfect. Even some of the people that we consider as heroes in our country’s history had some dark sides, but that does not take away from the quality of a historical personality such as Jonker Afrikaner for having been a pioneer. It is true, he perhaps had been very cruel, he took part in many cruel activities, including war against the innocent other Namibian communities. That does not take away from the fact that Jonker Afrikaner was one of the first pioneers this country has seen and actually contributed quite a lot to drawing together a number of Namibian communities into something resembling an entity that one can call our Nation.

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Who was Jonker Afrikaner? Jonker Afrikaner was not an invader of this country. You must remember that the Orange River, which is properly called the Garieb River, was not a boundary of a country, it was only a watercourse that has gone across a country that was inhabited on both sides by the same people. These were not the Nama people, as some try to say, these were the Khoen people and as you will agree with me, the Nama people are only a small group of the larger Khoen people. Now these people lived in an area as large as from the Kei River up to north of where we live right now. The name Tsoa-Xaub is also in the Khoe language and by the way, this is not a colonial name, nor is it any other than an indigenous Namibian name. Therefore, there is no truth in the allegation that these are colonial names. They are pre-colonial, they are also indigenous in that they have been named and coined by the people who have lived here.

There is however something that I wanted to add to the issue of being indigenous or not. Namibia is what can be called a hybrid Nation. We are not a Nation that will want to be proud to claim purity. I think many Namibians take pride in the fact that we are a Nation that has many sources. In our veins run the blood of those people who walked, the great spaces that today are called Namibia before any others. Those were the ancestors of the ancestors of the ancestors of our ancestors, but there is also the blood of others that course the veins of us as Namibians. This is the blood of slaves who have come from other parts of the world and who have ended up in this place, perhaps via the Cape, perhaps via Angola and via other places. There is in that instance the blood of the Malay in our veins, the blood of the West Africans, the blood of the Mozambicans, the blood of the Chinese.

We can also not deny the fact that the German blood is coursing our veins, Dutch blood is coursing our veins, English blood is coursing our veins. Thus, there is every drop of blood that has ever coursed a vein in this world.

Therefore, we are a hybrid Nation. We should take pride in us being a multi-cultural and a multilingual Nation and community. I think this explains the reason that there is more than one name for almost every

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place in Namibia today, not only because of that, also because of the fact that various communities in Namibia have tended to live together at the same time. It is true, it has not always been peaceful co-existence, and very few in the world have achieved that. The fact that various communities have fought each other in Namibia does not really amount to too much. The fact of the matter is that many proud Namibians, actually the majority, are multilingual from year one as they grow up, because they have always lived in communities that have spoken different languages but they have lived in close proximity to each other. Therefore, it would not really make any sense to say one language is more indigenous than another is. Even the language that we call Afrikaans is clearly and properly indigenous in Namibia today. It was coined in these Regions and it is a language that has been spoken by people who have always considered themselves as indigenous Africans and indigenous Namibians.

I see some muddling or even falsification of history in Mr Kaura's introduction to the Motion, but of course, it does not come to the core of the Motion but I will refer it, because Mr Kaura is talking about Jan Jonker Afrikaner who has allegedly started to raid other communities because he wanted to sell his cattle to the Germans. Jan Jonker Afrikaner, the historical figure, had never seen a German with his eyes. Of course, his father, who played a greater role than him in bringing Namibians closer together, in many ways violently of course, has been here in pre-German times. Therefore, the period that we are referring to here and the names that we are talking about has nothing to do with Germany. Jan Jonker Afrikaner had never sold a single head of cattle to the Germans.

It would be interesting for Members to look into the history of the development of the raiding commando as it developed and took shape in Namibia. Mind you, it is not only the Afrikaners who did raiding, my own Chief, a former Chief of my community, did raiding and this happened because of a certain particular reason. The establishment of a colony in the Cape meant that the whole economy of the southern African Region was drawn into the colonial economy and almost everyone who could find the means in southern Africa took to raiding so that they could take cattle to Cape Town. Therefore, those Herero Chiefs, Ovambo Chiefs, Kwambi Chiefs, Nama Chiefs, Afrikaner Chiefs took to raiding.

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Superficially, it looks like there are no reasons, but this was definitely the domination of the Cape economy that demanded that cattle be brought to Cape Town to be sold to those who came with their ships and also to the community in Cape Town, which was very fast growing in those days.

The falsification of history was a little worrying, because Mr Kaura is a veteran politician, he is also a national leader in this country and especially when it went to the extent of calling people “*invaders*”, I think it was in very bad taste.

There is one particular issue that I want to mention, because there is also some note that is coming across in Mr Kaura’s Motion that seems to be saying that if certain indigenous languages are not considered, then that is not proper. There is a man called Mburumba Kerina, fortunately he is an Honourable Member of this House. I have always considered Kerina to be one of the unsung heroes of this country and, therefore, history. I understand Honourable Kerina coined the name “*Namibia*”. You will be able to correct me if I am wrong, but my understanding is that he coined the name “*Namibia*.” (Interjections). I am not saying he coined the name “*Namib*”, I am saying he is the one who linked Namib to Namibia, the place that we call home now. That is what I am made to understand, he will be able to speak on this one and others who know better.

“*Namibia*” is not Herero. I know that Honourable Kerina is also hybrid himself, he is Ovambo, he is Herero, he is German, he is Afrikaans, he is Nama, Damara, he is everything, and he is a true Namibian. (Interjection). Zulu as well. What is significant is that when Kerina thought about the name “*Namibia*”, he did not consider his indigenous language. He did not consider the language that he suckled from his mother’s breast. (Intervention)

HON DEPUTY MINISTER OF WORKS AND TRANSPORT AND COMMUNICATION: Would the Honourable Member accept a small question? Honourable Speaker, I just want to ask the Honourable Member whether he is aware that Honourable Kaura is also not a full Herero?

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HON ULENGA: Yes, if Honourable Kaura is not a full (fool) Herero, he must be a clever Herero. If he is not the one, he must be the other. He cannot be anything in-between. However, I really think that it is significant that you do not hear people in Namibia complaining that the name Namibia is not in their particular languages and I think this indicates the spirit, which Namibians have always held dear. It is not about the language that you suckled from your mother, because all the languages are ours anyhow. Therefore, if it is an accident of history that my village is called in a certain vernacular, Pioneers Park, then I accept it because this is the place which indicates the fact that many Namibians, who together are a hybrid Nation, have stayed and lived in this great country of ours.

It is not really necessary for me to get into all these other names. Suffice to say that Tsoa-xaub is our great river, I am sure it has been Tsoa-xaub from times immemorial. Not all of us, even though the language, which this name is from, has been spoken in this country for thousands of years, not all of us have been able to master the clicks of the Khoe language very well. So, there has to be some corruption of names to accommodate those who cannot come out with the clicks.

Let me tell you an interesting fact of history, Honourable Speaker. There is a place in this world called Istanbul. Istanbul is the capital of Turkey. It is not in the Turkish language. Originally, it does not derive from the Turkish language. The place that is called Istanbul today was a place that has preceded the nature of the people who lived there today. This was a place called Constantinopolis. This means the City of Constantine. Constantine was the Greek Emperor who ruled from Rome, but of course also established this city in the place that later became the City of Constantine. "*Polis*" is "*city*" in Greek. Constantine is Constantine. When other people first and later the Turks came there, they did not concern themselves too much with changing the name, but of course, they could not master it and they corrupted the name. Instead of saying "*Constantinopol*", they said "*Istanbul*", they still honour it, and they love it as the name of their capital city.

You know about Gibraltar, which is the Rock of Tariq, one of those

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fighters who went across into Spain and later conquered southern Europe.
(Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: May I ask the Honourable Member a question? Is that how you came to accept the name Benjamin?

HON ULENGA: Honourable Speaker, I will come to the names of people later, but I am now talking about Gibraltar, which is Gabr Tariq. That is an Arabic name, but nobody sees it today. Let us leave that one.

When I was in Egypt with the Founding Prime Minister a few years ago...
(Intervention)

HON MINISTER WITHOUT PORTFOLIO: I am sorry to interrupt the Honourable Member, but I just want to ask a small question. I think you are doing very well and I also agree with you that the way the Motion was formulated creates a lot of problems, but do you agree with me that these names which were mentioned there are the cause of the problem with the Motion. There are some other names that simply could be regarded as annoying and I can give you the example of my farm, which is called "*Dis Al*", the reason being that it was called "*Otjovazandu*", and now it is "*Dis Al*". Why? Because when, what we call the "*Angola Boers*", came here, they were given all those farms, the people were moved and they called the place, "*Dis Al*". That is all that what we wanted from these black fellows. How do you feel about names like that?

HON ULENGA: Thank you, Honourable Speaker. You must have greater respect for history. There is an Afrikaans poem that I learned

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when I was in matric and I learned Afrikaans as first language, called “*Dis Al*”. “*Dis Al*”, as my learned sister there will remember, is a commemoration of the experiences of the Afrikaner people in places like Ceylon when they were in the concentration camps where they were put by the British and there is a man who came back and he said, *dis die blond, “dis die blou, dis die gras en ‘n eensame graf en dis al.”* That is the significance of the phrase, “*Dis Al*” in Afrikaans. Of course, with your experience you would think, “*o, dis al wat ons wou gehad het van die swartmense.*” It could be.

Let me tell you, when I was in the war people were talking about earlier this afternoon, we got cornered in a place, which I did not know then, a farm and I later learned that this place was called Malta and I really thought that some of these white people are crazy, how can they now come in Namibia and call a place Malta, which has nothing to do with Namibia? Recently I met a man whom I identified as the previous owner of that place where I was shot and captured and I asked him, “*Why did you call the place Malta?*” He said, “*Mr Ulenga, I was a pilot in the Second World War and I was one of the fighter pilots flying British Army planes and I got shot down three times in the war. The second time I was shot down in Malta, the island, and wondrously I still escaped.* The white soldiers came back and they got farms and he got his farm and he called it Malta. He was commemorating something very personal. Thus, there are always some pure facts behind some of the names that we see now and it is very difficult to get into the personal circumstances surrounding some of these. However, it is important because I want to talk about the way in which some of the places get new names in Namibia today also. However, what I want to say about that, do not always think that you see what you see when you see a place called Dis Al, Malta and so forth.

I wanted to talk about Tsumeb, because Mr Kaura is saying this is Okavision in Otjiherero. The Ndongas has their rationalisation of how the place got its name. I will not get into that history, what I want to demonstrate is that this particular group will say this is how this place got its name. From our point of view, this is how it got its name and the Herero’s are lying, or the Ndongas are lying or someone is not telling the truth. That is also the nature of these places, which have more than one

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particular aspect, culturally speaking.

In Namibia today we have several places that have changed names. The only thing that I want to say about that, I really want to say the naming of places, streets, towns and so on, after living persons shows poor taste, both culturally speaking and politically speaking. I certainly know that many names, especially of streets, have changed in this country and many streets have been named after especially the members of the first Cabinet of Independent Namibia. On the one hand, it is a good thing, it does not necessarily mean that these people are heroes, also how do you really define a hero? The doer of good things is not necessarily always a hero. Let us not confuse these matters. You could have done a number of good things in history to your people, it does not necessarily mean that you are a hero, but be that as it may, it confuses people and communities when places have to get the names of living persons, because sometimes the people who give these names do not consider the importance or the fame or the good deeds which were carried out by these people. Sometimes they actually also carry favour and it gets into a ridiculous extent when you go to a town like Gobabis, for example, and you look at the people after whom some of the streets have been named. It is just ridiculous and this ridiculousness comes in when we allow it to happen, when we allow at all that certain places should be named after living people. There is a definite exception, like the Founding President of the country, for example. (Intervention)

HON DEPUTY MINISTER OF JUSTICE: Honourable Speaker, I would like to ask Honourable Ulenka a question. Honourable Ulenka, I recall a few days ago the first Right Honourable Prime Minister mentioned in this House that the time has come for us to give due credit to the people who are deserving it while they are alive, instead of honouring them after they have died and they cannot appreciate it. How do you feel about that? That was the statement made by the first Right Honourable Prime Minister.

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HON ULENGA: I wholeheartedly agree with such a statement. However, naming places after someone is not the only, nor is it the most appropriate way of giving credit where it is due. It is an established culture that places are given names in terms of the historic significance. It has been culture in Namibia and elsewhere throughout generations. I am however not really saying that it should be ruled out completely, there are certain circumstances when it can happen, but it should be very rare.

In this country, we can have Sam Nujoma Avenue. When we have Sam Nujoma Avenue, Sam Nujoma was the first President of this country and that is a special position. It does not mean that, like they say in Afrikaans, it should be done with every *Piet and Paul*. It is enough if you have one or two places. With all the respect that I have for certain people, always when I come to that intersection in Otjiwarongo which says Libertine Amathila and Hage Geingob, I find it funny. Anyhow, I will leave that out.

Honourable Speaker, it is important that we consider the valuable aspect of this Motion. The name Caprivi was mentioned by Honourable Kaura and I think, depending on the will of the Namibians, this is really a name that we can consider changing. The people who accepted the name Caprivi, I think accepted it through long use and it is also a good thing that right now people do not say Caprivi, they say, "*Capirivi*". They have Africanised it, they have sort of corrupted it and it can in a way be acceptable, but if we really want to think about changing colonial names, that is one place that we can change because there isn't any other reason why the place is called Caprivi. (Intervention)

HON MINISTER OF JUSTICE AND ATTORNEY-GENERAL: May I ask the Honourable Member a question? Does the Honourable Member know that, there was indeed a proposal for this Region to be called something else, but the DTA shot it down? Does the Honourable Member remember?

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HON ULENGA: No, I do not remember that the DTA shot it down. I remember that the matter was being discussed. I think there is some sensitivity. We just left discussing this Motion on tribalism, what we need to educate our people about is to deal with some of these matters without getting caught up in a fight or a struggle between tribal this and tribal that. As I said, it also depends on the will of the people as a whole. If the people feel that they can continue to use the name Caprivi, especially in its bastardised, africanised form, Capirivi, they can do so.

Suffice to say, if this Debate comes up, please, it should not be a SWAPO this or a DTA that, it should be consultation away from Party-Politics, because if we try to give Party-Political connotations or colour to each and everything that we do in Namibia, we are actually dividing Namibians instead of uniting them. Some things that have worked to unite people during the struggle do not necessarily act as a uniting factor in our days any longer. Let me give you the example of the term "*Comrade*".

In the struggle, "*Comrade*" was bringing us together. In a situation of a free Namibia where you want to discriminate between Comrades and non-comrades, you are not uniting Namibians. You are actually dividing them.

That happens when you take national issues on a Party-Political basis. It would be a very good thing if we say... (Interjections)

HON SPEAKER: You were doing extremely well, be careful.

HON ULENGA: Honourable Speaker, we are not an ancient Nation. On the one hand, we said that we have ancient blood coursing our veins, but Namibians are not an ancient Nation. We are not the Greeks or the Egyptians, but a Nation, which is in the state of being built right now. In doing so, in building ourselves as a Nation or doing what is called nation-building, we should consider the importance of unity, the multiplicity of our culture and of our languages. This does not leave space for a Motion

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like the one Honourable Kaura is introducing.

I, therefore, have no other choice than to reject the Motion. I thank you.

HON SPEAKER: You did pretty well, you gained the attention of the whole House because you were speaking to the brains and not the emotions. Honourable Viljoen.

HON VILJOEN: Honourable Speaker, when somebody rises in this House, the Honourable Members try to count the number of pages in his hand. I only have one.

Honourable Speaker, I bought a book about monuments, discussing national monuments in Namibia. When I read the book, I realised that the emphasis is on Namibian national monuments and not those of different ethnic groups.

I was involved in the marking of History, Grade 10, for many years and realised that the history of the different groups in this country is entrenched in the history of Namibia. You cannot study the past and the present of only one ethnic group without a distortion of the history.

When I was at university in South Africa, the Namibian students were proud of the fact that we are different and that we can refer to our country with its unique names, like Windhoek, Okahandja, Ondangwa, Oshakati and Gobabis. The feeling to be a Namibian and from places unknown to other friends was a binding factor. The names of places in our country are unique. I once took a number of people from Cambridge who were conducting a workshop on the Cambridge system to Etosha for a weekend. They were very impressed by all the names beginning with “O”, Okaukuejo, Oshakati, Okahandja, and Otjiwarongo and when I visited Cambridge in return, they asked me about the O-people.

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MOTION ON RESTORATION OF PLACE NAMES
HON MOONGO

The granddaughter of my predecessor, Oom Kosie, studied in America for a few months and she came back last week. She taught all the Americans in her group to pronounce the name Hifikepunye Pohamba. It became a status symbol in the US if you could say that name and I think Comrade George Bush by this time can also pronounce the name of His Excellency.

After the Independence of Namibia, I was working in the northern belt of the country. I learned new names such as Gabriel Taapopi, Mweshipandeka, Uutapi, Oshikuku, Maria Mwengwere, Oshikwanyama and Kwangali, words that sound Namibian on the ear and I like the sound of it.

Honourable Speaker, I am convinced that the changing of indigenous names was not one of the sins of the past. There may be one or two, I think Mariental was originally Tsaraga-Eibes, meaning a place of dust, *stofbakkies*. When we however realised that it is not so dusty at all, we changed it to Mariental. We also created indigenous names, such as Witbooisvlei, Swartbooisdrif and the people in the north used the trees, Omusati and Omuthiya, to name their Regions. We also created names from rivers and trees, like Aranos, my village of origin.

They have also learned that Outjo means small mountains and I think Otjiwarongo has something to do with fat cattle. Therefore, we never changed the names because we liked the indigenous names. It does not matter whether it is Nama, Damara, or Otjiherero, we are all proud of the names of the Namibian places because no country in the world has such beautiful names and I wish to reject the Motion of Honourable Kaura.

HON SPEAKER: Any further discussion? Honourable Moongo.

HON MOONGO: I Move that the Debate be adjourned until the 12th of July.

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**FIRST READING: INSOLVENCY
AMENDMENT BILL
HON NUJOMA**

HON SPEAKER: Any objection? The Motion stands adjourned until 12th of July. The first Notice of Motion is the one of the Honourable Minister of Justice. Does the Honourable Minister of Justice Move that the Bill be now introduced?

**INTRODUCTION AND FIRST READING:
INSOLVENCY AMENDMENT BILL**

HON DEPUTY MINISTER OF JUSTICE: I Move the Motion.

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

INSOLVENCY AMENDMENT BILL

**SECOND READING:
INSOLVENCY AMENDMENT BILL**

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

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**SECOND READING: INSOLVENCY
AMENDMENT BILL
HON NUJOMA**

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

HON SPEAKER: Who seconds. Any objection? Agreed to. The Honourable Deputy Minister of Justice now has the Floor.

HON DEPUTY MINISTER OF JUSTICE: Thank you very much, Honourable Speaker. Honourable Speaker, I have the honour to motivate the *Insolvency Amendment Bill* in this Honourable House. The Bill seeks to amend the Insolvency Act, Act 24 of 1936.

In the application of the Insolvency Act we have noticed that numerous of the provisions of the Act are seriously outdated and need to be brought in line with the Supreme Law, the Namibian Constitution as well as with our Post-independence legislation. The Amendments proposed in the *Amendment Bill* are necessary to ensure proper application of the Insolvency Act. To be more specific, there are references in the Insolvency Act to repealed legislation and to old colonial legislation that were never applicable in Namibia. The *Amendment Bill* seeks to rectify this state of affairs by replacing such references with references to the currently applicable Namibian legislation.

The Insolvency Act furthermore contains references to the South African Supreme Court Division and to various Masters of the Courts.

The *Amendment Bill* seeks to replace these references with references to the High Court of Namibia and the Master of the High Court of Namibia. There are various direct references to amounts in the Insolvency Act as this was the practice that was followed before the high inflation rates, which we are experiencing today. The increase of these amounts is long overdue. The *Amendment Bill* seeks to correct this practice by replacing it with the practice followed nowadays and that is to provide for the

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**SECOND READING: INSOLVENCY
AMENDMENT BILL
HON NUJOMA**

amount to be prescribed by the Minister by regulation. This is a more practical approach and has the advantage that the amounts could be adjusted as the need arises.

The Insolvency Act also requires that various notices be published in local newspapers and that these notices are published in more than one language and not only in the official language. Members of the public have objected strongly against this practice. The Amendment Bill seeks to relinquish this requirement that notices be published in the languages other than the official language and where appropriate, provides that notice must be given in the *Gazette* only or that the Master must give notice by registered post to known creditors.

The Schedule to the Insolvency Act contains forms and tariffs, which may be amended by appropriate proclamation issued under the hand of His Excellency, the President, as was the practice in the thirties. Since there appears to be a need to frequently replace forms and tariffs, such matter should rather be regulated in subordinate legislation such as Regulations. The *Amendment Bill*, therefore, provides for these matters to be dealt with in the Regulations.

Lastly, and perhaps the most important, the *Amendment Bill* seeks to bring the Insolvency Act in line with the Constitution. In this regard, there are provisions in the Insolvency Act that provides that the decisions taken by the Master are final. This creates the impression that there is no right of appeal to our Courts. Since our right to seek redress before a competent Court is guaranteed in the Namibian Constitution, it is necessary to adjust these provisions. The *Amendment Bill* seeks to rectify this in Clauses 11 and 23.

Furthermore, there are provisions in the Insolvency Act that provide that it is not necessary for the Master to give reasons for decisions. This practice is once again not acceptable in terms of our Constitution, in particular Article 18 thereof that provides that administrative officials shall act fairly and reasonably. The *Amendment Bill* rectifies this in Clause 25 thereof.

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**SECOND READING
COMMUNAL LAND AMENDMENT REFORM BILL
HON VENAANI**

In conclusion, Comrade Speaker, I humbly but earnest request the Honourable Members to support the *Insolvency Amendment Bill*. I thank you, Mr Speaker, and I so Move.

HON SPEAKER: Any further discussions? Honourable Venaani.

HON VENAANI: Honourable Speaker, I pray for your indulgence to adjourn the Debate until Thursday, the 7th of July 2005.

HON SPEAKER: Any objection? The Motion stands adjourned until the 7th of July 2005. The second Notice of Motion is the one of the Honourable Minister of Lands and Resettlement. Does the Honourable Minister of Lands and Resettlement Move that the Bill be now introduced?

HON MINISTER OF LANDS AND RESETTLEMENT: I so Move, Comrade Speaker.

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

**INTRODUCTION AND FIRST READING
COMMUNAL LAND REFORM AMENDMENT BILL**

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**SECOND READING
COMMUNAL LAND AMENDMENT REFORM BILL
HON EKANDJO**

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

HON MINISTER OF LANDS AND RESETTLEMENT: I so Move.

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

HON MINISTER OF LANDS AND RESETTLEMENT: Comrade Speaker, Honourable Members, it is my greatest honour to introduce the Communal Land Reform Amendment Bill, 2005 for consideration by this august House.

First of all, allow me to go into a brief summary of the Communal Land Reform Act (Act 5 of 2002).

In terms of this Act, Traditional Authorities and Communal Land Boards may allocate customary land rights and the right of leasehold to residents of communal areas. The Act further prescribes procedures for the recognition of existing land rights in communal areas. With effect from the date when the law came into operation on the 1st of March 2003, all holders of rights are required to apply to the Communal Land Boards of their areas for recognition of such rights in terms of Section 28(2).

An application in terms of Sub-section (2) must be made within a period of three years of the date notified by the Minister under this Sub-section in the *Gazette*. The rights referred to include the right to retain any fence or fences existing on communal land if the applicant wishes to retain such fence or fences.

Comrade Speaker, the *Amendment Bill* sets out to amend Section 1 of the Communal Land Reform Act (Act of 2002) by inserting the definition of

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SECOND READING
COMMUNAL LAND AMENDMENT REFORM BILL
HON EKANDJO

“*Local Authority area*” as used in the Act to be defined in order to carry a specific meaning. The absence of such a definition could create legal uncertainty in the implementation of the law. The expression, “*Local Authority area*” could be interpreted to refer to the area of a municipality, a town or village, including the area of any settlement established in terms of the Regional Councils Act (Act 22 of 1992). In terms of the proposed Amendment, the Local Authority area means:

- (a) An area declared or deemed to have been declared under Section 3 of the Local Authorities Act (Act 23 of 1992) to be a municipality, town or village;
- (b) An area declared under Section 31 of the Regional Councils Act (Act 22 of 1992) to be a settlement.

The *Amendment Bill* intends to amend Section 1 of the Communal Land Reform Act, 2002, by amending the definition of “*Minister*” and “*Permanent Secretary*”, respectively, to conform to the name change of the former Ministry of Lands, Resettlement and Rehabilitation. In terms of the proposed Amendment, the “*Minister*” means the Minister responsible for affairs relating to land matters and the “*Permanent Secretary*” means the Permanent Secretary for the Ministry charged with the administration of affairs relating to land matters.

The Otjohorongo communal area in the Erongo Region is spelled incorrectly in the Act as Farm Otjiwarongo No. 150. It is proposed that the said Act be amended to read Farm Otjohorongo No. 150.

Comrade Speaker, Honourable Members, furthermore, the Otjimbingwe and Ovitoto communal areas in the Erongo and Otjozondjupa Regions, respectively, are erroneously omitted from the list of communal areas as per Schedule 1 of the Communal Land Reform Act (Act 5 of 2002). The two have been communal land ever since the period when the successive colonial administrations created native reserves in Namibia and are registered as such in the Deeds Office. Many members of the communities residing in communal areas, including residents of

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COMMUNAL LAND AMENDMENT REFORM BILL
HON TJIRIANGE**

Otjimbingwe and Ovitoto, are now applying in big numbers for their customary land rights to be recognised and registered.

Business people who had PTOs are also applying for their PTOs to be converted to leasehold, as prescribed by the Act. While some apply for new leases, the applications are first processed through the Traditional Authorities who recommend them for ratification by the respective Land Boards before they are processed and before the certificates of registration are issued. Unfortunately for the residents of Ovitoto and Otjimbingwe communal areas, the processing of their application forms had to be put on hold until these two communal areas are included in Schedule 1 of the Act. The omission of the two areas may cause legal constraints to the Communal Land Boards in relation to decisions that the Boards may take, which affect residents of the two areas.

In order for the administration of communal land to be done in an orderly manner and that no one would feel left out of such arrangement, the Act should be amended to include the two omitted communal areas. The omission of the two communal areas is hampering the implementation of the Act in those areas, as the Traditional Authorities and Land Boards cannot perform their duties.

Comrade Speaker, Honourable Members, I therefore at this juncture kindly request this august House to approve the proposed Amendments to the Communal Land Reform Act (Act 5 of 2002) to include the abovementioned omitted areas in Schedule 1 of the Act and I thank you.

HON SPEAKER: I thank the Honourable Minister. Any further discussions? Honourable Tjiriange.

HON MINISTER WITHOUT PORTFOLIO: Comrade Speaker, this Act is very important and very crucial, but there are certain things which I would like the Honourable Minister to look at, at an appropriate time. One

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COMMUNAL LAND AMENDMENT REFORM BILL
HON T GURIRAB**

of them is the issue of fencing off communal land, no matter through which mechanism. Therefore, when you consider this Amendment, you should look at that. What is happening right now is that the strong communal farmers fence off big areas of the communal land at the expense of others and now the Act stipulates that they must apply for the area which they have fenced off. This fencing-off has caused friction and conflict among the communal people and if we recognise it by law, we are actually adding to the conflict and friction that exists presently. Therefore, the whole system of recognising this must be looked at very carefully, so that people who are fencing off areas, which they do not have title on, should not necessarily be given a blank cheque to keep those areas for themselves.

I wanted to say these things so that you look at them eventually at the end of this Debate, whether there is anything that you can do about it. Thank you very much.

HON SPEAKER: Any further discussion?

HON T GURIRAB: I Move that the Debate be adjourned until Wednesday, the 6th of July 2005.

HON SPEAKER: Any objection? The Debate stands adjourned until Wednesday, 6 July 2005. The Third and Fourth Notice of Motions, which is a deliberate combination, are those of the Honourable Minister Trade and Industry. Does the Honourable Minister Move the Motions?

HON MINISTER OF TRADE AND INDUSTRY: Honourable

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Speaker, within the available time I may not be able to motivate the two Motions and I Move that we discuss this tomorrow.

HON SPEAKER: I call on the Deputy Prime Minister to adjourn the House.

HON DEPUTY PRIME MINISTER: Thank you, Honourable Speaker. I Move that this House stands adjourned until tomorrow 14:30.

HOUSE ADJOURNS AT 18:45 UNTIL 2005.06.30 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
30 JUNE 2005**

The Assembly met pursuant to the adjournment.

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

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

**TABLING: REPORT ON CONFERENCE OF
SADCOPAC**

HON DE WAAL: Honourable Speaker, I lay upon the Table the Report on the Annual General Meeting and Conference of SADCOPAC that was held in Zanzibar, Tanzania, from the 7th to the 13th of May 2005.

HON SPEAKER: Will the Honourable Member please table the Report? Honourable Deputy Minister Dinyando.

**TABLING: REPORT ON NINTH SESSION OF THE
ACP-EU JOINT PARLIAMENTARY ASSEMBLY**

**HON DEPUTY MINISTER OF INFORMATION AND
BROADCASTING:** I lay upon the Table, Report of the Ninth Session of

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NOTICE OF MOTIONS
HON ESAU

the ACP-EU Joint Parliamentary Assembly by the Standing Committee on Economics, Natural Resources and Public Administration held in Bamako, Mali, for note-taking.

HON SPEAKER: Will the Honourable Deputy Minister please table the Report? Any further Reports of Standing Committees? Any Reports and Papers? Any Notice of Questions? Any Notice of Motions? Honourable Deputy Minister Esau.

NOTICE OF MOTIONS

HON DEPUTY MINISTER OF TRADE AND INDUSTRY: Comrade Speaker, I give Notice that on Tuesday, the 5th of July, I shall Move –

That this Assembly –

1. Ratifies the Agreement between the Government of the Republic of Namibia and the Government of the Italian Republic on the Promotion and Protection of Investments.
2. Ratifies the Agreement between the Government of the Republic of Namibia and the Government of the Republic of France on the Reciprocal Promotion and Protection of Investments.
3. Ratifies the Trade Agreement between the Government of the Republic of Namibia and the Government of the Socialist Republic of Vietnam.
4. Ratifies the Agreement on the Encouragement and Reciprocal Protection of Investments between the Republic of Namibia and the Socialist Republic of Vietnam.

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**RESPONSES TO QUESTIONS BY HON DE WAAL
HON KUUGONGELWA-AMADHILA**

HON SPEAKER: Will the Honourable Deputy Minister please table the Motions? Any further Notice of Motions? Any Ministerial Statements? This being Thursday, when the business of the House is initiated by the Opposition, we start with Question 18 by Honourable De Waal. Does the Honourable Member put the Question?

QUESTION 18:

HON MINISTER OF FINANCE: Honourable Speaker, Honourable Members of the House, before answering the specific questions posed by Honourable De Waal, I need to put some of the strategies that we are following in respect to Air Namibia into perspective.

Firstly, may I inform you that the turnaround strategy had identified the single aircraft operation on the long-haul route as the key weakness in Air Namibia's operations and hence, the shift to a two-aircraft operation. This increase in traffic volume significantly reduces risk and allows for more flexibility on the Namibia-Europe route, which in turn improves efficiency. This decision to establish and maintain direct air links between Namibia and Europe was taken to reduce our dependency on other airlines, which operate between Europe and the Sub-region. Unfortunately, these other airlines have their own interests, which often are in competition with our own.

I believe that there is a broad consensus about the growth potential in our Tourism Sector. If we want to realise this large potential fully, we cannot venture into an arrangement, which makes Namibia a dependent of groups whose interest it is to get rid of us as a competitor. We, therefore, remain with the opinion that Windhoek and later, Walvis Bay, should be developed as a second hub in the Sub-region. This approach will serve our interest better than depending on the leftovers of other interest groups.

Honourable Speaker, let me now turn to the specific questions of the Honourable Member. The Honourable Member's first question was, *"What is the monthly lease cost of the Airbus 340-300 that was leased by*

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**RESPONSES TO QUESTIONS BY HON DE WAAL
HON KUUGONGELWA-AMADHILA**

Air Namibia to fly three weekly flights between London Gatwick and Windhoek? The monthly lease cost is US\$530,000.

The second question: *“Will the envisaged flight with the Airbus to London Gatwick stop in Windhoek or will it fly on to Johannesburg or Cape Town?”* The answer: The flight will be direct between London Gatwick and Windhoek, but passengers will then connect to Cape Town, Luanda and Johannesburg with Air Namibia’s regional Boeing 737 services. On return, it will depart from Windhoek and proceed directly to London Gatwick.

Question 3: *“What is the hourly fuel consumption of this aircraft and what is the fuel price over the first year of operation for that period?”* The hourly fuel consumption is 8,100 litres and this translates into an hourly cost of N\$24,988.50 at current prices of N\$3.05 per litre.

Question 4: *“What is the hourly maintenance cost on this aircraft’s first, second and third year of operation?”* Answer: The hourly maintenance cost for the Airbus is N\$11,900. This rate is envisaged to remain stable for the three years in question.

Question 5: *“What is the average load factor for this aircraft for the first, second and third year of operation between Windhoek and London Gatwick?”* Answer: The forecast for year one is 65 to 70%. Bookings are usually done for a three-month period. Actual bookings for July 2005 are at 70% of capacity. For August, they are 33%. The long-term average for a breakeven operation would be 72%. If compared to the load factors experienced on the Windhoek-Frankfurt route of the past year, this appears to be realistic. On average, the target for the second and third years will be 72%.

Question 6: *“What is the average income per passenger on the London Gatwick-Windhoek and the London-Johannesburg route?”* Answer: The average income per passenger on the Windhoek-London route is calculated about N\$3,000 per passenger. It needs to be noted that Air Namibia offers 21 different classes of tickets, which would include

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**RESPONSES TO QUESTIONS BY HON DE WAAL
HON KUUGONGELWA-AMADHILA**

business, open economy, excursions and so forth and the figure is, therefore, averaged.

Question 7: *“What proportion of the expected traffic is between London and South Africa as opposed to between London and Windhoek?”*

Answer: One hundred percent of the flight shall be between London and Windhoek. As stated earlier, the Air Namibia regional service can connect on-flying passengers to Luanda, Cape Town and Johannesburg, up to 65% of travellers who proceed to Johannesburg and Cape Town in first year.

Question 8: *“What is the income from the lease agreement for the two Fokkers F28-3000 for the 2003/2004 Financial Year and is the payment on this account up to date?”*

Answer: Currently there is no income for the lease of the Fokkers F28-3000 since they became uneconomical to operate. The intention is to dispose of these aircraft for not less than their current market value, which stands at between N\$600,000 and N\$700,000. This answers question 9 about the current value.

In conclusion, Honourable Member, may I point out that your calculations appear to be wrong. Hourly lease costs are N\$14,102, not as calculated by you at N\$14,800. Equally, fuel costs are at N\$24,988.50 and not N\$36,450 and maintenance is N\$11,900 and not N\$8,400. The maintenance costs are however fixed for the whole lease period and hence, there will be no escalation of maintenance costs. The current hourly direct operational cost thus amounts to N\$50,990.50 and not N\$59,650. You may have over-estimated the cost by some N\$173,190 per flight or by some N\$27 million per year.

Honourable Speaker, Honourable Members, lastly I wish to remind the Honourable Member that during the Debate on the Budget similar questions were raised. In an effort to clarify the multitude of uncertainties, Air Namibia has invited the Honourable Member to their offices and they have confirmed with me even today that this invitation still stands, so that they can provide more clarity to the Honourable Member. I thank the Member and the House.

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**RATIFICATION OF AGREEMENTS
HON NGATJIZEKO**

HON DE WAAL: I just want to say to the Honourable Minister that I really appreciate the openness with which she has answered these questions. In the end, it is not important whether I am right or wrong, what is important is that we discuss it and make sure that we do not make mistakes. I therefore thank you very much and I really appreciate your answer.

HON SPEAKER: Excellent spirit. I thank the Honourable Member. The First and Second Notices of Motion deferred yesterday are those of the Honourable Minister of Trade and Industry. Does the Honourable Minister of Trade and Industry Move the Motion?

HON MINISTER OF TRADE AND INDUSTRY: I Move the Motions.

**RATIFICATION: TRADE AND ECONOMIC COOPERATION
AGREEMENTS BETWEEN NAMIBIA AND ANGOLA**

HON SPEAKER: Who seconds? Agreed to. The Honourable Minister has the Floor.

HON MINISTER OF TRADE AND INDUSTRY: Thank you very much, Honourable Speaker, Honourable Members of the House. Allow me to motivate the Trade and Economic Cooperation Agreement as well as the reciprocal Investment Promotion and Protection Agreement between Namibia and Angola for kind consideration and ratification by the House.

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**RATIFICATION OF AGREEMENTS
HON NGATJIZEKO**

Namibia has to secure sustainable development, wealth and prosperity for its people amidst fierce global competition. We are obliged to find innovative ways to capture a sufficient portion of the global resources necessary for the development of our economy. The Government has been pursuing the core strategies of foreign direct investment promotion, diversification of our trade partners and patterns, value addition to natural resources to ensure accelerated levels of industrialisation and the cultivation and encouragement of non-traditional exports, such as textiles, apparels, grapes, dates and so forth.

Honourable Speaker, our national efforts are geared towards drastic reduction of unemployment and narrowing the gap in the income distribution. This would ultimately result in an educated, industrialised, wealthy Nation by 2030. Closing of borders, imposition of extremely high tariffs and the discouragement of competitors from elsewhere will not solve our economic problems. Such actions will be tantamount to burying one's head in the sand like an ostrich and hoping for the storm to pass without having any adverse effect.

Namibia is a proud member of SADC, SACU, the AU and the World Trade Organisation as well as the ACP grouping. This requires that we participate fully in the ongoing global process of rule making and institution building for the enhancement of open markets, increased trade and investment attraction.

Namibian companies need to become aggressive entrepreneurs to benefit from the numerous opportunities, which Government has created since Independence. They should think globally. Those who are not comfortable to go regionally or globally, have no future.

Our duties and tariffs are continuously reduced in fulfilment of our commitment at the international level, especially in the WTO. Various trade and investment agreements have been negotiated with, *inter alia*, the USA, China, Nigeria, India and others via SADC. The Government is opening regional markets in Angola, the DRC, Congo Brazzaville, Zimbabwe, South Africa and Botswana. In this regard, the Government, with cooperation from the Namibia Chamber of Commerce and Industry,

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HON NGATJIZEKO**

undertook a study on the investment climate in Angola and found scope for business opportunities in terms of exports and investments. Service Sectors, such as construction, power, water, finance, education and training, transport and IT, are areas in which Namibian companies could venture and register astronomical profits. Other possibilities exist in trade of consumer industrial goods and in agro processing, agriculture, tourism, fisheries and others.

Honourable Speaker, Honourable Members, the importance that Namibia attaches to our cooperation with Angola dates back to Pre-independence of Namibia when great sacrifices were made for the liberation of this country. It was against this backdrop that the Founding Father of the Namibian Nation, His Excellency, President Sam Nujoma and President Eduardo Dos Santos of Angola took the initiative to encourage the business people of Namibia and Angola to do business with each other. This was reaffirmed when His Excellency Hifikepunye Pohamba visited Angola immediately after his swearing in as Head of State.

The post-war economic development of Angola, driven by the reconstruction programme, resulted in a dramatic increase in the flow of cross-border trade between the two countries. In 2001/2002 the value of the trade between Angola and Namibia grew to N\$2,5 billion. This changed in 2003 with the introduction of a new customs system in Angola.

In the negotiations of both agreements, Namibia has been guided by the principles of the Namibian Constitution, relevant policies and legislation in which our own national priorities and interests, such as Affirmative Action, economic empowerment, value addition, environmental protection and others have been incorporated. We have also consulted widely locally and regionally with relevant stakeholders to ensure that these agreements will in no way impair existing relations with our SACU and SADC partners. Further consideration was also given to our common membership of the World Trade Organisation and SADC.

Honourable Speaker, the rationale of the Trade and Economic Partnership Agreement is to ensure that Namibia's products will be granted access to

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HON NGATJIZEKO**

the Angolan markets. The agreement will ensure that these products enjoy legal protection under the Angolan law. It further deals with the promotion of trade and exchange of information.

The Reciprocal Investment Promotion and Protection Agreement encourage Namibian entrepreneurs to expand their business operations and penetrate Angolan markets in order to benefit from the spin-offs of the booming Angolan economy. Many foreign companies are aggressively targeting the Tourism and Manufacturing Sectors within Angola, while our business people just across the border has not yet done so. Namibia has to manufacture and export to Angola or alternatively, set up manufacturing facilities in Angola and repatriate company profits.

The Investment Agreement further provides for investors from Namibia to own and operate businesses in Angola while under protection against expropriation and to repatriate any given profits ensuing from these investments back home. I encourage companies in Namibia to make use of this excellent opportunity in order to expand their market reach. They need to compete globally in order to become strong and powerful economically. They should strive to sell their products directly to get the best returns and should source both industrial inputs and consumer goods competitively.

Government will support such entrepreneurs all the way. Already an Export Marketing Agency has been established to facilitate the entry of Namibian goods and services to foreign markets. Efforts are also underway to find efficient payment mechanisms for Namibian business in order to reduce the risk of doing business in foreign countries. We want to see Namibian investors in many regional, continental and global markets by the year 2030. This is the only manner for our small economy to become really big.

I submit to the Honourable House for consideration and ratification, the Trade and Economic Cooperation Agreement as well as the Reciprocal Investment Promotion and Protection Agreement between Namibia and Angola and I thank you.

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**RATIFICATION OF AGREEMENTS
HON T GURIRAB**

HON SPEAKER: I thank the Honourable Minister. Any further discussions. Honourable Gurirab.

HON T GURIRAB: Honourable Speaker, I shall make my comments and ask questions on the manner in which the two documents have been handled.

Honourable Speaker, shortly after Independence our first visit by a Head of State was by the Honourable Masire of Botswana. Colleagues from Foreign Affairs had prepared the draft agenda for our discussions with our visitors. One of the items on this draft agenda was that we should sign a Trade Agreement with Botswana. When we from Trade and Industry were shown the draft agenda we said, what is this doing on the agenda, the proposal to sign a Trade Agreement with Botswana? The reason was of course that because we are a Customs Union there would be no reason to sign an additional Trade Agreement with Botswana. I am saying this, Honourable Speaker, by way of introduction of my comments on the proposed Trade Agreement.

Honourable Speaker, in the theory of economic integration we start from what is provided for in the World Trade Agreement, namely that what you extend to one, you extend to all and the next level of integration is the Preferential Trade Agreement, economic integration and a common market.

The Agreement that is presented for ratification is a hybrid of NFN and PTA, so it is neither a horse, nor a donkey and I am not so sure, whether it is a good thing. What we should be seeking to sign with Angola is a Preferential Trade Agreement, because an NFN Agreement adds nothing. I assume of course that Angola is a member of the World Trade Organisation and if Angola is a member of the World Trade Organisation, signing an NFN Agreement adds nothing, because what we will be asking for is already provided for in the World Trade Agreement.

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Then the specific comments, probably by saying that I should go directly to Article 3 of the Agreement, because it is Article 3 which tries to bring in elements of a Preferential Trade Agreement and what Article 3 does is firstly that it lists a number of goods and products which would be covered by rules, because that is what you have, you have Rules of Origin under a PTA. It lists a number of products and goods for which rules of origin would be developed at a later stage, but the problem of listing is that you can never be exhaustive and that you would inadvertently exclude some products. The list that is provided for under Article 3(a) lists mostly Agricultural and Marine resources, but the introduction to Article 3(a) says, "*Categories of goods shall be considered as growing produce or manufactured*". Thus, the list already has a problem. It excludes, for example, furniture produced in Namibia, because we are listing and excluding some products.

The substantive point I wish to raise is that where you provide for Rules of Origin, but you simply provide for it under an article, you would say that the goods that would be traded between the two countries would be governed by Rules of Origin and that you provide the Rules of Origin either as an appendage or as a separate article. That is my problem with the Agreement.

On Page 2, Article 2(g) makes reference to Sections of General Agreements on Tariffs and Trade. My question would be whether this is not superseded by the WTO. On the same page, (g) makes reference to Sub-article (2) and there is no Sub-article (2) in the Agreement.

Then on Page 3, the main Article I have a problem with is (c) which attempts to prescribe how traded goods should be treated. It makes reference to Namibian domestic law, which is of course SACU in our case. My question is how do you do that in Namibia? Which law is this in Namibia, because Namibia's tariff application is neutral or applies to third parties equally?

Article 4 does not add anything except to elevate common sense to a level of law.

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In Article 8 reference is made to Sub-article (2), which does not exist in the Agreement.

Article 9 deals with what is provided for in the WTO and is repeating what the two parties have already agreed to by joining the WTO.

I presume the reference under Article 11 to “*Joint Committee*” refers to the Joint Trade Committee under Article 10. The Agreement does not have a date on which it was signed. The only thing this Agreement does, if you change anything at all, this Article 8 will make it easier for people who want to exhibit at trade exhibitions, etcetera, but all countries provide for those administrative things. (Intervention)

HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE: You said that furniture is not mentioned, but under 5 there is mention of forestry products. How do you interpret that?

HON T GURIRAB: Honourable Speaker, my understanding of furniture is that they are not harvested. In Economics, we define “*manufacture*” as something, which you have changed by adding value. A tree will change to a chair and that will be a manufactured product, but a tree will not be manufactured goods.

Honourable Speaker, with those observations we support the objective of increasing trade with our neighbours, but we cannot see how this Agreement would add to it.

Honourable Speaker, we also have comments on the second Agreement. The purpose of the Investment Protection Treaty is to protect investors against non-commercial risks. The commercial risk they are prepared to take, but what we seek by providing this is to protect them against non-commercial risk. To that extent, we support this initiative.

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However, I tried to read this last night after dinner and a couple of *ombike's* and I will read the Paragraphs, which did not make sense to me. On Page 5, for example, Article 64 says: "*If a contracting party expropriates assets of an incorporated company or establish, in compliance with the legislation in force in any part of its territory such company of nationals, the other contracting party...*". It does not make sense. I believe that my understanding of English is reasonable, although I am not a lawyer.

On Page 9 you have a similar situation that there are Clauses which on close reading simply do not make sense. I have the suspicion that this Agreement might originally have been drafted in the official language of our neighbours and may not have been carefully translated into English. On Page 11 the same and there are problems with tenses and grammar. When I did work for our Government, the practice was that before Agreements are tabled here they would be certified by the Office of the Attorney-General. I do not know whether this is still being done and whether it has happened in this particular case.

On Page 1 where the two parties agree to what "*territory*" would mean, and I am not necessarily saying it should reflect the Namibian definition of what a territory is as per our Constitution which defines the territory of Namibia differently in terms of Article 1(4), but the definition of "*territory*" here is so limited, it deals with no land mass, it says territory is the sea. We will have problems with it if that is the definition of "*territory*" in terms of this Agreement.

The other major problem with this Agreement is how it proposes to deal with dispute settlements and arbitration. It is dealt with in three different Clauses. (Intervention)

HON VENAANI: On a Point of Information. The Honourable Member spoke of the territory not being clearly defined, but under the same Clause, which you quoted it, says: "*The Exclusive Economic Zone and the Continental Shelf or any other zone where either contracting parties have*

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sovereignty and jurisdiction". The Economic Zone would imply the land territory of Namibia, because the Namibian Government has jurisdiction over the Economic Zone. I think that is covered.

HON T GURIRAB: I am saying the definition as it stands would cover that, but it does not cover the offshore.

Honourable Speaker, I was saying the treatment of dispute settlement in Articles 9, 10 and 7 is also confusing and contradictory. On Page 5, Article 6(2), it provides for some formula of arbitration. Our comment on Article 6(2) is that an Agreement would normally provide for under which jurisdiction arbitration would take place, whether it is a national jurisdiction of one of the contracting parties, a third party or international instruments. It does not do that and Articles 9 and 10 provide for different ways of doing the same. It is a question of choice. It could provide simply for arbitration and dispute settlement under one article and it speaks to itself, instead of being contradictory and confusing, as it does at the moment.

Honourable Speaker, those are our observations on this Agreement. We, however, support the intent of signing an Investment Protection Treaty because it will help investments made by Angolan nationals in our country. I thank you.

HON SPEAKER: I thank the Honourable Member. Any further discussions? Does the Honourable Minister wish to reply?

HON MINISTER OF TRADE AND INDUSTRY: Honourable Speaker, may I ask the indulgence of the House to respond to the questions, which have been raised on Tuesday?

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HON SPEAKER: The Motion stands adjourned until Tuesday. I call on the Deputy Prime Minister to adjourn the House.

HON DEPUTY PRIME MINISTER: I Move that this House stands adjourned until Tuesday, 14:30.

HON SPEAKER: Any objection? The House stands adjourned until Tuesday at 14:30.

HOUSE ADJOURNS AT 15:35 UNTIL 2005.07.05 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
05 JULY 2005**

The Assembly met pursuant to the adjournment.

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

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

**TABLING: REPORT ON THE ROUND TABLE
GENDER MAINSTREAMING PARLIAMENTARY COMMITTEE**

HON KAIYAMO: I lay upon the Table, Report on the Round Table Gender Mainstreaming Parliamentary Committee and SADC Parliamentary Report for Gender Equality by the Parliamentary Committee on Human Resources, Social and Human Development for note taking.

HON SPEAKER: Will the Honourable Member please table the Report? Any further Reports and Papers? Any Notice of Questions? Any Notice of Motions? Honourable Minister of Trade and Industry.

NOTICE OF MOTIONS

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HON MINISTER OF TRADE AND INDUSTRY: I give Notice that on Thursday, the 7th of July, I shall Move –

That this Assembly ratifies the Agreement between the Government of the Republic of Namibia and the Government of the Republic of Austria on the Promotion and Protection of Investments.

HON SPEAKER: Will the Honourable Minister please table the Motion? Any further Notice of Motions? Any Message from the Head of State? Any Ministerial Statements? The Secretary will read the First Order of the Day.

**RESUMPTION OF DEBATE ON THE UGLY FACE OF
ETHNICITY AND TRIBALISM IN NAMIBIA**

HON SPEAKER: When this Debate was adjourned on Thursday, the Question before the Assembly was a Motion by the Honourable Venaani. The Honourable Mr Tsudao Gurirab adjourned the Debate and he now has the Floor.

HON T GURIRAB: Honourable Speaker, Honourable Members, I rise to make a few observations and comments on this very important Motion before this Honourable House dealing with issues of our culture, our language and our identity.

Honourable Speaker, Nations, neither in their sociological configuration, nor as geographical entities, is divinely ordained. They are everywhere and outcome of conquest, settlement, compromise, etcetera. In the case of those of us who responded to the call of Namibia and by extension, are

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Namibians now, we are new in this identity of Namibians. Until about 150 or 200 years ago, our forebears were engaged in conflicts and wars among each other, wars over territorial control, which accompanied conquest and settlement. These conflicts were no less savage or bloody than similar processes elsewhere. Our processes of forging a Nation in our environment through these processes were violently interrupted by those who invaded our shores from across the waters. These invaders possessed thundering sticks, powder to go with it, brandy and Bibles. The rest, as they say, is history that I do not intend to belabour this afternoon.

It is this process of colonial fate, which has bequeathed us the contours of a geographical unit, the Deutsch Südwest-Africa of this side of the Orange River in the south, its western boundary set by the Atlantic Ocean and the northern, northeastern and eastern borders set by treaties by Portuguese and British colonials. Therefore, here we are, Namibians, some for a little longer period than others are, but in effect for less than three generations and here we are, Namibians and we have been Namibians for less than three generations.

This, Honourable Speaker, does not mean that our ancestors did not treat this holy soil and drank the waters of its rivers and lakes, but the point we wish to make is that as Namibians, defined in terms of the Namibian Citizenship Act (Act 14 of 1990), we are a new community, a new community made up of a rich diversity which speaks in tongues and celebrates the death of loved ones, the arrival of new ones or matrimonial union or the funeral rites in ways that are different, but must be treated equally. Like Honourable Moongo's goats, therefore, we do or we may fear each other or may have similar prejudices or are victims of ignorance about languages and cultures that are different from ours and thus seek security among our own. The goat theory is that Honourable Moongo had this one race of goats and he acquired a second group of them. The second group of goats of course were not familiar with the first ones, so there was this prejudice, this fear, and after a while, after a couple of weeks, a couple of months they have lost their fear for each other because they discovered that after all we are all goats.

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Honourable Speaker, it is for this and other reasons that politicians of whatever ilk bear a greater responsibility than most to mould our young Nation. We as politicians must lead from the front in this project of so-called National question.

Honourable Speaker, it is not our intention to second-guess the motive, if any, or a hidden agenda of the Mover of this Motion, that is the traditional province of those from across the Floor of the House, but Honourable Speaker, we were troubled by the response of the SWAPO organisation to this Motion. Their response is essentially threefold. Firstly, it is said in the Constitution that there is no ethnicity or tribalism, therefore there is none. (Intervention)

HON DEPUTY PRIME MINISTER: On a Point of Order. I am sorry to interrupt my brother, but I do not know, do we have a SWAPO organisation in this House?

HON T GURIRAB: Honourable Speaker, I was saying that we are troubled by the response of the Government in power. Their response is essentially threefold. Firstly, it is said that there is no ethnicity or tribalism because the Constitution says there should not be. Secondly, they are saying that those who are supposed be “*targets*” of this Motion receive fewer resources and suffer higher unemployment. Thirdly and finally, they are saying that those who are “*privileged*” in access to State resources have participated or have fought in our struggle for National Liberation and, therefore, by extension should be beneficiaries of the resources of the State.

My brief response to this charge from the Government in power is that, firstly, with regard to constitutional provisions, yes of course, but if that were to be our approach for all the ills in our society, we would not, for example, need the criminal justice system to arrest rapists, to arrest thieves

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and all the other anti-social elements. Therefore, that argument is preposterous, for what it is worth.

Honourable Speaker, with regard to the culture of the Government that because I spent two years in Nyango, I am therefore more entitled than you who did not spend two years in exile. (Intervention)

HON MINISTER OF FINANCE: On a Point of Order. I think that the Honourable Member owes it to this Nation to be factual in his statement.

I think that he is misleading the public out there by saying the Members of this House have made pronouncements to the effect that those who are employed in the Public Service are so employed because they participated in the struggle. I sat through this whole Debate and I never heard such a statement. What I heard was that those who are employed in senior positions are so employed because they have accumulated vast experience from their participation in their struggle, so that experience which they brought along is what actually made them more attractive candidates for employment in the positions. However, to say that they are employed because they participated in the struggle for Independence cannot be entirely correct because there are SWATF and Koevoet members who are in the Defence Force. If it were the case that they were employed only because they participated in the struggle, then none of those people would have succeeded to get jobs in the Defence Force or elsewhere in the Public Sector.

HON T GURIRAB: As I was saying, the third and the final argument from this group so far is that the (Interjection). Political organisations are groups. I am not here to teach English. Political organisations are social groups. (Intervention)

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HON MINISTER OF LANDS AND RESETTLEMENT: Comrade Speaker, the Honourable Member is Out of Order. the SWAPO Party is not a group it is a Party. He should refrain from referring to us as a group.

HON SPEAKER: The SWAPO Party is not a group, it is an organisation it is a Party.

HON T GURIRAB: Honourable Speaker, I hasten to withdraw that the SWAPO Party is not a social group. The third argument of the SWAPO Party is that the benefits of State are distributed disproportionately to the supposed victims of this Motion. I wish to deal with that by making only four comments.

Firstly, to say that the manner in which this argument has been presented is that it is of course trapped in the Bantustan notion. It assumes that in Kavango only live those people of that culture. It assumes that in Hardap only lives people who look like Honourable Mungunda. That is the premise on which that argument is based and so you answer in a tribal manner. In the liberation struggle, we used to say we do not take our standards from those of the enemy. Therefore, if you disagree with tribalism, do not respond in that manner. However, be that as that may, I was saying that the premise of that charge is wrong as firstly it assumes that in Karas live only those who look like Honourable Mungunda, and in Kavango, for example, only live those who look like Honourable Dinyando. Therefore, that premise is false. (Intervention)

HON MINISTER OF FINANCE: Honourable Speaker, may I ask the Honourable Member a question? Can the Honourable Member tell this House and the public how Honourable Mungunda looks like, what exactly makes the Honourable Mungunda distinguishable from other Namibians

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and what Honourable Dinyando looks like that he does not look like?

HON T GURIRAB: Honourable Speaker, the second premise of the argument is also false, because it assumes that the National Budget is drawn up based on some notion of equitable distribution of Government projects on Regional basis. That obviously is false. You create Government projects because of where the need is and where it can be located. You do not cut off a bit of the northern railway and build it to Bushman land to achieve some kind of regional false equity. Therefore, the second notion of this charge is also wrong. (Intervention)

HON DEPUTY MINISTER OF WORKS, TRANSPORT AND COMMUNICATION: Honourable Speaker, I just want to ask the Honourable Member a small question. Is Honourable Tsudao the Mover of the Motion? I want to know whether he is the Mover of the question. (Interjection)

HON SCHIMMING-CHASE: What does that have to do with the price of diamonds?

HON T GURIRAB: Honourable Speaker, the argument about the distribution of employment is also spurious. What professional Economists do when they carry out surveys about employment and unemployment.... (Intervention)

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HON MINISTER OF LANDS AND RESETTLEMENT: On a Point of Order. Comrade Speaker, if one looks around, starting from this side up to halfway there, the majority are SWAPO Members, more than 90% here, must we really waste time and listen to something which has been faxed from somewhere? I do not even follow what the Honourable Member wants to say because it is not his own speech. Must he stand here and waste our time?

HON T GURIRAB: Honourable Speaker, I did not expect Honourable Ekandjo to understand, I was speaking to the four Members on the other side who would understand what I am saying.

Honourable Speaker, with regard to the employment figures, the place where I come from is called Usakos and if you are unemployed in Usakos, if you do not have two or three goats or you do not have a piece of land, you have no source of income and, therefore, no livelihood. However, if you hail from the area where you have ten goats, where you have a piece of land, where you have rain, you are not staying like a guy who sits in Usakos. (Intervention)

HON MINISTER OF WORKS, TRANSPORT AND COMMUNICATION: On a Point of Information. Honourable Speaker, Honourable Tsudao Gurirab is trying to advance a theory, which has no academic basis, a theory that is aimed at confusing opinion. I do not agree with what he says because the census that was conducted one or two years ago indicated that Ohangwena is the most poverty-stricken Region in this country. What is he telling us of somebody having a piece of land or two goats?

HON T GURIRAB: Honourable Speaker, if the Member was listening he would not talk about poverty. I did not talk about poverty, I talked about employment and I believe these two are different.

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Honourable Speaker, however, our purpose in addressing this Motion is to address the bigger and pertinent question of nation building, as we believe that it serves no one's interest to live in denial, for we must as Vladimir Lenin taught us, address the sharp corners of the truth. It is, therefore, our submission that racial and ethnic sensibilities are real in our country, they do exist and we must address them and address them correctly. True, Honourable Speaker, we must address poverty, lack of housing, provision of roads, etcetera, but we must not rank them in this order. We should not say we are going to address poverty for the next years and beyond 2030 – I touch wood - if that happens – we are going to address the national question. I do not think we should rank them in that order, because that would be wrong. We must address poverty, we must address the provision of housing, and we must address the national question as well. (Intervention)

HON DEPUTY MINISTER OF JUSTICE: Honourable Speaker, may I ask the Honourable Gurirab a question? I just wanted to ask Honourable Gurirab whether poverty is not distributed all over the country. You will find a situation where in Usakos somebody has one or two goats and you will also see the same situation in Gibeon where somebody has one goat or no goat at all and this happens in Oshana, Kunene, Kunene and all over the country. We have those who are well off and we have the people who are poverty stricken. Why do you have to single out Usakos as the only place, which is affected by poverty? Is that not misleading? If we talk about poverty, we talk about the people of Namibia. We do not single out people.

HON T GURIRAB: Honourable Speaker, I am happy for this rare occasion where Utoni and I agree on something, namely on the first part of his intervention, that poverty is spread across the country. It is true, I agree with that one, and we must address that. The second part on Usakos was to illustrate the point. On the first part I agree, our people are

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poverty-stricken and the second one was to illustrate the point.

Honourable Speaker, but if we do not believe in a common home in Namibia which we are in the process of building, all our other projects, the roads, the railway projects, the National Housing Enterprise homes will all come to naught, because people will be slaughtering each other with pangas and those things. If you fail to lay a proper foundation, we shall not be building a Nation where different communities live in security. If we fail to trumpet Namibia both in word and deed, communities will have no option but to withdraw into their tribal, ethnic and racial cocoons.

Therefore, despite our pretensions to the contrary, we all are daily witnesses to the actions by our communities, indeed ourselves, our peers, which detract from Project Namibia. We all daily experience things people do and say in our communities which do not build this Project Namibia and it is our collective responsibility to fight on the frontline.

Honourable Speaker, it is only by accepting that there is a problem that we can provide a remedy and educate our people against these retrogressive tendencies. For a young Nation such as ours we must agree with what the African National Congress just last week at their General Conference wrote in their documents, namely... (Intervention)

HON MINISTER OF LANDS AND RESETTLEMENT: Comrade Speaker, may I ask the Honourable Member a very heavy question? Honourable Gurirab, I know that the CoD received an invitation letter for the swearing-in ceremony on the 20th of March this year. As a former SWAPO Member, you know that South Africa used to invite SWAPO to participate, but because we did not recognise South Africa, we refused. Why did the CoD not refuse to come here when you were invited to be sworn in, seeing that you were having a Court case? Why did you come to be sworn in? You should have refused if you do not recognise the results.

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HON T GURIRAB: Honourable Speaker, on this one I cannot do better than the President of this country and the Honourable Member was here to listen to him. Therefore, on this one I cannot do better than the President.

I was saying for a young Nation such as ours, we must agree with what the African National Congress wrote in their documents for the General Council meeting which they had only last week and I quote: *“That the National question is the central political question of our time.”*

Let me conclude, Honourable Speaker, with two quotations since they say it better than I ever could. (Intervention)

HON MINISTER OF FISHERIES AND MARINE RESOURCE:

Before the Honourable Member concludes, may I ask him a question, please? Honourable Member, you are talking about tribalism and tribes. Do you believe in this world there is something called a pure tribe or do we have too many hybrids? Can you call yourself a pure tribe? Can your neighbour be called a pure tribe? Can you call me a descendant of a pure tribe? What exactly is the situation globally? Do we have a pure tribe?

HON T GURIRAB: Honourable Speaker, I attempted to stay away from questions of tribe, whether they are pure or otherwise and tried to address the National question and Project Namibia. (Intervention)

HON MINISTER OF PRESIDENTIAL AFFAIRS: May I ask the Honourable Member a question? You are talking about the national question, if you look at this side of the House and on your left, do you not see that the SWAPO Party is represented by Namibians from all 13 Regions? How many members from how many Regions are in the CoD?

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HON T GURIRAB: Honourable Speaker, I had no intention to talk about SWAPO, whether they are delegates or members here, but let me conclude by quoting two authorities. (Intervention)

HON NAMBAHU: May I ask the Honourable Member a question? I keep on hearing the Honourable Member mentioning “*we*”, “*us*” and words like that. He also made a very serious economic hypothesis by equating ownership of two goats to unemployment or employment. In his theory as an Economist, does it mean that in the future Government of the CoD, those who own two goats will definitely qualify as being employed?

HON T GURIRAB: Honourable Speaker, in the CoD Government, if you have two goats, one will be taken away, but to explain what I was saying to the Honourable Member, the goats and the land are assets if you are elsewhere. I said the person who sits on the street corner in Windhoek has no assets, but the other person has assets. That is the theory for what it is worth. (Intervention)

HON DR ANKAMA: May I ask the Honourable Member a question? Honourable Member, you have spoken so long, do you think you have made any point so far? (Laughter)

HON T GURIRAB: Honourable Speaker, I did not make a point, I made several points, but then I am speaking to four people who understand. You are not one of them. (Laughter) (Intervention)

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HON MINISTER OF LANDS AND RESETTLEMENT: May I ask the Honourable Member a small question? You say you have made several points, suppose Honourable Schimming-Chase was a teacher, how much would she have given you out of ten?

HON SCHIMMING-CHASE: On a Point of Order. The Honourable Member knows that I am a teacher, I taught him to teach.

HON T GURIRAB: Finally, to conclude by quoting Dante and this quote is courtesy of the Honourable Minister of Justice, where he says: *“The hottest place in hell is reserved for those who remain neutral in times of a moral crisis.”* We should not be caught in hell. Finally, to quote Amicar Cabral about social processes: *“Tell no lies, claim no easy victories.”* I thank you.

HON SPEAKER: I thank the Honourable Member. Honourable Mutorwa.

HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE: I thank you, Comrade Speaker, for the opportunity to contribute to this Debate.

Comrade Speaker, every time when we commence our proceedings in this Honourable Chamber we start with a Prayer and I like the Prayer, it is a beautiful Prayer. I do not know who the author was. Through that Prayer, we as leaders, representing our people here, recommit ourselves every day we meet to the promotion and maintenance of peace as we strive to find solutions for issues and problems facing us as a multi-racial, multi-ethnic,

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multi-lingual Nation in the country. My contribution to this Debate would be premised from that angle.

Quite a number of strong voices, conveying powerful messages, have been heard on this Debate, voices which made strong, convincing arguments and constructive contributions with regard to Honourable Venaani's Motion. Honourable Venaani has requested this Honourable House to discuss and debate the ugly face of tribalism and ethnicity in Namibia as if tribalism and ethnicity have a pretty face, on the other hand. Neither ethnicity, nor tribalism, in my view, is a straightforward political concept. In my view, the two concepts are more a geographic, sociological and cultural concept in definition and in meaning.

Nevertheless, Comrade Speaker, the Penguin Dictionary of Politics, 1993 Edition, defines "*ethnicity*" as "*a sometimes rather complex combination of racial, cultural and historical characteristics by which societies are occasionally divided into separate and probably hostile political families. At its simplest the idea is exemplified by racial groupings where skin colour alone is the separating characteristic.*"

In their treatise entitled "*Nation building and Changing Political Values,*" Professor Ali Mazrui and Joseph Ki-zerbo cautioned us about ethnicity as follows: "*This concept must, however, be handled with the greatest care because of its highly equivocal content.*"

One paragraph is the preamble of the Namibian Constitution that reads as follows: "*Whereas we, the people of Namibia, will strive to achieve national reconciliation and to foster peace, unity and a common loyalty to a single State and whereas we, the people of Namibia, are committed to these principles, resolve to constitute the Republic of Namibia as a sovereign, secular, democratic and unitary State, securing to all our citizens justice, liberty, equality and fraternity.*"

Furthermore, Article 23(1) of the Namibian Constitution is crystal clear on the issues of apartheid, racism and the twin brothers, tribalism and ethnicity, when it states the following: "*The practice of racial discrimination and the practice and ideology of apartheid from which the*

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majority of the people of Namibia have suffered for so long shall be prohibited and by Act of Parliament such practices, and the propagation of such practices, may be rendered criminal punishable by the ordinary Courts by means of such punishment as Parliament deems necessary for the purposes of expressing the revulsion of the Namibian people at such practices.”

Comrade Speaker, Honourable Members, the point is, that the constitutional and legal position with regard to the practice and application of racism, apartheid, tribalism and ethnicity in Namibia is crystal clear and that is that the practice and propagation of these evils are prohibited. The constitutional legal position is very clear.

However, when Honourable Venaani motivated his Motion, he cited numerous statistics in trying to prove his case. In my view, by so doing Honourable Venaani was actually telling the Namibian Nation and the world at large that the Namibian Government and its institutions are grossly violating the Supreme Law of the land, the Constitution. (Intervention)

HON SCHIMMING-CHASE: May I ask the Honourable Minister a question? Were the statistics that Honourable Venaani mentioned wrong, false and misleading?

HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE: From the responses that were provided to some of the statistics that he has cited, obviously the answer is that the statistics were wrong. I repeat, from the responses that were provided so far, clearly, those statistics were wrong.

Honourable Speaker, I am saying, when he cited the statistics it would appear as if Honourable Venaani was actually telling the Namibian Nation and the world at large that the Namibian Government and its institutions

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are grossly violating the Supreme Law of the land, the Constitution and the relevant applicable laws that outlaw the evils of tribalism, racism and ethnicity and that is a serious charge. However, what are the facts and what is the truth?

As far as I am concerned, the facts and truth are, firstly, nobody is above the Constitution and the other laws of this country. This includes the State organs, the Executive, the Legislature and the Judiciary as well as other Government institutions, including people who occupy positions in those Government institutions.

Secondly, the SWAPO Party Government cannot make and apply policies, I believe, that contradict the letter and spirit of the Constitution, as Honourable Venaani alleges and gets away with it.

Thirdly, obviously – and that is the point – if anybody as a human being acts contrary to the Constitution and the laws with regard to effecting appointments in the Public Sector, but obviously also in the Private Sector, then it is incumbent on persons so mistreated and abused to raise their displeasure with the relevant supervisors or heads of those Ministries. (Intervention)

HON MOONGO: May I ask a question? Right in this House a few months ago, there were Debates where the SWAPO Party stated categorically clear that the top positions should be occupied by the loyal SWAPO Party Members only. It was said here in this very House. Is that not in conflict with the Constitution? (Interjections).

HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE: I am not aware that any Honourable Member used the platform of this Honourable House to state what the Honourable Member is trying to make us believe. (Intervention)

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HON MINISTER OF JUSTICE AND ATTORNEY-GENERAL:

May I ask the Honourable Minister a question, please? Honourable Comrade, can you tell the House which tribe is the “royal members?”

**HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT
AND CULTURE:** I think the royal members do not belong to any tribe.

The point is that surely, if somebody is mistreated, and this is where we have to be proud of our Founding Fathers and Mothers who wrote the Constitution who have provided enough mechanisms to resort to when somebody is aggrieved by whatever action and we have to educate our people to follow those. I think that is what our responsibilities are and what we pray every time we meet here.

Furthermore, if no corrective actions are forthcoming from those Heads of Department, then again we come back to Article 18 of the Namibian Constitution which could and must rightly be invoked and that Article 18 reads as follows: *“Administrative bodies and administrative officials shall act fairly and reasonably and comply with the requirements imposed upon such bodies and officials by common law and any relevant legislation and persons aggrieved by the exercise of such acts and decisions shall have the right to seek redress before a competent Court or tribunal.”* What else do you expect in a democratic dispensation like ours?

Comrade Speaker, this is the way to go and our collective responsibilities and duties as elected leaders in this House are to educate our Constituencies about the dos and don'ts of the Namibian Constitution and other laws and not to incite them to hatred, disunity, mistrust, suspicion and conflict, things which are surely detrimental to the stability, development and progress of this country. Generalisations breed stereotyping and scapegoating. Look at how the policy of apartheid, that stereotyped all blacks as being inferior and backward, has crumbled mercilessly to never come up again.

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I believe people must be judged, to quote the late Dr Martin Luther King, *“not on the basis of their skin, but on the content of their character”*. Admittedly, of course, some kind of ethnic balance is probably necessary, especially with regard to representation in some of the elected and administrative Government structures and in the composition... (Intervention)

HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT: Comrade Speaker, may I ask the Honourable Member a tiny question? The Honourable Member indicated how important it is to educate the Nation. Would the Honourable Member accept an application from the Honourable Venaani to attend that education?

HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE: Surely, because it is our collective responsibilities. We pray that we shall find solutions for issues and problems facing us, so it is also our collective responsibility to educate our people about the do's and the don'ts of our Constitution and our laws so that we act properly without creating problems in this country. (Intervention)

HON TJIHUIKO: Honourable Speaker, may I ask the Honourable Minister a question, please? We are now involved in the process of creating an Anti-Corruption Commission to probe corruption in Government. Is corruption not prohibited by law?

HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE: Comrade Speaker, if one listens to the thrust of my argument, human beings being what we are, have our shortcomings.

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There is the Constitution and the laws, but we do sin and that is why we go to church to pray. The point is that the remedies that are put in place in this particular case, the courts, the tribunals, including the Anti-Corruption Commission, all these are measures, remedies put in place so that in case people transgress, the people know where to find redress. That is the argument. (Intervention)

HON NAMBAHU: Would the Honourable Minister accept a question? Does the Honourable Minister think that the Mover of the Motion is serious? The Democratic Turnhalle Alliance has approached the Courts on very trivial matters, such as preventing member Parties to desert their Party, which is a democratic right. When did the DTA approach any of these SWAPO Government instituted mechanisms to seek redress for the Motion that they are moving? Does the Honourable Minister think that these people are serious by moving this Motion? They have approached the Courts on many occasions on trivial things, but they have never approached the Court to seek redress on this so-called serious matter.

HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE: Comrade Speaker, even if any Member comes to this House with a not so serious Motion, we from our side regard this House as a serious House and, therefore, our contributions will be serious and that is why I am being serious in my contribution.

Comrade Speaker, we must educate our people properly. The content of their characters, their ability, their experience, their qualifications are very important. Talking about Political Parties, does Honourable Venaani know about this one Political Party which is still represented here, occupying the Opposition benches, which Political Party roughly five years ago, by hook or by crook, eliminated – not literally – from its list of Members to come to this Parliament a Member who occupied position number six on the said list in favour of somebody else who came from short retirement, but who was not on the list? What type of description or

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name would Honourable Venaani give to that type of behaviour or action? Is it tribalism, is it nepotism, and is it favouritism? Fortunately, of course, that Member is no more a Member of the DTA. He has left the DTA.

Comrade Speaker, I have made my contribution, but I reject the motive of this Motion and I reject the Motion. Thank you.

HOUSE ADJOURNS AT 15:40
HOUSE RESUMES AT 16:00 PURSUANT TO ADJOURNMENT

HON SPEAKER: The House resumes its business. Honourable Goreseb.

HON GORESEB: Thank you, Mr Speaker, Sir, Honourable Members. I rise to share my thoughts on this explosive Debate on ethnicity and tribalism in Namibia.

Two claims have been made up to date, the one being the existence of tribalism and tribalism in Namibia and on the other hand, the total denial of such practices. If this brutal practice is in existence in Namibia and the Honourable Members of this House and in particular, the Cabinet, the implementers of the State policy, fail to act, it will be a clear testimony of neglect of duty.

Honourable Speaker, before I confine myself to the Mover's motivation paper, allow me to touch on the evils of human rights in the past and the present. We have created many systems and the very first one, which I can recall is slavery, which was practised in Africa. At a later stage, the human race discovered that this practice is wrong and with its abolishment, one of the great leaders, Abraham Lincoln, paid with his life.

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Then another form appeared and that is colonialism. The First and Second World Wars brought an end to this practice, hence the Declaration of Universal Human Rights. (Intervention)

HON DEPUTY MINISTER OF JUSTICE: I would like to ask Honourable Goreseb a question. You mentioned that we have created colonialism and slavery. Are you sure about that or maybe you have read the wrong quote.

HON GORESEB: Honourable Speaker, I said that the human race has created certain systems, which were cruel to the human race, namely slavery, colonialism, etcetera, but as time went on, we realised that these systems were wrong and that is why we abolished them.

Then we moved on to nationalism and statehood. Those were the noble ideas of great African leaders, such as Nkrumah from Ghana, etcetera, which we are still trying to pursue. Another system, which was created, was apartheid on our doorsteps and again the human race realised that this system is wrong. When apartheid was practised, not all the people who served in that Government supported that idea. There were people, who were against it, but the system continued and today we say the implementers of that system were the wrongdoers.

Honourable Speaker, Honourable Members, I did sum up the Mover's statement in three main areas of concern, the first one being the constitutional constraints, secondly, Affirmative Action that kicks back and thirdly, a humble request for an *ad hoc* Committee to look into these evils and whether it really exists. However, before I touch on those main areas of concern, I will agree with previous speakers on the sensitivity of this matter, its timing and appropriateness, but to me the message is very loud and clear. People used to say that there is no smoke without a fire and we cannot simply ignore statements like this one made in this august House.

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I will agree with the Honourable Mutorwa that even if the statements are irrelevant, we in this House will pay attention and discuss it. Thank you for that very brave statement.

The words “*ethnicity*” and “*tribalism*” might be hard to swallow now in time, but one must compare the essence of the matter with concepts like discrimination, exclusivity, etcetera. Article 23, which deals with apartheid and Affirmative Action, can be used in this regard.

Honourable Speaker, Honourable Members, let me use a statement made by Leroy Vail in his book, “*The Creation of Tribalism in Southern Africa*”. In its introduction, he quotes a statement made by Immanuel Kant and I quote: “*Out of the crooked timber of humanity no straight things can ever be made.*” I want to challenge this House to listen to the next statement I am going to make so that we can confess whether it is true or not.

African political leaders experiencing tribalism and ethnicity as destructive to their ideals of national unity denounced this concept of tribalism and ethnicity passionately. Commentators on the left recognised it as a block to the groove of appropriate class awareness... (Intervention)

HON MINISTER OF PRESIDENTIAL AFFAIRS: Comrade Speaker, may I ask the Honourable Member a question? Honourable Member, are you aware that the most important thing is to educate our people through political education and Political Parties play a very important role?

Are you aware that in this Chamber there are certain Parties, which are only representing one ethnic group?

HON GORESEB: Honourable Speaker, Honourable Members of Parliament, I am quite aware of the number of political science students in

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this august House. That is why I am repeating so that you realise what is happening now.

Commentators on the left recognised it as a block to the groove of appropriate class awareness envy against it as a case of false consciousness. Volunteers for South African apartheid, welcoming it as an ally on a continued white dominance, encouraged it. That is ethnicity and tribalism. Development theorists described it as a check to economic growth and deplored it. Journalists deplored it mercilessly. If one approves of the phenomenon, it is tribalism. If one is less judgmental, it is ethnicity and the Mover of this Motion clearly demonstrated that he hates ethnicity and tribalism and that it must not be practised in free a Namibia. (Intervention)

HON MINISTER OF LANDS AND RESETTLEMENT: May I ask the Honourable Member a small question? Honourable Member, tell me honestly from your heart, is the UDF a tribal organisation or not? I am saying this because of the way the UDF was born out of the Damara Raad Administration. It was an ethnic Bantustan administration, governing from Khorixas. It is a tribal organisation and that is why even now the UDF is only concentrated in Khorixas and Kamanjab Constituencies. Tell this House, is the UDF a national Political Party or a tribal Political Party?

HON GORESEB: As I proceed, it will become very clear to the Honourable Minister that the UDF is not a tribal organisation and that the doors of the UDF are open to each and every Namibian. If you wish, come over to this side, it is open for everybody and it is not a tribal organisation. (Intervention)

HON MINISTER OF FINANCE: Honourable Speaker, may I ask the Honourable Member a tiny question? I would like to ask a question since

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you said that some of the Parties – and I am not going to mention any names – represented in this House by people from just one ethnic group are national Parties. Is it so that these Parties could not find one credible person in their Parties from other ethnic groups whom they can deploy to Parliament to make their representation look a little bit more diverse? That is the first question.

Secondly, should the Namibian public take a clue from the composition of some of these Parties, about how the composition of the Government would be should these Parties assume power in Namibia, and if Namibia should take that clue, do you not think we should be very much afraid of these Parties? (Interjection)

HON MEMBER: All male!

HON GORESEB: Honourable Speaker, Honourable Members of this House, upon attainment of Independence... (Intervention)

HON MINISTER OF LANDS AND RESETTLEMENT: May I ask a small question? Honourable Member, you mentioned that any person is free to join the UDF. I attended a UDF meeting once after Independence in Khorixas and there the UDF was saying, “*You see, SWAPO is bringing people from other Regions to come and take over here.*” Maybe those people were coming to join the UDF and now you were saying, “*What are these people doing here; SWAPO is bringing them so that they can win.*” You discouraged those people, they came to join the UDF and then the UDF chased them away. Do you think there is a future for the UDF?

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HON GORESEB: Honourable Speaker, I thank the Honourable Minister for that information, I will follow it up.

Honourable Speaker, Honourable Members, upon attainment of Independence... (Intervention)

HON MINISTER OF LANDS AND RESETTLEMENT: On a Point of Information, maybe the Honourable Member does not know. Honourable Member, after the demonstration in South Africa when your leader was learning to become a Medical Practitioner, he went to Walvis Bay and worked for Metal Box and Nico Smit who was a member of the DTA here in Parliament is the one who recruited him to go and join the Damara Administration in 1968. It is just for your information. The UDF was created when those leaders were called together by Vorster in Pretoria so that they come up with Bantustans and he was told by Nico Smit to resign from Metal Box in Walvis Bay.

HON GORESEB: Honourable Speaker, Honourable Members, I am tempted to answer the Honourable Minister but I do have great respect for him and I know the origin of each and every Political Party in Namibia. Fifty years is a very short time and the role played by the so-called Damara Council in the process of achieving our Independence cannot be forgotten very easily. Honourable Minister, we were inside the country, others were outside the country and we fought the political fight because during that time we had one common enemy. (Intervention)

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION: On a Point of Information. When we campaigned at Kamanjab, the UDF told the people not to vote for SWAPO, vote for the UDF because SWAPO will bring their people here. They told the people the Ovambo people will come here while in fact the people who are working on the surrounding

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farms in Kamanjab are from the northern part of the country. I do not know what they wanted to tell the people while they are with other people in Kamanjab.

HON GORESEB: Honourable Speaker, Honourable Members of this august House, upon the attainment of Independence, the anti-colonial apartheid messages are irrelevant. Nationhood and reconciliation are transformed into a blues for manipulation of the institution of a new Nation State on behalf of the interest of the Ruling Political Party. I deduce this from statements like “*Comrades*” which is divisive, exclusive. (Intervention)

HON MINISTER OF LANDS AND RESETTLEMENT: May I ask the Honourable Member a small question?

HON GORESEB: Declined. I said that because I get the idea from the statements...(Intervention)

HON P MUSHELENGA: May I ask a question? I just want to ask the Honourable Member, knowing the importance of a Debate of such magnitude and I have listened to various speakers from various Political Parties and knowing that a Debate of such magnitude is normally discussed within the Political Parties, whether he is sure he is speaking on behalf of the UDF, because I know that the other Colleagues are not here, and I do not want the others to come and contradict him tomorrow. Is the Honourable Member really expressing the position of the UDF, because the others are not here, there was no caucus and no position was taken on this issue?

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HON GORESEB: Honourable Speaker, I deduce from a statement such as “*Comrades*”, which I regard as divisive or exclusive... (Intervention)

HON DEPUTY MINISTER OF WORKS, TRANSPORT AND COMMUNICATION: Comrade Speaker, I rise on a Point of Order and I seek clarity from the Speaker. Will he continue to allow people to mislead the Namibian people? We are leaders who are responsible for this country. Will we continue to allow people to mislead and cause confusion with this Debate? I want clarity from the Speaker. Will we continue to allow people to mislead the Namibian people by telling lies, and even go to the extent of saying the word “*Comrade*” is divisive? I want the Speaker to guide me on this.

HON SPEAKER: The House is perfectly on course. This is a House of deliberation, the Honourable Member is free to take the Floor and the public will listen to all sides of the issue and draw their own conclusion.

HON GORESEB: Honourable Speaker, I have to repeat that such statements exclude the other people who are not called like this..... (Intervention)

HON MINISTER OF LANDS AND RESETTLEMENT: On a Point of Order. Through you Comrade Speaker, I want to tell the Honourable Member that SWAPO won all six Constituencies in Karas, six in Hardap, six in Caprivi, all Constituencies in Kavango, in Erongo all except one and in Rehoboth Municipality all six. Where is the apartheid within SWAPO? Which language do you speak at your meetings? Do you speak your mother tongue because it is only one tribe, or are you forced to speak English? Do you come and mislead the House?

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HON GORESEB: The second statement, which worries me, is what was mentioned by Honourable Moongo, namely, “*senior positions for Comrades only*”. I think there is a custom in Namibia that senior positions are reserved for those who are regarded as Comrades. (Intervention)

HON DR ANKAMA: I would like to ask the Honourable Member a question. Comrade Speaker, let me ask the Honourable Member to define in his understanding the term “*Comrade*” which he alleges is divisive.

HON GORESEB: Honourable Speaker, Honourable Members, I now go back to the main areas of concern. The very first one... (Intervention)

HON SIOKA: On a Point of Information. If you consult the Rules, you would find that we are allowed in this House to use either “*Comrade*” or “*Honourable*”. It is contained in the Rules. It is not divisive. If it were divisive, it would not have been accepted by all Political Parties.

HON GORESEB: Main areas of concern... (Intervention)

HON MINISTER OF WORKS, TRANSPORT AND COMMUNICATION: On a Point of Information. It is very unfortunate that the Honourable Member is making serious allegations against the Ruling Party, SWAPO, saying that “*work for the Comrades only*.” I can still remember vividly that in Usakos at local level, the UDF refused to allow SWAPO Members to take positions in the Council. You were there. Is it justifiable to make allegations here of that nature? You were there as

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the Mayor, not allowing SWAPO Members. You only want to vilify SWAPO while you are doing the same at local level.

HON GORESEB: Mr Speaker, Sir, I could not catch the question of the Honourable Minister, but as far as I can recall, my friends refused to take up the positions. They simply refused and I approached the Honourable Minister to speak to them so that they must accept.

I am now coming back to the main areas of concern. The very first one is the constitutional constraints. Article 23(2) allows the Parliament to redress imbalances of the colonial past as well as the post-colonial present. The mere fact that we are redressing the colonial past does not mean that we cannot commit similar mistakes. If there are tribal or racial imbalances in our employment or Educational Sector, caused by corruption of our own making, this Section of Article 23(2) empowers us to correct our own mistakes, not only those of the colonial era and I concur with the Mover on this point.

The second area of concern is the Affirmative Action with kicks back. Affirmative Action becomes counter-productive if the selection is not done based on competence but on a racial basis. Affirmative Action did not take account of the requirement of competence before a person is employed in a specific position. Affirmative Action should have a time limit, as it is divisive. We have to have a timeframe when the white Comrades could be regarded as equal citizens to compete freely in the society. Farms have been given to those who know how to apply and those who have good connections, which is corrupt, but who cannot perform on the farms they are given. Real farmers who can perform do so even on communal land, but do not know how to apply or to be considered in the allocations.

A second problem of this Affirmative Action is that the incompetent persons in positions are a double burden on the taxpayers. The person sits at the expense of the taxpayer and the disadvantages the taxpayer gets from such an incompetent worker is doubled if the person cannot do the

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work for which he or she is employed. An explosive situation that prompted such hasty appointment in employment of incompetent people in important higher positions does not reign anymore. We can do something about it. Being a holder of the position, he is the only legitimate person to be considered when promotions are due and who is the judge? If those who occupy the positions in favour will be judges tomorrow, the *status quo* will continue.

Honourable Speaker, Honourable Members, the Mover is asking for our undivided attention on this explosive matter. He wants our attention so that we must look into this matter so that we can determine whether it is true or whether it is false. We cannot simply reason it away with words like a “*political opportunist*” or “*hoping to score points*”. As I said earlier, whenever there is smoke, somewhere there must be a fire.

Honourable Members of this august House, in conclusion, I have to confess that there is a real battle at the lower levels of employment.

Whenever people are coming for employment, the very first question is, “*who are you, from which tribe are you?*” This is a very critical issue, which warrants all our attention, and as the Mover of this Motion has requested, he humbly asked us just two things... (Intervention)

HON MINISTER OF PRESIDENTIAL AFFAIRS: On a Point of Order. The Honourable Member made a very serious allegation and as a Namibian myself, I would like the Honourable Member to reveal his source. If I heard him correctly, he said when people apply they are being asked, “*From which tribe are you?*” We want to expose those people because that is really a very serious allegation in an independent Namibia. The Honourable Member must prove beyond doubt about his sources.

HON GORESEB: I am talking from experience and I am one of the victims of that system. That is why I am saying the real battle is on the

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ground, the people are scared. Whenever there is an opportunity for employment, that opportunity must be grabbed by the Comrades and others are excluded. (Intervention)

HON DEPUTY PRIME MINISTER: On a Point of Order. Maybe because I am a multi-lingual Namibian, I do not believe that any Namibian who meets another Namibian does not know what language that Namibian speaks. For anybody in an office to ask, when somebody applies, "*Which tribe are you*", I have never heard of this. You must really expose that source, because it is a very serious allegation and we who are responsible for the Government business will follow up on that particular person.

HON SPEAKER: Honourable Goreseb, it is a very strong point. You said for the Record of the House that, indeed, you have evidence, experience and you yourself have encountered that the question was asked, "*Which tribe are you?*" The Honourable Member needs to do more by way of explanation, because we are all interested to know where did this take place, who was involved for it would clearly be a violation of everything we said about the Constitution and the existing laws of the Republic. You may continue, Honourable Member.

HON GORESEB: Honourable Speaker, as I am concluding... (Interjections).

HON SPEAKER: Just listen to the Honourable Member address the issue.

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HON GORESEB: I will consult and I will come back, but let me tell this august House just a very simple, funny thing. (Intervention)

HON NAMBAHU: On a Point of Order. The Honourable Member made quite serious allegations and one of them is actually at the initial part of his speech. He made an allegation where he was insinuating and equating the practice of apartheid with what is happening in this country, according to how he understands the Motion, creating serious confusion between State sponsored racism and tribalism that were practised in this country and what might be something of individualistic and private shortcomings of individuals and officials. Our Constitution is very clear in Article 18 on that and he went further by quoting the Constitution selectively. He ignored Article 18, which deals with the administration of justice and I will read it for the information of the Honourable Member. *“Administrative bodies and administrative officials shall act fairly and reasonably and comply with the requirements imposed upon such bodies and officials by common law and any relevant legislation and persons aggrieved by the exercise of such acts and decisions shall have the right to seek redress before a competent Court or tribunal.”* The Honourable Member completely ignored this and quoted something else. What is really taking place? It is very important for the Honourable Member to take his discussion in this context for him to be able to proceed without misleading the House, because our kids and everybody outside there are listening.

HON SPEAKER: Yes, as long as the Speaker is here, the House will not be misled. You may continue and conclude.

HON GORESEB: Honourable Speaker, Honourable Members of this august House.... (Intervention)

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HON MOONGO: Honourable Speaker, may I ask the Honourable Member a question? Is the Honourable Member aware that during the past election the non-SWAPO members were not allowed to sleep in one of the Polling stations in Oshana while the SWAPO members were inside and they were forced to sleep outside? Is this not naked discrimination? (Interjections). Yes, it is true! It was reported in the Region.

HON GORESEB: Honourable Speaker, Honourable Members, the Mover of this Motion.... (Intervention)

HON MINISTER OF LANDS AND RESETTLEMENT: May I just ask a last question?

HON SPEAKER: Question declined.

HON GORESEB: Honourable Speaker, Honourable Members of this august House... (Intervention)

HON P MUSHELENGA: On a Point of Order.

HON SPEAKER: A Point of Order is intended to correct something. He has not said anything yet, Honourable Member.

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HON P MUSHELENGA: I initially wanted to stand on a Point of Order on something that he said earlier. Honourable Speaker, the Honourable Member made a serious statement and even the Speaker gave guidance, because the Honourable Member said here that he was a victim of questions like, "*from what tribe are you?*" Then after the guidance by the Speaker, the Honourable Member continued to say he will go and consult. Honourable Speaker, I think as sworn-in Members of this House we must be very serious when making statements in this House, because these statements are being listened to outside this Chamber. If it is true that such a question was posed to the Honourable Member, I do not know why he should go and consult to find out where and when it was asked to him, because all of us know that if something happens to me, I should know where this question was asked. The Honourable Member should tell this House the truth or withdraw. I take this as very serious misleading information. If the Honourable Member is not prepared to tell us now where he was asked, then it is very serious, Honourable Speaker.

HON SPEAKER: Point well taken. The Honourable Member still has the Floor.

HON GORESEB: Thank you, Honourable Speaker, Honourable Members of this august House, the Mover of this Motion is just seeking two things from this august House. Firstly, to put measures in place to safeguard our country from moving into the routes of other Nations' long protracted battles.... (Intervention)

HON MINISTER OF FINANCE: On a Point of Information, two small Points of Information. The first one is that this country already has appropriate mechanisms to fight all kinds of ills, including ethnicity, racism and the rest. If there are people who have evidence of violation of these procedures that we have established, they should just come forward

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and present them to the appropriate authorities and I expect that responsible people like Members of this House should set the example for the rest of the Namibians, rather than observe things and come and make allegations at an important platform like this House without laying appropriate charges with the appropriate institutions. That is the first part.

The second part is that some Honourable Members, some citizens of this country and, unfortunately, including also Honourable Members of this House, use allegations of ethnicity to promote their political agendas without paying attention to the negative consequences of trying to instigate people with these kinds of rumours. I want to advise these Honourable Members to take the example of a repentant citizen of Namibia who was once associated with the previous colonial administration who said, *“we were indoctrinated by the South African regime that SWAPO is communist, that they kill white people, that they are anti-Christ, that they are this and that, that they will never win and we believed it, but when SWAPO came into power and we observed how they were performing, we realised that we were also colonised just like the majority of the people.”* I want to warn this Colleague who actually tries to infuse some kind of fear in our young people, especially from the minority ethnic groups, that they are some kind of victims in their own country, by making propaganda that is not based on any facts, that they are doing much worse than the South Africans have ever done and the history would record that against them.

HON GORESEB: Honourable Speaker, Honourable Members, as a person coming straight from the grassroots level, who was in touch with the grassroots, I think that we are getting out of touch with the realities of the day. Therefore, I will support the Motion of the Honourable Member and request the House to look into this matter seriously. I thank you.

HON SPEAKER: Right Honourable Prime Minister.

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RT HON ANGULA**

RT HON PRIME MINISTER: Thank you, Comrade Speaker. It was not really my intention to take part in this Debate, however consulting the Constitution which is the guiding light for all our actions, I came across Article 40(1) which reads as follows: *“The members of the Cabinet shall have the following functions: To remain diligent and vigorous for the purpose of ensuring that the scourges of apartheid, tribalism and colonialism will not again manifest themselves in any form in a free and independent Namibia and to protect and assist the disadvantaged citizens of Namibia who have historically been the victims of these pathologies.”* I am now taking the Floor in defence of this noble article.

In defence of this noble Article, it is very important for us to attack the reality of Namibia in relation to the Motion of Honourable Venaani. The first thing we should remind ourselves is that Namibia is a unity in diversity. It is very important for us to understand that. This implies that we have to manage diversity as political actors and diversity expresses itself in culture, language, in economic status, in gender, in generation, even in geography. All these aspects must be managed and be managed properly, more so the aspects of culture and ethnic background.

When we are talking about ethnicity, we must know that we are scratching a raw wound. There are two aspects to this issue which Mr Tsudao Gurirab calls a national question when he tried to misinterpret Lenin. Lenin was talking about broader issues than this one. There are two aspects to this. One is the perception. The Constitution of the UN starts in its Preamble by saying, *“war starts in the minds of men”* and sometimes war starts on a flimsy basis. We know how many people died in Iraq on the pretext that Iraq had weapons of mass destruction, which up to this point have not been found. Therefore, people, even our present condition of poverty, of unequal distribution of resources in our population, of unemployment and so on, can easily conclude that I live in Usakos with two goats because somebody who is living in Oshakati has five goats, he must have taken one of my goats or I am unemployed because X has taken up my employment and that X invariably will be a person of a different background.

The situation is even made more complex by the number game in our

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country. If you interpret your condition of existence in relation to other people and their numbers, you can easily conclude that you are worse off because of this group and that might just be a perception in your own head. You might be worse off because you have not made an effort to do something or you might be worse off, because you did not finish school or whatever, but people do not blame themselves and somebody must be blamed.

As we debate this Motion here, people will confirm their perceptions and their worst fears and say it is true, rightly or wrongly, and you have contributed to creating misunderstanding in our people. That is one side of the coin.

The other side of the coin is what Comrade Mutorwa called human failures and one of the failures I have observed is our failure to be sensitive to our diversity, sometimes not because it is planned, but simply because we are not sensitive that we are a unity in diversity and because of that insensitivity we sometimes provoke other people. Sometimes people feel that they are not being treated as equal purely because of our behaviour as individuals and it is important that especially those of us who are in the public offices must at all times be cautious of this Article 40(1), that we must vigorously be sure that the scourges of tribalism, apartheid and colonialism do not manifest themselves. I think that is very, very important, especially when we are talking about number games.

None of us has the courage to stand up here and to proclaim that he or she is a tribalist, but deep in your conscience, you know that you sometimes think those things. As they say that tribalism or ethnicity is the last refuge of a scoundrel. All the political scoundrels will hide themselves in ethnicity and tribalism and foment the differences, rather than cementing the unity, which is contained in this very important document, the ethos of this document.

When we as Political Parties and political leaders pick up some of these things, which are very touchy, we must know that we are scratching raw wounds and when they start to ooze, we may not be able to heal them. We must be careful. It is true that ethnicity can be a serious threat if people

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are not sensitive in their day-to-day dealing with the public. The public will confirm that I am treated like this because I am so and so. That is most unfortunate.

Political Parties that are looking for votes have so-called ethnic entrepreneurs and these ethnic entrepreneurs go by the theory that an injury to a person of my background is an injury to me, so we should stick together and many of them survive not because they have a programme for uplifting people out of poverty. If everybody was better off, nobody can play this tribal game because everybody has something to defend. The danger is that with our poverty, high levels of unemployment, unequal distribution of income and wealth in the country, this ethnic thing can polarise the Nation. When the polarity gets to a certain point, we will not be able to contain the situation.

My appeal, therefore, to Honourable Venaani is to say yes, ethnicity is an important element of our existence because we are a unity in diversity, but we should treat our situation in a positive manner, because diversity is both strength and weakness. If all of us recognise each other as equal, respect each other, treat each other well and even if you do not get a job, you know that the other guy was better than me, if we can promote those positive ways of making diversity a strength, I have no problem with that. However, if we treat it as a way of saying holier than thou that you are the culprit and you are doing this, then to me that is wrong.

We have our Constitution and the Constitution guarantees certain fundamental rights to our people, including the right not to be discriminated on the basis of ethnic background and I expect people to shout high and loud when you feel that you are victimised because of your ethnic background, because that is the only way we can shame those who are failing the Constitution. That is the only way we can do it, by shouting high.

I can tell you a secret, Mr Venaani. When I was given the task to unify the education system in Namibia, we had an unwritten agreement with NANSO. I said, *“NANSO, you are the ones in the schools in grassroots, if you see something wrong there, go in the streets to shout. Of course, I*

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will come there with the Police. Do not take the law into your own hands, but make a point.” I can tell you, because of their noise, we investigated and we shamed those who were resisting the integration of schools. Therefore, it has been a smooth process. There were battles to be fought, but these battles were not fought in the public and we accepted each other so much that if you go to the children today and say that there were schools for the whites, the Coloureds, Nama’s, Herero’s and Ovambo’s, they will think that you are daydreaming.

We should encourage our citizens to have courage to stand up when they feel they are being ill-treated and really expose their ill-treatment. I know that some of us do not want to do that because that is how we survive. We are in Parliament because we want that ethnic support and we do not want this thing to disappear, we want it to be around so that we get a vote from there, but if we are really genuine, we should educate our people about their rights, that this Constitution prohibits any form of ethnic mistreatment or discrimination and this is the document which is the glue holding us together. This is what we should promote among our people if we want to address the issue of ethnicity.

More important, if we really want to do some serious things, it is to address the issue of poverty, unemployment and unequal distribution of wealth, which is even worse. The other day I was told a story by the Trade Unions, that there are these citizens who have no fixed address.

These are the labour tenants on the farms. Those of you who have farms know that. When you do not need them, you dump them at the roadside. Then the Road Construction Company comes there and says, “*You do not belong here.*” Then they do not belong to the farm, they do not belong to the roadside, where do they belong? This person has nothing to lose and he can easily conclude that I am being treated like this because of my ethnic background. If we allow each and other citizen to have a space in the shade, that is the beginning of dealing with this issue of ethnicity because everybody will have something to defend and have a stake in the peace and stability of the country.

I feel we should talk about how to create an inclusive society so that

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everybody has a piece of the cake. How do we fight poverty? Bring Motions about these things, because at the end of the day people just want to live. They do not care whether they are from Onyaanya; at the end of the day they just want to make a living and to live better as all of us want to do. If we can debate those substantive issues and inform Government that perhaps we should do this and that to create employment, do that to distribute wealth, that would help us rather than debating Motions about the nature of our diversity, which is very fragile in any case.

Therefore, Honourable Members, my appeal is for us to be positive. We do have challenges out there. We can only deal with those challenges if we are positive in our approach. Thank you.

HON SPEAKER: I thank the Right Honourable Prime Minister. Honourable Tsheehama.

HON MINISTER OF SAFETY AND SECURITY: I thank you, Honourable Speaker. I would like to associate myself with my Colleagues who have strongly expressed themselves in opposition of the Motion that was introduced here by Honourable Venaani.

Honourable Venaani gave Notice on Tuesday, the 14th of June 2005, that he would Move that the National Assembly discuss and debate the current ugly face and forms of ethnicity and tribalism in Namibia. He took cognisance of the fact that the African Continent has been locked in events relating from civil wars fuelled by tribalism and ethnicity. He then referred to the Great Lakes Region of Rwanda and Burundi, respectively, which in any circumstance is utterly incomparable to the Namibian historical event.

The Honourable Member had also alleged that after fifteen years Namibia has seen unbalanced appointments in the Civil Service, unbalanced appointments in the Defence Force, unbalanced appointments in the Police

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Force and State-Owned Enterprises. I do not know exactly why a young man in the name of Honourable Venaani should come up with a Motion that smells of all elements of tribalism and ethnicity. Honourable Venaani obviously lacks something and that something is direction. The leadership that was going to give him that direction and guidance is in itself entrenched in the tribal politics. That deficiency characterises what DTA leadership is all about – super tribalism, super ethnicity, which has damaged and confused in totality the mental capacity and it is a pity of a supposedly prosperous and industrious young man in any trade except politics. I really feel pity for this young man to continue engaging himself in politics that is so big for his little brain and if he does not....
(Intervention)

HON T GURIRAB: On a Point of Order. Honourable Speaker, I seek your guidance on what we have accepted here as parliamentary language in reference to each other. We refer to each other as Honourable Members and I thought that that would be accorded to Honourable Venaani as well and that he would be addressed as such.

HON SPEAKER: We are all Honourable Members and that decorum of mutual respect should be observed at all times.

HON MINISTER OF SAFETY AND SECURITY: Yes, when I say a young man, I link it to the Honourable Member Venaani. I was saying I feel pity for Honourable Venaani to continue engaging himself in politics that is so big for his little brain and if he does not immediately reform and refrain from such tribal intoxication, he definitely will find himself in a hospital and that hospital is a mental hospital. (Laughter) (Intervention)

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HON MOONGO: On a Point of Information. We were seriously listening to the good proposals by the Prime Minister and now an Honourable Member of the same Party is mentioning a mental hospital, taking the Debate to a very low level. Is the Honourable Member aware that Chief Dan was replaced with a SWAPO member? What are you saying now? Who is going to be in mental hospitals? It is the SWAPO Members.

HON MINISTER OF SAFETY AND SECURITY: Unfortunately, I did not mention mortuaries. I should actually have mentioned that. Right from the outset I would like to point out that our Police Force was established in the spirit of one Namibia, one Nation and guided by the noble principles of national reconciliation. The Force, NAMPOL, was established to integrate and transform the former SWAPOL and SWATF with Namibian freedom fighters into a people's Police Force to protect our people and their properties and the maintenance of law and order.

The Namibian Police is constituted of men and women, irrespective of their colour, creed or ethnic background. These are sons and daughters of Namibia who are recruited in the Police Force on the basis of the provisions of the Namibian Constitution and the Police Act. Discrimination based on gender, ethnicity or any political, social and economic status is not permissible under our Constitution and therefore, the Honourable Member's allegations are baseless.

The Honourable Member's allegations should be seen in the same light as the dirty propaganda campaign that encouraged members of the then SWATF, Koevoet, SWAPOL, etcetera, to leave Namibia to South Africa on allegations that SWAPO was going to kill them when it came to power. We all know that many former members of SWAPOL and SWATF left for South Africa shortly after Independence because DTA misled them to leave the country. Some people also left the Police Force to join private Security Companies that mushroomed shortly after Independence, that were set up by former senior security officers who served in the former colonial armed forces in this country. It was the same people in DTA who

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are now talking about tribalism, who discouraged some Namibians to serve in the Post-independence Namibian Police. The very same DTA Members campaigned to tarnish the image of the Namibian Police in the 1990s and they are still doing the same to date. They encouraged some people to leave the Force, condemning the Police Force with all sorts of negative stories. These people should only blame themselves, not the Government, because the Government is there for unity and is there for reconciliation.

Now let me come to the accusations. In answer to Honourable Venaani's reference that there is tribalism and ethnicity in the Police Force, a Department in the Ministry of Safety and Security, I have the following to clarify in terms of recruitment and promotion. I would like to ask the Honourable Member to pay attention to what I am going to explain:

Regarding Recruitment - Chapter 4 of the Force Administration Manual deals with the procedures and requirements to be followed and to be complied with during the application, selection and appointment process of candidates and filling of vacancies in the Namibian Police. It is also a standing operational procedure to allocate an equal number of candidates to all thirteen regions in order to underscore a regional balanced representation of the national colour. In this regard, the Namibian Police Force recognises that recruitment is the most important process through which fit and proper candidates can be appointed into the Police Force. Therefore, the following are the objectives of the recruitment policy:

- To ensure that recruitment is carefully planned, properly coordinated, budgeted for and sustained;
- To ensure that recruitment services a high degree of support at all levels;
- To ensure that vacant posts are reported, advertised and filled in time;
- To ensure that the Force obtains the best possible candidates the market can offer, subject to the set requirements;

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- To ensure that the recruitment procedures are complied with by all committees, offices responsible for the recruitment process as set out in the policy;
- To ensure that all prospective candidates are treated equally and fairly during the recruitment process.

This is what is currently happening in the Namibian Police Force and hence we have Recruitment Committees and offices in place for this purpose.

- To ensure that the provisions of the Constitution, the Police Act, 1990 (Act 19 of 1990 as amended) and regulations made thereunder in regards to the appointment of candidates into the Force and the filling of vacant posts are followed and adhered to during the recruitment process;
- To ensure that candidates possess the required entry qualifications, permissible age, Namibian citizenship and must meet all other entry requirements, such as good character and free from previous convictions, as set out under Schedule 1 of the Police Act (Act 19 of 1990 as amended).

Promotional procedures are that recommendations are requested from supervisors, that is Regional Commanders, Commanding Officers and Commanders of various categories through the channel of command whenever there is money available for possible promotion countrywide. After all the recommendations are received, the members' personal files are perused and will be screened by the Complaints and Discipline Division in order to determine if these members have pending cases against them. Afterwards the Force Personnel Panel Committee Meeting, which consists of members of the senior management of the Force under the Chair of the Deputy Inspector-General of Administration, will sit to consider the recommendations and make suitable recommendations to the Inspector-General for final approval.

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However, whenever any Commander's post becomes vacant in the absence of general promotion, such a post may be advertised if there is no suitable candidate available. The Regional Commanders or Commanding Officers may also recommend a possible candidate who is acting in that post. It is also the prerogative of the Inspector-General to promote any member without prejudice to the laid-down procedures to ensure an effective and efficient police organisation, to provide for effective and efficient supervision and management within the Namibian Police and to provide a balanced structuring of the Namibian Police as laid down in Article 116(2) of the Namibian Constitution. This will ensure the reflection of the relative sizes of the communities, which comprise the Namibian population.

With regard to the vacant posts, the Namibian Police establishment or total number of posts in each rank allows a certain number of posts for each rank. Before a member may be promoted, a vacant post must exist for that member. However, when the Police National Headquarters is unable to identify a suitable member among the applicants or no applications are received, the Inspector-General's Office will still have the prerogative to issue the necessary instructions accordingly as per the Police Administration Manual.

In certain posts that require specialised members in the Namibian Police due to their specific areas of expertise, the Inspector-General may, subject to the Police Act and regulations made there-under, promote or appoint them to those posts.

Having said all these facts, I should therefore rush to condemn Honourable Venaani's Motion with the contempt it deserves and declare the Motion null and void and that its rightful place should be the historical rubbish container. I thank you.

HON SPEAKER: I thank the Honourable Minister. Honourable De Waal.

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HON DE WAAL: Honourable Speaker, if there were no more discussions, I would Move that the discussion of this Motion be adjourned until Thursday afternoon.

HON SPEAKER: Any objection? This Motion stands adjourned until Thursday afternoon. The First and Second Notices of Motions are those of the Honourable Minister of Trade and Industry. The Honourable Minister of Trade and Industry adjourned the Debate for his reply and he now has the Floor.

**RATIFICATION: AGREEMENTS BETWEEN
NAMIBIA AND ANGOLA**

HON MINISTER OF TRADE AND INDUSTRY: Thank you, Honourable Speaker, Honourable Members. I want to thank all the Members that supported the discussions that took place on the Agreements between Namibia and Angola and as I have promised Honourable Gurirab that I would be responding to some of his questions and I do not see him around, I will have the answers for him, but I really thank everybody for supporting these Agreements. I thank you.

HON SPEAKER: I now put the Question, that the Motions be adopted. Any objections? Agreed to. The Third Notice of a Motion is the one by the Honourable Deputy Prime Minister. Does the Honourable Deputy Prime Minister Move the Motion?

**APPOINTMENT: MEMBERS OF
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ADJOURNMENT

RT HON PRIME MINISTER: Comrade Speaker, may I seek the indulgence of the House to adjourn this Motion until tomorrow?

HON SPEAKER: Any objection? The Motion stands adjourned until tomorrow afternoon. That brings us to the end of the business scheduled for today. I ask the Right Honourable Prime Minister to adjourn the House.

RT HON PRIME MINISTER: I Move that the House adjourns now until tomorrow afternoon, 14:30.

HOUSE ADJOURNS AT 17:41 UNTIL 2005.07.06 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
06 JULY 2005**

The Assembly met pursuant to the adjournment.

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

HON SPEAKER: Any Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Any Notice of Questions? Any Notice of Motions? Honourable Booyis.

LEAVE OF ABSENCE

HON DE WAAL: Honourable Speaker, I Move without Notice, that leave of absence be granted to Honourable Katuutire Kaura, due to official business, until the 13th of July 2005.

HON SPEAKER: Will the Honourable Member please table the Motion? Any further Notice of Motions? Honourable Mushelenga.

HON P MUSHELENGA: Honourable Speaker, I Move without Notice, that leave of absence, due to official business, be granted to Honourable Royal /Ui/o/Oo until 15 July 2005.

HON SPEAKER: Will the Honourable Member please table the

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**SECOND READING
COMMUNAL LAND REFORM AMENDMENT BILL
HON T GURIRAB**

Motion? Any further Notice of Motions? Any Message from the State House? Any Ministerial Statements? The Secretary will read the First Order of the Day.

**RESUMPTION OF SECOND READING: COMMUNAL LAND
REFORM AMENDMENT BILL**

HON SPEAKER: When this Debate was adjourned on Wednesday, 29 June 2005, the Question before the Assembly was a Motion by the Honourable Minister of Lands and Resettlement that the Bill be now read a Second Time. Honourable Gurirab adjourned the Debate and I now give him the Floor.

HON T GURIRAB: Honourable Speaker, I looked at the proposed Amendment and I have three observations to make. The first one relates to the definition of “*Minister*” and “*Permanent Secretary*”, with which I agree and whilst I am at that, we must also commend the Government for the new manner in which these phrases have been formulated, the phraseology which says the Minister responsible for whatever portfolio. We would like to support that because that is a better way of doing it instead of referring to the designation of the Ministry, but to have it saying the Minister responsible for whatever the portfolio is. We would like to support that.

Honourable Speaker, the other Amendment is to include certain areas in the communal areas and I will come back to that one last. The second one deals with the definition of the local area and we support the intention there.

The third one deals with the inclusion of certain areas under the

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jurisdiction of what this Act covers. Honourable Speaker, we have looked at the principal Act and in the principal Act the communal areas are defined in terms of the units covered, that they essentially are the former Homelands/Bantustans. In the law, they are Kaokoland, Ovamboland, Damaraland, etcetera. What the Minister, of course, also intends to do with this Amendment is to include these two portions which were also part of the previous homeland system, to be covered under this Act.

Honourable Speaker, what we have under the Communal Reform Act is more of the same, except that we call it by another name, but it does not take account of what is happening in our country. In terms of this Act, for example, the whole of Kavango, the whole Caprivi, Ovamboland and Damaraland, as they are called in the Act, are communal areas, but we are at the same time aware that the Ministry of Regional and Local Government, Housing and Rural Development are busy with the programme of extending local governance to some of these areas, such as Omuthiya, Nkurenkuru and many others which will be covered as communal areas in terms of this Act and will soon be declared as Local Authority areas. Therefore, on the one hand, we are doing one thing, but on the other, we are doing something else. In this Act, we are incorporating what is our past, the Bantustans, and on the other hand, we are continuing with the new Namibia.

Honourable Speaker, this is not the only Act of this kind and I am speaking to the principal Act, we have the Traditional Authorities Act. There will be a need at some time to revisit the regimes, which we are creating under these Acts, because it would appear as if they keep us trapped in our past whereas we are in the process of creating a new Namibia. I thank you, Honourable Speaker.

HON SPEAKER: I thank the Honourable Member. Any further discussion? Honourable Attorney-General.

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HON MINISTER OF JUSTICE AND ATTORNEY-GENERAL:

Thank you, Comrade Speaker. Comrade Speaker, I rise to support the *Amendment Bill* under discussion. In the first place, I would like to correct certain perceptions being created that this *Amendment Bill* aims at creating communal land. The Bill, including the principal Act, has not attempted to create communal land. Communal land has been in existence, it is a fact of the Namibian life that we have a dual system of land tenure in this country, the freehold and the customary land tenure.

The Honourable Members know very well that before the two Acts were enacted in this House, that is the Agricultural (Commercial) Land Reform Act and the Communal Land Act, the policy document was formulated in which Government has laid out how the land tenure system in the country is going to be organised. The Agricultural (Commercial) Land Reform Act, on the one hand deals with the land owned privately and the Communal Land Act deals with the land that is owned communally.

The purpose of the principal Act was to put in place mechanisms to open up other avenues of utilising land owned communally, the creation of Land Boards and other establishments, aiming at bringing about the creation of those institutions. The *Amendment Bill* before us is aiming at dealing with those areas that are within the communal land system, but for what they are identified to be. The proclaimed towns and other communal lands that were not covered under the principal Act are the purpose of this *Amendment Bill*. There is nowhere in this Bill where it is mentioned that the purpose is to create new communal areas. That is not the purpose. We have inherited the system, it is for us all to look at communal land and design a way of either making it freehold, as I was propagating here during the Budget Debate, or keeping it the way it has been. It is up to us, but we should not read things that are not in the Bill.

Comrade Speaker, I just rose to explain those few issues and I support the *Amendment Bill*.

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HON EKANDJO

HON SPEAKER: I thank the Minister. Any further discussion? None. Does the Honourable Minister wish to reply?

HON MINISTER OF LANDS AND RESETTLEMENT: Thank you, Comrade Speaker. Comrade Speaker, I would like to thank the Comrade Minister of Justice for explaining thoroughly and I Move that the House adopts this Bill. Thank you very much.

HON SPEAKER: I now put the Question, that the Bill be now read a Second Time. Any objection? Agreed to. The Secretary will now read the Bill a Second Time.

COMMUNAL LAND REFORM AMENDMENT BILL

HON SPEAKER: The First Notice of Motion is the one of the Honourable Deputy Prime Minister. Does the Honourable Deputy Prime Minister Move the Motion? Who seconds? Any objection? Agreed to. The Deputy Prime Minister now has the Floor.

**APPOINTMENT OF MEMBERS ON
PUBLIC SERVICE COMMISSION**

HON DEPUTY PRIME MINISTER: Thank you, Honourable Speaker. Honourable Speaker, Honourable Members, the Constitution of the Republic of Namibia, under Article 13, provides for the establishment of

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HON DR L AMATHILA

the Public Service Commission. The mentioned Chapter under Article 112 establishes the Public Service Commission while Article 113 defines the functions of the Public Service Commission and provides for an Act of Parliament to legitimise this.

The Public Service Commission Act (Act 2 of 1990) enacted the establishment of the Public Service Commission, consisting of the Chairman and not more than six and not less than three other Members nominated by the President and appointed by the National Assembly by resolution. Additionally, the Public Service Commission Act of 1990 stipulates that every Member appointed shall be entitled to hold office for the period of five years and upon expiry of his or her term of office, be eligible for reappointment.

Honourable Speaker, Honourable Members, the term of office of Commissioners Mr J Ithana and Mr A Shihepo ends on the 25th of July 2005, while for Mr F Muundjua will expire on the 31st of July 2005. Therefore, in keeping with the provisions of Article 113 of the Namibian Constitution, His Excellency President Pohamba has nominated Mr J Ithana, Mr Shihepo and Mr Muundjua for reappointment as Members of the Public Service Commission upon the expiry of their current terms of office.

Additionally, His Excellency President Pohamba has nominated Mr J Ithana for reappointment as the Chairperson of the Public Service Commission. I have thus the honour to request this august House to reappoint by resolution Mr Ithana as Chairperson and Mr A Shihepo and F Muundjua as Commissioners of the Public Service Commission. The Commissioners are credible personalities and would provide continuity in the work of the Public Service Commission and, indeed, have performed well in the execution of their assigned duties. I thank you.

HON SPEAKER: Any further discussion? Honourable Geingob.

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HON DR GEINGOB / HON ULENGA

HON DR GEINGOB: Thank you, Comrade Speaker. In July 2000, I stood in that place and proposed the same people to occupy those positions. I had a problem, a near revolt from my Colleagues about Mr Festus Muundjua. It was said he was very old, why should he be appointed, he is a retired person and then I said, "*Comrade Speaker, you have in the gentlemen I have just mentioned above, 185 years of experience collectively.*" (Intervention)

HON SCHIMMING-CHASE: May I ask a question? Is the Honourable Member aware that apart from age, Mr Muundjua made another metamorphism; he joined SWAPO, so maybe he is younger?

HON DR GEINGOB: He was appointed while he was not a member of SWAPO, so it is irrelevant. I was saying, they had 185 years of experience collectively. After fifteen more years, it is now 200 years collectively. Now my question is has Mr Muundjua become younger, because I had a near revolt in the caucus. My question to the Honourable Deputy Prime Minister is I know we have modern medicines these days, we can become younger, but has Mr Muundjua now become younger? Thank you.

HON SPEAKER: Any further discussion? Honourable Ulenga.

HON ULENGA: Honourable Speaker, just briefly to say, like the saying goes, if it is not broken, do not fix it, and do not mend it. Like it was said by the previous person who stood up, these particular names have now been around for years and I am sure one of the main reasons that they come up for nomination from the highest office and come here for us to endorse them is because they have been doing a good job. Therefore, I do

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HON IIVULA-ITHANA

not have anything in principle on the names that have been submitted.

However, I was trying this whole morning to get hold of a copy of the Public Service Commission Act and I was not successful. I just wonder, is there any upward limitations in terms of age? Of course, these people are not too old but they are getting on and I was wondering whether perhaps the Honourable Deputy Prime Minister would be able to say when shall we have change or do they have to die on the job? I thank you very much.

HON SPEAKER: Any further discussion? Honourable Attorney-General.

HON MINISTER OF JUSTICE AND ATTORNEY-GENERAL:
Thank you, Comrade Speaker. In my own right as a Parliamentarian, I have the responsibility and opportunity to speak on any issue that comes before Parliament and based on that, I am taking this opportunity to express myself on the Motion on the Floor.

Comrade Speaker, the Commissioners are not appointed in terms of the Public Service Act, the Public Service Commission is a constitutional body and they as Commissioners do not fall under the Civil Servants *per se*. However, they are considered as other Political Office-Bearers and in that sense they are like you and me, we serve for five years. After five years we go back to the people to ask for a further mandate and the people do not ask us how old we are, they only look at our programme and our ability to deliver or not to deliver and on the basis of that they either put us back in office or they reject us. In the same vein, therefore, we cannot raise the issue of age because it is not a requirement. Neither the Constitution, nor any other Act make that a criteria and I do not see how we would like to invoke such a Debate here.

Having said that, Comrade Speaker, I support the Motion.

06 July 2005 **APPOINTMENT: PUBLIC SERVICE COMMISSION**
HON MBUMBA

HON SPEAKER: I thank the Honourable Minister. Honourable Mbumba.

HON MINISTER OF EDUCATION: Honourable Speaker, Sir, I am also rising to support the Motion by the Honourable Deputy Prime Minister, having known Comrade Aaron Shihepo since the days when there were classified schools called “*boys schools*” and then training school and then remembering seeing him in New York where he studied, I have no doubt about his ability. When I met Honourable Joe Ithana, I thought he was much younger than I was because I was in America before him, but records are records and since Honourable Nora Schimming-Chase knows their CVs by heart, I will not bore you with that. Having known Mr Festus Muundjua since 1989, I think they fit where they belong, but I would honestly like to say that despite the fact that they are other office-bearers – we are Members of Parliament and other office-bearers – they are not subjected to the political selection. (Intervention)

HON DR GEINGOB: May I ask the Honourable Minister a question? Comrade Speaker, I did not question the age, I was just talking about policy consistency and action consistency. When I proposed the same people five years ago, it was said one is too old, not by me. I brought the names here and somebody said he was too old. That is all I am saying, let us be consistent.

HON MINISTER OF EDUCATION: Comrade Speaker, I have not questioned either the pros or cons of the age, I am talking about the fact that they are being reappointed. Although they are other office-bearers like us, they have not gone through the political process and, therefore, they must do their work diligently and meticulously and recommend qualified people to the necessary posts. That is my argument. I am not questioning the age. I endorse them. I support the Motion by the Honourable Deputy Prime Minister. Thank you very much.

06 July 2005 **APPOINTMENT: PUBLIC SERVICE COMMISSION**
HON DR L AMATHILA

HON SPEAKER: I thank the Minister. Any further discussion? Does the Deputy Prime Minister wish to reply?

HON DEPUTY PRIME MINISTER: Thank you. Some questions were posed to me and I am going to answer them.

Honourable Hage Geingob was asking me whether Honourable Festus Muundjua has grown younger. He still has his black hair and people are judged by grey hair, so maybe he is still young. However, the question which we were discussing yesterday is nullified by the fact that although Mr Muundjua was a member of the Communist Party, he was appointed as a Commissioner, which means that this notion that you are only appointed if you are a member of SWAPO falls apart. I think we have proven that we appoint any competent person.

Having said that, all these people are reappointed because as you know, we have a new Government and I think we should start with keeping those people who have done a good job to teach others and to have continuity. They were reappointed for continuity or they were appointed for their excellent performance and they were nominated by the President to continue to assist the Public Service Commission's work.

There is no age restriction. If you perform well, as *Honourable Ulenga* said, you can be reappointed because there is no age restriction, nor is there any restriction on how many times they can be reappointed. Maybe in the future we will not want them as Commissioners when they are 100 years old and shaking, but we will judge the situation as it evolves in future. I think those were the questions. Thank you very much for your support.

HON SPEAKER: I now put the Question, that the Motion be adopted. Any objection? None. Agreed to. The Right Honourable Prime Minister will adjourn the House.

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RT HON PRIME MINISTER: Honourable Speaker, I Move that the House adjourns until tomorrow afternoon, 14:30.

HOUSE ADJOURNS AT 15:15 UNTIL 2005.07.07 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
07 JULY 2005**

The Assembly met pursuant to the adjournment.

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

HON SPEAKER: Any Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Any Notice of Questions? Any Notice of Motions? Honourable Booy's.

LEAVE OF ABSENCE

HON BOOY'S: Honourable Speaker, I Move without Notice, that leave of absence, due to official business, be granted to Honourable Ndjoze-Ojo until the 5th of July 2005. I so Move, Mr Speaker.

HON SPEAKER: Will the Honourable Member please table the Motion? Any further Notice of Motions? Any Message from the State House? Any Ministerial Statements? Today being Thursday, the Opposition benches commence with the business of the House. Question 16 is one by Honourable Goreseb. Does the Honourable Member put the Question?

RESPONSES TO QUESTIONS

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**RESPONSES TO QUESTIONS BY HON GORESEB
HON MBUMBA**

QUESTION 16:

HON MINISTER OF EDUCATION: Honourable Speaker, allow me to thank the Honourable Goreseb for his questions. The first question is on the appointment requirements of teachers and the answer is as follows:

No, the information in possession of the Honourable Member is not true. Any system, above all an education system, cannot survive and even thrive if it discriminates against its long-serving members, especially the teachers who are the majority who make up the profession. The policy directive is not intended to benefit only the newly appointed teachers or those who returned to their service after they have resigned, but all qualifying teachers in general. Therefore, all qualifying teachers in terms of this policy directive will be treated equally in a transparent manner and in a democratic manner. However, the implementation of the approved minimum appointment requirement for teachers carries huge financial implications, which go beyond what Parliament allocated to the Ministry in the current Financial Year and for the remainder of the Medium Term Expenditure Framework.

I must admit there has been bureaucratic bungling and inaccuracies in trying to implement the system. The Ministry was, therefore, obliged and has engaged other appropriate Government Ministries to ensure compliance with the relevant provisions of the Appropriation Act, the State Finance Act as well as the Treasury Regulations.

The next point is on promotion restriction: I am sure the Honourable Member is aware that the policy on promotion restriction is applicable in the entire Public Service, but because of the specific interest in the application thereof in the teaching profession, let me provide the following information:

The promotion restriction, commonly referred to as "*Limitation of Open Competition*" in the Public Service was introduced on the 1st of November 2002 through Public Service Management Circular No. 23 of 2002. The policy implies that a staff member in the employment of the Public Service can only compete for a post one grade higher than his or her

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current position. For example, an ordinary teacher who is qualified and meets the minimum appointment requirement cannot compete for a school principal position without having been a head of department or a deputy school principal. However, an ordinary teacher is allowed to compete for head of department or deputy principal posts, which are indeed school management positions. Whether it is fair, democratic and constitutional can only be determined if the relevant offices are engaged that sponsor the policy and not this particular Ministry alone, because this is applicable throughout the Public Service system.

On housing benefits: Public Service Staff Rule Amendment Notice No. 06 of 2004, Chapter T7, deals with the homeowner's scheme for staff members. The application of the homeowner's scheme in the Public Service of Namibia is not a matter of inequality between men and women, but rather a matter of principle, which applies in both cases. Section 6.3(a) on Page 7 of Chapter D17 reads as follows:

“For purposes of participation in the homeowners’ scheme, married staff members must take the following into consideration with regard to loan amount, instalment and subsidy:

- (a) Married staff members are, for purposes of participation in the homeowners’ scheme, regarded as a family unit. Each individual staff member may not separately participate in the scheme, but together as a family unit. This means that for determining the loan amount, the salaries of both spouses working in the Public Service may be added together. The loan amount, based on the combined income, may be granted provided the maximum loan on the appropriate scheme, Annexure A, is not exceeded. Subsidy in such a case will be payable on the loan so granted, that is a combined income, and will be payable to the staff member responsible for the payment of the instalment, as an instalment will be deducted from the remuneration of only one member of the family. If one spouse is not a staff member, only the salary of the one who is a staff member may be taken into consideration. This does not mean that the financial institution may not take the remuneration of the other spouse into consideration. Such a consideration or negotiation will,

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HON DR L AMATHILA**

however be private and will not affect the scheme or the obligation of the Government with regard to the spouse in its employment.

Again, the Ministry of Education, like all other Government Offices, Ministries and Agencies only implement the housing policy, but the housing policy applies to the whole Public Service. I thank you, Honourable Speaker.

HON SPEAKER: I thank the Honourable Minister. Question 17 is by Honourable Moongo, addressed to the Right Honourable Prime Minister. Does the Honourable Member put the Question?

QUESTION 17:

HON DEPUTY PRIME MINISTER: Honourable Speaker, Honourable Members, I thank Honourable Moongo for his questions. The first question: *“Can the Prime Minister inform the House about the current state of drought aid in the Caprivi, Kavango and Oshikoto Regions?”*

The current state of drought aid in these mentioned Regions is as follows:

Honourable Members, I have the pleasure to inform the House that the official drought aid scheme of 2003/2004 ended on the 21st May of 2004. There is no drought scheme for 2004/2005 as the country was not declared drought-stricken. However, following the Government’s appeal of the 2003/2004, the following Governments and Organisations donated the following food items to the Namibian Government:

- (a) The Government of the Republic of India donated 5,000 metric tons of rice, which the Office of the Prime Minister, through its Emergency Management Unit, has divided among all thirteen Regions during the period of December 2004 and January 2005. Some Regions have managed to distribute all their rice to the needy people in their Regions. The Kavango Region still has enough tons of rice, which the Region is still distributing. The distribution will

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HON DR L AMATHILA**

cover parts of Oshikoto Region (Bravo San Settlement) which is politically part of the Kavango Region.

The Caprivi Region, apart from the spoiled maize-meal, the Region still has more than 12,000 bags of 50 kilograms of rice, which the Region is distributing among their people.

- (b) The World Food Programme donated close to 7,000 metric tons of foodstuff in response to the Government's call in 2003. The programme is covering six Regions, Caprivi, Kavango, Ohangwena, Oshikoto and Omusati.

Then the Honourable Member wants to know when the San communities in the Oshikoto Region can expect drought aid in their area, for they have not received any in 2004. I have explained that in 2004 we did not have drought aid.

The Oshikoto San community has benefited from the official programme since October 2003 to May 2004 and after the official closure of the drought in May 2004, they continued benefiting from the donated rice. The majority of the children are beneficiaries of the World Food Programme as well who currently are receiving food. The Emergency Management Unit will deliver bags of rice to Oshikoto Region this week, meant for the San people of Tsinsabis, Oshivelo and Bravo. The San people in Ohangwena are also being catered for by the Regional Emergency Unit under the coordination of the Prime Minister.

On the 29th the Emergency Management Unit delivered hundred bags of 50 kilos each to the San people in Omaheke, including vegetable oil and tinned fish, 100 boxes of oil and 30 boxes of fish. On the 27th of June, the Emergency Management Unit delivered ten bags of rice, each 50 kilos, six boxes of fish and six boxes of oil to Tsumkwe San community as per request by the Regional Office. The Emergency Management Unit is also to deliver 30 bags of rice, 50 kilos each, six boxes of fish and six boxes of oil to the Chotto San people in the Western Caprivi this week.

The next question: *"Can the Prime Minister also explain to the House*

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HON DR L AMATHILA**

why drought aid was allowed to rot in storing facilities?"

Yes, we did ask that question. We sent a team to go and investigate and they have just completed their investigation and they are now compiling the report which will be ready next week and I will make it a point to bring this report to this House, because it is a national issue, we cannot just keep it in our office.

Those are the questions, but let me say this, Honourable Speaker, Honourable Members, at this juncture I would like to state that the medium and long term solutions to the question of food aid for our communities, particularly among the San communities are best addressed through the creation of viable mechanisms of food self-sufficiency for all these communities. To this end, I plan to visit the San communities and other communities in all the Regions to see their situation firsthand and to assess plans that are best suited to bring about a long-term solution to this problem. I am not talking about during the drought, but during normal times, we still have to feed people. Equally, I am aware of some significant pockets of food scarcity in Hardap and Karas where communities are in need of help to alleviate their plight. In all these cases, we must have a long-term approach to improve the living conditions of these people and food security. That is my answer to Honourable Moongo. Thank you very much.

HON SPEAKER: I thank the Deputy Prime Minister. The Secretary will read the Second Order of the Day.

**RESUMPTION OF SECOND READING:
INSOLVENCY AMENDMENT BILL**

HON SPEAKER: When the Debate was adjourned on Wednesday, 29 June 2005, the Question before the Assembly was a Motion by the Honourable Deputy Minister of Justice, that the Bill be now read a Second

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**SECOND READING
INSOLVENCY AMENDMENT BILL
HON VENAANI**

Time. The Honourable Venaani adjourned the Debate and he now has the Floor.

HON VENAANI: Thank you very much, Honourable Speaker. I rise to give my comments and support for the important Bill before this august House, the *Insolvency Amendment Bill* of 2005.

Honourable Speaker, I want to reiterate my previous position that the continuous Amendments of old legislation is creating a very serious problem for our legal system, because the legislation that we are trying to amend now has been amended perhaps six or seven times since 1986 and yet we are going back to amend the principal Act and argue in our own minds that those Amendments have no direct effect on our legal system or on our Courts in this country. I think that if costs could have allowed, it is not in our national interest to continue amending these old South African laws, but perhaps we should look for time and money to overhaul these laws and present new legislation that suits our situations to the House. That is one comment.

I think the motive of the proposed Amendment is very clear and it is affordable and I just have two concerns. Our main concern is the corporate voluntary arrangements or the voluntary winding up or liquidation of companies. All these measures of voluntary liquidation are a much easier process for companies to follow. It has produced some serious negative results in our country and that is that companies are using this very easy way to apply for voluntary winding-up today, retrench thousands of workers from their company and the next morning this company is just registered under a new name, rehire workers and continue business as usual. I do not know whether perhaps the Honourable Deputy Minister of Justice would perhaps look for legislation that would protect the interest of workers when it comes to voluntary winding-up of companies and also to protect our economy, because especially in the Fishing Sector you find companies applying for voluntary liquidation,

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INSOLVENCY AMENDMENT BILL
HON VENAANI**

tomorrow they operate under different names and I feel it is not a situation that is very good for our country.

My other concern is the powers of trustees in insolvencies that govern the under-value transactions, which means that a transaction in which the consideration received by the bankrupt party is significantly less than that he has given and preferences putting a creditor in a better financial position than he would have been in for the purpose of distributing the assets of the bankrupt estate, which literally translates that certain creditors are advantaged more than others.

We have examples of Insolvency Acts in the English Law, for example the Insolvency Act of 1986 of Britain which guarantees and exempt parties that apply for voluntary insolvency, for them to have essential goods for their survival. The creditors will not come and take essential commodities that are needed for this family to survive. In our country, we have a situation where the creditors would come and take everything from a family, furniture, bedding, and more. If you owe, everything is taken, including your spoons and the stove and everything and I am not trying to protect the defaulting debtors, but we must also have mechanisms in place, knowing our historical background that creditors do not take everything. If a country such as Britain can legislate to exempt their citizens and to protect them to have certain commodities, then we can do the same as we have problems in this country. Every now and then when you open a newspaper, you would find your house is emptied and families are left on the streets. Especially when it comes to the municipalities, you are taken and dumped on the street and perhaps the Honourable Minister could shed more light on how we can perhaps try to protect our citizens in this regard.

With these few remarks, Honourable Speaker, I support this very important Bill before the House and I thank you.

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INSOLVENCY AMENDMENT BILL
HON DR A IYAMBO**

HON SPEAKER: I thank the Honourable Member. Any further discussion? Honourable Abraham Iyambo.

HON MINISTER OF FISHERIES AND MARINE RESOURCES:

Honourable Speaker, Honourable Members of this august House, I rise to salute and commend the Minister and Deputy Minister of Justice and Attorney-General for the introduction of the proposed Amendments to the Insolvency Act, 1936. This is an opportune and welcome development. Before I proceed, I would like to say that I hope the agreement of mind will continue to be like this, that today I agree with Honourable Venaani. It is a wonderful improvement that Venaani is speaking a very good language and today I fully agree with the sentiments expressed.

Honourable Speaker, this Insolvency Act of 1936 is now 69 years old. That is an advanced age by any standard. (Interjection). I withdraw that one. It is 69 years old, not too much advanced but highly advanced and times have changed. I, therefore, welcome the Amendments to this Bill. I further encourage and recommend that in the near future, as Comrade Venaani said, this completely archaic Insolvency Act should be reviewed and entirely repealed and overhauled. Such a revamp will be in harmony with the dynamics of contemporary commercial entities' operations and it will protect, balance and satisfy the diverse interests of creditors, debtors, employees and the State.

Honourable Deputy Minister of Justice, I perused the Companies Act of 1973, Section 339 to Section 399, and these Sections contain similar provisions to those contained in the Insolvency Act with respect particularly to the winding up of companies. It refers to the duties of the liquidators, the nomination of liquidators and creditors and a few of these things are amplified in the Insolvency Act. Could the Honourable Colleague during his reply please shed some light on how the Acts will apply? Are the Amendments that we have to pass here meant mainly for the sequestration of private persons' estates or does it also apply to companies? I just want to understand the thrust in that respect.

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HON DR A IYAMBO**

Secondly, Honourable Speaker, I fear that many people, shrewd and with fertile minds, have found loopholes and they are abusing this aged Insolvency Act. Many of our business entities and professional people have been facing unabated liquidations in different industries. These liquidations of bigger companies surely lead to economic problems of unemployment and grave poverty. Some of these liquidations are fake and deliberate. Some just liquidate, apparently to start afresh with a clean slate. My question therefore is - will these Amendments have an impact on the state of liquidation for bigger companies or will it just apply to private entities?

Thirdly, Honourable Colleague, I am pleased that Clause 36 of the Amendment Act refers to the provisions of the Labour Act, 2004. In the event of provisional or full liquidation, as it stands now, the innocent employees are the main victims and in most cases at the mercy of the liquidator, of course, also at the mercy of the company that is being liquidated or even the successor who buys that liquidated entity. The workers are really at the mercy of these people and the workers have no say during provisional liquidation, they become mute. Their hard-earned benefits are in most cases uncertain and not adequately protected in case of liquidation, but liquidation seems to have become fashionable, maybe enjoyable to some and seriously a moneymaking saga. There are those who, because of mismanagement and wrong business decisions, will opt for liquidation just to clean the slate. To make things worse, once the company is in provisional liquidation, the same company, as Venaani mentioned, will line up as prospective buyers of the company that is to be liquidated. In the process, the disadvantaged, the innocent workers, suffer. At that time, the hands of the Unions are tied. You do not talk about your retirement funds, your Medical Aid or severance packages, your arms are tied as the Union or the workers while the company is in provisional liquidation. However, the same people want to clean the slate and I am very happy that the provisions of the Labour Act are to be taken into account through these Amendments.

My last point, Honourable Speaker, is that I am in support of Clauses 3, 5, 8, 12, 20 and 43. These Clauses deal to some extent with the

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HON DE WAAL**

responsibilities of the Master of the High Court or the Supreme Court. The liquidation process is quite complex. There is so much trickery, manoeuvres and to some extent, dishonesty and illegal practices and unfair dealings that I see are quite rife. I think it is quite essential for the Master to protect all parties as he or she will peruse and counter-check all documents, to protect all the affected parties. I want to find out whether the current Amendment is suggesting that the decision of the Master is final or will it be questionable and if it is not questionable, will it be seen as draconian? Is it not better for those who cannot interpret some of these things, to be protected? The Bill is not that clear whether the decision will be final. I have seen that it is underlined and in bold, but not that clear whether the Master's decision is final.

I, therefore, appeal that the Insolvency Act of 1936 be revamped in its entirety. I am mindful that it would take a long time; it will be a daunting task. Many countries have tried and that is why South Africa several times had commissions to see what to do, but with the dynamics of our economy and with the new technology and Internet, the way business is being done is maybe different from that time. Therefore, I support the Amendments to the Insolvency Act of 1936 and Colleagues from Justice; you are doing a good job. I thank you very much.

HON SPEAKER: I thank the Minister. Any further discussion?
Honourable De Waal.

HON DE WAAL: Thank you, Honourable Speaker. Listening to the two Members who spoke now, I think it would be very helpful if the Honourable Minister of Justice in her reply could shed some light on how it is possible to get somebody insolvent and what are the criteria, because I think there is maybe uncertainty about that. You can ask to be declared insolvent or you can be declared by a Court to be insolvent. The way I always understood it – and I hope that I am not wrong – is that you can

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only be declared insolvent if your assets are less than your liabilities, which means that you cannot continue with the business. (Interjection). Is it different in Namibia? I hope it is not. However, I think a little bit of an explanation from the side of the Honourable Minister to clear the air as far as insolvency and bankruptcy is concerned will be very helpful. Thank you, Honourable Speaker.

HON SPEAKER: I thank the Honourable Member. Any further discussion? Does the Honourable Deputy Minister wish to reply?

HON DEPUTY MINISTER OF JUSTICE: Thank you, Honourable Speaker. I would like to thank the Honourable Members *Mr Venaani* and *Comrade Iyambo* for the elaborate questions and I agree with them that this piece of legislation is a very complex one and I would like to ask that my reply stands over until next Tuesday, so that we can give appropriate responses. I so Move.

HON SPEAKER: The Debate stands adjourned until Tuesday, 12 July 2005. The Secretary will read the Third Order of the Day.

**RESUMPTION OF DEBATE ON THE UGLY FACE OF
ETHNICITY AND TRIBALISM IN NAMIBIA**

HON SPEAKER: When the Debate was adjourned on Tuesday, 5 July 2005, the Question before the Assembly was a Motion by Honourable Mr

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**MOTION ON ETHNICITY AND TRIBALISM
HON DE WAAL**

Venaani. Honourable De Waal adjourned the Debate and I now give him the Floor.

HON DE WAAL: Thank you, Honourable Speaker. My contribution today is in two parts. The first page I wrote last week and the second page I wrote last night.

Honourable Speaker, Honourable Members, it is said that history is never wrong, it is also said that a donkey never bumps his foot against the same stone twice. If we are clever and I believe we are, Sir.... (Intervention)

HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE: May I, through you, direct a question to Honourable De Waal? I did participate in this Debate, but if I knew what the *Republikein* newspaper would write in their editorial today, I would not have participated. I do not know whether you have read that editorial.

HON DE WAAL: I have not and I have not seen it. Please tell us.

HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE: They are saying that there was not even any purpose for this particular Motion to come to Parliament. Go and read it and then decide whether you will proceed. If you have read that editorial, would you still consider making the statement that you are making? That is the question.

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HON DE WAAL

HON DE WAAL: Honourable Speaker, I am sorry, I did not read the article... (Intervention)

HON T GURIRAB: On a Point of Order. In view of what the Minister of Sports has told us, would Government then not consider also publishing in the *Republikein* advertisements from Government offices? We ask the Honourable Minister a question. (Laughter).

HON SPEAKER: While Honourable Gurirab is sorting out whether it was a Point of Order or a question, I give the Floor to Honourable De Waal to continue.

HON DE WAAL: Honourable Minister, I have not read the article, but I want to say one thing, there might be a difference between what is written in that newspaper and what the same people are saying around the bar counter in the evening. (Intervention)

HON P MUSHELENGA: May I ask the Honourable Member a question? My question is on the wrongness of history. I just need clarity from the Honourable Member when he said history is never wrong. Does the Honourable Member also imply that whatever has happened in the past as part of history would not be wrong? I need some clarity because I am lost.

HON SPEAKER: Honourable Members, it is always helpful if we allow the Honourable Member having the Floor to complete a thought at least so that it will become clear what it is what the Honourable Member is purporting to say.

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**MOTION ON ETHNICITY AND TRIBALISM
HON DE WAAL**

HON DE WAAL: Honourable Speaker, all I am saying is that five minutes after we inaugurated the new President, the fact that we inaugurated him became part of history and it can never be wrong. If we are clever, and I believe we are, we will learn from history and not make the same mistakes as those who came before us. The fact that four Parties in this House and at least three more who did not make it to this House are ethnically based is part of history and it must surely tell us something. Ethnicity and racism can create havoc, as we have seen in Rwanda, Uganda, Bosnia and many countries. Let us learn from history and not make the same mistakes in Namibia.

Honourable Speaker, ethnicity and racism is like the explosive TNT, not DDT, TNT, also not DTA. We are almost as potent as TNT. If you handle it with care, if you manage it properly it is quite harmless, you can transport, nothing will happen, but when you drop your guard, if you mishandle it, it has the potential to blow everything around it to pieces.

Honourable Speaker, what we are discussing today is nothing new, it has been discussed for many years and much has been written about it. The book “*Animal Farm*” by George Orwell is a striking example – to once again hook up to the goats of Honourable Moongo. In the book, the animals on Manor Farm rebel against the harsh treatment they receive from the humans and eventually they completely take over the farm. They changed the name from Manor Farm to Animal Farm and adopted seven commandments as the foundation of their new society. They also decided things together. The seventh commandment simply said that all animals are equal. However, as time went by, the pigs on the farm took over the leadership and their eventual leader, named Napoleon, backed by a pack of vicious dogs eradicated the Sunday morning meetings and all decisions were now taken by a special committee. The pigs also changed the seventh commandment to suit their own agenda. The seventh commandment now read as follows, “*All animals are equal and some are more equal than others*”.

Honourable Speaker, I do not believe that we have reached the stage where some animals are more equal than others are, but if we do not

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HON DE WAAL

manage the TNT properly, we might live to see our country exploding in racial hatred and bloodshed.

Honourable Speaker, many years back some of us realised that discrimination against people based on their ethnic or tribal origin is unholy and should be rejected by all peace-loving men and women. That is why some of us joined multi-ethnic Political Parties and we have till today resisted the many opportunities and requests to join ethnic or tribal Political Parties.

Honourable Speaker, we listened carefully to the quote that was used the other day by the Honourable Minister Mutorwa when he quoted two professors, which spoke of careful handling of the problem under discussion. We also listened with great interest to the contribution by the Right Honourable Prime Minister and we agree with most of the sentiments that he expressed. We agree that the issue of ethnicity and tribalism must be managed properly, responsibly and with great care.

We also agree that ethnicity and tribalism should not be politicised and that it should be addressed as a national issue above the political playing field. We also took note of the contents of Article 40(1) of the Namibian Constitution that was quoted by the Right Honourable Prime Minister.

Honourable Speaker, no matter what we discuss or what we say, we should also remember that if the ship called Namibia sinks, then all of us will go down with it. In the spirit of the sentiments conveyed by the Right Honourable Prime Minister and after wide consultations, we decided, together with the Mover of the Motion, to propose an Amendment to the original Motion in an effort to unite the House behind the serious intention by all of us to ensure that Namibia will never fall into the trap of racial and ethnic discrimination.

Honourable Speaker, in the light of the above, I want to Move the following: I Move that the original Motion by Honourable Venaani on the ugly face and forms of ethnicity and tribalism in Namibia be amended as follows:

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**MOTION ON ETHNICITY AND TRIBALISM
HON ULENGA**

That all the words after the words, “*That this Assembly*” where it first appears is replaced by the following:

Having discussed the serious implications that ethnicity and racism can have on a country if it is not properly managed;

Recognising the fact that ethnicity and tribalism are issues of national importance that should be handled carefully and responsibly and should not be politicised;

Taking into consideration the progress that was made with the policy of national reconciliation;

Further taking note of Article 40(1) of the Namibian Constitution that states that Members of Cabinet shall have, *inter alia*, the following functions: “*to remain vigilant and vigorous for the purposes of ensuring that the scourges of apartheid, tribalism and colonialism do not again manifest themselves in any form in a free and independent Namibia and to protect and assist the disadvantaged citizens of Namibia who have historically been the victims of these pathologies*”;

Therefore now urges the Cabinet of the Republic of Namibia to ensure that tribalism and ethnicity are properly managed and to take corrective measures where necessary.

I so Move, Honourable Speaker, and I thank you.

HON SPEAKER: Will the Honourable Table the Amendment.
Honourable Ulenga.

HON ULENGA: Honourable Speaker, if you will allow me, I would like to start my contribution to this Debate by correcting an unfortunate and wrong impression, which may have been created by what I said during my

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last contribution in this House when I spoke during another Debate that dealt with the change of place names.

In criticising the naming of places and streets of living heroes or celebrities, I cited particular names, including the name of the founding Prime Minister and the current Deputy Prime Minister that is Honourable Dr Geingob and the Honourable Dr Libertine Amathila, respectively, specifically for having streets named after them. With hindsight, I think it might have sounded as if I was saying this as if there was something particularly sinister regarding these two Honourable Members having streets in certain towns named after them. The impression might have been invoked that the two Honourable Members have been personally guilty in the naming game or that the two of them in particular have committed any wrong, even the slightest. On the contrary, Honourable Speaker, I was being critical of the current culture *per se* and must not be understood as casting aspersions on the two Honourable Members for any reason or any particular individual whose name happens to be on the country's streets through no intent or fault of their own.

Having said that, I would like, firstly, to thank the Honourable McHenry Venaani for doing his duty as a Member of Parliament in introducing this important and, indeed, overdue Motion and by so doing, allowing us to exercise our own powers and functions as conferred by Article 63(2)(c) of the Namibian Constitution which I would like to quote here. It states namely that, "*The National Assembly shall have the power and function, subject to this Constitution, to take such steps as it considers expedient to uphold and defend this Constitution and the laws of Namibia and to advance the objectives of Namibian Independence*".

Article 63(2)(i) states: *The National Assembly shall further have the power and function, subject to this Constitution, to remain vigilant and vigorous for the purposes of ensuring that the scourges of apartheid, tribalism and colonialism do not again manifest themselves in any form in a free and Independent Namibia and to protect and assist disadvantaged citizens of Namibia who have historically been the victims of these pathologies.*" By the way, these are not instructions given by the

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Constitution to the Cabinet; these are directly applicable to us as Members of Parliament.

Honourable Speaker, the Honourable McHenry Venaani may not have done a perfect job in the preparation and motivation of this Motion. Mind you, Honourable Speaker, there are understood to be legions and legions of angels in Heaven, millions upon millions of them, but not a single one of them is perfect. I am now talking about Heaven and the angelic order. (Interjections). If that is the situation in Heaven, what about us poor mortals on poor Earth?

Honourable Speaker, the Political Party that Honourable McHenry Venaani represents in this House is not necessarily the preferred Political Party for many others in this House, including this and the other side. However, this is not the time for shouting, "*I am holier than thou*", or for second-guessing the intentions and agendas of those who bring Motions to the House. Above all, the matter that is under debate definitely transcends Party-Political loyalties.

Having thanked Honourable McHenry Venaani, I would like in the same breath also to commend those other Members of the House on both sides for the impressive sense of maturity and democratic tolerance that have characterised the Debate so far. Honourable Speaker, there was a time when it had seemed as if this Debate on this important issue was going to be smothered and killed by the anti-democratic phobia which was masquerading at one time as a patriotic rallying call against conspiracy theories and against hidden agendas. (Intervention)

HOUSE ADJOURNS AT 15:40

HOUSE RESUMES AT 16:00 PURSUANT TO ADJOURNMENT

HON ULENGA: As I was saying with regard to whether this Motion has been perfectly carved and shaped or not, I was saying this is definitely

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not the time for shouting, “*I am holier than thou*” and that the matter that is under debate transcends Party-Political loyalties. I was also thanking and commending those from both sides of the House who have demonstrated a sense of maturity and democratic tolerance in the Debate so far and I was saying that at some time I had feared that this Motion on this important issue was going to be smothered and killed by some breath of anti-democratic phobia which was masquerading as something else and I was going to caution in this regard, namely that the easiest reflex when people feel that a certain issue is too “*sensitive*” to talk, is to immediately bury our heads under the sand and say, “*if you do not look at it, it will in time disappear or if you do not talk about it, it will blow away.*” That, of course, is the ostrich mentality.

HON MINISTER OF PRESIDENTIAL AFFAIRS: On a Point of Order. If I heard the Honourable Member correctly, he said “*anti-democratic phobia*”. Can the Honourable Member maybe specify who are those Honourable Members of this House whom are referred to as having an anti-democratic phobia? I would like the Honourable Member to point them out.

HON SPEAKER: Honourable Ulenga, take into consideration the question, as you continue.

HON ULENGA: Honourable Speaker, I was really just citing an impression that was coming up as I was listening to the various speakers and if the Honourable Member has not interrupted me with his question, I was going to say immediately that that kind of impression reflects an ostrich mentality, that of hiding our heads in the sand and thinking that because we do not see the danger, the danger will disappear.

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I must however commend the Honourable Mutorwa specifically and, of course, Honourable Tsudao Gurirab and the Right Honourable Prime Minister himself. I think they brought back the due dignity and respect that the Debate on this kind of Motion deserves, despite any differences in opinion that may also exist.

Honourable Speaker, the struggle for national liberation had three main goals, which were inter-connected. Those were, firstly, to fight for a united nationhood, secondly, fight for democracy and thirdly, to fight for socio-economic progress or for a situation that would allow progress. Those are the principles of freedom and the national liberation struggle. (Interjections). I am trying to give the more suitable response to this kind of talk and I was going to say, *do not confuse the part with the whole, do not confuse the trees with the forest*. SWAPO itself, respectively, is subsumed within the national liberation movement, it does not equate it, and it is subsumed within it. Therefore, the national liberation movement and the ideal and agenda of National Liberation go far beyond and are bigger than a Political Party.

As I was saying, the struggle for National Liberation that three main and inter-connected goals, namely united nationhood, democracy and socio-economic progress. There was somebody that I want to cite specifically in this regard and this is the late Honourable John Ya Otto. He wrote in the seventies a document in a book form and it was entitled, *“To be Born a Nation.”*

In this document, he set out, in his view, the necessary steps that were to be taken to lead to the birth of a united Namibian Nation – equality and democracy. (Intervention)

HON MINISTER OF INFORMATION AND BROADCASTING: On a Point of Information to correct our records, because the Honourable Member has mentioned that, Comrade Ya Otto has written a book, *“To be Born a Nation.”* I cannot recall that, I know that Comrade Ya Otto has written a book, *“From the Battlefield.”* Can you please tell us which one

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you are quoting? Is it the one written by Comrade Ya Otto or is it a different one? "*To be Born a Nation*" was not written by Comrade Ya Otto.

HON ULENGA: I stand to be corrected. When all these things happened I was at a place seventeen kilometres outside Cape Town and I read about it from the newspapers. Later I have seen a book that had this title and name that I mentioned, but of course, that was more than 20 years ago, so I definitely stand to be correct. What I want, my desire is to bring this item onto the discussion, because I think it is important, whoever then was responsible for "*To be Born a Nation*."

In this book, the steps and stages that led to the birth of a Namibian Nation in equality and democracy were set out. What I want to point out, Honourable Speaker is that it was not the conclusion in this book that the Namibian Nation will be borne by proclamation or by edict, as we hoist the National flag and proclaim our Independence. Those are simply the symbols by which we determine to act to bring about the Nation that we deserve to create.

Independence of Namibia fifteen years ago has signalled, therefore, the birth, but not the completion of the process of a united nationhood. There has been progress along this road, there have been some successes but also many-a-backslide. Throughout the Namibian Nation today, I must say we must accept here, Honourable Speaker, there has been an overwhelming perception of the presence of tribalism and ethnicity and of the presence of this failing and of this backsliding.

Only last year here at this very place in Parliament there has been an Investigative Committee put together, perhaps championed by some politicians, which was given the task to look into the perceived appointment of Members of certain single language groups into our own section of the Civil Service. Honourable Speaker, that perception, rightly or wrongly, is not limited to close to us here at Parliament, nor is it limited

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to the Public Service in general, it is a perception, unfortunately, that goes far beyond our surroundings.

Since Independence many – and these include political leaders as well – have abandoned the nation-building imperative encapsulated in the struggle time slogan – One Namibia... (Intervention)

HON MEMBER: One Nation!

HON ULENGA: One Nation. (Interjection)

HON MEMBER: One Leader.

HON ULENGA: No!

HON MINISTER OF LANDS AND RESETTLEMENT: May I ask the Honourable Member a small question? I understand that apparently if the Devil was singing to say that God is holy, in Oshivambo, it was said, “*hmm-hmm-hmm ohole, hmm-hmm-hmm ohole.*” He did not want to mention God. You are doing the same, you say One Namibia, for that leader you are saying “*hmm-hmm-hmm.*” Are you doing as the Devil was singing?

HON ULENGA: Honourable Speaker, I must say how amazing, the Honourable Minister is perfectly right, I do not believe in One Nation,

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One Leader. Yes, I do not believe in it, I think the leaders will come and go and there is a multiplicity of leaders, however, there is only One Namibia and One Nation, so there is a difference and if we differ in this opinion, thank you very much. I will therefore not sing that part that you want me to sing.

Since Independence, many, including political leaders, have abandoned the nation-building imperative that was encapsulated in the struggle time slogan, One Namibia, One Nation. All communities have retreated into the tribal laager and have sought to reinforce themselves tribally or ethnically by resuscitating old.... (Intervention)

HON MINISTER OF EDUCATION: May I ask the Honourable Member a question? The Honourable Member is lecturing us that somehow many political leaders have slid back into the tribal laager. Is it not true that the Honourable Member specifically established the CoD on the basis that he comes from the North and that he comes from the western part of the North, so that he can compete against Sam Nujoma? Is that not a tribal laager?

HON SPEAKER: Honourable Member, that is an interesting disclosure. You may proceed.

HON ULENGA: All communities have retreated into the tribal laagers and have sought to reinforce themselves tribally or ethnically by resuscitating old and moribund tribal hierarchical structures like kingdoms and so forth.

Honourable Speaker, all over the country we have witnessed the phenomenon of ethnic empowerment or ethnic reinforcement. During a past Debate, one Member was asking here why do we see this kind of

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phenomenon where many in Namibia only today remember that they have to modify the places of their birth a little bit. A person born in Windhoek, for example, will very carefully now explain that, “*no, I was born in Usakos*” and explain further the circumstances because people want to place themselves within certain communities. They feel it is not enough if they were just born in Namibia.

Tribal Chiefs and other Namibians have tried to flex tribal muscles in order to get a little more of the national cake. In other words, the belief and the perception is that it is not enough just to claim or to get what you get in Namibia by claiming your Namibianess, people have gone to the extent of saying, “*look, I am entitled to a little more, because I am not just a Namibian, I am also a Kwambi*”, for example. I am Kwambi, but that is not important. I am also from the western part of the North of Namibia. I do not think it is important, you may be thinking it is important.

New tribal and ethnic identities have been discovered as a desperate means to bolster what is perceived to be weak national claims. However, Honourable Speaker, as we all know, there have been even uglier manifestations and in this regard, the 2nd of August 1999 has a special significance and should act as a painful reminder to all of us as political leaders that we need to do more to mould a united Nation, free of the evils of tribalism and ethnicity and free the Nation of the sense of insecurity and marginalisation that go with these perceptions.

In fact, Honourable Speaker, what is called the national question will continue to be the central question of our political generation. It is, therefore, important as leaders that we identify and acknowledge the situation correctly and resolve to act to move the young and tender Namibian Nation forward into mature nationhood. I think we have already established the necessary consensus from all sides of the House in this regard, as several speakers have emphasised on the need to educate Namibians and to remove some of the more dangerous perceptions. Honourable Speaker, as one of my Comrades like to say, “*Unfortunately politics and political action depends 99% on perceptions and only 1% on facts.*”

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However, what are these evils of tribalism and what exactly is ethnicity? Further, what needs to be done by us to deal effectively with these demons? In my understanding tribalism is prejudicial thinking and action that is based on a narrow-minded notion, namely that there are certain permanent characteristics and values, which are inherent in certain tribes, certain ethnic groups or certain language groups. Tribalism is also the false and misplaced belief that certain tribes, certain cultural groups and certain language groups are better or is more superior to others or that they are more deserving of the National cake than other groups.

In Namibia, we have achieved Independence and we have a growing democracy, however there are certain needs that we need to act on. Honourable Speaker, we need to build a stronger sense of community based on our Namibianess. This means there should be more of a kindred spirit among all Namibians, irrespective of any perceived distinguishing characteristics, which go below the Nation. Secondly, we need a stronger sense of common patriotism. This means we need to go together or to work together in the conviction that patriotism is not determined by your ethnic origin, by your skin colour or by your Party-Political affiliation. We also need to build a stronger common loyalty to our National symbols and national institutions. This first includes our Constitution, our national days and our other national symbols.

Honourable Speaker, in this regard, only two years ago one of the Honourable Members of this House, namely the Honourable Tsudao Gurirab, moved a Motion in this House to debate on our national loyalty to our national institutions and symbols, including our national days. However, that Motion was shot down and aborted by people who for their own unknown reasons would not allow a democratic Debate on a national question.

We also need to foster a common Namibian culture. True, we have the freedom to practise group cultures, but with this there is a need to achieve what Thabo Mbeki, the President of South Africa, would call a “*critical mass of common culture and cultural practices that all of us should practise and that give us an overriding National identity*”, in this case an overriding Namibian identity.

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Honourable Speaker, we need mutual respect for all our languages and not place some languages above others. We need to give them an equal chance for their development.

There was some mention in the motivation by Honourable Venaani about what is supposed to be happening in some sections of the Public Service. The only thing I want to say about this is that indeed the Public Service, including the Police Force and the NDF need to be more and more representative of our country's population and of our new Nation. We know what happened during the struggle for Independence at every place at all times. Some of the reasons as explanations of what we see now in the institutions that I referred to were given here by the Honourable Minister of Defence and I must say, other Members of the Cabinet tried to explain the structures of their Ministries and the reasons behind those structures. I think that was a good attempt.

The emphasis should however be that there is a certain goal that we want to achieve despite, not because of what happened in the past, but despite what has happened in the past. Despite the fact that there were difficulties in bringing divergent armies together, despite the fact that in this country we had to put together inimical forces, we have a goal and that is to achieve full Namibian nationhood. That what we want to build must reflect the structure and the demography of our beloved Nation Namibia irrespective of whatever other distinguishing characteristics which are there.

Therefore, Honourable Speaker, the time must come when these bodies, especially the bodies in the Public Service do not any longer reflect only the vicissitudes of the National Liberation Struggle, but reflect what we want to become rather than where we are coming from.

Above all, as has been mentioned by others, we need to educate our young Nation about these common values and the dangers of tribalism and ethnicity. Honourable Speaker, you will be shocked if you listen to our little children, these youngsters who were born in a free and Independent Namibia. Listen either to the things that they must have picked up from their schools or from their parents. Listen to what they say about their

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own selves and their perceived tribal and ethnic groups and then listen to what they are saying about the perceived “*others*”. You will be shocked and you will realise that we have a long way to go to make sure that these Namibians grow up differently from the way we grew up and are differently educated from the way we have been educated. These things we cannot achieve by being quiet, hence the importance, as I said before, of this Debate. Honourable Speaker, I thank you and I rest my case.

HON SPEAKER: I thank the Honourable Member. Honourable Viljoen.

HON VILJOEN: Honourable Speaker, I rise to contribute to this “*ugly face Motion*” of Honourable McHenry Venaani. I must admit that I have more courage than a fox being chased by a number of dogs. A fox is the only animal in the world with more than one scenario. She has a den where she feeds her puppies, this den has a few entrances and exits and she can easily escape any danger and mislead her enemies about the whereabouts of her puppies. (Intervention)

HON ULENGA: Honourable Speaker, may I ask the Honourable Member a question? I just spoke about the need to respect each other’s languages and so forth, but through you, Mr Speaker, seeing that we have foxes and things, would the Honourable Member characterise a fox as a he or her?

HON VILJOEN: Honourable Speaker, I referred to foxes, I do not think we have foxes in Namibia, we have jackals, but this is in Britain. Therefore, I do not know the difference. (Laughter)

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Honourable Speaker, in Britain where foxhunting is or was a popular sport, the fox escaped the pack of dogs by running along the high-power electrical lines, treading where others fear to tread. I will try to be a fox at this moment. (Interjection). I am only prepared to accept level one questions, meaning more clever questions than the less clever questions of level three.

Honourable Venaani's Motion should be tested. If he and other groups experience this feeling, then it should be taken notice of because this is a very dangerous allegation in the light of reconciliation. After Independence, I was working in Education, but I was so busy that I did not really have time to analyse the division where I was working, namely Education Programmes, and as far as I remember there was a Deputy Director who was Herero speaking, there was one person from Rehoboth and two from Ondangwa and one Boer. I wish to approach this Motion from another angle.

I have heard many times about tribalism, favouritism, genderism, apartheid, and nobody in his right mind will defend anyone of these sins. I was just about to question Honourable Moongo about his goats; I was under the impression that he was promoting apartheid by trying to convince this House that it was a problem to bring the redhead goats and the Ovambo goats to accept each other.

Honourable Speaker, more serious, the scourge of apartheid is sometimes used as a very handy tool when Political Parties play this issue high during election time and if you use apartheid and all the sins of the past only to score points in our Constituency then it is wrong. By saying that, I keep in mind the sorrow and pain that was caused by apartheid and the struggle, but as I said, if a Party only wishes to score points, then it is wrong. Such Parties usually take the skeleton of apartheid and analyse it, they took the skeleton and took it apart vertebra by vertebra. Every piece is polished, discussed, and put together again. If that is done to score points, then it is wrong.

I came to this House with no political experience, but also with no political luggage. I am not pleading innocent because I am part of the past

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and was part of the system and it is true that the previously disadvantaged and the former advantaged changed places. You can now easily refer to the presently disadvantaged. The white people of this country are seen as the oppressors of the past and there is no need to ask forgiveness, words mean nothing, anyone can speak, but I think the contribution of white Civil Servants and others over the past decade and longer is enough proof of commitment.

I have already said I have worked in schools in Namibia for twelve years and I did more than was necessary to make good for the past and tried to get equipment and resources from companies and donors. For the past fifteen years, all the white people of this country have been accused for the wrongs of the past. That is a general statement. With all due respect to the Right Honourable Prime Minister and what he said yesterday, I believe there are farmers who do not treat their workers according to acceptable standards, but by that accusation the farmers who are not guilty and who treat their workers well feel guilty.

It was my privilege to visit His Excellency the President and he said I must say this in newspapers or I must say it on the Floor of Parliament and what I wish to say is that if any farmer in this country chases a worker away without any reason or because he or she has become too old, such farmer – white, black, coloured – should be brought to Court and punished according to the laws of this country. There are farmers who treat their workers well, who let them share in the profits of the farm, but I also accept that there are farmers who are an embarrassment for civilisation. There is a labour law, such farmers must be brought to Court, and Monitor Action Group will condone such actions if it is fair.

The point, which I want to make, is that not all whites are criminals, capitalists and thieves, the vast majority of the whites are prepared to work hand-in-hand with the Government to find solutions for problems.

I wish to conclude with the statement that apartheid is a sad global phenomenon, but I am also convinced that the relationship between different groups in Namibia is very good, one of tolerance, acceptance

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with the common goal to make Namibia a better place. Namibia adopted the Affirmative Action policy by which especially white males are to a great extent being excluded from equal job opportunities and have become an endangered species. I am sure that fifteen years after the implementation of this law, the Government should have another look at this and, as Honourable Goreseb implied, should possibly embark on a timeframe.

In the light of transparency and democracy, I support that part of the Motion that suggests that this Motion by Honourable Venaani should be looked into. I thank you.

HON SPEAKER: I thank the Honourable Member Viljoen. Honourable Amathila.

HON DEPUTY PRIME MINISTER: Thank you, Honourable Speaker, Honourable Members. I was sitting and pondering whether I should take part in this Debate, but then I felt that maybe I should also bring what I feel about tribalism and racism. Since I was brought up in a different set-up, I want to share that experience.

Honourable Speaker, allow me to give my input in the important Debate on tribalism in Namibia and its ugly face, which was raised by the DTA through Mr Venaani. From the onset, I feel that all of us as loyal and peace-loving citizens of this country must commit ourselves to the vital ethos of unity in diversity. We must commit ourselves to unity in diversity to the fullest and firmest length of our daily co-existence as politicians, as Traditional Leaders, as communities and as Government leaders. As Parliament, our message that we send out from this august House must be a message of solid unity, of purpose as a Nation striving for economic and social emancipation.

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Comrade Speaker, Honourable Members, it is my contention that we must appreciate and embrace the national unity in our tribal diversity. We must do so out of the knowledge that as a society our tribal diversity enriches our culture, practices and we each learn new ways of solving problems, doing things, even how to cook different types of things because we draw strength from the variety of tribes we are drawn from.

I was fortunate to have been born and live in a Nama community at Fransfontein and having grown up at the same time in a Herero-speaking home, I could speak both languages as a child and it all served me well as I was probably de-tribalised, I never thought of people as tribes. I looked at the community, because in my Village we were brought up as a community although we came from different homes.

In this context, Comrade Speaker, my view is that when we add “isms” to tribal problems, then we develop tribal problems. When you say sexism or anything to which you add the “ism” is wrong. For some people the concept of tribalism is used as a tool to instigate people and create mistrust and fear in Namibia. I want to sound a word of warning and caution to these instigators: We talk of Rwanda and Burundi; we do not wish to see that happening in Namibia.

I think it was in 1978 when the South African regime – sorry Mr Viljoen – instigated tribal conflicts between the Herero’s and the Ovambo’s and there was a very deep worrisome tribal tension that could have erupted into damaging civil conflict. We are talking about Rwanda today, it could have been worse here. Fortunately, during that period, we had wise elders and that conflict was avoided. You are young; maybe you can go and check what had happened. It was extremely worrisome.

Clearly none of us wishes to witness any semblance of Rwanda and Burundi here. Therefore, we must be careful of wild allegations that we are making about tribalism in this House.

Honourable Speaker, Honourable Members, in instances where there are genuine cases of ill-treatment on verifiable grounds of one’s tribe, such

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cases must be reported and dealt with in accordance with the Constitution and the legal instruments we have in place in this country.

Honourable Mutorwa gave an eloquent *exposé* of the constitutional provisions where we were clearly informed about the specific articles dealing with these matters. I do not repeat what he has said, but all the “isms” are prohibited in our Constitution. You can be charged for all the “isms”.

What I was trying to say is that if any Civil Servant shows signs of tribal discrimination it is like a thief who has come to steal your goat at night. What are you going to do with the thief? You go to the Police to report and that thief is arrested and punished. Such thieves in the Civil Service should, therefore be reported promptly and must be dealt with in accordance with the relevant laws. My belief is that we should focus on expanding the national cake so that resources can be shared equally among all our citizens. I am saying this against the background that most, if not all, civil wars and tribal conflicts in history were generally because of resources and once people are able to benefit from national resources equitably, which is something we are striving towards, they will have something to be content with although not in totality.

Honourable Speaker, I did not fight against racism just to replace that with tribalism. Those that wish to fuel tribal tensions and mistrust must know that it is a dangerous and untenable road to pursue.

Honourable Speaker, Honourable Members, as I illustrated in brief, my background that I sketched earlier on helped me as a Minister of Local Government as well as later Minister of Health and Social Services to serve all citizens with equal passion and commitment regardless of tribal background, even political affiliation. I could, therefore provide services with my team to all our people, starting from Katima to Warmbad, from Opuwo to Ariamsvlei. I served all our country with my team without regard to tribes and, I therefore urge all of us to treat all our people equally and provide services to everybody where the services are needed, regardless of colour, etcetera.

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In conclusion and coming to the Motion, I regard the Motion as a sad Motion. I will reject this Motion with my whole strength. I also reject the Amendment of Mr De Waal. I have respect for him, but if you read between the lines of the Amendment and I will read the last part, *“therefore urge the Cabinet of the Republic of Namibia to ensure that tribalism and ethnicity are properly managed and to take corrective measures where necessary.”* Manage what? We reject tribalism and all the *“isms”* as Government. We cannot manage it, it is wrong. It should not be allowed. The Constitution was written by us and the Constitution tells us that these things are wrong, they must thus be condemned and, therefore, I reject the Amendment as well, because it implies that Government is dilly-dallying with tribalism, you know that it is there in the Government, manage it properly. I reject both the Motion and the Amendment. We have a lot of work to do, let us now kill this thing. Thank you very much.

HON SPEAKER: I thank the Honourable Deputy Prime Minister. Honourable Jerry Ekandjo.

HON MINISTER OF LANDS AND RESETTLEMENT: Comrade Speaker, Honourable Members, I take the Floor to take part in the discussion. Since last week, we have been deliberating on it and it seems that there is no end, therefore Comrade Speaker, I Move as per Rule 70 and demand a division on the Motion. I so Move. Thank you.

HON SPEAKER: Who supports the division? The House is divided. Will all the Members against the Motion please rise? We are voting on the original Motion. The Amendment has not been properly put and we are voting on the original Motion. Will all the Members for the Motion please rise? Will all the Members abstaining please rise?

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**RATIFICATION OF AGREEMENTS
HON ESAU**

Against: 32
In favour: 2
Abstentions: 6

Motion rejected.

HON SPEAKER: The first Notice of Motion is the one of the Honourable Mr Gertze. Does the Honourable Member Move the motion?

HON GERTZE: I shall table it once the Session is resumed.

HON SPEAKER: Good idea, it is a substantive Motion, I am sure many Members would like to participate in good time. The Motion is withdrawn. The second group of Notice of Motions is the one of the Honourable Deputy Minister of Trade and Industry. Does the Honourable Deputy Minister Move the Motion? Who seconds the Motion? Any objection? Agreed to. The Honourable Deputy Minister now has the Floor.

**RATIFICATION: AGREEMENT ON PROTECTION
OF INVESTMENTS – NAMIBIA/ITALY**

HON DEPUTY MINISTER OF TRADE AND INDUSTRY: Comrade Speaker, Sir, Honourable Members of the National Assembly, since Independence we have been pursuing investments and trade linkages with the Republic of Italy with limited success. It is my strong conviction that the agreement I am about to introduce for discussion will bring us closer

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HON ESAU**

to Italy on the economic sphere and give momentum to our efforts to engage and lure investment and productive technologies from this country.

The Republic of Italy is globally known as a competitive producer and exporter of various industrial and agricultural products and technologies. The country is particularly renowned for its competitive production and technologies in leather footwear, clothing, automotive manufacturing and the Agricultural Sectors. The leather and footwear and Agricultural Sectors are important Sectors of our economy with great potential to contribute to the country's socio-economic development due to their labour-intensive nature, availability of raw materials and potential for local value addition and industrial development.

Namibia is also aspiring to attract investment in the assembly of automotive components. During the course of this year, our Ministry of Trade and Industry plans to undertake investment promotion missions to identified countries in Europe, including Italy. I believe that the ratification of the Reciprocal Agreement with Italy will be an added boost to our intended investment promotion efforts. In fact, there is a good prospect for the 2005/2006 Fiscal Year of a possible 25 million Euro investment with the direct participation of the Italian Government into Namibia in Agro Industry, aquaculture and training. Negotiations are presently underway amongst the interested parties to find the modalities to take this proposed project to fruition with the envisaged creation of over 560 direct and 3,000 indirect jobs. This project could be the catalyst for further Italian investments that we wish to incite from Italy in various fields of industry where this country has a longstanding record of accomplishment.

There are numerous opportunities for investments between Italy and Namibia. Firstly, our infant and almost non-existent leather and footwear industry is one of the areas in which Italians could find interest and be encouraged to invest. Italy has probably the most developed technology and the expertise in the world in this sector and Namibia could source and benefit from such advanced technology to develop its Leather and Footwear Sector.

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Secondly, Italy also has a vibrant stone processing industry, especially marble processing. Possible joint ventures could enhance the cooperation between the two countries and benefit the respective business communities in this field.

Thirdly, and this is the most concrete area of mutual interest or possible cooperation, the sharing of knowledge on water desalination and treatment of waste water which could be a real challenge for both countries. There are many areas, where Italian investors could find Namibia an attractive environment for their investments. These include infrastructure development, clothes design, including port and harbour developments, the automotive component industry, which is very strategic, food processing industry, pork, goats, Furniture Manufacturing Industry, construction and housing as well as high technological areas such as pharmaceutical machinery, petrol chemical manufacturing, etcetera.

Namibia is richly endowed with the resources necessary for the development of the abovementioned economic areas. What is missing is the investment capital and the technological expertise, which Italy can possibly offer.

Finally, there is room for improving Italian investments in our Tourism Sector. Most Italians, especially when travelling, are seen as big spenders. As the trend indicates, a growing number of Italian tourists come to Namibia. This in turn creates an attractive business opportunity for both Namibian and especially Italian investors to develop more Italian tailored services in our country, including direct flights to and from Italy.

An association of Italian companies abroad has created a 50 million Euro venture capital fund to assist well-established Italian companies to invest in joint ventures in Africa. We intend to pursue a working relationship with this association with a view to explore how Namibia could benefit from this fund and to put modalities to facilitate business partnerships between Namibia and Italian entrepreneurs in place. Within the context just described, our aim is to encourage and facilitate investments from Italy into Namibia, especially in the Economic Sectors mentioned above as well as to build a strong foundation for business linkages between the

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Private Sectors of both countries. We plan to engage the Italians and tap into their expertise, their technological expertise and financial resources on a mutually beneficial and reciprocal basis for both countries.

Comrade Speaker, Honourable Members, it is in the light of the reasons and the context given above that the Government of the Republic of Namibia, through the Ministry of Trade and Industry, has concluded a Reciprocal Investment Promotion and Protection Agreement with the Republic of Italy.

Allow me now to table the abovementioned Agreement for your consideration and your ratification. Your ratification, Honourable Members, will serve to reinforce and give impetus to the efforts of the Executive organs charged with investments and trade development and promotion. This will further reconfirm the position of Namibia, its Legislature, its Executive and Judiciary as an attractive destination for investment and trade and with predictable and reliable legal system.

Honourable Members, I am counting on your partnership, I am counting on your unanimous support, and I thank you for your attention.

HON SPEAKER: I thank the Deputy Minister of Trade and Industry. Any further discussion? None. Does the Deputy Minister wish to reply?

HON DEPUTY MINISTER OF TRADE AND INDUSTRY: I want to thank all the Members for their support for the ratification of this instrument between Namibia and Italy.

**RATIFICATION: AGREEMENT ON PROTECTION
OF INVESTMENTS – NAMIBIA/FRANCE**

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HON ESAU

HON DEPUTY MINISTER OF TRADE AND INDUSTRY: Comrade Speaker, Sir, Namibia has longstanding and cordial political relations with the Republic of France, which needs no amplification. France is one of the leading industrial powerhouses in Europe, especially in the manufacturing of automotive and automotive components and other general industrial goods as well as the Energy Sector. Our interest is to explore French investments in these specific Sectors, hence the tabling of the Reciprocal Investment Promotion and Protection Agreement with France and the Ministry of Trade and Industry, and Government are counting on your partnership and support for the ratification of this Agreement and I thank you.

HON SPEAKER: Any further discussion? None. Does the Honourable Deputy Minister wish to say something?

HON DEPUTY MINISTER OF TRADE AND INDUSTRY: I once more thank all the Honourable Members who have supported us in this ratification of the Protocol. Thank you.

HON SPEAKER: Deputy Minister, you still have the Floor.

**RATIFICATION OF AGREEMENT ON PROTECTION
OF INVESTMENTS: NAMIBIA/VIETNAM**

HON DEPUTY MINISTER OF TRADE AND INDUSTRY: Again, Honourable Speaker, Honourable Members, I am rising to table to Reciprocal Investment Promotion and Protection Agreement which we

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HON ESAU

have concluded with the Socialist Republic of Vietnam for consideration and ratification by this august House in accordance with our Supreme Law, the Constitution of the Republic of Namibia.

Honourable Members, I am seeking your support for the ratification of this Agreement, I am counting on you for your partnership, as usual, and I thank you.

HON SPEAKER: Any further discussion? None. Does the Honourable Deputy Minister wish to say something?

HON DEPUTY MINISTER OF TRADE AND INDUSTRY: Once more, thank you very much, Honourable Members, for your comradely support.

HON SPEAKER: The Honourable Deputy Minister has the Floor.

**RATIFICATION: TRADE AGREEMENT BETWEEN NAMIBIA
AND SOCIALIST REPUBLIC OF VIETNAM**

HON DEPUTY MINISTER OF TRADE AND INDUSTRY: Honourable Speaker, I beg for your indulgence to withdraw this Trade Agreement, because we are still seeking concurrence from the other SACU countries, at least to give us the green light before we table this specific Agreement. I am asking for the withdrawal of this Agreement.

07 July 2005 **RATIFICATION OF AGREEMENT WITH AUSTRIA**
HON ESAU

HON SPEAKER: The Agreement relating to Namibia and the Socialist Republic of Vietnam is withdrawn. You still have the Floor, Honourable Deputy Minister.

**RATIFICATION: AGREEMENT ON PROTECTION
OF INVESTMENTS: NAMIBIA/AUSTRIA**

HON DEPUTY MINISTER OF TRADE AND INDUSTRY: Again, Honourable Speaker, Sir, Honourable Members, allow me now to table the Reciprocal Investment Promotion and Protection Agreement with the Republic of Austria for consideration and ratification by this august House in accordance with our Constitution.

The Republic of Austria has a well-developed industrial economy and offer similar opportunities for mutual economic cooperation as France and Italy.

Austria has a well-established automotive industry, manufacturing as well as supplying automotive components and parts to the EU market, particularly the German and South African automotive industry. While they also have a competitive Clothing Manufacturing Sector, our information is that this Sector is on the decline and many of their investors in the Government sectors are looking for low-cost locations to operate from. We can offer such a venue.

Comrade Speaker, Sir, Honourable Members, once again I am counting on your favourable consideration and due ratification of this Agreement. I thank you.

HON SPEAKER: Any further discussion? None. The Motion requests that this Assembly –

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RATIFICATION OF AGREEMENTS

- (i) Ratifies the Agreement between the Government of the Republic of Namibia and the Government of the Italian Republic on the Promotion and Protection of Investments;
- (ii) Ratifies the Agreement between the Government of the Republic of Namibia and the Government of the Republic of France on the Reciprocal Promotion and Protection of Investments;
- (iii) Ratifies the Agreement on the Encouragement and Reciprocal Protection of Investment between the Republic of Namibia and the Socialist Republic of Vietnam; and
- (iv) Ratifies the Agreement between the Government of the Republic of Namibia and the Government of the Republic of Austria on the Promotion and Protection of Investments.

I now put the Question, that the Motion be adopted. Any objection? Agreed to. The Motions are adopted. That indeed brings us to the end of the business scheduled for today. I call on the Deputy Prime Minister to adjourn the House until Tuesday, 12 July 2005.

HON DEPUTY PRIME MINISTER: Thank you, Honourable Speaker, Honourable Members, I Move to adjourn the House until Tuesday, 14:30.

HOUSE ADJOURNS AT 17:30 UNTIL 2005.07.12 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
12 JULY 2005**

The Assembly met pursuant to the adjournment.

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

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

TABLING: REPORTS OF THE AUDITOR-GENERAL

HON DEPUTY MINISTER OF FINANCE: I lay upon the Table, the Reports of the Auditor-General on the accounts of the following:

- National Planning Commission for the Financial Year ended 31 March 2003;
- The Attorney-General for the Financial Year ended 31 March 2003;
- Ministry of Justice for the Financial Year ended 31 March 2003; and
- Ministry of Trade and Industry for the Financial Year ended 31 March 2003.

I so Move Honourable Speaker

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**TABLING OF REPORTS
HON DR L AMATHILA**

HON SPEAKER: Will the Honourable Deputy Minister please table the Reports? Any further Reports and Papers? Deputy Prime Minister.

**TABLING: ANNUAL REPORT OF
THE PUBLIC SERVICE COMMISSION**

HON DEPUTY PRIME MINISTER: Honourable Speaker, I lay upon the Table, the Annual Report of the Public Service Commission of Namibia from 1 April 2004 to 31 March 2005.

HON SPEAKER: Will the Honourable Deputy Prime Minister please table the Report? Any further Reports and Papers? Any Notice of Questions? Any Notice of Motions? Honourable Booy's.

NOTICE OF MOTIONS

MOTION ON BUSINESS OF ASSEMBLY

HON BOOY'S: Honourable Speaker, I Move as an Unopposed Motion that, pursuant to Rule 26(a) of the Standing Rules and Orders, the Second Reading, Committee Stage and Third Reading of the *Insolvency Amendment Bill* will be disposed of today. I so Move.

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**COMMITTEE STAGE: COMMUNAL LAND
REFORM AMENDMENT BILL
HON EKANDJO**

HON SPEAKER: Will the Honourable Member please table the Motion? Any further Notice of Motions? Any Message from the State House? Any Ministerial Statements? The Secretary will read the First Order of the Day.

**COMMITTEE STAGE: COMMUNAL LAND REFORM
AMENDMENT BILL**

HON SPEAKER: Does the Honourable Minister of Lands and Resettlement Move that the Assembly now goes into Committee?

HON MINISTER OF LANDS AND RESETTLEMENT: I so Move.

HON SPEAKER: It is moved that I leave the Chair. Any objections. Who seconds? Agreed to. I call on the Chairperson of the Whole House Committee to take the Chair.

ASSEMBLY IN COMMITTEE:

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: The Committee has to consider the *Communal Land Reform Amendment Bill*.

Clauses and Title put and agreed to.

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**THIRD READING: COMMUNAL LAND REFORM
AMENDMENT BILL
HON EKANDJO**

ASSEMBLY RESUMED:

Bill reported without Amendment.

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

**THIRD READING: COMMUNAL LAND
REFORM AMENDMENT BILL**

HON MINISTER OF LANDS AND RESETTLEMENT: I so Move, Honourable Speaker.

HON SPEAKER: Any objection? Agreed to. Does the Honourable Minister wish to take the Floor?

HON MINISTER OF LANDS AND RESETTLEMENT: Comrade Speaker, I thank the four Members who took part in the Debate and especially my chief on the other side.

HON SPEAKER: I now put the Question, that the Bill be now read a

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INSOLVENCY AMENDMENT BILL
HON NUJOMA**

Third Time. Any objection? Agreed to. The Secretary will read the Bill a Third Time.

COMMUNAL LAND REFORM AMENDMENT BILL

HON SPEAKER: The Secretary will read the Second Order of the Day.

**RESUMPTION OF SECOND READING:
INSOLVENCY AMENDMENT BILL**

HON SPEAKER: When the Debate was adjourned on Thursday, the Question before the Assembly was a Motion by the Honourable Deputy Minister of Justice, that the Bill be now read a Second Time. The Honourable Deputy Minister now has the Floor.

HON DEPUTY MINISTER OF JUSTICE: Thank you very much, Comrade Speaker. I wish to respond to the questions by Honourable Abraham Iyambo, Honourable Venaani and Honourable De Waal, which I have appreciated. Let me swiftly proceed to the answers.

Honourable Iyambo referred to the Companies Act (Act 61 of 1973), which contains provisions similar to the Insolvency Act with respect to the winding up of Companies. Honourable Iyambo asked if light could be shed as to the applicability of the Insolvency Act of 1936 and the Companies Act of 1973. He wanted to know if the Amendments to the

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**SECOND READING
INSOLVENCY AMENDMENT BILL
HON NUJOMA**

Insolvency Act apply to the estates of private persons only or also to Companies. My answer is as follows:

Regard should first be had to the concept of a debtor, which is used throughout the Insolvency Act. It is defined in that Act to exclude a Body Corporate, a company, or other associations of persons, which may be placed in liquidation under the law relating to companies explicitly.

Furthermore, regard should be had to Section 339 of the Companies Act of 1973 which provides that in the winding up of a Company, which is unable to pay its debts, the provisions of the law relating to insolvency shall, insofar as they are applicable, be applied *mutatis mutandis* in respect of any matter not specifically provided for by the Companies Act. It, therefore, follows that to the extent that the mode of and procedures relating to the winding up of companies are specifically dealt with in Chapter 14 of the Companies Act of 1973, the Companies Act and not the Insolvency Act is applicable to the winding up of Companies.

Honourable Iyambo furthermore wanted to know whether the Amendments to the Insolvency Act of 1936 would have an impact on the spate of liquidations with regard to bigger companies or to private persons' estates. The Amendments will have no impact on the spate of liquidations of persons, inclusive of companies, as the main objective of the Amendments to the Insolvency Act of 1936 was to Namibianise the law relating to insolvency and to bring the law in line with the Supreme Law, with the Namibian Constitution, as well as with other applicable laws of this country.

With regard to Honourable Iyambo's question as to whether the decision of the Master is final, I would like to respond as follows:

Having regard to the explanatory note at the beginning of the Bill, Clauses 11 and 23 should be read without the words "*shall be final*" as these words are in bold print and in square brackets. The purpose of this Amendment was to bring these provisions of the Insolvency Act in line with a person's right to seek redress before a competent Court, as

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INSOLVENCY AMENDMENT BILL
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enshrined in the Namibian Constitution. Therefore, the Master's word will not be final; a person will have that recourse to the Courts.

With regard to response to *Honourable Venaani's* comments on the *Insolvency Amendment Bill*, Honourable Venaani asked whether the Ministry of Justice would look into providing for legislation that will protect the interest of workers when it comes to voluntary winding up of Companies. In this regard, it should be noted that the interests of workers are primarily protected by the Labour Act, which is administered by the Ministry of Labour and Social Welfare. I should also add here that the workers are also protected by the pension funds, which should be administered properly, because the winding up of Companies takes such a long time and then these pensions can come into play to alleviate the problems of the workers.

Nevertheless, the *Amendment Bill* in Clause 15 now seeks to amend Section 38 of the Insolvency Act that deals with the termination of contracts of service of employees, to protect the right of employees further.

Honourable Venaani also raised his concern with regard to preferences that are given to certain creditors and furthermore expressed concern that creditors are allowed to take and to sell necessary commodities that are needed for families to survive. Honourable Venaani requested that light should be shed on how we can protect our citizens in this regard.

Firstly, as to the question of preferences given to certain creditors, I wish to point out that Section 39 of the Insolvency Act expressly provides for the setting aside by the High Court of any disposition of any property of an insolvent debtor, which had the effect of preferring one of his creditors above the others. As to the question of the necessary commodities that are sold by creditors, I wish to point out that Section 82(6) of the Insolvency Act provides for certain protection in that the wearing apparel and bedding of an insolvent and the whole or such part of his household furniture and tools and other essential means of subsistence are excluded from sale,

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HON NUJOMA**

meaning that this specifically listed movable property may not be sold as part of the insolvent estate.

With regard to responses to *Honourable De Waal's* comments on the *Insolvency Amendment Bill*: Honourable De Waal requested that light be shed on how a person becomes insolvent.

As to the concept of insolvency, it is commonly accepted that when it is said that a person is insolvent, it does not necessarily mean that that person is unable to pay his or her debts, but rather that the person's liabilities exceed his or her assets.

Apart from Section 3 of the Insolvency Act, which provides for voluntary surrender of the estate of an insolvent debtor, the matter be otherwise governed by Section 9, providing for the petition for sequestration of an insolvent estate, read with Section 8, providing for acts of insolvency. Section 9(1), as amended by Clause 6 of the *Insolvency Amendment Bill*, provides that a creditor who has a liquidated claim for not less than five thousand Namibian Dollars or two or more creditors who in the aggregate have liquidated claims for not less than ten thousand Namibian Dollars against a debtor who has committed an act of insolvency or is insolvent, may petition the Court for the sequestration of the estate of the debtor. The various acts of insolvency are specifically stipulated in Paragraph (a) to (h) of the said Section 8 and can in short be summarised as follows:

- If the debtor leaves Namibia with intent to evade or delay the payments of his or her debts;
- If the Court has given judgment against a debtor or he or she fails upon demand to satisfy it;
- If the debtor makes or attempts to make any disposition of any of his or her property which has or would have the effect of prejudicing his or her creditors or preferring one creditor above another;

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HON NUJOMA**

- If the debtor removes or attempts to remove any of his or her property with intent to prejudice his or her creditors or to prefer one creditor above another;
- If the debtor makes or offers to make any arrangement with any of his or her creditors for releasing him or her wholly or partially from his or her debts;
- If after having published a notice of surrender of his or her estate , he or she fails to comply with certain requirements of the Insolvency Act;
- If the debtor gave notice to any of his or her creditors that he or she is unable to pay any of his or her debts;
- If the debtor, being a trader, gives notice in the *Gazette* on sale of any business and is thereafter unable to pay his or her debts.

In conclusion and with reference to the remarks made by Honourable Abraham Iyambo and Honourable Venaani with regard to the undesirability of amending archaic laws, I would like to respond as follows:

Although it would have been preferable to redraft the Insolvency Act in its entirety, it is because of financial and human resources constraints not possible to embark upon such a project, which would at the very least take a considerable time. I would also like to bring to the attention of the Honourable Members of this august House that Namibia is currently experiencing a serious shortage of experienced legislative drafters to carry the burden of drafting the proposed legislation of all the Government Offices, Ministries and Agencies. In view of the aforementioned, it was decided at this stage to only rectify the necessary provisions, to nevertheless provide for proper application of the Insolvency Act at this stage. I thank you, Honourable Speaker.

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**COMMITTEE STAGE
INSOLVENCY AMENDMENT BILL
HON NUJOMA**

HON SPEAKER: I thank the Deputy Minister. I now put the Question, that the Bill be now read a Second Time. Any objections? Agreed to. The Secretary will now read the Bill a Second Time.

INSOLVENCY AMENDMENT BILL

**COMMITTEE STAGE:
INSOLVENCY AMENDMENT BILL**

HON SPEAKER: Does the Honourable Deputy Minister of Justice Move that the Assembly now goes into Committee?

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

HON SPEAKER: It is moved that I leave the Chair. Any objections? Agreed to. I now call on the Chairperson of the Whole House Committee to take the Chair.

ASSEMBLY IN COMMITTEE:

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**THIRD READING
INSOLVENCY AMENDMENT BILL
HON T GURIRAB**

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: The Committee has to consider the *Insolvency Amendment Bill*.

Clauses and Title put and agreed to.

ASSEMBLY RESUMED:

Bill reported without Amendment.

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

HON DEPUTY MINISTER OF JUSTICE: I so Move.

HON SPEAKER: Any objection? Agreed to. Any further discussion? Honourable Gurirab.

HON T GURIRAB: Honourable Speaker, I am seeking your elucidation, because the Honourable Deputy Minister in his response referred to the Companies Act of 1973, as amended and I am seeking your guidance on this matter, because I thought this Honourable House passed a new Companies Act, which repealed the Companies Act of 1973 in *toto*. Therefore, I am seeking your guidance on this, whether the Deputy Minister is making reference to the 1973 Act because his has still not

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**THIRD READING
INSOLVENCY AMENDMENT BILL
HON NUJOMA**

taken effect or whether indeed we have the two operating parallel.

HON SPEAKER: I thank the Honourable Member. Any further discussion? Does the Honourable Deputy Minister wish to reply?

HON DEPUTY MINISTER OF JUSTICE: I thank *Honourable Gurirab* for the question. I am not so sure, whether the two are running concurrently, but I hope they are both running concurrently until the current one has been put into operation. I am not so sure because these were the technical responses from the experts and I am rather satisfied with the responses I got. However, if further clarification is needed, we will provide this Honourable House with satisfactory answers to the query with pleasure. I thank you.

HON SPEAKER: I now put the Question, that the Bill be now read a Third Time. Any objection? Agreed to. The Secretary will read the Bill a Third Time.

INSOLVENCY AMENDMENT BILL

HON SPEAKER: The Secretary will read the Third Order of the Day.

**RESUMPTION OF DEBATE ON THE RESTORATION OF PLACE
NAMES TO THEIR PRE-COLONIAL INDIGENOUS NAMES**

12 July 2005

MOTION ON PLACE NAMES
HON MOONGO

HON SPEAKER: When this Debate was adjourned on 29 June 2005, the Question before the Assembly was a Motion by Honourable Kaura. Honourable Moongo adjourned the Debate and he now has the Floor.

HON MOONGO: Thank you, Honourable Speaker, Honourable Members. We do not have to be shy about anything or try to hide anything. Namibia used to be called Deutsch Südwest Afrika. Later on it was called South West Africa and today it is called Namibia. (Intervention)

HON B AMATHILA: On a Point of Order. Honourable Speaker, I am just wondering, it is indicated on the Order Paper that this matter was adjourned on behalf of Honourable Kaura.

HON SPEAKER: That was so, but it is still a Debate, Honourable Moongo is quite in order to take the Floor.

HON MOONGO: My thanks go to Honourable Kerina who came up with the name "*Namibia*". We are all today proud of our country and its new name. This is history and we do not have to be ashamed of it. The Namibian sons and daughters fought for liberation in order to make Namibia Independent and to give it a true and independent identity. With our Independence, we changed the name without fighting one another. We changed the name by consensus and today nobody disputes the name of the country.

The name of the President has also changed after the last election and it will just be good to afford him the recognition he deserves.... (Intervention)

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MOTION ON PLACE NAMES
HON MOONGO

HON MINISTER WITHOUT PORTFOLIO: May I ask the Honourable Member a question?

HON MOONGO: After I have completed my sentence, because I want him to hear what I say before I give him a chance.by showing his name on the television screen when he appears on our national broadcaster. When President Pohamba speaks on television, no name is shown and I would like to hear from the Minister of Information and Broadcasting why the names of Members of Parliament appear on television and not that of the President. I would like to know what is going on. I want to be assured today that the name of the President will appear whenever he speaks on television. (Intervention)

HON P MUSHELENGA: May I ask the Honourable Member a question? According to the Order Paper, we are dealing with the Debate on the restoration of place names to their pre-colonial indigenous names. Now I hear the Honourable Member mentioning the President's name not being shown on television and I am at a loss as to what order of the day we are dealing with.

HON MOONGO: Let me continue and the Honourable Member will understand what I mean. Honourable Members, the aim of the Motion is to give our... (Intervention)

HON MINISTER WITHOUT PORTFOLIO: May I ask a question? The Member was talking about the name "*Namibia*", is he aware that when we were negotiating for the Independence of our country in Geneva, some Members of his Party said that they are not Namibians, they are South West Africans and they reject the name. Is he aware of that?

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**MOTION ON PLACE NAMES
HON MOONGO**

HON MOONGO: I am not aware of that, but some people do not want to accept that SWAPO used to be OPO and it was renamed. I think there is nothing to be ashamed of.

The aim of this Motion is to give our towns local names. Windhoek can become /Ae/Gams or Omukuto or Otjomuise. Grootfontein can become Oshaanda, Tsumeb can become Okovisume or Otjomeya like other cities in Africa. Kisangani was called Stanleyville, Kinshasa was called Leopoldville, Lubumbashi was called Elizabethville and it is not a sin to get rid of some names, such as Concordia College or Von Bach Dam. Our intention is to praise Africa with true African names and true meanings. We do not have to decide who came first to Namibia. Let history tell the truth. We can debate the issue and come up with new names, as we came up with the National anthem, the new policy on black empowerment and Affirmative Action, to mention only a few.

SWAPO does not want to accept this Motion because they want to lay claim to everything that happens in this country and I want to say to some opportunistic coloured Political Parties who speak in favour of SWAPO that SWAPO does not want the renaming of cities to come from the Opposition Parties, they want it to come from the Ruling Party. (Intervention)

HON P MUSHELENGA: On a Point of Information. The Honourable Member is saying that SWAPO is against the Motion on the renaming of places. I want to remind the Honourable Member that when this Motion was introduced, there were responses by all Political Parties and all Political Parties, with the exception of the DTA, rejected this Motion and attacked it left and right. Therefore, the Honourable Member must not mislead his President who was not here during that time, that it is only SWAPO that is rejecting this Motion. He must tell his President the truth, that no one is sympathetic to such a Motion in this House.

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MOTION ON PLACE NAMES
HON MOONGO

HON MOONGO: I did not take part in the Debate and it is now the time for me to inform you so that you understand what is the aim. (Intervention)

HON MINISTER OF FINANCE: On a Point of Information. I have listened very carefully to the intervention of the Honourable Member and I observed that the Member mentioned the word “*SWAPO*” more than any other word. I am getting the impression that the Honourable Member is maybe becoming nostalgic about being a member of *SWAPO*. I just want to inform the Honourable Member that he is welcome to apply for membership if he has changed, but until then he cannot be the spokesperson of *SWAPO*.

HON MOONGO: They want it to come from the Ruling Party in order to score political points and if it comes from *SWAPO*, some of the Parties here clap hands and praise *SWAPO*. (Intervention)

HON DR ANKAMA: Honourable Speaker, may I ask the Honourable Member a question? The Honourable Member appears to be a high priest these days, wanting to baptize places and everybody all over. Since when have you become a high priest or a pastor to baptize places all over?

HON MOONGO: When I joined politics in the fifties, he was still young. Let me continue with my speech. We are all equal to defend, promote or initiate new things. Not everything has to come from *SWAPO*. We hope that *SWAPO* will not bring this same Motion in two or three years and then pretend that they are the initiators of this great idea. If they do that, everybody in this country will know the true colours of *SWAPO*. With this, I support the Motion.

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HON SPEAKER: I thank the Honourable Member. Any further discussion? Honourable Mushelenga.

HON P MUSHELENGA: Honourable Speaker, Sir, I want to call for the division of the House in terms of Rule 70.

HON SPEAKER: Those who have taken the Floor before cannot take the Floor again. Any further discussion? Honourable Minister of Lands and Resettlement.

HON MINISTER OF LANDS AND RESETTLEMENT: Comrade Speaker, I think this august House is here to make laws and for the past few weeks, we have been debating this issue, calling other Namibians “*invaders*”. Therefore, on that point of calling fellow Namibians “*invaders*”, I Move for the division as per Rule 70 of the Standing Rules and Orders. I so Move.

HON SPEAKER: Honourable Ekandjo, I would ask you to give the Speaker the opportunity to go through the procedures. We will come to the division. Does Honourable Kaura wish to reply?

HON KAURA: Thank you, Honourable Speaker. Honourable Speaker, I am standing here with several speeches I have seen of Honourable Mungunda, Honourable Diergaardt, but Honourable Speaker, it seems as if we are oblivious to Acts of the United Nations, a body which saw Namibia to Independence and we have Acts of the United Nations to which we are committed and this particular Act, the United Nations

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Training Course of Geographical Names and United Nations Resolutions on the Standardisation of Geographical Names is an Act of the United Nations, a body of which we are a member. It however seems as if we are oblivious to this Act and the result is that we are just involving ourselves in semantics that are not constructive.

Honourable Speaker, in September 1998, the Ministry of Basic Education and Culture sent some of its members to South Africa to attend a United Nations training course on geographical names, this very course. This course was prepared for the United Nations Group of Experts on Geographical Names by Peter E. Rabe and Lucy A Miller. Members of the Ministry of Basic Education and Culture attend this course so that they could embark on revisiting the mutilated indigenous names and restore the indigenous names, as they appear in various vernaculars, in Namibia. If this project was embarked on seven years ago, there could have been no need for me to come up with this Motion seven years later.

In the United Nations Resolution on the Standardisation of Geographical Names, the following is stated on Page 24: *“Recommendation A: National Names Authority: It is recommended that as a first step in international standardisation of geographical names, each country should have a National Geographical Names Authority. Recommendation B: Collection of Geographical Names.”* It is in this study, which our people attended to come back and implement it. *“For each geographical name that is standardised, it is recommended that, (a) the field and office research be complete as possible in order to provide information on the following points: (i) written and spoken form of name and its meaning according to local inhabitants; (ii) spelling in cadastral document and land registers; (iii) spelling on modern and old maps in other historical resources; (iv) spelling in census reports, gazettes and other relevant documents of value; (v) spelling used by other local administrative and technical services; (vi) the local spoken form of the name be recorded on tape and written in the phonetic notation approved by the National Name Authority.”*

Fellow Parliamentarians, if this was done seven years ago, this Motion would not have been necessary, but this Motion is not unprecedented. In

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1968, Honourable Hage Geingob, as a SWAPO representative at the United Nations, introduced the name “*Namibia*” before the United Nations Fourth Committee. This name is derived from Damara/Nama indigenous language. The name was embraced by all of us because it originates from an indigenous language. We dropped South West Africa with immediate effect though it is still lingering in some quarters thirty-seven years later. SWAPO is still South West Africa.

Honourable Speaker, Otjomuise – Windhoek, Epako –Gobabis, Otjivanda – Grootfontein, these are towns within Namibia and we are reverting them to their pre-colonial indigenous names in an indigenous language, Otjiherero. Do you have any doubts about the indigenouness of Otjiherero or what is the problem?

This UN document is talking about the spelling of names. Let me give you an example. As you are going north, you find between Otjiwarongo and Okahandja in big letters the name of a farm, Erindi-Omawe. For those who do not know Otjiherero, it means nothing unless you add the letter “*r*”. If you add the letter “*r*”, then it means something. As it stands now, it means nothing. Erindi-Romawe, then it means something. Names in this country continue to be mutilated like that.

Between Otjiwarongo and Okakarara there is a farm known as Okozongomingo. That name as it stands is meaningless, it is a serious abra-ka-dabra, it means nothing. The real name, if correctly spelled, is Okozongominja, the place of young cattle.

Fellow Parliamentarians, do you really support these insults to our culture and languages? Do you support those who say that tourists will not be able to pronounce Otjomuise while they can pronounce Ouagadougou and Chandra Gupta? I do not think you are serious. There is already a residential area known as Otjomuise, but Otjomuise is the whole of Windhoek, our capital. Let us broaden this name only to the rest of our capital, Otjomuise, not confine it to a Residential Area.

I hope your patriotic conscience will guide you properly and you will lend your support to this Motion. However, we must implement the United

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Nations Resolution on the Standardisation of Geographical Names immediately, because the Act under which we are operating is a South African Act, which was repealed after 1994. It has only application in Namibia and nowhere else in the southern hemisphere. We are operating with a dead Act of South Africa on geographical names, which was repealed totally and completely. They have a new Act in place dealing with geographical names, but we are still operating under that old Act fifteen years after Independence. An Act of the Namibian Parliament dealing with geographical names is long overdue instead of operating under a South African Act, which is already moribund.

I hope, Honourable Members, you will examine your own conscience and not display ignorance of the United Nations document, because then ignorance would be bliss. Thank you very much, Honourable Speaker.

HON SPEAKER: I thank the Honourable Member. I now put the Question, that the Motion be adopted.

HON MINISTER OF LANDS AND RESETTLEMENT: I object to the Motion and I request the Speaker to call for a division of the House.

HON SPEAKER: Who seconds? The House is divided. Those Members in favour of the Motion please rise. Those Members against the Motion please rise. Those Members abstaining please rise.

In favour: 3
Against: 53
Abstentions: None

Motion rejected.

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RT HON N ANGULA**

I want to inform the House that as agreed earlier through consultations, that House will resume its business on the 20th of September 2005 and that during that week we will have the second induction workshop. Right Honourable Prime Minister.

RT HON PRIME MINISTER: Honourable Speaker, I just want to inform the public and Honourable Kaura that we are not against change of names *per se*. Things do change. Sometimes in his youth, he was called Nathanael, now he is called Katuutire. Before you change names, try to get consensus of those who are affected by the change of name. If you get consensus that people agree to the change of name, go ahead, but do not come to this House before you get consensus and try to force the House to make decisions on which there is no consensus. That is the point. Thank you.

HON SPEAKER: I now call on the Right Honourable Prime Minister to adjourn the House until the 20th of September.

RT HON PRIME MINISTER: Honourable Speaker, it is now my honour and privilege to propose that this House adjourns until the 20th September.

HOUSE ADJOURNS AT 16:46 UNTIL 2005.09.20 AT 14:30