



Republic of Namibia

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**Ministry of Urban and Rural Development**  
**OFFICE OF THE MINISTER**

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**RESPONSE TO QUESTIONS RAISED IN PARLIAMENT**  
**04 March 2021**

**Honourable Speaker**  
**Honourable members**

I rise to respond to questions raised in this August house by Honourable Henny Seibeb of the Landless People's Movement (LPM).

I wish to start off by thanking the Honourable Member for the questions. As the Minister charged with overseeing the administration of local authority affairs, I am equally concerned about the state of affairs at the //Kharas Regional Council, notably the lack of a functional management committee.

**Honourable Members**, before I answer the specific questions posed allow me to first and foremost give this August House a brief background as follows:

Following the Regional and Local Authority elections in November of last year, the //Kharas Regional Council convened its first Council Meeting on 02<sup>nd</sup> December 2020, as per Section 11 (1) (a) of the Regional Councils Act, (Act No.22 of 1992).

After the swearing-in of all Regional Council Members by the presiding magistrate, the process of nomination of office bearers commenced, and the position of Chairperson of Management was filled in line with Section 19 of the Regional Councils Act, No.22 of 1992. However, after calling for nominations for the filling of the remaining two positions on the Management Committee, no nominations were made by the Regional Councillors. Subsequently, the presiding magistrate declared the two positions of Management Committee vacant.

Consequently, a series of opinions were expressed on whether the election of Members of National Council could commence without completing the Management Committee nominations, to which the presiding magistrate indicated that the Act does not stipulate a sequence of nominations, and therefore advised the meeting to continue with the election of Members of National Council.

Nominations were then made, and the election of Members of the National Council was completed in terms of sections 26 and 27 of the Regional Councils Act 22 of 1992 as amended. That is a summary of the situation.

Let me now respond to the specific questions posed by the Honourable Member.

**Question 1: Are you aware that two SWAPO councillors in the //Kharas Region have refused to join the Management Council of the region council?**

**Answer:**

I, the Minister of Urban and Rural Development, have informed and are thus aware of the worrisome situation of a leadership vacuum at the //Kharas Regional Council. I have initiated consultations on the matter and in an effort to facilitate the resolution of the unfortunate impasse.

Contrary to the claim of the Hon Member, the information available to me is that after the filling of the position of Chairperson of the Management Committee, and after several request for nominations by the presiding Magistrate, no other nominations were made for the remaining two positions in the Management Committee by any Councillor. I do not have any information to support the claim of the Hon Member that certain Councillor, belonging to the SWAPO Party or any other political party for that matter refused any nominations.

***Question 2: Since all the other vacancies have been filled, namely three councilors to the National Council, One Councillor has been nominated and accepted being the Chairperson of the Management Committee and there are only two vacancies, which ought to be filled by the two SWAPO councilors, what steps would the Minister take to ensure that these two ~~seats~~ irresponsible and misguided SWAPO councilors serve on the Management council***

**Answer:**

In terms of Section 19 of the Regional Councils Act 22 of 1992, it is the legal responsibility of the //Kharas Regional Council to convene a meeting at which a Magistrate will preside over the election to fill the two vacancies that currently exists on the Management Committee.

Section 19 (8) of the Regional Councils Act, 1992, reads as follows and I quote: “ *in the case of an election for the other members of the Management Committee the number of candidates declared so elected are less than the number of vacancies to be filled, the meeting shall be adjourned on one occasion to a time during that day or the next day determined by the magistrate presiding at such meeting after consultation with the members of the Regional Council present at such meeting, whereupon at such an adjourned meeting a vote shall be taken in accordance with the provisions of subsection 9*”.

As per the provisions of Article 109 (1) of the Namibian Constitution together with section 18 of the Regional Councils Act 22 of 1992, a Management Committee is vested with executive powers that are central for the effective function of a Regional Council. Indeed, a Regional Council cannot operate without a Management Committee.

Hon Speaker

Hon Members

After receiving a communication from the //Kharas Regional Council in December 2020 I immediately sought for legal advice from the Attorney General, which opinion I received at the end January 2021. Currently and as we are speaking, this particular matter is receiving our utmost attention for an amicable solution.

**Questions 3: Is this non-compliance with the law to serve in the Management Council instigated and promoted by the Hon. Minister himself in darkness with SWAPO Secretary-General?**

**Answer:**

First and foremost, let me remind the Honourable Member that members of regional councils are representatives fielded by and consequently elected from their political parties. As such, these members are sent by their parties to represent them in that body. That process is beyond outside influence including by the Minister as alleged by the Member.

Again and as I said, we are as a Ministry are doing all we can to provide guidance as per the Regional Councils Act as well as the legal advice as provided for by the Attorney General to find an amicable solution to fill the two vacant seats soonest.

In addition to that, the process can also be expedited if all the parties can cooperate and work together. Thus, our humble appeal to the two political parties that won the election in the //Kharas Region is for them in the public interest to solve the problem and sure that there is a functional Management Committee in place.

Therefore, if all parties cooperate as a matter of urgency, I strongly believe this process can be resolved before the end of March 2021.

**Question 4: Is it now SWAPO Cabinet Minister's resolve to frustrate and annihilate where other parties are governing other than SWAPO? Is this a new type of ethnic cleansing method?**

**Answer:**

I refute in the strongest terms the allegation or insinuation by Honourable Members. Our dealing with regional councils and local authorities are purely guided by the laws, and we deal with these Councils as bodies and do not deal with individual Councillors or as representatives of political parties.

If the Hon Member has been following, the Government through the Ministry of Urban and Rural Development, has been hosting a series of workshop aimed at inducting and assisting all the newly elected councillors as well as administrators from regional and local authority councils to better understand the policy, legal and regulatory framework that govern their spheres of public duty and thus to prepare them to effectively steer the affairs of their councils and above all to the expectations of the citizens.

**Honourable Speaker**  
**Honourable Members**

Allow me also to refresh the August House that Our President of the Republic of Namibia Dr. Hage Geingob who is the appointing authority of cabinet ministers at the beginning of this year made it categorically clear to us as ministers that he will not tolerate unfairness in distribution of the resources aimed at the uplifting the lives of the Namibian people. As such, we at the Ministry of Urban and Rural, like other Government institutions, our duty continues to be to serve all Namibians irrespective of political affiliation.

**In conclusion** Honourable Speaker, allow me to re-affirm the Namibian Government's commitment through the Ministry of Urban and Development that will continue, within the limits of the resources available to us, to provide or facilitate the needed support to help our people to acquire land, have access to decent shelter and sanitation as well as for the improvement of the living conditions for our rural communities.

I thank you Hon Speaker and Hon Members for your kind attention for the opportunity to respond.

