

LIST OF MEMBERS OF THE NATIONAL ASSEMBLY

SPEAKER

Dr M Tjitendero (Mr)

DEPUTY SPEAKER AND CHAIRMAN OF THE COMMITTEES

Rev W Konjore

THE CABINET

MINISTERS

(21 March 2000 – Elected in terms of Article 133 of the Constitution)

Dr T-B Gurirab (Mr)	<i>(Prime Minister)</i>
Rev H Witbooi	<i>(Deputy Prime Minister)</i>
Mr H Angula	<i>(Agriculture, Water & Rural Development)</i>
Mr J Mutorwa	<i>(Basic Education Sport & Culture)</i>
Mr E Nghimtina	<i>(Defence)</i>
Mr P Malima	<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 L Amathila (Ms)	<i>(Health and Social Services)</i>
Mr N Angula	<i>(Higher Education, Training & Employment Creation)</i>
Mr J Ekandjo	<i>(Home Affairs)</i>
Mr N Mbumba	<i>(Information & Broadcasting)</i>
Dr A Kawana (Mr)	<i>(Justice)</i>
Ms M Mungunda	<i>(Labour)</i>
Mr H Pohamba	<i>(Lands, Resettlement & Rehabilitation)</i>
Mr A Toivo Ya Toivo	<i>(Prisons & Correctional Services)</i>
Mr J Kaapanda	<i>(Regional and Local Government & Housing)</i>
Mr Dr N Iyambo	<i>(Mines and Energy)</i>
Mr J Nyamu	<i>(Trade and Industry)</i>

Mr M Amweelo (Mr)	<i>(Works, Transport & Communications)</i>
Ms N Nandi-Ndaitwa	<i>(Women's Affairs & Child Welfare)</i>
Ms P Iivula-Ithana	<i>(Attorney-General)</i>
Dr E N Tjiriange	<i>(Minister Without Portfolio)</i>
Mr I Ngatjizeko	<i>(Director-General of the National Planning Commission)</i>
Mr A P Tseehama	<i>(Director-General of Namibia National Intelligence Service)</i>

DEPUTY MINISTERS

(21 March 2000 – Elected in terms of Article 133 of the Constitution)

Mr P Smit	<i>(Agriculture, Water & Rural Development)</i>
Mr B Wentworth	<i>(Basic Education Sport & Culture)</i>
Mr V Simunja	<i>(Defence)</i>
Mr P Iilonga	<i>(Environment & Tourism)</i>
Ms C Bohitile	<i>(Finance)</i>
Ms L Lucas	<i>(Foreign Affairs)</i>
Mr R Kamwi (Mr)	<i>(Health and Social Services)</i>
Mr H Hishongwa	<i>(Higher Education, Training & Employment Creation)</i>
Ms L Kasingo	<i>(Home Affairs)</i>
Mr G Shihepo	<i>(Information & Broadcasting)</i>
Mr A G !naruseb	<i>(Justice)</i>
Ms R Nghindinwa	<i>(Labour)</i>
Mr I Katali	<i>(Lands, Resettlement & Rehabilitation)</i>
Mr J Nambinga	<i>(Prisons & Correctional Services)</i>
Mr L Jooste	<i>(Regional and Local Government & Housing)</i>
Mr H Ya Kasita	<i>(Mines and Energy)</i>
Mr B Esau	<i>(Trade and Industry)</i>
Mr A Kapere	<i>(Works, Transport & Communications)</i>
Ms A Muharukua	<i>(Women's Affairs & Child Welfare)</i>

SECRETARY
Mr M K Ndjarakana

DEPUTY SECRETARY
Mr F S Harker

LIST OF MEMBERS AND PARTIES WHICH THEY REPRESENT

SWAPO OF NAMIBIA

Dr M Tjitendero	<i>(Speaker)</i>
Rev W Konjore	<i>(Deputy Speaker)</i>
Mr R Blaauw	
Mr B Amathila	<i>(Chief Whip)</i>
Mr D Boois	
Mr H G Booys	
Mr R Dinyando	
Ms M Jwagamang	
Mr H Hamutenya	
Mr E Kaiyamo	
Ms E Kamanya	
Ms L Katjita	
Dr K Mbuende (Mr)	
Ms T Mushelenga	
Ms G Ndjoze	
Ms D Sioka	<i>(First Deputy Whip)</i>
Mr R /Ui/o/oo	
Mr P Ya France	<i>(Assistant Whip)</i>
Mr A Toivo Ya Toivo	<i>(Minister)</i>
Mr J Nyamu	<i>(Minister)</i>
Mr H Angula	<i>(Minister)</i>
Ms M Mungunda	<i>(Minister)</i>
Mr H Pohamba	<i>(Minister)</i>
Mr M Amweelo	<i>(Minister)</i>
Mr N Angula	<i>(Minister)</i>
Mr J Ekandjo	<i>(Minister)</i>
Mr B Esau	<i>(Deputy Minister)</i>
Dr T-B Gurirab (Mr)	<i>(Prime Minister)</i>
Mr H Witbooi	<i>(Deputy Prime Minister)</i>
Ms C Bohitile	<i>(Deputy Minister)</i>
Mr M Hausiku	<i>(Minister)</i>

Mr P Ilonga	<i>(Deputy Minister)</i>
Ms P Iivula-Ithana	<i>(Attorney-General)</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 P Smit	<i>(Deputy Minister)</i>
Mr H Hishongwa	<i>(Deputy Minister)</i>
Mr G Shihepo	<i>(Deputy Minister)</i>
Dr R Kamwi (Mr)	<i>(Deputy Minister)</i>
Ms L Kasingo	<i>(Deputy Minister)</i>
Mr I Katali	<i>(Deputy Minister)</i>
Dr A Kawana (Mr)	<i>(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 J Mutorwa	<i>(Minister)</i>
Mr J Nambinga	<i>(Deputy Minister)</i>
Mr A G !Naruseb	<i>(Deputy Minister)</i>
Mr I Ngatjizeko	<i>(Director-General)</i>
Dr L Amathila	<i>(Minister)</i>
Prof G Töttemeyer	<i>(Deputy Minister)</i>
Mr A Kapere	<i>(Deputy Minister) (National Council Member)</i>
Mr H Ya Kasita	<i>(Deputy Minister) (National Council Member)</i>
Ms N Nandi-Ndaitwah	<i>(Minister)</i>
Dr E N Tjiriange (Mr)	<i>(Minister without Portfolio)</i>
Ms R Nghidinwa	<i>(Deputy Minister)</i>
Mr E Nghimtina	<i>(Minister)</i>
Mr P Malima	<i>(Minister)</i>
Mr A P Tsheehama	<i>(Director-General)</i>

DTA/UDF COALITION

Mr K Kaura	<i>(Leader of the Opposition)</i>
Mr J Garoëb	
Mr J De Waal	

Mr P Moongo
Mr J Gaseb
Mr A Gende
Ms G Tjombe
Mr M Venaani
Mr B Rattay B

CONGRESS OF DEMOCRATS (COD)

Mr B Ulenga
Mr T Gurirab
Mr I Shixwameni
Ms R Namises
Mr L Muchila
Mr A Ndumbu
Ms N Schimming-Chase

Mr A Ndumbu
(Chief Whip)

MAG

Mr J W F Pretorius

(Chief Whip)

**ASSEMBLY CHAMBERS
01 MARCH 2005
WINDHOEK**

The Assembly met pursuant to the adjournment.

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

HON DEPUTY SPEAKER: Any Petitions? Any Reports of Standing or Select Committees? Other Reports and Papers? Notice of Questions? Honourable Ndumbu.

NOTICE OF QUESTIONS

HON NDUMBU: Honourable Deputy Speaker, I give Notice that on Thursday, the 2nd of March 2005, I shall ask the Minister of Basic Education, Sport and Culture the following:

1. Why learners who have completed Grade 10 through NAMCOL are being told to pursue Grade 12 through NAMCOL instead of being reinstated into regular schooling?
 2. Whether the Minister is aware that Omusati Region is the dumping ground for learners with a low performance in Grade 11?
-

HON DEPUTY SPEAKER: Please table the Questions, Honourable Member. Are there any further Notice of Questions? I recognise Honourable Namises.

01 March 2005

**NOTICE OF QUESTIONS
HON NAMISES**

HON NAMISES: I give Notice that on Thursday, 9th March 2005, I shall ask the Minister of Health and Social Services the following question:

Whether the Minister is aware that since October 2004 mobile clinics have not visited some rural communities, especially in the surrounding of Rehoboth Rural and why this important service has to be halted and when will it start again?

HON DEPUTY SPEAKER: Please table the Questions, Honourable Namises. Any further Notice of Questions? Any Notice of Motions? I recognise the Honourable Minister of Higher Education, Training and Employment Creation.

NOTICE OF MOTIONS

HON MINISTER OF HIGHER EDUCATION, TRAINING AND EMPLOYMENT CREATION: Thank you, Honourable Deputy Speaker. It is my honour this afternoon to give Notice that on Thursday, the 3rd of March 2005, I shall Move –

That leave be given to introduce a Bill to provide for the establishment of the National Youth Service and the Youth Service Fund; to provide for the management and the administration of the Service; to provide for recruitment to and participation in the Service and to provide for incidental matters.

HON DEPUTY SPEAKER: Will the Honourable Member please table the Motion? Honourable Minister of Home Affairs and Immigration, Honourable Ekandjo.

01 March 2005

**NOTICE OF MOTIONS
HON EKANDJO**

HON MINISTER OF HOME AFFAIRS: Comrade Deputy Speaker, I give Notice that on Thursday, the 3rd of March 2005, I shall Move –

That leave be given to introduce a Bill to amend the Immigration Control Act, 1993, so as to provide for the designation of members of the Namibian Police Force as Immigration Officers; and to provide for incidental matters.

HON MINISTER OF HOME AFFAIRS: Comrade Deputy Speaker, I give Notice that on Thursday, the 3rd of March 2005, I shall Move –

That leave be given to introduce a Bill to amend the Police Act, 1990, so as to provide for additional functions of the Namibian Police Force and to provide for incidental matters.

HON DEPUTY SPEAKER: Table the Motions, Honourable Minister. Honourable Sioka.

MOTION ON BUSINESS OF ASSEMBLY

HON SIOKA: Mr Deputy Speaker, Sir, I Move as an unopposed Motion that the Second Reading, Committee Stage and the Third Reading of the Additional Appropriation be disposed of today. I so Move.

HON DEPUTY SPEAKER: Please table the Motion. Are there any further Notice of Motions? Any Ministerial Statements? Honourable Minister of Basic Education, Sport and Culture, Honourable Mutorwa.

01 March 2005

**MINISTERIAL STATEMENT
HON MUTORWA**

MINISTERIAL STATEMENT

HON MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: Thank you, Comrade Speaker, Sir. I am rising to make a very brief Ministerial Statement. A special National Cultural Festival will be staged at the National Independence Stadium, Windhoek, on Saturday, the 5th of March 2005. The Festival will be held under the patronage of His Excellency the President. Various cultural groups from the thirteen Regions of Namibia have been invited and, indeed, will participate in the said cultural festival. In strict compliance with the relevant provisions of Article 19 of the Namibian Constitution, the Minister views culture as a powerful means towards the practical realisation of unity, peaceful coexistence and reconciliation.

Through the platform provided by this Honourable House, I hereby would like to extend a kind invitation to all of you Honourable Members who have the time as well as the public to attend and witness the event on the 5th of March. Specific programme details will be released through the media. I thank you.

HON DEPUTY SPEAKER: I thank the Honourable Minister for his Ministerial Statement. Any further Ministerial Statements? We thus commence with the business as scheduled for the day. The Secretary will now read the First Order of the Day.

**RESUMPTION OF SECOND READING:
ADDITIONAL APPROPRIATION BILL**

HON DEPUTY SPEAKER: When this Debate was adjourned

01 March 2005

**ADDITIONAL APPROPRIATION BILL
HON KUUGONGELWA-AMADHILA**

yesterday, 28th February 2005, the Question before the Assembly was a Motion by the Honourable Minister of Finance that the Bill be now read a Second Time. The Minister adjourned the Debate for her reply until today and she now has the Floor.

HON MINISTER OF FINANCE: Thank you, Honourable Deputy Speaker, Honourable Members of the House. I am grateful for the support extended for the Additional Appropriation Bill tabled in this House. It was most difficult for me having to present an Additional Appropriation Bill when our country is faced with revenue constraints and our Government had adopted measures to curb public expenditure growth and contain the Budget deficit and Government debt. I am however glad that this House and, indeed, the public could understand the urgent nature of the situation that caused me to table this Bill.

Despite the reported progress in reducing new HIV/AIDS infections in a number of our Regions, the disease is taking its toll on our country and no aspect of our lives is escaping its impact. Some of you have asked whether the increase in medical aid costs could not have been anticipated and budgeted for. Although we all anticipated that the impact of the disease would hit the Budget, it was difficult to determine with certainty the exact magnitude of such an impact. This is especially so since many of those who have tested positive for the disease do not reveal their status, while many others who are infected are still untested and unaware of their status. It is, therefore, important to have all the necessary facts about the HIV/AIDS situation at hand to be able to plan our response to it fully.

I would now like to respond to specific questions posed and comments made.

Firstly, on whether the pledged support from the Global Fund would reduce what would have to be allocated for HIV/AIDS treatment in the next year's Budget: In general, all the support that we get will help in combating the disease and its effects. However, as we know, the HIV/AIDS programme that we have put in place to fight the disease has

01 March 2005

**ADDITIONAL APPROPRIATION BILL
HON KUUGONGELWA-AMADHILA**

several components and some of the donor support is targeted to specific components of the said programme.

The Global Fund Programme for Namibia commenced during January of this year. The first disbursement of around N\$10 million has been received. These funds are specifically for the setting up of the Global Fund Project Management Unit in the Ministry of Health to cover costs of recruitment of Project Management staff, construction of offices, procurement of vehicles and so forth, as well as for some other start-up expenditures like a financial accounting system, a procurement system, monitoring information and technology systems, logistics and the like.

The second disbursement from the Global Fund is due in April of this year. This will provide funds to 31 sub-projects operated by 27 different agencies from the public, private and Non-Governmental Organisation sector.

Amongst others, the Ministry of Health will receive funding for Anti-Retroviral medication which will cover around 50 percent of total HIV drug costs over the next 18 months in the public sector. There is no financial support for HIV/AIDS treatment in the private sector included in this programme. Therefore, the Global Fund programme, unfortunately, assists only the State patients and, therefore, does not relieve the PSEMAS expenses that are the costs to the Medical Aid.

Secondly, what was the cost to PSEMAS with regard to HIV/AIDS medication and treatment? It is difficult to pinpoint these costs because there are also related indirect costs, but the direct cost of HIV/AIDS medication to the Fund during the period from January 2004 to December 2004 was N\$25,7 million. Due to opportunistic infections, like TB, cancer, pneumonia and others caused by compromised immune systems, HIV-positive beneficiaries also claimed approximately N\$14,8 million in additional medicine costs, but as I indicated earlier, because of the under-reporting of HIV-infection cases due to the stigma attached to the disease, the financial impact of HIV/AIDS is not fully reflected by these direct costs of medication and treatment.

01 March 2005

**ADDITIONAL APPROPRIATION BILL
HON KUUGONGELWA-AMADHILA**

Due to the chronic life-threatening nature of the disease, other treatments, such as consultations, counselling, pathology, radiology and hospitalisation, also increased substantially, as HIV-positive beneficiaries claim relatively more benefits overall than beneficiaries who are not infected by the virus. The average annual cost per HIV-positive beneficiary is N\$17,616, compared to N\$5,352 per other beneficiary and that is 3,29 times more expensive than the latter.

The resulting overall expenses to PSEMAS is in fact in excess of the requested N\$65 million, as I have indicated already, and was brought about by a combination of direct costs for HIV/AIDS medication and an increase in membership as well as the indirect costs that I have referred to.

Thirdly, what is done to review the Medical Aid claims in order to curb spiralling costs to Government? The notion that overpricing and fraud by some service providers is happening has to be acknowledged and the Ministry is looking into this matter, as the curbing of such activities will result in cost-cutting. At this point, it is important to state that Government has published a list of generic medication and Government Medical Aid Fund only honours claims of medication appearing on this list.

On the query about the reduction of prices of medication, yes, there was a reduction of about 15% on average for generic medication. However, for HIV/AIDS treatment there is no generic medication available for private patients and, therefore, no price reduction for HIV medication or for the Medical Aid Fund.

On the possibility of increasing medical aid contribution of Medical Aid members to reduce pressure on the Budget, this issue can be looked at in the future. In this regard, appropriate consultations need to be undertaken with all stakeholders. I also support the call for Namibians to do more to reduce the risk of infection by this virus. Government continues to preach this message, but unfortunately we did not observe adequate behavioural change commensurate with the level of education that we have imparted on the communities and this is sad. However, we cannot give up. We should continue to spread the message. The influence of traditional

01 March 2005

**ADDITIONAL APPROPRIATION BILL
HON KUUGONGELWA-AMADHILA**

healers who encourage incest through advising people to go and have intercourse with children so that they can be cured of the disease should also be discouraged as it aids the spread of this dreadful disease, let alone the abuse of children and human life in general.

Fourthly, I would like to make some comments on the issues raised on Namibia's debt situation. The international financial institutions classify countries as highly indebted if the total debt to the GDP ratio exceeds 80%. Countries are considered moderately indebted if this ratio is between 50 and 80% and all countries with a total debt to the GDP ratio below 50% are considered lowly indebted. Namibia's total debt currently stands at 32% of the GDP, which is far below the lower threshold of 50%.

In accordance with the international practice, debt sustainability is determined by, among others, the foreign debt to exports, which should not exceed 10%, of which we are on target at 9,9%. Total debt service to revenue should not exceed 10% and again we are on target with this at 8,8%. Considering these sustainability indicators, it is far-fetched to conclude that Namibia is unable to meet its debt obligations.

The ratios that were used to make conclusions about the sustainability of Namibia's debt by some economic analysts were inappropriate and created an unnecessary alarmist situation, which will in no way benefit the country. Namibia has taken a conscious decision to prudently borrow in order to fund much-needed development programmes and we shall continue to do so and we hope that Namibians would report responsibly, lest they would tarnish the image that we have worked so hard to get.

Now finally on the comments about assumed poor planning because of affirmative action: I am indeed saddened to observe that some Namibians still project a negative attitude towards efforts to address the impact of the apartheid policies. Affirmative Action is a deliberate policy that this country adopted at Independence in order to ensure that those that were previously marginalised by the apartheid policies are given an equal chance to participate in the socio-economic activities of their own country. This policy does not preclude qualifications as a requirement for employment in any way. To say that the mere implementation of

01 March 2005

**COMMITTEE STAGE ADDITIONAL
APPROPRIATION BILL
HON KUUGONGELWA-AMADHILA**

Affirmative Action resulted in deterioration of institutional capacities would suggest that those targeted by this policy or the beneficiaries are incapable of fulfilling their tasks and this is a generalisation that is tantamount to racism and it cannot be accepted.

With these few remarks, I call upon the House to support the Bill. Thank you.

HON DEPUTY SPEAKER: I thank the Honourable Minister for her reply and I now put the Question, that the Bill be read a Second Time. Any objection? Agreed to. The Secretary will now read the Bill a Second Time.

ADDITIONAL APPROPRIATION BILL

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

HON MINISTER OF FINANCE: I Move, Honourable Deputy Speaker.

HON DEPUTY SPEAKER: It is moved that I leave the Chair. Any objection? Who seconds? Agreed to. I shall call on the Honourable Deputy Chairperson of the Whole House Committee, Honourable Sioka, to take the Chair.

01 March 2005

**THIRD READING
ADDITIONAL APPROPRIATION BILL
HON KUUGONGELWA-AMADHILA**

ASSEMBLY IN COMMITTEE:

DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: The Committee has to consider the Additional Appropriation Bill.

Clauses, Title and Schedule put and agreed to.

ASSEMBLY RESUMED:

Bill reported without Amendment.

HON DEPUTY SPEAKER: Does the Honourable Minister of Finance move that the Bill be now read a Third Time?

**THIRD READING:
ADDITIONAL APPROPRIATION BILL**

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

HON DEPUTY SPEAKER: Any objection? Who seconds? Agreed to. Any further discussion?

01 March 2005

**REPORT ON ACCOUNTS OF GOVERNMENT
HON DE WAAL**

HON MINISTER OF FINANCE: Honourable Deputy Speaker, I would like to thank the Honourable House for its understanding and the efficient passage of the Bill. Thank you.

HON DEPUTY SPEAKER: I thank the Honourable Minister for her concluding remarks and 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.

ADDITIONAL APPROPRIATION BILL

**CONSIDERATION: 2000/2001 REPORT
ON ACCOUNTS OF GOVERNMENT,**

HON DEPUTY SPEAKER: Does the Honourable Member Mr De Waal move that the Report be now considered?

HON DE WAAL: I so Move, Sir. Thank you, Honourable Deputy Speaker, Honourable Members. The Standing Committee on Public Accounts of this august House is pleased to table yet another report on the accounts of Central Government. This time around, we were able to deal with the Report of the Auditor General on the Government of Namibia for the Financial Years ended 31st March 2000 and 31st March 2001. The Report covers only seven Ministries and Offices and a follow-up report is therefore, currently being prepared for tabling.

01 March 2005

**REPORT ON ACCOUNTS OF GOVERNMENT
HON DE WAAL**

As you and all the Honourable Members know, the duties of the Public Accounts Committee is to examine, consider and report on the accounts showing the expenditure of moneys appropriated by Parliament. We are also expected by this Assembly to examine, consider and report on all reports of the Auditor-General.

Furthermore, the Committee operates within the powers conferred to the National Assembly and its Committees under Article 59 and 63 of the Constitution, respectively.

Honourable Deputy Speaker, it is not my intention to delve into the detail of the Report, which is before the House. Honourable Members already had the opportunity to go through the Report. They would thus be able to discuss the Report in some detail. Allow me, however, to highlight some of the salient points that the Committee raised in considering the Reports of the Auditor-General.

Mr Deputy Speaker, first, I wish to comment on the late finalisation of financial statements. As Members are aware, the Auditor-General has now started with a new procedure where he finalises and reports on Ministries whose financial statements are correct and on time. This means that Ministries, which are late, will no longer delay the Audit Reports of those Ministries that are on time, something for which we are all very grateful. This, however, also has the effect that the final Audit Report on the accounts of Central Government might now be delayed by one or two Ministries, whose Reports are late. The only difference now is that these Ministries are going to stick out like sore thumbs and Honourable Ministers will be well advised if they take note of this fact. If you hold up the final Audit Report, everybody will know who you are. So be careful.

Secondly, Honourable Deputy Speaker, the question of unauthorised expenditure continues to be a serious problem. The Committee learned again with dismay that Accounting Officers continue to incur expenditures well in excess of the provisions voted by Parliament. This has now become a trend and normal practice in the Public Service and in particular, the Central Government. In this regard, the Public Accounts Committee wishes to reiterate, as it has done in the past, that the Ministry of Finance

01 March 2005

**REPORT ON ACCOUNTS OF GOVERNMENT
HON DE WAAL**

should step up their supervisory role over Accounting Officers in order to avoid a recurrence of this practice. It has reached a stage where we cannot condone such practices anymore.

The Committee, therefore, wants to propose to the Honourable Minister of Finance to investigate the possibility of invoking serious disciplinary measures on Accounting Officers who keep on recording unauthorised and over-expenditures.

Mr Deputy Speaker, we simply have to find a way to ensure that overspending does not occur in future. Not only is it against the stipulations of the State Finance Act, but it surely creates many management problems for the Ministry of Finance. One can understand if one or two Ministries overspend here and there for understandable reasons, but if you find the same trend in most of Offices and Ministries repeating itself every year, it becomes deeply worrisome. We, therefore, call on all Members of this august House to support our call for serious disciplinary action against continued unauthorised and over-expenditure.

Thirdly, Honourable Deputy Speaker, the question of suspense accounts remains a serious problem. Not enough energy is put into the clearing the balances of these accounts, with the result that the correctness of financial statements is seriously compromised. Once again, your Committee recommends that the management of these accounts be stepped up so that all balances are cleared before the printing of the final financial statements.

Another issue of concern is the overspending on Tender Board exemptions.

Honourable Deputy Speaker, Tender Board exemptions are something that should be granted only under exceptional circumstances. When Ministries and Offices then take the liberty of even overspending on these exemptions, it becomes a matter of great concern. The Tender Board might be well advised to look at the previous audit report of a particular Ministry before granting new Tender Board exemptions.

01 March 2005

**REPORT ON ACCOUNTS OF GOVERNMENT
RT HON DR T-B GURIRAB**

Mr Deputy Speaker, another area of great concern is the question of outstanding debts to Government and outstanding S&T claims. There can be no doubt that Government is losing money every year because the management of these two areas is not up to standard. We, therefore, strongly recommend that serious steps be taken to correct the situation. If not, we as Members of Parliament will become co-responsible for this very serious offence.

Honourable Deputy Speaker, finally, may I take this opportunity to express the Public Accounts Committee's gratitude for your invaluable guidance throughout this Session. I also wish to pay tribute to all the Honourable Members of the Public Accounts Committee for their dedication and hard work throughout our deliberations. The Committee also appreciates the cooperation of the Accounting Officers who appeared before them and rendered both oral and written submissions. I also wish to thank the Office of the Auditor-General, especially the Deputy Auditor General, officials of the Directorate: Treasury in the Ministry of Finance and the Clerks of the Public Accounts Committee for the excellent services and advice rendered to the Committee throughout our sessions. I thank you, Sir.

HON DEPUTY SPEAKER: I thank Honourable De Waal for his motivation and now invite discussions of the Report. Any further discussion? Right Honourable Prime Minister.

RT HON PRIME MINISTER: I just want to thank Honourable De Waal for the work that this very important Committee is doing to give life and importance to our work as Parliamentarians. I also want to congratulate the Members of the Committee that do what they do in the spirit of teamwork, not representing their individual Political Parties, but serving the Parliament and through that service, reporting back to the public, the people who have elected us.

01 March 2005

**REPORT ON ACCOUNTS OF GOVERNMENT
HON SCHIMMING-CHASE / HON KUUGONGELWA-AMADHILA**

I have on a number of occasions said that the true vibrancy of Parliament becomes really alive when there is that kind of interaction between the Parliamentarians and the public and I hope that we will keep the spirit of teamwork alive and that those of us who are going to come back to Parliament thanks to the elections, would have that institutional memory as a source that the newcomers will draw on and that they will learn by going back to the records of the way we have come and not repeat the same road that we have travelled and make fresh contributions for the good of the Parliamentary system that we are, the constitutional democracy that we are and to serve the public whose interests we represent here. I want to congratulate the Committee Chairman. Thank you.

HON DEPUTY SPEAKER: I thank the Right Honourable Prime Minister. I now recognise Honourable Schimming-Chase.

HON SCHIMMING-CHASE: Thank you, Honourable Deputy Speaker. We would just like to express our congratulations and gratitude to the Committee for the Report and to express unequivocally that we totally support all the recommendations contained therein. I thank you.

HON DEPUTY SPEAKER: I thank Honourable Schimming-Chase. Are there any further discussions? Honourable Minister of Finance.

HON MINISTER OF FINANCE: Thank you, Honourable Deputy Speaker. Honourable Deputy Speaker, if there is no one who would like to take the Floor now, I would like to request that the discussion on this Report be adjourned until next week Tuesday for me to make a contribution.

01 March 2005

**NATIONAL ARTS FUND OF NAMIBIA BILL
HON DR MBUENDE**

HON DEPUTY SPEAKER: Are there any objections to the adjournment of this Debate until Tuesday, next week? Agreed to. The Debate on this Report stands over until next week Tuesday. The Secretary will now read the third Order of the Day.

**RESUMPTION OF SECOND READING:
NATIONAL ARTS FUND OF NAMIBIA BILL**

HON DEPUTY SPEAKER: When this Debate was adjourned on Thursday, the 24th of February, the Question before the Assembly was a Motion by the Honourable Minister of Basic Education, Sport and Culture, that the Bill be now read a Second Time. Honourable Hans Booys adjourned the Debate and he now has the Floor.

HON BOOYS: Honourable Deputy Speaker, I adjourned the Debate on behalf of Dr Mbuende and I would like Dr Mbuende to take the Floor.

HON DR MBUENDE: Thank you, Comrade Deputy Speaker. The Minister of Basic Education, Sport and Culture made a landmark statement on culture when he introduced the Bill on the National Arts Fund of Namibia. What makes the Debate about this Bill important is that it provides a rare opportunity for Members of this august House to express their views on culture. It is my fervent hope that the public will join and carry forward this lively Debate. Culture is indeed core to the existence of any community and society.

Mr Deputy Speaker, Namibian artists need all the support they can get to develop their skills and to make a decent living from their profession. Artists struggle to make ends meet. It is common in Africa for famous

01 March 2005

**NATIONAL ARTS FUND OF NAMIBIA BILL
HON DR MBUENDE**

musicians, painters, sculptors, etcetera, to die as paupers. Often the music companies, publishing houses and art promoters make money rather than the artists themselves. The situation is made worse by the lack of a regulatory framework or capacity to enforce compliance with the protection of intellectual property rights. Anything that sets out to promote arts and improve the conditions of artists deserves a positive welcome. I, therefore, wholeheartedly support the Bill before the House.

It is my wish that this Bill would have been preceded by a white paper on arts and culture. The Honourable Minister informed this House that the Arts and Culture Policy was accepted by Cabinet in principle in 2001. Culture represents, among other things, the self-definition of a people. The absence of a policy could imply that we have yet to define ourselves as a people. A white paper on arts and culture in Namibia is long overdue, I submit. My concern is not only with the form or mode of expression, but with the contents. The provisions on culture in the Constitution of Namibia represent a state of principles that need to be elaborated on in a discourse, outlining and articulating a set of values dear to us as a society and that we promote and give expression to through song, dance, poetry, painting, crafts and other forms of artistic expressions. Art is not value free, it promotes certain beliefs, norms, meanings and interests.

Major social upheavals of peoples that have taken place in history and the political, social and economic constructs that resulted there-from, were rationalised and given expression to, through arts and culture. Where is the national cultural discourse or paradigm articulating our beliefs and objectives? Is it not important to have such a paradigm? If not, why not? If it is, when are we going to have one?

Namibia, as a multi-cultural society, should develop a national cultural discourse to which we all can relate. This does not preclude the existence of sub-cultures, whether religious, ethnic, class or any other. In fact, some elements of the various sub-cultures can be incorporated in a logical fashion into the national discourse. It is important that in the process of practising our various cultures or sub-cultures, due regard be given to the common good. If we are to draw parallels from law, Customary Law is

01 March 2005

**NATIONAL ARTS FUND OF NAMIBIA BILL
HON DR MBUENDE**

largely practised as long as it does not contradict the Constitution or negates shared values.

Deputy Speaker, what are the most important values in all the hierarchies of values contained in the Namibian Constitution. The Americans talk about the American ideals, the French talk about *liberté, égalité and solidaritet* as fundamental national values. During the era of President Kaunda, the Zambians propounded the philosophy of humanism. Kwame Nkrumah developed the notion of consciencenism, a set of values that will enable Africans to take destiny into their own hands to free and unite Africa. In neighbouring South Africa, President Thabo Mbeki has developed the notion of African Renaissance. What are the overriding values in our society? How do we quantify our belief system and norms into simple concepts that can be understood by everyone and applied by all? What kind of citizens do we want to have in this country?

A casual excursion into our Constitution gives us the concept of a person with inalienable rights and unshaken responsibilities towards fellow humans and nature. How are we going to propagate the values of freedom and democracy, justice and solidarity and National unity so that anyone can be ashamed of himself to attempt to infringe on these fundamental rights?

The absence of a cultural discourse is maybe symptomatic of the multitude of problems that we are facing as a country. The arena of culture and values is dominated by various subgroups that sometimes translate contradictory values. The yardstick is of course our Constitution. The shared national values are hidden in the Constitution and not written on the hearts and minds of our people.

Art plays an important role in transmitting values and helping individuals to internalise them. The transformation that our society has gone through needs a consistent public, well-articulated value system. We are not only dealing with new institutions, but also with ways of thinking and behaviour. With urbanisation, our people have moved from the regular environments of the community where the dos and don'ts are strictly enforced. New neighbourhood where one does not know neighbours tend

01 March 2005

NATIONAL ARTS FUND OF NAMIBIA BILL
HON DR MBUENDE

to free individuals from the traditional community values. Children whose parents do not know the neighbours tend to get away with misconduct. It is only when we generalise misconduct instead of making it relative that we can enforce common values.

It is not enough to organise demonstration in the event of perpetuation of violence against women and children, the perpetrators should know that they are pariah in the Namibian society.

Honourable Deputy Speaker, Sir, it is not accidental that culture and education belong together. Culture can be an instrument of education, it can promote the love for learning which is somewhat wanting in our society. We need to restore the passion for learning in society. Members of this House, collectively and individually, can play an important role in promoting a culture of learning among our communities. As a Malaysian intellectual, Anwar Ibrahim, put it: *“Knowledge is the greatest of pleasures, just as ignorance is the greatest of pains.”*

Some of the problems that we encounter in the educational system have to do with the absence of the culture of love for learning. It is also partly because of the lack of integration of our cultures into the learning process. Maybe our children could learn better through interactive pedagogy rather than traditional western monologue by the teacher. If the system does not produce results, maybe one should look at different ways of approaching it. There is a need to interrogate our educational system from different points of view, including cultural. The current stage with low pass rates that is going on over many years is totally unacceptable.

Honourable Deputy Speaker, let me once again declare my support for the Bill before the House and I thank you.

HON DEPUTY SPEAKER: I thank the Honourable Dr Mbuende for his valuable contribution. Any further discussions? Honourable Minister of Higher Education. Let us allow the House to rise for refreshments and then you will take the Floor.

01 March 2005

**NATIONAL ARTS FUND OF NAMIBIA BILL
HON N ANGULA**

HOUSE ADJOURNS AT 15:40

HOUSE RESUMED AT 16:00 PURSUANT TO ADJOURNMENT

**HON MINISTER OF HIGHER EDUCATION, TRAINING AND
EMPLOYMENT CREATION:** Thank you, Honourable Deputy
Speaker. I am rising to give my support to the Bill on the National Arts
Fund of Namibia.

Arts, as we know, are the constituent parts of our culture and culture makes us what we are. We are talking here about material and immaterial culture and in this regard, I am happy that this Fund is aiming at promoting our arts and, therefore, our cultures.

I do recall far back when I was responsible for arts in my youthful days that we were proposing to establish an endowment fund for arts. It has taken some time for this Bill to see the light of the day, but the most important thing is that the Bill is here and it requires our full support.

In supporting this Bill, I was looking at Section 14, which deals with the allocation of funds and of course, this is the bottom line as far as the artists are concerned. They want to see a transparent manner in the way the funds are allocated and I would like to get good clarity from Comrade Mutorwa as to the meaning of this Clause 14(1). It is a long-winded formulation and it is stipulating that in allocating the funds the Council must give effect to priorities determined and reviewed at least once a year by the Council and this is where my problem comes in, "*by the Council on the technical assessments and advice on the feasibility and suitability of projects and programmes regarding art activities*" and then the core question, "*obtained from the Ministry or any other Ministry.*" My question is how is this "*any other Ministry*" going to be determined? Will this be the Ministry of Defence or perhaps the Ministry of Fisheries or Ministry of Women Affairs? How do you determine this "*any other Ministry*" which is supposed to contribute to the prioritisation of the projects? "*Office or Agency or any person*" - how do they determine this "*any person*" or "*body of persons*?" I do not know whether the DTA is going to determine this, because it is also a body of persons.

01 March 2005

**NATIONAL ARTS FUND OF NAMIBIA BILL
HON N ANGULA**

Honourable Minister, I just want to get clarity as to how these bodies of persons will be identified to give the right advice and technical assessment, because I can see that if you are not careful, they are going to frustrate the artists, because if they do not want to give you money, they can say they are waiting for assessment from whoever. If you go and return, *“No, I have not received the technical assessment from a certain agency.”* I am not quite sure how these instances are going to be determined.

Having asked that question, we really want to see arts promoted and arts also contributing to our GDP. For example, we have tourists who come to this country and our tourism bodies are more interested in showing these people where the animals are, the elephants and the giraffes, but cultural tourism is not being promoted. We want to see the Haikums showing their arts and culture in Etosha and earning some money from the tourists, since they were living on wildlife and wildlife has now been institutionalised for the Europeans. The Haikums should get an opportunity to earn a living from those on whose behalf wildlife has been conserved. Here I am thinking of building Cultural Villages around the parks. I am quite sure the tourists will be happy to visit these cultural villages, being entertained, pay some money there and at least the people will benefit.

I therefore hope that this Fund will also promote the kind of arts, which will create a livelihood for people, especially the arts which will help to alleviate poverty among our impoverished communities.

Other than that, I support the Bill and wish the artists across the length and breadth of Namibia every success, that now they are going to be funded. I am quite sure Mr De Konte who has been raising awareness through demonstrations is happy for this Bill and what is required from us is to pass it to establish a Fund and give resources to the artists to express themselves. Thank you.

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON VENAANI**

HON DEPUTY SPEAKER: Any further discussions? No further discussions. I will revert the Floor to the Honourable Minister of Basic Education, Sport and Culture, Honourable Mutorwa, for his reply.

HON MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: Honourable Deputy Speaker, may I respectfully request the adjournment of this Debate for my response until tomorrow afternoon?

HON DEPUTY SPEAKER: Any objection? Agreed to. The Debate on this item stands over until tomorrow afternoon. The Secretary will now read the Fourth Order of the Day.

**RESUMPTION OF DEBATE: MOTION ON VIOLENCE
AGAINST WOMEN AND CHILDREN**

HON DEPUTY SPEAKER: When this Debate was adjourned on Thursday, 24 February, the Question before the Assembly was a Motion by the Honourable Member Ms Namises, that the Motion be considered and debated. Honourable Venaani adjourned the Debate and he now has the Floor.

HON VENAANI: Thank you very much, Honourable Deputy Speaker. I am very glad that I am addressing this important Motion at a very correct time, which is the end of month and I shall come back to the emphasis on the *“end of the month”*.

Honourable Deputy Speaker, in my short time as a lawmaker I have

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON VENAANI**

learned that the lawmakers should always deal with issues of construct and abstract nature and understand the interaction of both.

Honourable Deputy Speaker, it is very heartbreaking for one today to be inundated with continuous media reports on horrific crimes perpetrated against innocent women and children and I firmly believe that the strength of a society does not necessarily lie in strong punitive measures in its judicial system, but in the high level of morality of that given society.

I was further moved by Honourable Mbuende who was speaking so eloquently about culture and I think it is important to include culture in morality to understand the issues that confront our society.

Honourable Deputy Speaker, the Debate before us warrants credible solutions that are so direly needed by our society. Thus the recommendation made by the motivator of carrying out research to find out how masculinities are constructed in our various communities and how violence becomes an integral part of manhood in so many of our males is supported. However, the thrust of my intervention on this Debate is based on our Nation's morality.

Before engaging further, I want to state that the challenges that face our Nation regarding abuse of women and children are not scientific, but mere moral challenges. I do not wish to be controversial on this Debate, but I will omit reality if I do not state the following, that the parameters that most of our families operate on are the major contributing factors that practically escalate abuse of women and children. It all starts with the more modern words that are now very modernised in our various homesteads and I quote those modern words: ***"Honey, I lost my temper."*** These modern words are the practical epicentre of abuse of women and children.

When a husband or a boyfriend gets jealous in our modern society when a wife or girlfriend comes home late, we engage ourselves in the words, *"honey, I lost my temper"* and beat the wife and say because she came late it is justified that she is beaten. The worst of all is that our partners justify these beatings as just mere disciplinary measures taken in the homestead

01 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON VENAANI

and I think that when one looks at various criminal cases all over the world and one researches these cases, all these criminals that have perpetrated crimes against women and children are not first offenders of these crimes.

The challenge lies in our families and society, how we view and accept this kind of punitive measure in our houses to control the family.

I remember in old history it was always believed by our mothers especially in black communities – and I am speaking with all due respect, being a traditionalist – that, “*if my husband does not beat me, then he does not love me.*” (Interjections). It is true! (Intervention)

HON ATTORNEY-GENERAL: Honourable Deputy Speaker, I am sorry to interrupt my young brother who is addressing a very important and serious matter. I would like to ask those female Members of Parliament who are here, because they are a representation of women who are out there, who feel that if they are not beaten up by their husbands they are not loved, to stand up with your permission, please.

HON DEPUTY SPEAKER: Are you rising on a Point of Order, Honourable Attorney-General, or do you want to put a question to the Member?

HON ATTORNEY-GENERAL: It is a Point of Order, Honourable Deputy Speaker, because my son has made a statement that I have heard so many times before, but I have always heard it from men, I have never heard a woman expressing that appreciation and, therefore, I wanted to find out, with your permission, Comrade Deputy Speaker, to find out from the women here whether they really feel if their husbands do not beat them, they are not loved. I wanted you to facilitate that finding.

01 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON VENAANI

HON DEPUTY SPEAKER: Honourable Venaani, you learned what needs to be facilitated. The Floor is still yours.

HON VENAANI: Honourable Deputy Speaker, I do not want to throw the blame on anyone, but I am just stating a fact. It is a traditional fact and many of us are politicians. We travel to the remote areas of this country and I have seen some communities where it is a tradition.

Let me come to the modern urban life in this country and I spoke of the end of the month. Go to the police station next Monday and you will find cases of abused women who were beaten over the weekend, but all these cases are withdrawn. (Interjection)

HON MEMBER: It is because they are powerless.

HON VENAANI: It is not because they are powerless. It is because society accepts these norms. Why do we have cases of abuse of women being reported to the Police, yet the next morning she comes back at home and says, "*Honey, I have withdrawn the case?*"

Honourable Speaker, the thrust of my submission is that as long as we condone these minor abuses at our homes, we will never address the root problems of abuse. It does not help society to demonstrate in their masses in front of Parliament when a four-year old has been raped. I am very sympathetic with those cases, but if we do not address the root causes of these problems, then we will continue to have these cases.

Honourable Deputy Speaker, my problem lies with these unreported cases. In some traditions when a woman is raped, negotiations are entered into between the family of the victim and the family of the offender and they are told to pay ten head of cattle so that the case can be put aside. It is

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON VENAANI**

very painful that even the victim may not be the beneficiary of that kind of settlement.

Honourable Deputy Speaker, these are some of the root problems that our society face and if we do not educate our Traditional Authorities, our men, our women to deal with these petty issues which confront our homesteads every day, I would think that these abuses would just escalate.

Honourable Deputy Speaker, one is very much disturbed by the withdrawal of these cases where especially at the end of the month you would hear the words, "*honey, I have lost my temper.*" When you ask, "*why did you beat your wife*", "*no, I have just lost my temper*" and we accept this as the normal practice, we do not shame these persons for losing their tempers and then these cases are being perpetrated on a daily basis. Honourable Deputy Speaker, such behaviour, in my view, must be condemned. (Interjection)

HON DEPUTY MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: Can you suggest measures how to deal with it?

HON VENAANI: Honourable Deputy Minister, I will come to the measures. One of the greatest measures is to educate our society and to condemn these things. I remember when this HIV/AIDS Debate started, there was a very powerful advertisement in South Africa whereby when somebody said, "*I did not use a condom*", and the society would shame this person for not using a condom. When your friend tells you, "*I just lost my temper. That is why I beat my wife*", we should start shaming these people. This is the only controlling measure, in my view, that we can put for this escalating crime.

We can argue about stronger punitive measures in our judicial system, but we should have measures at society level and teach boys at the age of 18 years that it is wrong to beat a girlfriend. If that child grows up with a

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON VENAANI**

culture that it is wrong to beat another human being, regardless of sex, then that person would grow up in a culture of respecting human values.

I read in the *Namibian* of last Friday about one community activist arguing about this very important Debate and she had many theories in her argument. One of her theories was that because of our historical past, because of colonialism and apartheid, many of our men are trying to prove their manhood through raping women and so forth. However, why does a wealthy, respected person in the community, such as a teacher, have to prove his manhood through raping a child of four years old or so? Therefore, one cannot buy some of these arguments.

Honourable Moongo mentioned that traditional healers are advising men to go and rape children as young as four. (Intervention)

HON DEPUTY MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: I am sorry to interrupt my son's contribution, he is really making an outstanding contribution, but the statistics show that the group of people who are most prone to beating up their wives comes from the medical profession. (Interjections). The statistics are there! Surprisingly, educated people.

HON VENAANI: Honourable Members, we need some collective solutions to this problem and I think one should maybe call for a national Debate to be organised by the Ministry of Women Affairs in this country through various regional workshops to address these abuses of women and children. Perhaps we will find some solutions.

Just in conclusion, I spoke of traditional healers advising men in the pretence that they would be cured.... (Intervention)

01 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON VENAANI

HON DEPUTY SPEAKER: Honourable Member, I just want to have it very clear whether you are talking about traditional leaders or traditional healers.

HON VENAANI: Traditional healers, witchdoctors. They are advising some men to go and rape your niece who is four years old and you will be cured of this AIDS disease. Perhaps we need to engage these traditional healers in workshops.

Honourable Deputy Speaker, with these few remarks, I support the Motion before the House and wish for a national dialogue to be called.
(Intervention)

HON DEPUTY MINISTER OF FINANCE: May I ask a question? Comrade Deputy Speaker, would the Honourable Member propose as a deterrent that men who do this be castrated? That might deter another one who has such an intention.

HON VENAANI: I do not know whether we can legally do that, but let me just give you an example, Honourable Deputy Minister. Some States in the United States have the death penalty, but we have seen that murders are escalating in those States. I strongly and firmly believe that we should not rely heavily on punitive measures in our judicial system, but on morality, because I do not think any perpetrator of any crime worries so much about being caught. If he wants to steal a cow, the intention is to steal a cow and the aftermath of stealing a cow does not really matter. Any person who rapes a four-year old child, rapes this child with the intention not to be caught. Even if you have the death penalty, you will find men raping women and children because they assume they will not be caught. Therefore, I do not believe that castration will deter men, but I firmly believe that if we start in the kitchen, that our husbands should not

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON YA FRANCE**

lose their tempers in our kitchens, teaching our boys not to beat girls, that we will solve the problem. I do not think it will solve the problem if we start with the judicial system.

Honourable Deputy Speaker, with these few remarks, I support the Motion.

HON DEPUTY SPEAKER: I thank Honourable Venaani for his contribution and I now call on Honourable Ya France.

HON YA FRANCE: Comrade Deputy Speaker, thank you very much for giving me this opportunity. I rise to express my sentiments on this Motion and support the call to debate this Motion by Honourable Namises.

Comrade Deputy Speaker, Chapter 3 of our Constitution outlaws the death penalty as supreme capital punishment for criminals. Article 6 prohibits the death penalty, while Article 8 demands respect for human life and dignity. Article 15 demands the rights of children, to be protected from any kind of economic, social, mental, physical, spiritual and other exploitation. However, Comrade Deputy Speaker, here we find ourselves in a dilemma as to what we can do about some of these most serious crimes committed against our people. I want to come back to Chapter 3 after having illustrated how serious I feel about these crimes.

Comrade Deputy Speaker, Honourable Members, our society is very much sick. Something has gone wrong with us and more especially with men. I think there must be a disease amongst our people. The crimes committed against defenceless members of our society, the children, could not be done by a normal person. That could only be done by a sick person, a mentally sick person. Our Courts and the media call it rape, but I do not think somebody who violated a child of less than four years could be called a rapist. I think rape is when somebody forcefully and by the power he or she possesses has sex with somebody, but this child is

01 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON YA FRANCE

defenceless, it is not resisting and this child is not a woman, she cannot attract a person to sex. I do not know whether a normal human being can be attracted and his cock erects for a person who is not a woman. There are signs, which a normal person can be attracted to, but here we have somebody who is not human, it is just a human being and something must be definitely wrong and it cannot be solved through legal sanction only. I think we have to institute a panel of scientists to look into this problem. Sanctioning alone will not solve the problem, because this child cannot go and report and may not even recognise the perpetrator. Something is very, very much wrong in our society. I propose a national commission of enquiry composed of scientists.

I also believe that punishment should go along with it. Unfortunately, I am also a man and I might get that sickness, I do not know because I cannot understand it. While our Constitution prohibits torture and so on, I have never seen it prohibiting hard labour. Maybe it is there by implication of some articles, but I think these kinds of people must be punished with hard labour and must also be exposed to the public that those are a group of people who are punished for the crimes they have committed, working hard, because normally labour does not kill anybody. They should work hard and they should wear different uniforms.

I visited a school in my village and I found them debating rape. This is not rape, we have to find another word. (Intervention)

HON DEPUTY MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: Could I ask one question? Would you, Honourable Comrade, express yourself on the possibility of identifying these beasts by means of an irremovable sign on their foreheads that will be there for the rest of their lives to identify them as not being humans?

HON YA FRANCE: Thank you very much, Comrade. I think that this should be one measure to be taken, a mark, a very good mark, which even

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON YA FRANCE**

the other prisoners can see and everybody who visits prison can see that this is one of them. As I was saying, I found some Grade 7 children debating this violation of children's rights and bodies. I was so surprised by how children were coming forward. Some were talking about castration, some were talking about hard labour. I think castration has never been prescribed in the Chapter 3 of the Constitution. I think these people should be castrated, because their sickness can go beyond freedom as also in prison they can rape and do whatever they do, so I think they must be castrated and definitely, they have to spend the rest of their lives in prison.

I do not like Chapter 3 of the Constitution too much, but something must definitely be done, because this Constitution also provides for the Amendment of Chapter 3 if it is aimed at improvement for the good of society and I think we should do that for the good of society. An example should be made of these animals, as Comrade Wentworth is calling them. There is a sickness which befell our Nation, what we are experiencing is beyond human understanding. It is not normal it is a sickness.

With that, Comrade Speaker, I support the Motion and I would pray that this Motion must be discussed and proper recommendations must be made, at least to enable proper sectors of society to legislate other laws to protect our citizens and I would like to appeal that such serious things should not be politicised. It must be approached from a purely humanitarian way as it appears in this Motion. With this, I support the Motion and I call upon my Colleagues for us at least to put our minds together to see what we can do in order to heal this disease which befell our Nation. Thank you very much.

HON DEPUTY SPEAKER: I thank Honourable Ya France for his contribution and before I call on the next speaker, although it is moving in that direction, it will be very much helpful if the Honourable Members rather than describing the seriousness and the problem and the feelings. I now recognise Honourable Deputy Minister Katali.

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON KATALI**

HON DEPUTY MINISTER OF LANDS, RESETTLEMENT AND REHABILITATION: Thank you, Comrade Deputy Speaker. I would like to thank the Honourable Member Namises for moving this Motion. It is really a Debate on the violence against women and children. It is very serious, but Honourable Deputy Speaker, allow me to draw a line between violence against women and the violence against children. Why Honourable Deputy Speaker, because women are adults and the perpetrators are the men. Therefore, I do not really believe that men are always the culprits when it comes to the violence against women. It is simply because they are physically stronger than women are and they resort to doing what they are doing.

As a man, it is heartbreaking and sometimes I start to be scared when I hear these things. For the first time it was in 1985 and that was in the United Kingdom when I heard that a 50-year old man raped and killed a 9-year old girl. At the time when I left the country these things were not happening here and I can still remember how I remarked that time.

As the Honourable Member Ya France said, I said *these people are sick. How can a man of that age indulge in such a thing with a minor?* How ignorant I must have been at that time to think that these things do not happen in Africa? I have never experienced it and when I talked to my colleagues I said *"these things do not happen in Africa, let alone in Namibia where I come from"*. Now here we are, our own people, African people, Namibians, are the ones now doing the same things that I experienced for the first time in 1985. The only conclusion is that our people are sick, because these things can only be done by abnormal persons.

We are being asked to look for solutions. Before we look at the solution, we have to understand properly why these things are happening, because I do not really think that I can just wake up, go, and rape a minor. I really do not think that it can happen that way, I am suspecting that we do not know what is actually making these people do the things they do.

It is difficult when it comes to the punishment or prevention. That is why I believe in prevention rather than punishment, but how can you find out

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON KATALI**

that this man is about to go and rape a child, therefore I must prevent it? What we are seeing is something that has already happened and we cannot undo what has happened. Whether we kill that person, whether we lock that person up, that incident has happened. What I do not know, Honourable Deputy Speaker, is whether the people who are doing this will do it repeatedly, or is this a once-off incident for a person?

Why I am saying I am scared is because I do not know what drives these people. I am praying all the time, *“please God, these spirits should not come to me because I do not think I can stand it”*. It also seems that when they do these things they do not really think of the possible consequences. Maybe there is no time to think about it, maybe they just do it and once they did it, then it is over. Therefore, what follows are demonstrations. When one looks at the demonstrations you can see on the faces of the people that they are either angry or they sympathise or whatever, but at times some of the demonstrations that I see the people do not really express themselves on the incident, they are jubilant, they are dancing, demonstrating against a very serious thing. I do not think that is the best way of showing our feelings. Where do we demonstrate? People demonstrate in front of the Parliament because that is where the laws are made and people have the perception that it is the laws that are causing these things to happen. I disagree with that because the laws are coming after the incident and, therefore, I think it could have been better if people demonstrated against the person who committed this gruesome crime.

Therefore, Comrade Deputy Speaker, there is need for us to look at the root causes of this, so that once proper research are done, those people who do these things can be asked by the psychologist how they felt when they did these things and what were the signs. Probably there are signs that the person can see that may eventually lead to committing some of these crimes.

When one does not know what to do and what to think, you can say anything out of anger, but we really need to talk to our people and apply our minds when we discuss these things. To call for that when the incident has already happened is not very much helpful. What we need is these things not to happen at all and if we can find a solution to this not to

01 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON KUUGONGELWA-AMADHILA

happen at all, then I think we would have achieved something. The church has the obligation, for example, to go back to the morality of our Nation and to teach them, to talk to them, to reach each and everybody, because why I am saying each and everybody is simply because it seems to be no specific category of persons committing this crime. As Honourable Buddy was saying, it is almost everybody and you get confused as to which group to target. Therefore, it is really a social problem. We need to find out, if possible, how we can prevent this rather than concentrating on blaming this one for not having done this, for the Government not having done that, for the Police not having done this, etcetera, and rather see if we can educate our Nation and find solutions so that these things, if not eliminated, are minimised. I thank you, Comrade Deputy Speaker, and I support this Motion.

HON DEPUTY SPEAKER: I thank the Honourable Deputy Minister and I now recognise the Honourable Minister of Finance, Honourable Saara Kuugongelwa-Amadhila.

HON MINISTER OF FINANCE: Thank you, Honourable Deputy Speaker, I think we are now moving towards the convergence of minds that somehow not only in this House but outside the House we need to engage in some kind of research in an orderly manner to determine what influences the behaviour of our citizens so that they act in a very barbaric manner.

I am inclined to agree with my Colleague, Honourable Venaani, and others that have said that there is a greater role to be played by the family in actually shaping the personalities of our children and, therefore, determining the kind of adults they will become. Because of the role that is played by women in taking care of the children and shaping them, women have a special role to play in determining what they will become when they are older.

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON KUUGONGELWA-AMADHILA**

We often find ourselves victims of violent behaviour at the hands of our male counterparts. We see ourselves as being victims and not being able to do anything to change the situation. I believe that we are at the centre of the solution to this problem, maybe not today but at least in the future. We are the ones who teach our boy children that they are the ones who are supposed to be the boss over their sisters, and when you have a sister misbehaving, you actually call on the brother to beat up the sister in front of the parents and you applaud that.

When we do that we actually teach the boys that they are the masters and when they grow up to be husbands they want to boss their wives and we teach our daughters that when they do something wrong, it is fine for the male counterparts to beat them up and they accept that and they bear with the beating until they are killed. I think that it is where it starts, actually to teach our boys that even when their sisters do wrong things, it is not their place to beat them. Not only that, we the parents should also demonstrate that beating is not the only punishment. A child can do something very provocative and the natural reaction is to beat this child, but you are actually teaching that child that when you do something that is not acceptable, beating is the solution and it is acceptable.

I think that is where we start going wrong and when we ourselves as women also put up with the beating, we also teach our children, our girls that when they become wives they should also put up with the beating of their husbands and we teach our boys they should also beat their wives. It is most unfortunate that most of our generation had to witness our mothers being beaten up by our fathers and actually, our mothers would go so far telling us *“when your husband beats you up, you do not have to shout to the whole village, they do not have to know, they all have their problems, so you have to keep your secrets”*. Therefore, you keep this secret, when you are beaten and your face is all swollen up, you say you have fallen down, you will not tell any person. When you go to tell your mother that you have been beaten up, she will tell you go back to your marriage, but when you are killed, she will be the first one demanding compensation. This culture is not positive, we should really try to change.

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON KUUGONGELWA-AMADHILA**

I want to proceed by saying the traditional authorities are the custodians of our culture and traditions, so they play a very important role in this regard. They should actually show zero tolerance for men that abuse their wives and women abusing their children. I think the educational system also has a role to play. I think we can somehow also incorporate in our curriculum some studies on gender relationship, gender equality or something like that.

I think the way that we have been raised is such that boys and girls also do not effectively communicate. Girls have their chores that they should take care of, boys have the chores they should do. Even in the evenings when they are not studying, the boys sit separately from the girls and the only time they really interact is when they have a romantic relationship. Now you have men that have this distorted perception about women. As the Honourable Member there was saying, women expect their husbands to beat them because they see that as a sign of love. That actually is a very distorted perception by women and I know that women also have a distorted perception about how men think, because they are taught that a man is supposed to be strong and show no emotions, they are not supposed to cry. They are not supposed to show too much love, they are supposed to show authority. They also look down upon the men that cannot demonstrate those trades.

I think it is very important to support some kind of mutual understanding between the genders from the time that they are young so that they would really start to see themselves, firstly, as human beings and only secondary as men and women. They are human beings primarily and they all have feeling that can get hurt, they all have emotions of love and hate and fear. We can support each other in life, we do not have to fight each other. I think that is very important.

Namibia is said to be a Christian country with over 80% of our citizens belonging to one or another church and the church itself somehow engages in actions that maybe indirectly support these abusive actions of men. Some of the churches preach only total obedience by women towards men. In fact, when these churches conduct marriages they say that you are now proclaimed man and wife. Not husband and wife, man

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON KUUGONGELWA-AMADHILA**

and wife. Therefore, the man now says he is the man of the house and the head of the house and he is supposed to get this and that from the woman. You are told that the women have to obey the husband and the husband is only to love the wife, not do anything, so you obey and love. (Intervention)

HON DEPUTY MINISTER OF ENVIRONMENT AND TOURISM:

May I put a question? My question is as follows: Did you know that in the Bible there is one phrase that says you cannot amend or change those words. It is the same with our Chapter 3, which cannot be amended. How are we going to deal with such a situation that it says the man is the head of the family?

HON MINISTER OF FINANCE: Yes, thank you, Honourable Deputy Speaker, I would say to Honourable Ilonga that in fact the Bible is so balanced that it really does not need to be amended. I think the problem is that many of us as leaders do not read the Bible in its entirety, we just read a part of it and then we end up with an understanding that is incomplete and distorted. What I have however also read in the Bible is that God in His creation gave dominion to men not over the women, over the entire earth, all the animals thereon, all the plants thereon but never over the women. Therefore, I do not know where the notion comes from that men now think they have been given some kind of dominion over women

HON YA FRANCE: May I ask a question? The Honourable Minister is talking about the Bible, about the dominion of men over wild animals, etcetera. However, it also says men love your wives. Women obey your husbands.

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON KUUGONGELWA-AMADHILA**

HON MINISTER OF FINANCE: Honourable Deputy Speaker, and that is exactly why I said we have an imbalanced understanding of the message that is being put forth in the Bible, because we only read small parts of the Bible and use it to our advantage. We take only that small part and throw away everything else. God tells you no dominion over women, you can interpret in whatever way you read it or in whatever way you want to, but the message there is that you do not have dominion over women.

The only one that has a dominion over both men and women is God Himself. In fact, even in that regard I think God exercises His dominion with such flexibility, because He has given us a free will so that He can say I have given you the free will, you can go and behave as you see appropriate provided that I will mete out the punishment for you if you behave inappropriately. He does not come and intervene every day to say stop there, to try to dominate you, because He has given you the free will and ability to distinguish between right and wrong. Therefore, I still emphasise that point that no dominion has been given to any man over the woman and I think the church can do well to really educate the members about this and really emphasise the point that it is very wrong. There is no justification for any man to abuse his wife because she does not obey him. Even the religious people, whenever there is a case of abuse, try to justify it and I think that cannot be justified under any circumstance that one person would be violent against another person.

I wanted now to come to the last point to say I would agree that the law itself could not really be a deterrent to the extent that you would eliminate crime and violence against women and children. We know that there are countries, which have very strict penalties, including even death penalties that still have a high crime rate. It is however also true that law plays an important role in ensuring orderliness and stability amongst communities and it is also true that a number of countries which have very strict penalties against criminal behaviour have a relatively low crime rate and even in SWAPO camps when we were in exile, because the discipline code was very strict. Even though we were living in these refugee camps, where sometimes there were no Police and you had this big number of armed men and women... (Intervention)

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON KUUGONGELWA-AMADHILA**

HON YA FRANCE: On a Point of Information. Comrade Kuugongelwa-Amadhila, I spent some years in Algiers and when you steal, you are just asked, “*With which hand did you touch first?*” If it is the right, it is chopped off; if it is the left, it is chopped off. For that reason, when you drive your car in Algiers and there is no parking, you just park behind the other car and leave the key there and when the other driver comes, he moves your car, take his and leaves. The law plays a big role.

HON MINISTER OF FINANCE: Thank you very much. I think the law really does play a big role there. As I was saying, you have this big number of people living together, in certain instances armed with automatic rifles. You did not have men just killing women with these automatic rifles, because they knew the consequences. The consequences were about not only the disciplinary action by the administration itself, but also even the perception from other members. The community itself was intolerant to this kind of behaviour, unlike here where the man beats up the wife and goes around as if he is a king. Really, I think society itself has to demonstrate intolerance for this type of behaviour.

I have to acknowledge the role of education with regard to penalties, because what we are observing now, especially where there is violence between the spouses and the man kills the girlfriend or wife and then kills himself, is that he does not want to go to jail for life, so he actually thinks he has solved the problem by killing himself. It is really important to make them understand that this is a relationship of equals that you can communicate in a way that does not influence the thinking of the other person. You move on, there are many fishes in the sea, this is not the only fish in the sea. You do not have to kill that fish just because you cannot perform.

Most of the men kill the spouses because the relationship was terminated, then they decide, “*If I cannot have you then nobody will have you*”, that kind of thing. Those who have engaged in this kind of behaviour should also be required to undergo some kind of counselling as part of the

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON NDUMBU**

sentence. When you are sentenced to 10 years or 30 years in jail, you should also have this mandatory counselling as a form of rehabilitation. I do not want to call it punishment, but it should be demanded that you are counselled.

Lastly the point that I started with is that I really agree that we should do some research of some kind so that we can come up with a specific programme to really target the real cause of this evil that plagues our society. In the meantime, send them to jail for 40 or 50 years and counsel them. Thank you.

HON DEPUTY SPEAKER: I thank the Honourable Minister for her contribution and I now call Honourable Member Ndumbu.

HON NDUMBU: Honourable Deputy Speaker, Honourable Members, I rise to contribute to the Motion on the table. I would like to echo what was said by Honourable Venaani, although I approach it from another angle.

You might find a certain incident happened in our society where a minor is impregnated by an old man, but if that man is not a politician or teacher or any public figure, the community will keep quiet and nobody will raise the issue. However, it is against the Supreme Law of the land. Things always start from what we are doing and we keep quiet, we do not want to say anything further on it, yet we know exactly that it is wrong. This is how things escalate to the serious situation where the loss of life is even being experienced. One of our musicians, The Dog, who is a Member of SWAPO in one of his albums sings that we are suffering because of politics. When women want to come together and get an expert to address them in a given situation, even on HIV/AIDS or anything pertaining to women and children in their own grouping, the politicians always come in by saying these are Opposition people. The person just wants to tell those people about their rights. (Intervention)

01 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON NDUMBU

HON DEPUTY SPEAKER: Too loud conversations are going on.

HON NDUMBU: In fact, what will happen, simply because that person is not from the Ruling Party the young people and even women will intervene. (Interjections). Honourable Deputy Speaker, May I be protected, please?

HON DEPUTY SPEAKER: You are certainly protected. Honourable Members, too loud conversations and this continuous dialogue are not allowed. Proceed, please.

HON NDUMBU: These things do not start now as I am speaking, it started a long time ago. Some of us were also doing this previously to prevent people to listen to those kinds of people when they are not from our Party. I am not talking politics but I am trying to detect the real issue of the situation.

We have this escalating epidemic of HIV/AIDS in our society. In the beginning the people were crying that, *“please let those who are HIV/AIDS positive be made public”* and it was declined. Now we are saying, let those people come out in order for us to prevent an infection. It is the same with this topic we are talking about at this moment. Ten years from now, you will realise that I was telling you the truth, Honourable Members. If you do not want to accept the truth because of politics, then later on you will realise that the world is moving like a wheel and reality is always telling you what is happening.

I think the solution here is that if you do not want to accept the reality, then obviously we have to suffer the consequences. The reality is that if something is clear, such as not wanting people to be addressed on the issues of concern by the relevant person with expertise... (Intervention)

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON NDUMBU**

HON DEPUTY MINISTER OF LANDS AND RESETTLEMENT:

May I ask the Honourable Member a question? Honourable Ndumbu, you were saying the world is turning like a wheel. Is the Honourable Member trying to tell us that since he started as a SWAPO member he is just making a round and will then return to SWAPO?

HON NDUMBU: I would just like to indicate that it is the same thing as those people who were HIV-positive. We wanted those people to be known so that they will not have sexual contact with those people, but the Ruling Party threatened people that if they talk about those things they will be arrested. It was at the onset of Independence of Namibia. (Intervention)

HON ATTORNEY-GENERAL: On a Point of Order, Comrade Deputy Speaker. The Motion on the table by Honourable Namises is very serious and I would appeal to the Deputy Speaker to try to maintain the decorum and the spirit in the House. We cannot have the public watching us behaving in this fashion while our communities are mourning.

HON DEPUTY SPEAKER: Thank you, I think it is a point well taken and it is true, the Debate kicked off very well. It is important to maintain the dignity and seriousness of the issue under discussion. Honourable Member, please stay away from provocation and proceed.

HON NDUMBU: Thank you Honourable Deputy Speaker, thank you Honourable Members, before I conclude.... (Intervention)

01 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON NDUMBU**

HON DEPUTY MINISTER OF JUSTICE: Honourable Deputy Speaker, in the light of the statement that the Honourable Ndumbu has made and the seriousness that the Namibian Government has always been attaching to this issue and that he has alleged that SWAPO, the Ruling Party, was in the forefront of preventing people to disclose their status, whereas we have always been on the forefront to encourage people to come out so that remedial steps could be taken, I feel that is a statement that the Honourable Member somehow needs to retract, because it is not factual.

HON DEPUTY SPEAKER: It is not Government policy to stop people from telling those things as stated, so withdraw and continue.

HON NDUMBU: Honourable Deputy-Speaker, I have never said that nowadays people are encouraged or threatened not to reveal their status, but I am talking about the onset, from the beginning date when we learned about the situation that there were people with HIV/AIDS in a free and independent Namibia and I am comparing that part with the present. It is only these years that people started telling people to disclose their status. (Intervention)

HON DEPUTY SPEAKER: Honourable Member, the point is, at what stage would you be able to substantiate that the Government or the Ruling Party or any other Party discouraged people from revealing their status? Therefore, the request is just to withdraw that part of the statement and to continue.

HON NDUMBU: I withdraw. I think the solution to the escalating problem of woman and child abuse in our country is that we give liberty to

01 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON NDUMBU

the people of Namibia to choose somebody to address them on issues of concern.

HON DEPUTY MINISTER OF FINANCE: Comrade Speaker, I plead that we invoke Clause 102 and that the Honourable Member be asked to sit down and keep quiet.

HON DEPUTY SPEAKER: Please proceed Honourable Member.

HON NDUMBU: Honourable Speaker, Honourable Members, the only solution here, and it is my conclusion, is that from now on until the end of the world we must allow people, whether it is a group of young people or a group of women gathered in a certain area who want help, to be helped by a person of their choice. (Intervention)

HON MINISTER OF HOME AFFAIRS: May I ask the Honourable Member a question? Honourable Ndumbu, do you know what the House is discussing today? Do you know what we are discussing or did you just stand up for the sake of standing? What are we discussing now? Can you tell this House what you are discussing? What is the Motion on the Table?

HON NDUMBU: Thank you, Comrade Speaker. To answer the question by the Honourable Minister, it is very clear in the Orders of the Day and I do not think that anybody can ask a person a question of that nature. I conclude by saying that when people gather in any meeting...(Intervention)

01 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON NDUMBU

HON MINISTER OF FINANCE: Honourable Deputy Speaker, I rise on a Point of Information just to assist our Honourable Colleague there. He is hammering on the point that the public should be allowed to listen to whoever has expertise on the issue being discussed and I think he wants to create the impression that Namibians are being prevented to listen to experts who are coming from the CoD Political Party. I want to tell the Honourable Member that a number of our nurses, for example, who are part of the HIV/AIDS campaign or programmes do go out there and educate the communities about how to avoid infections and how to live positively with the infection, etcetera. When these nurses are being recruited, they are never asked to produce their SWAPO membership cards.

Therefore, when you see our nurses there, they are from the complete political spectrum of the Namibian society. They are SWAPO, DTA, CoD and MAG and we are not interested in what they are. Based on their expertise communities listen to them and these communities are never kept from them. Therefore, I think this is really just propaganda to try to say that people are kept away from CoD. People keep members away from CoD when they organise meetings is maybe because they cannot put their message across and they are not held in high regard in their individual capacities by communities. I just wanted to say that.

HON NDUMBU: Thank you, Honourable Deputy Speaker and Honourable Members. The whole thing here is that there are those people who enter this Chamber...(Intervention)

HON KAIYAMO: On a Point of Information. I also just want to add to what my Colleague, Honourable Kuugongelwa, has said, that the point we are discussing was brought by CoD Members to this House and it has been my experience in these five years that if we do not want to listen to the CoD we have the majority and now we are listening. We have been discussing the topic and an outsider would not know to which Party the

01 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON NDUMBU

person belongs. We are listening to things that are relevant.

HON NDUMBU: Thank you Honourable Speaker again. I am concluding now.

HON DEPUTY SPEAKER: The Honourable Member is concluding now, why do you not allow him to conclude?

HON MINISTER OF HOME AFFAIRS: Comrade Speaker, on a Point of Order. The Motion on the Table was brought by the CoD and we have supported it. If the same CoD provokes us, we will be able to throw it out. The Honourable Member must not do that. We can vote it out. We allowed it to continue and we want to listen. We can use our majority and throw the whole Motion out. Therefore, he must be serious we want to support you.

HON DEPUTY SPEAKER: Thank you. I hope the Honourable Member is not threatening. Please proceed Honourable Member.

HON DEPUTY MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: Comrade Deputy Speaker, this is very serious. In her Motion, the Honourable Namises said that we must seriously discuss this issue and we listened to Namibians, such as Venaani, Ponhele Ya France, Katali and the Minister of Finance seriously discussing this issue. The Member on the Floor has now five times started with his conclusion and said "*the only solution would be.*" In other words, he has the only solution and thus he is opposing the Motion by the Honourable Namises

01 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON NDUMBU

who said that we must collectively exercise our minds and engage in discussions to arrive at the solution to this problem eventually. He must then conclude by saying, "*I oppose this Motion.*"

HON DEPUTY SPEAKER: Honourable Ndumbu, please proceed. Allow him to conclude now.

HON NDUMBU: In conclusion, it is always hard to understand, people out there are suffering and in actual fact this suffering is caused by certain individuals.

HON DEPUTY SPEAKER: Honourable Hans Booys, I am tempted to disallow you that Point of Order.

HON NDUMBU: We as Members of this august House may not be directly affected by what is happening and simply because we want to satisfy our political interest, we do not care what is actually happening.

People are suffering, we heard of many cases of small children and women... (Intervention)

HON DEPUTY SPEAKER: Honourable Member, I think that particular expression of yours to generalise and say we do not care is ruled Out of Order on the basis that the Motion was tabled because the Honourable Members of this House care and, therefore, they are participating in this Debate. Therefore, that one is ruled out of Order. Please conclude.

01 March 2005

ADJOURNMENT

HON NDUMBU: I support the Motion.

HON DEPUTY SPEAKER: Thank you. Honourable Moongo who was the last one on my list.

HON MOONGO: Due to the time I adjourn the Motion until tomorrow.

HON DEPUTY SPEAKER: Is there any objection to the adjournment of the Motion until tomorrow afternoon? No objection, so agreed. The Debate on this Motion stands over until tomorrow afternoon at 14:30. Now in terms of Rule 90 the House will rise until tomorrow afternoon under automatic adjournment.

HOUSE ADJOURNS AT 17:45 UNTIL 2005.03.01 AT 17:45

**ASSEMBLY CHAMBERS
02 MARCH 2005
WINDHOEK**

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? Honourable De Waal.

**TABLING: SECOND REPORT ON THE
ACCOUNTS OF GOVERNMENT OF NAMIBIA**

HON DE WAAL: Honourable Speaker, I lay upon the Table, the Second Report of the Public Accounts Committee to the National Assembly on the Accounts of the Government of Namibia on the Financial Years ended 31 March 2000 and 31 March 2001.

HON SPEAKER: Will the Honourable Member please table the Report? Are there any further Reports or Standing or Select Committees? Other Reports and Papers? Notice of Questions? Notice of Motions? Honourable Minister Smit.

NOTICE OF MOTIONS

HON MINISTER OF AGRICULTURE, WATER AND RURAL DEVELOPMENT: I give Notice that on Tuesday, the 8th of March 2005, I shall Move –

02 March 2005

**NOTICE OF MOTIONS
HON SMIT**

That this Assembly –

Ratifies the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.

HON MINISTER OF AGRICULTURE, WATER AND RURAL DEVELOPMENT: Honourable Speaker, I give Notice that on Tuesday, the 8th of March 2005, I shall Move –

That this Assembly –

Ratifies the Agreement on the Establishment of the Zambezi Watercourse Commission.

HON MINISTER OF AGRICULTURE, WATER AND RURAL DEVELOPMENT: I give Notice that on Tuesday, the 8th of March 2005, I shall Move –

That this Assembly-

Ratifies the Stockholm Convention on Persistent Organic Pollutants.

HON SPEAKER: Will the Honourable Member please table the Motions? Any further Notice of Motions?

LEAVE OF ABSENCE

02 March 2005

MINISTERIAL STATEMENT
HON NYAMU

HON YA FRANCE: I Move without Notice that leave of absence, due to illness, be granted to the Minister of Health and Social Services until 11th of March.

HON SPEAKER: Will the Honourable Member please table the Motion? Any further Notice of Motions? Any Ministerial Statements? Honourable Minister Nyamu.

MINISTERIAL STATEMENT

HON MINISTER OF TRADE AND INDUSTRY: Comrade Speaker, there have been headlines in recent days in the newspapers in respect of what has been termed “*banning of the importation of used cars into the country*”. I would like to make a statement in order to clarify this matter.

As you all may be aware, the Ministry of Trade and Industry, in collaboration with the Ministry of Finance, the Ministry of Works, Transport and Communication, the Ministry of Environment and Tourism and the Police Department published a notice in the Government Gazette Number 257 of 12 November 2004 as a regulatory measure for the importation of second-hand motor vehicles and second-hand left-driven motor vehicles into the country. This was, therefore, a precautionary measure to avoid the intervention of SACU in a matter, which is within our national competency to resolve. I must emphasise once again that because of our concern with the needs of our people, Namibia is the only SACU country that allows the importation of second-hand motor vehicles from outside SACU Region irrespective of the fact that there is a national ambition to develop the automotive industry which has a great potential for contribution to industrialisation, job creation, foreign currency earnings and integration of the National economy into the global economy.

02 March 2005

**MINISTERIAL STATEMENT
HON NYAMU**

I wish to reiterate that the Government of the Republic Namibia has not, and I repeat, the Government of the Republic of Namibia has not banned the importation of second-hand motor vehicles into the country. That is the crux of the matter. Should that have been the case, the measure would have as well affected all motor vehicles coming into Namibia from anywhere in the world, including from other SACU countries. As it is now, however, second-hand motor vehicles that are not older than five years are still permitted to be imported into Namibia, while imports for those that are older than five years from other SACU countries, Botswana, Lesotho, South Africa, Swaziland, are also allowed.

I further wish to clarify that the Government has instituted this regulatory measure to deal with the fraudulent business activities that were detected in the automobile industry sector, especially with motor vehicle imports from outside SACU. These fraudulent practices are not severe in respect of SACU originated vehicles, partially because there are no duties applicable.

As was also pointed out several times by responsible Government institutions, the Government currently does not have the capacity to deal with importation of second-hand motor vehicles older than five years. It will only, therefore be prudent to relax the measures once this capacity has been developed in all responsible public institutions.

In accordance with the laws, we have gone as much as possible to liberalise and streamline the import and export legislations. For the few products for which the Government requires import permits it is necessary that the prospective importers obtain permits in advance before engaging in any importation transaction. I thank you, Comrade Speaker.

HON SPEAKER: I thank Honourable Minister Nyamu for his Ministerial Statement. Any questions for elucidation are permissible to be put to the Honourable Minister. Honourable De Waal.

02 March 2005

MINISTERIAL STATEMENT
HON NYAMU

HON DE WAAL: Thank you, Honourable Speaker. I just want to make sure whether I heard correctly that the importation of vehicles older than five years is still allowed from South Africa, but it is not allowed from another country outside SACU? I want to have clarity, why do we discriminate against Japan, for instance, and not against South Africa, because in any case, what we are doing with this whole motor vehicle....(Intervention)

HON SPEAKER: No, clarification is sought whether from only one country mentioned and why not from the other countries.

HON DE WAAL: Mr Speaker, the Minister said because of fraudulent behaviour by people who are importing cars, this is the main reason why they have taken this step. I want to ask the Minister, how could it be possible that our lives are being dictated by criminals? Does that mean that if people have fraudulent transactions in banks, that the banks will no longer be allowed in the country because Government cannot cope with the fraudulent transactions? It does not seem to be a very good reason. Why can we not just make proper rules and let people stick to it and let the people of Namibia benefit from cheaper cars?

HON MINISTER OF TRADE AND INDUSTRY: To the first question, the answer is in the affirmative. Cars, which are not older than five years, are allowed from outside SACU, while those older than five years are allowed from SACU. The reason is what I have intimated earlier, that the problem is that it has become very difficult to determine the value of a car which is older than five years, because the importers undervalue these importations and our people need training in order to determine the value of cars older than five years from whatever importers. This is a temporary measure, it will be reviewed once we have attained the capacity to be able to process, because the Government has been losing

02 March 2005

**MINISTERIAL STATEMENT
HON NYAMU**

money in determining the import duties.

There are no duties in respect of SACU, that problem does not arise when a car comes from Botswana or South Africa because there is no duty in any case and the Government does not lose anything.

The second question is a bit academic on why we allow the criminals to dictate our lives. I think laws and regulations are made precisely to achieve those objectives, to protect society, to protect individuals, to protect the State. It is just that this action has been found to be necessary and appropriate as a deterrent against these criminals.

I see from the body language that there are several other Members who want to ask questions, but they can see me later for more explanations.

HON SPEAKER: I thank the Honourable Minister. Honourable Ndumbu.

HON NDUMBU: Honourable Speaker and Honourable Members of this august House, when one compares a five-year old vehicle from Japan, namely a 1999 model, with a South African 1999 model, in many cases the one from South Africa is a vehicle, which has overturned or collided while the one from Japan is just like a brand-new vehicle.

HON SPEAKER: You are explaining. What is your question.

HON NDUMBU: What criteria does the Minister use, because we are now buying vehicles, which have been abused.

02 March 2005

**MINISTERIAL STATEMENT
HON NYAMU**

HON SPEAKER: What is the question?

HON NDUMBU: My question is on the quality of the vehicles from South Africa, whether it is comparable to the quality of vehicles from Japan.

HON MINISTER OF TRADE AND INDUSTRY: That is obviously a different topic altogether. If we were to embark on an analysis of cars with the same age from South Africa and those from Japan, it is a different question but I will try to answer it.

Our findings initially found that cars in Japan are in a much better condition even if they are the same age as those from South Africa. Cars from Japan by and large will be in a better condition. The reason is that they do not drive fast, they do not cover long distances, and they normally have less mileage, etcetera. Therefore, it is very clear that those from Japan are in a much better condition than those from the Region.

HON SPEAKER: I thank the Honourable Minister and particularly thank the Minister for his ability to read the body language. We shall now proceed with the business as scheduled for this afternoon and I have the following to say: Since this session in which we are is part of the Special Session, the continuation of the regular Session, due to the legitimate request that was made and that the House acceded to, the regular Session would have cut off all the new Bills by the 1st of November. An allowance was made to discuss the Additional Appropriation Bill, which caused the proclamation for the month of December. That was consequently extended to enable the Chamber to finish the business on the Order Paper. Therefore, the Bills for which notices were served yesterday will have to wait for the new Parliament, the Fourth Parliament. The Bills that are already in progress will be dealt with, including Reports of the

02 March 2005

**NATIONAL ARTS FUND OF NAMIBIA BILL
HON MUTORWA**

Standing or Select Committees, including Conventions and Agreements that the country must accede to. The Bills, which are being submitted for normal purposes will have to wait until the 21st. This is a decision that I am making having consulted all the Parties represented in this Chamber. It has already been sanctioned very democratically and when making this decision, I have no hesitation. So agreed. The Secretary will read the First Order of the Day.

**RESUMPTION OF SECOND READING:
NATIONAL ARTS FUND OF NAMIBIA BILL**

HON SPEAKER: When this Debate was adjourned yesterday, the Question before the Assembly was a Motion by the Honourable Minister of Basic Education, Sport and Culture. I call on the Minister to reply.

HON MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: Thank you very much, Comrade Speaker. I am rising to respond and to provide more information on the important questions and issues raised by the thirteen Honourable Members who participated in the Second Reading Debate of the National Arts Fund of Namibia Bill. I thank the Honourable Members for their valuable contributions and for their support.

Honourable Speaker, it took us more than seven years that is from the time the Draft Bill was accepted by the Cabinet Committee on Legislation and eventually by the whole Cabinet to the time in 2005 when this National Assembly is now debating this Bill. The delay in finalising the Bill was neither deliberate, nor was it unnecessary. An art is an activity such as drama, painting or sculpture, in which people try to create something beautiful to express a particular idea. Artists are creators of ideas and things, they do not look at the world in all its dimensions in the same

02 March 2005

**NATIONAL ARTS FUND OF NAMIBIA BILL
HON MUTORWA**

manner. If that was the case, I believe the world would be a dull place to live in. It was thus not easy to reach consensus on what the Bill dealing with arts and artists should contain.

What you have in this Bill, Honourable Members, should be seen as a consensus, a workable consensus at least for a start to get the ball rolling, so to say.

For the purposes of this Bill, arts is defined as “*all forms and traditions of dance, drama, music, theatre, visual arts, crafts, design, written and oral literature, all of which serve as means for individual and collective creativity and expression through performance, execution, presentation, exhibition, transmission and study.*” This definition is in the Bill itself.

Culture, on the other hand, essentially refers to the whole complex of distinctive spiritual, material, intellectual and emotional features that characterise a society or social group. It includes not only the arts and letters, but also modes of life, the fundamental rights of the human being, the value systems, traditions and beliefs. I thus agree with you, Honourable Members, that Namibia does indeed have a diverse and lively cultural scene. It is also true that Namibia is blessed with many accomplished artists. These artists have a vital role to play in how we perceive one another and how we perceive our circumstances, even though their interventions at times may be disturbing for some.

The activities of the artists, like that of the biblical prophets, are essential to the functioning of a democratic, free, diverse, pluralistic and learning society like ours. Indeed, the link between democracy, education, culture and the arts is a very strong one.

Honourable Dr Mbuende in his contribution yesterday brought that point home in a very thoughtful and convincing manner and I do agree with many of the things that Honourable Mbuende stated in his contribution. I also further agree that artistic expression is based on the right to free expression as entrenched in Article 21(1) of the Namibian Constitution.

Creativity, Comrade Speaker, is also a powerful means of economic and

02 March 2005

**NATIONAL ARTS FUND OF NAMIBIA BILL
HON MUTORWA**

social development, because it is partly by this means that new markets are found and new understandings develop between individuals, groups of people, but also countries of the world.

There were questions raised, especially by the Honourable Attorney General, about the position of arts and art subjects in our schools. Let me provide the following response:

Provision has been made on the timetables of schools for art subjects. These subjects are compulsory, but not promotional. That means no formal assessment is done or reflected on the progress reports. Art subjects are scheduled for three periods per week during lower primary, two periods per week during upper primary, one period during junior secondary phase. During the junior secondary phase, learners can select two pre-vocational art subjects, integrated performing arts or visual arts and design. Only visual art and design is currently offered at the International General Certificate of secondary education level.

The Ministry is aware of the fact that a great number of schools are not implementing these subjects and an investigation has been launched in the formal Department of Education, which included a questionnaire sent to all the regions. It has been analysed by the National Institute for Educational Development (NIED) and a course of action has been devised whereby all schools will be monitored in terms of implementing the art subjects in schools as prescribed. Regional Directors of Education, inspectors and principals will in future be held accountable for the implementation of these very important compulsory subjects.

Of course, the reasons cited for non-implementation ranged from schools claiming not to have qualified teachers to the arts periods being used for more prominent promotional subjects. Many times when we speak we refer to Mathematics and English and Science, which is of course very important, but then a school curriculum is like a menu in a hotel, it must cater for a variety of needs.

There were questions about the curriculum of the art subjects and let me give the following information: The current arts curriculum has been

02 March 2005

**NATIONAL ARTS FUND OF NAMIBIA BILL
HON MUTORWA**

drawn up by NIED's Arts Panel and has been custom-made for the Namibian situation. In order to secure its implementation, the curriculum relies on available skills that are using artistic elements that are found in local culture.

At lower primary, the core art subjects are aimed at developing the basic competencies in visual perception, that is drawing, basic sculpting, cutting, pasting, etcetera. Basic voice and movement training through song and dance and interpretive action, drama, linked with the development of reading skills.

At upper primary the scope for the core as well as specialised modules where the techniques can be taught in greater depth. The compulsory subjects, arts and culture, offered during the junior secondary phase makes provision for a more practical and applied approach to arts. In general terms, the subject celebrates the way the arts are manifested in society, looking at the way people talk, people sing, dance, adorn themselves, dress themselves and entertain themselves. It looks at how story-telling, drama, music, dance and visual arts are integrated into our daily routines, into our traditional and religious rituals and practices, into those things that mark the passage of life and the symbols used. It also looks at the Namibian, the wider African and world situation over the three years of its implementation.

Comrade Speaker, it also teaches practical things like how to conduct interviews, how to run a magazine or compile a newsletter, how to organise a concert or event, how to set up an arts activity, how to make banners, how to make posters and how to advertise events and goods.

At pre-vocational level, the performing arts were integrated because of the concept of Drums or *Ongoma* used in most African traditions. It looks at the close inter-relationship between music, dance and drama and therefore, requires the development of competencies in all those fields as opposed to just one arts form. In some cases, Honourable Members, this is maybe easier to implement, but in many cases, of course, where teachers felt competent in only one of these subjects the interest was lost.

02 March 2005

**NATIONAL ARTS FUND OF NAMIBIA BILL
HON MUTORWA**

At junior secondary level and at ICGSE level the visual arts and design are moulded in the Cambridge examination framework, which demands a very high technical level of art skills.

There were questions about the institutions where arts are offered and subjects and I am glad that the Honourable Attorney General is back, she was very specific on this particular issue. Currently we have the College of the Arts here in Windhoek which enrolls roughly 3 500 students per annum. Then we have three campuses here in Windhoek, including the Katutura Community Arts Centre. The Right Honourable Prime Minister was last year kind enough to officially open that arts centre in the former hostels for migrant workers and I would like to invite the Honourable Members please to go and see how that particular place has been transformed and what activities are taking place in that centre. There are many good things happening there in terms of arts and performances.

Then we also have fifteen satellite centres, served by 65 part-time lecturers in the National Arts Extension Programme, for example in Rehoboth, Outjo, Tsumeb, Rundu, Katima Mulilo, Oshikuku, Ondangwa, Gobabis, Otjiwarongo, Lüderitz, Kalkrand, Keetmanshoop, Swakopmund and Walvis Bay and we also have the National Arts Gallery here in the National capital. We have the John Mwafangejo Arts Centre in the Katutura Community Arts Centre and then we have the National Theatre of Namibia. All these are institutions that have been entrusted with the responsibility to promote and to teach the subject of arts in our schools.

Then Honourable Dr Mbuende raised the issue of the policy. We do have a policy in place and let me just say the following with regard to how this policy was developed. The only thing lacking is the publication of the policy document, but it is in existence and it preceded the drafting of the Bill. It took more than a decade to develop the Arts and Culture Policy. When you deal with the artists, and my good friend Patrick Philander up there will agree with me, artists are creators, they debate, they do not look at things in the same way, but eventually we did manage to have the policy accepted by the Cabinet and on the basis of that policy we have this Bill that we are finalising here.

02 March 2005

NATIONAL ARTS FUND OF NAMIBIA BILL
HON MUTORWA

Honourable Minister Nahas Angula yesterday made very specific comments on Section 14(1) of the Bill and I appreciate the questions that he raised. Let me respond to those questions, Comrade Speaker, as follows:

When one looks at Section 14 of this Bill, this Section is a very essential Clause in the Bill because it states that the Council will be expected to give effect to priorities determined and that these priorities will be reviewed at least once a year. Honourable Minister Angula yesterday talked about transparency and this is where we would like whatever is done by the Council to be done in a fair, transparent and professional manner. It is this Clause precisely, which will ensure that the Council stays intact with the developments and allocate funds to projects and programmes that are regarded as relevant to the time and issues of the day. It makes provision for the Line Ministry responsible for arts as well as other Ministries or other Agencies, bodies or persons to influence the process by advising on the feasibility and suitability of programmes and projects, thus ensuring democratic participation in the process. All these bodies will be free to advise the Council via the Line Ministry on how to determine its priorities, but the Council at the end of the day will still be responsible for the formulation of the criteria. Any Ministry would be welcome to engage in giving advice.

Honourable Minister Angula wanted to know who are these Ministries and bodies. For example, we envisage that the Ministry of Trade and Industry may want to advise on issues pertaining to the marketability of art products and its suitability for import and export. We can, for example, also expect the Ministry of Environment and Tourism to advise on environmental concerns, for example the effect of wood-carving on deforestation or on tourist needs. Even the Ministry responsible for research, such as the Minister of Higher Education, Training and Employment Creation, may be approached to advise on the relationships between arts and science and to do some specific research and at the end of the day the Council will have to take note of all these issues and accommodate them if applicable and if possible.

02 March 2005

**NATIONAL ARTS FUND OF NAMIBIA BILL
HON MUTORWA**

In the same way we can expect art bodies themselves or individuals to, from time to time, express their concerns or state what they regard as priorities to be considered by the Council. It will be their right, it would be necessary for the Council to consider when they do their annual review, and that is what that particular section requires us to do.

In conclusion, Comrade Speaker, I would like to thank the Honourable Members who took the Floor once again and those who did not take the floor for the valuable contributions and in the end, for the overwhelming support for this Bill, which we must pass for the benefit of our arts and our artists.

HON SPEAKER: I thank the Honourable Minister for his reply. I now put the Question, that the Bill be now read a Second Time. Any objection? Agreed to. The Secretary will read the Bill a Second Time.

NATIONAL ARTS FUND OF NAMIBIA BILL

**RESUMPTION OF DEBATE: MOTION ON VIOLENCE
AGAINST WOMEN AND CHILDREN**

HON SPEAKER: When this Debate was adjourned yesterday, the Question before the Assembly was a Motion by Honourable Namises. This Debate was however adjourned by Honourable Member Mr Moongo and I call on Honourable Moongo to take the Floor.

02 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON MOONGO

HON MOONGO: Mr Speaker, Honourable Members, in support of the Motion on the Table, allow me to inform the House that these barbaric methods of rape started a long time ago during the fifties when Namibian workers were working in South Africa and those working at CDM were using such methods. If you stayed away from home for two years and came back home, the people were suspicious that maybe you came with *juju*. (Intervention)

HON YA FRANCE: May I ask the Honourable Member a question? Honourable Moongo, how many contracts have you worked and if so, did you work in South African mines or CDM before?

HON MOONGO: When I was young, I was aware of colonialism and I did not want to do contract work because I was highly politicised by our Colleague over there, Herman Ya Toivo. I was not on contract; I was only one of the persons who feared the other brothers who spent years in Luvingi. When they came back, we were informed by our parents to be careful and therefore, this practice is not new. When they came home, your parents advised us to stay away from those who have been away for years, not like the parents of today who do not advise our children. (Intervention)

HON MINISTER OF PRISONS AND CORRECTIONAL SERVICES: On a Point of Information. I worked on the Honourable Member to be against colonialism, to join SWAPO and to go and fight against colonialism, but what he is talking about now about those who have been working in Livingston, in the mines of South Africa and Oranjemund, there was no such thing in the fifties. This is something, which began in the eighties and the nineties. In the olden days, you heard about a rape maybe once or twice a year, there was no such a thing.

02 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON MOONGO**

HON MOONGO: The Honourable Member has also been in South Africa for quite long, so I do not want to accuse him, but we who never crossed the borders of Namibia, were informed by our parents to be careful of those who went far away for a long time. When he comes back and asks where are our parents, where is our grandmother, then there is suspicion, why is he asking for the grandmother while the grandmother has already passed away. Then you will see he was instructed by the traditional healers to do harm to the grandmother, grandfather or the sisters. Then the suspicion is there.

HON MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: May I direct a question to Honourable Moongo? Honourable Moongo, I see that you have a prepared statement. Is it permissible, in your own judgment, to discard your prepared statement and just talk out of the air? Why do you not read your statement?

HON SPEAKER: I think Honourable Moongo is very, very right. Parliamentarians are not supposed to read, they talk to their papers.

HON MOONGO: Even when the returnees came back home there were also suspicions and fear that maybe they came with some *juju*. People therefore, feared them, it was difficult to integrate them with the brothers, and sisters who stayed here and you know it.

Mr Speaker, that is the reason why people were living in fear, but there was very good control and advice by the parents and the elders and the family had to obey. It is not the same as now where you do not obey the uncle or the parents and therefore, there is no control. (Interjection)

02 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON MOONGO**

HON MEMBER: And the Chiefs?

HON MOONGO: The Chief is even worse, nobody will listen to the Chief, and the people say they were colonisers. (Intervention)

HON DEPUTY MINISTER OF WOMEN'S AFFAIRS AND CHILD WELFARE: Comrade Speaker, on a Point of Order. I think the Honourable Vice-President of the DTA who is also a Headman is out of Order, because we are talking about children who passed away last week and the death of those children were caused by men. You are a Legislator, you are a Headman, you are the Vice-President of an Opposition Party, and today while we are talking about the death of children, you say women do not control their children, or what are you saying?

HON SPEAKER: The one thing that Honourable Muharukua said that I extract out of that long speech is that you must address yourself to the Motion, which is on violence against women and children.

HON MOONGO: I am addressing the Motion because I said that there was enough control during the fifties, but now the people do not want to obey the heads of families. They say we have freedom and therefore, they do not want to accept any advice. That is why the youngsters are leaving the children at home alone and anything can happen to the children. During those times, there was serious control and that is the point I want to make.

Honourable Speaker, to offer a solution, let this Parliament establish a commission consisting of an ex-reverend, a good herbal doctor, a retired lawyer and of course, a Headman to get all the Reports from the Police

02 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON MOONGO

who arrested the rapists, because there were a lot of cases in Namibia and nobody investigated all those reports. It is being put aside and we here are crying all the time. How can we know if you do not investigate? The Police are supposed to know. (Intervention)

HON DEPUTY MINISTER OF LABOUR: May I ask the Honourable Member a question? Can the Honourable Member tell us what an herbalist will do in that commission so that we can understand?

HON MOONGO: Parliament has the duty to select those who are fit to do proper work, because we are facing a serious crime of rape and the killing of women. We want to end it and therefore, if this commission could cooperate with the Police who investigated and knew what happened, they can compile all the reports and give it to Parliament so that we can come up with a tough law in this Assembly to eradicate rape and the molestation of children.

Mr Speaker, there was extreme fear when this *juju* was practised in South Africa. Now freedom has come and there are hundreds of herbal doctors with us now whom we feared that time. They have freedom they have the right to practise their *juju* now.

HON DEPUTY MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: I rise on a Point of Order to remind all those who take the Floor of this one sentence, "*that this Assembly seriously discusses and offer solutions*". The Honourable Member is not taking this discussion seriously and he is not contributing to this very serious issue unless he opposes the Motion. I cannot see how he can do that. Let him please come to a conclusion, but not to make a joke of this serious issue. Your *juju* are jokes.

02 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON MOONGO**

HON MOONGO: Those of us who stayed here heard about it. It can be called rumours, but we heard that in a certain area body parts were found. We heard of a head found along a certain road and you heard about it. Do not deny it. Did you ever send the Police to investigate? Never, and now you are crying here.

HON DEPUTY MINISTER OF PRISONS AND CORRECTIONAL SERVICES:

On a serious Point of Order, Comrade Speaker. Honourable Member, as my other Colleague has said earlier on, is seriously making a joke, diluting a serious subject matter. I wonder if the Honourable Speaker and the House cannot allow the Honourable Member to go and organise his mind well, because as for now, he speaks of Livingston, Johannesburg and the subject matter under discussion is to seriously discuss and offer solutions on the escalating violence against women and children. What is this all about? Are we just here to listen to a confused Honourable Member? If he could just perhaps leave the Parliament to reorganise himself so that when he comes back he is better organised. Otherwise, this is a waste of time, Honourable Speaker.

HON SPEAKER: Honourable Moongo, you heard how your Colleagues feel. Address the issue and submit what you consider possible solutions for the violence against women and children. I thought you were pursuing a line to demonstrate that indeed we have all heard of some rapists who are raping very young children, who are not even girls, who were reported to have done that to cure themselves of AIDS, which is actually a very serious violation. I thought you are maybe moving to that to show the gravity of the situation of these uncontrolled rapists who are destroying our society, but I think you have remained too long on the *juju*, Livingston and Johannesburg. Make a transition.

HON MOONGO: I thought it was wise to find the root causes for rape.

02 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON KATJITA**

What is the root cause?

HON SPEAKER: That is fine, but you did not get to that. Proceed. Get to the root cause.

HON MOONGO: If we find the root causes, it will be easier to stop these deadly rapists. With this, I rest my case.

HON SPEAKER: Let me call on Honourable Katjita to bring the House back to the issue.

HON KATJITA: Thank you, Honourable Speaker. Yesterday I have been listening to all the serious discussions on this very important phenomenon in our Nation and I want to bring some ideas to be considered as solutions as called for by the Honourable Member Namises.

In my opinion, violence is escalating in general in Namibia. Even men are killing themselves more than they used to kill each other years ago and the incidents of rape have escalated. Therefore, when we are talking about the combating of violence, we need to incorporate all the types of violence taking place in our communities. We as lawmakers and decision-makers need to establish goals, which are possible to be reached in the short-term in order to eliminate the evils taking place among us, while we also have some long-term goals that would address the moral issue, because the moral issue will address the behaviour of the person.

Comrade Saara yesterday mentioned the way we were brought up and maybe it is our generation, which was brought up wrongly, where it was said men must be the bosses and women the subordinates. Therefore, it

02 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON KATJITA**

might take a long period to change the behaviour of the Nation.

Causes such as alcohol can be addressed in the short-term. We can address this by establishing a culture of responsible drinking and place restrictions on the operations of shebeens, because right now, they are operating 24 hours and people are murdering each other in the early morning hours and children are raped because the mother came in at 4 o'clock in the morning and is still sleeping. We had such a case in Kalkfeld last year when a baby was raped. We should at least restrict the operations of shebeens and look at where these shebeens are located. Why are not located in business areas? Why are located in the suburbs and how many shebeens should there be in one suburb? It seems to me that presently every second house is a shebeen and that is why our young people have access to shebeens. I have observed some young girls of 13 to 15 years sitting in front of shebeens in their school uniforms and school bags on their way home and I do not know in what condition these children reach home. Maybe she tells the mother she has a headache in order that she can go and sleep, because she is coming from a shebeen at 1 o'clock in the afternoon.

When we had the World Assembly for Youth, a young man from Omaheke Region was interviewed by Radio Herero and he was saying that alcohol is being used as an incentive. Whenever they do something good in their homes, a party is organised and then alcohol is flowing. In addition, for whom is this alcohol flowing? It is not for the mother and the father, but for the youth themselves, because they have to enjoy themselves now. If you pass Grade 12, then alcohol is flowing. If you pass Grade 8, then alcohol is flowing and some of the children invited by their counterparts to these parties are for the first time exposed to alcohol and then they start misusing it and afterwards rapes are taking place.

Maybe we as parents can think of proper incentives when children achieve something instead of giving them alcohol, because this was a cry from the youth themselves.

Many Honourable Members expressed themselves on the myth that people infected with HIV/AIDS can be cured by raping a virgin. We have an

02 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON KATJITA**

organisation, New Start, which is testing people for HIV free of charge and I would like to recommend that the people who rape children must be tested so that we know how many of these rapists are HIV-positive.

We have the Standing Committee on Human Resources, Gender and Community Development, chaired by Comrade Kaiyamo, which also deals with this topic under discussion, we also have our Women's Caucus, and I feel we can use these platforms to invite all the stakeholders in order for us to solve the problem because the Nation is suffering. We can maybe invite the Shebeen Association members, the churches NGOs and the line Ministries, so that we can exchange views and discuss and come up with an immediate plan of action, so that we can take action. Even last weekend a woman (a certain Kaheka) was murdered by her boyfriend in her mother's house. It seems that the boyfriend came to her house, did not find her there and then he followed her to her mother's house and he stabbed her five times with a knife in front of the mother. Therefore, I think it is for us to take action now.

With regard to the legislation that Honourable Namises was talking about, sometimes we as Members of Parliament find in our public hearings that people are talking about problems which are already addressed by other Bills, which means they do not know about the Bills that are supposed to protect them and which are in place already. It would also be good if we as Members of Parliament put our weight behind legal education on Bills, especially the Bills which are meant to protect the Nation against evils such as rape and domestic violence, so that we are not only going to the Nation to solicit information on new Bills, but to go and educate them when new Bills are passed. I recognise the NGOs and the Ministries, which are dealing with the legal education of our Nation, but I feel we should also add our weight behind this so that we cover a broader area of Namibia.

Honourable Speaker, with these few remarks, I rest my case and I support the Motion. Thank you.

02 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON ULENGA**

HON SPEAKER: I thank Honourable Katjita for her contribution. Honourable Ben Ulenga.

HON ULENGA: Honourable Speaker, I also rise in support of the Motion introduced by Honourable Namises on the prevalence of violence in our society and the need to act in such a way as to turn the tide.

Honourable Speaker, I am very pleased that this Motion is being dealt with in an atmosphere of consensus in the House. It is significant that at the time when Honourable Namises was giving notice of her Motion, Honourable Netumbo Nandi-Ndaitwah, Minister of Women Affairs and Child Welfare, delivered a heart-searching ministerial statement the next day, searching in the same way for answers to the questions, which are confronting us as a society. That is fitting, Honourable Speaker, for a Motion that deals with an issue that lies so closely to our hearts and an issue that related to very tragic and sad recent events.

Clearly – and I hear this from the mouth of everybody – the time for political rhetoric on the question of this culture of violence is over. Our approach should be to move not only the House but also the entire Nation towards action that would lead to a cultural transformation. A complete cultural and moral paradigm shift regarding violence is what we must seek to achieve.

I notice that there is an ominous atmosphere of desperation amongst the people. Everyone apparently is at wits end. There are demonstrations on the streets and from the Government, from law enforcement agencies and from us as lawmakers the people demand immediate and serious, earth-moving action that must transform the situation overnight. It is almost as if the members of the public expected the Parliament or the Cabinet or perhaps if the President can only come up with a decree and thus this whole situation would be halted.

However, Honourable Speaker, we are dealing here with an abnormal situation that has taken decades and centuries and we are dealing with a

02 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON ULENGA**

skewed morality, which has become very rooted in our current culture. The violence perpetrated recently on some of the most vulnerable in our society, which included the rape and murder of very small children, is a clear indication that we are dealing with a situation that has gone beyond ordinary crime. We have clearly entered the territory of social pathology. We are dealing with a diseased condition of the social organism.

There is an expression in one of our local languages that says, “*Tashili ekunde omekunde shili*”. Directly translated this means that what destroys the bean lives inside the bean. Our society’s sickness is a particular sickness and I want to refer you to the editorial of a recent *New Era* newspaper, which came out clearly that we are indeed a sickly Nation, very sickly for that matter. Our sickness is violence, we just need to stand up and face it. We are a violent society. Look at our history, all of it is a history of violence throughout all our communities. I know that there are other tendencies and other characteristics as well and I do not want to disagree with Members who have perhaps downplayed this and have seen more significance in other characteristics that may be causes to this kind of situation.

However, I must say, our communities and our culture happily accommodates violence. We just love to shine in the glory of violent arms and the shedding of blood. Our language imageries is full of that fact.

When we talk about human rights, for example, we are quite prepared to give this, to reserve them for our friends while denying them our enemies. When you have made up your mind about a person, then you have made up your mind they do not deserve of any humanistic treatment. The very call sometimes for the reintroduction of capital punishment shows our two-tracked mind about violence, how we would happily use the infliction of pain and the humiliation and the denial of their human rights as a control tool and as punishment to others in society. So, everybody out there agree that we are a sick Nation, but I hope that as soon as we do this, we will not then exclude ourselves from the Nation and consider others to be sicker than ourselves.

02 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON ULENGA**

I hope we all realise that this conclusion is a damning self-diagnosis regarding all of us. No one escaped this indictment, Honourable Speaker. I see that Pastors, Priests and other Religious Leaders are now also on the streets, demonstrating against this sick society. This sick society includes all of us, including them. Politicians march in front, Social Workers, parents, Government representatives, Opposition representatives, the media, human rights activists, but we must remember it is we as a society... (Intervention)

HON DEPUTY MINISTER OF BASIC EDUCATION, SPORT AND CULTURE:

I am really sorry to interrupt such a generally fine presentation, but may I direct one question to the Honourable Member? Honourable Ulenka makes a statement, saying that this is a sick society and he mentions that there are people who are confronting these sicknesses, people who are demonstrating against it, pastors, reverends, whoever, but he includes them in the sick society. Could he just perhaps give a little more of explanation why he does not exclude those who do not participate or have anything to do with these sick acts?

HON ULENGA: Honourable Speaker, my submission is indeed that we as a society are the very core of that sick society. As a society there is just not one that we can exclude. It is us who are sick and not necessarily that individual faceless perpetrator that crouches in the dark alleys. He is only the puss-filled abscess of a sick social body. You know that if you are sick and your body is sick, the puss does not come out of your body. At a certain place there will be some pain and it will look like that particular soft tissue is the only one that is sick, but indeed, when the doctors are through with their diagnosis, you realise that the blood system is poisoned and the abscess will not be all over the body or the blood. Therefore, the perpetrator, the rapist, is compared to that puss-filled abscess of a sick body, which is the entire society.

02 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON ULENGA**

Let me just remind you, when we considered the violence in our society and the steps that need to be taken, I want to remind of you of some important historical facts. I already said that we have a history of war, of social violence and of dehumanisation and I want to specifically take us back to the time of colonialism and apartheid, the era where everybody had a chance of excluding somebody. If you were a *kaffer* you were not human enough because you are a *kaffer*. If you are a *boer*, you are not human enough, you were to be excluded because you were a *boer*. If you are a *Kwangala* – and I hope you will understand me within the context that I am speaking – you were not human enough because people could afford to exclude you and do all kinds of inhuman things to you and so it went on. If you are a woman, you are not human enough and therefore, men could do whatever they like with you, because you could be excluded and if you are a child, worse of all, anybody could exclude you and do all kinds of things to you because you were just not human enough.

We must admit that Namibia has an extreme variety of machismo. Machismo is the exaggerated expression of the worth of the male as opposed to the female. We find it everywhere and I think we do not really want to confront it. Those men and women in our society, the majority of us, believe that men are more important, they are actually more sovereign than women and, therefore, they possess greater powers to do unto others just as they like.

We must also remember that we are very low on caring social values. What I want to point out last, there seem to be schizophrenic ambivalence towards violence. Sometimes we like it or we love it, sometimes we hate it. What makes it worse, Honourable Speaker, is the fact that we are not prepared to be hundred percent honest and hundred percent open about our attitude towards violence. We pretend to be outraged by it, yet at times we are quite prepared to accommodate it. Therefore, we are the very ones perpetrating it.

We are talking about this Motion, seriously trying to find answers to some questions and this came about because recently there were some faceless perpetrators who were caught in the streets of either Swakopmund or Windhoek, having committed murder, killed children and so forth and I

02 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON ULENGA**

agree, it was worth that a Minister stood up and made a ministerial statement and there is a Motion that we are discussing, but we must also remember that when a Government Minister beats up his wife, which fact was widely reported in the local media only the other day, we pretended not to notice. Everyone has continued to rub shoulders, dining and wining together. Again, the other day there was a Permanent Secretary in a Government Ministry who violently beat up his wife and I think the outrage was not that apparent as the case is now.

Honourable Speaker, it may be very hard, given our recent history, to do otherwise, but I think we must now make up our minds how we would like to approach violence. Even our very State organs, including the supposed protectors, our Police, cannot be trusted with a captive. They will physically maim you if you have been with them only for a day. Remember the pictures of a detainee, a former Member of Parliament, a few years ago at the start of the so-called secessionist case in the Caprivi. Remember the pictures when the Police have been with this person only a few days.

Honourable Speaker, I know that this is a sensitive issue and we all try to come up with something constructive. However, Members will still have their way of understanding us and make up their minds.

The other day I was listening to our Head of State who was chiding a local community. What captivated me is that every now and then he kept on referring to *“how we dealt with you at Quito Cuanavala”* and I want to remind ourselves that the other day somebody said something in the media about our National soccer team that continues to be proudly called the Brave Warriors. Recently again I saw an innocent fishing vessel is named Ongulumbashe Star, commemorating at the one hand, but at the same time glorifying our violent history. (Interjection). Oh yes, it is a violent history, we need to face it and live with it.

Honourable Speaker, there is a dangerous ambivalence in the way we sometimes not only justify violence but exalt in it. Look at all our heroes, very few of them are declared heroes because of peaceful deeds that they carried out. It is not only in violence that people can show bravery. Let

02 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON ULENGA**

me give you a small anecdote. (Intervention)

HON ATTORNEY-GENERAL: On a Point of Order, Comrade Speaker. I have carefully listened to the speech of the Honourable Ben Ulenga and based on many of the innuendos that he is using under the cloak of addressing the issue of violence, can I ask him a question? The Honourable Member seems to be finding fault with everything that is called Namibia, be it our Independence, be it the leaders, be it what keeps as proud as a Nation in our heroes. Can he tell me the background of many of the heroes of other countries? Can he tell us from which background they are?

HON SPEAKER: Honourable Ulenga, before you proceed, I think you cast your net too widely, because the context does not make sense. You say the heroes have all picked up arms and that is the reality of the situation for you and I to sit here and now wage peace after having waged the war. I think the Motion is crystal clear, to seriously discuss and offer solutions on the escalating violence against women and children. Some of these rapists have not even seen a battle front, they are just drunkards who have never been outside, so let us not demean that which we have achieved. This is an Honourable House and sometimes I think we go too far. Your assertion to say heroes have waged war is out of order, it is a creation of the State. Which State that you are aware of has not been created out of the conflict to establish order? I am a student of history, I have never come across that literature and you know it very well.

HON ULENGA: Thank you, Honourable Speaker, I must say I appreciate very much the question that came from the Honourable Member and also your amplification on the issue. That is really my quandary that is the question that stands in front of me. I spoke of decades and possibly centuries and we know that we are our history and even

02 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON ULENGA**

though today we are talking about Namibia, it is not very much different from the history of other countries and when we are faced with a situation like this, self-inspection is called for, to look at our situation and we must find answers. (Interjection). Please do not misunderstand me, I am definitely not trying to say that the situation that we are in now is caused because we fought for our Independence. I am not saying that, it is far from that kind of assertion.

I have referred to the dehumanisation that came from colonialism, apartheid, but these have taught us continuously to be able to exclude others and sometimes it comes from other corners as well. So, do not misunderstand me, the fact of the matter is that some people say we are our history, we are what we did socially.

I remember many years ago I have listened to an interview on the radio with a South African general of the old times and he was asked whether he thought it was necessary to examine psychologically the soldiers who were fighting in the war against the liberators in South Africa and he said no, it was completely not necessary.

I was surprised very recently when a Namibian general who was asked more or less the same question in a similar interview and he also said that he did not know that it was necessary to soldiers who have been exposed to war, which is the extremity of violence, that they should somehow be treated and be brought to some other kinds of senses. So, I am only referring to this as an example, there are many other traumatising experiences in our society that we have been exposed to over decades.

Honourable Speaker, the point is, self-inspection is what is being called for now. We must look at what we teach our children in our schools and what our formal curricula impart. Even from the Bible there are sometimes portions which seem to glorify violence and we must know that even if it comes from the Bible, it gets into society and it may end up poisoning society. We need to be very responsible with each and every weapon. Some weapons look like flowers and they can be weapons as well.

02 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON ULENGA

In particular we also need to re-look at the ways in which our young men are introduced to sex and the role of women. I know in our particular culture a small little boy of one year old used to be given a *kierie* as he was being carried on the back of the mother and women always said a man should have a *kierie*, he must be ready to fight. That is something very nice, but it is like a doubled-edged sword, because in the end there is still another reverse side which may not be that pleasant.

Honourable Speaker, I think I have said enough about having to make up our minds about violence as a cultural aspect. That is exactly the point, we need to make up our minds.

Therefore, Honourable Speaker, I shall propose and support a soul-searching National dialogue about violence and all its root causes and I think this soul-searching National dialogue should come in the form of a National conference on violence. We have legislated enough. It is, indeed, as Honourable Katjita said, not an issue that can be resolved by law overnight. So, let us call, united as a House and united as a Nation, a conference as soon as possible and involve all our experts, all our activists, the victims of violence, those parents and everybody else affected, who have to live in the shadow of violence for their whole lives and I can only say, in our society to be able to turn a new leave on this traumatic experience. I thank you.

HON SPEAKER: I thank Honourable Ulenga for his contribution and his specific recommendation. Are there any further discussions? Honourable Gende.

HON GENDE: I Move that the Debate be adjourned until tomorrow.

HON SPEAKER: Are there any objections to the adjournment of the Debate until tomorrow? So agreed. The Debate on this item stands adjourned until tomorrow afternoon. The Notice of Motion is by the

02 March 2005

**RATIFICATION OF CONVENTION
HON DR AMWEELO**

Minister of Works, Transport and Communications, Honourable Amweelo. Does the Honourable Minister Move the Motion? Who seconds the Motion. So agreed. Will the Honourable Minister please take the Floor and Move the Motion?

HON MINISTER OF WORKS, TRANSPORT AND COMMUNICATION:

Thank you, Honourable Speaker, Honourable Members of the National Assembly. It is my honour to motivate the ratification of the Convention on International Interests in Mobile Equipment and the Aircraft Equipment Protocol done at Cape Town, 2001, known as the Cape Town Convention, relating to the Amendment of the Convention on International Civil Aviation, done at Chicago on 7 December 1944 to which Namibia is a contracting State.

Comrade Speaker, Honourable Members, the objectives of the Convention on International Interests in Mobile Equipment and Aircraft Equipment Protocol is to establish a new regime to govern the financing of the acquisition and the use of the aircraft. The aim is thus also to ensure that the lessor's proprietary and related interests are recognised and protected universally.

The Convention on International Interests in Mobile Equipment and the Aircraft Equipment Protocol strives also to provide broad economic benefits to all interested parties. Another incentive for ratification is that South Africa, Canada and Ireland have all expressed their interest in hosting and operating the international registry. Thus, it would be apt that Namibia, in the spirit of solidarity, could join all the sister African states in throwing their weight behind South Africa as Africa comes first. This, however, can only be done if Namibia is a contracting State to the said Convention and Protocol.

In conclusion, it is indeed in the National interest of Namibia to ratify the Convention on International Interest in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on matters specific to Aircraft Equipment. Comrade Speaker, Honourable

02 March 2005

**RATIFICATION OF CONVENTION
HON VENAANI**

Members, I therefore request the National Assembly to agree to the ratification of the Convention in terms of Article 63(2) of the Namibian Constitution. I thank you, Comrade Speaker.

HON SPEAKER: I thank Honourable Minister Amweelo for his motivation. Any further discussions? Honourable Venaani.

HON VENAANI: Honourable Speaker, without wasting much time, we support the Convention because we understand the importance of this Convention. Not long ago we had an incident in our country where two aeroplanes nearly collided in the northeastern part of our country because of lack of equipment and noticing the escalating air traffic accidents, one would wish that our country would equip itself with the needed equipment in order to protect our airspace, so that such accidents cannot be caused in our country.

With these few remarks, Honourable Speaker, we support the Convention.

HON SPEAKER: There not being any further discussion, I call on the Honourable Minister to conclude.

HON MINISTER OF WORKS, TRANSPORT AND COMMUNICATION: Comrade Speaker, I would like to thank *Honourable Venaani* for supporting this very important Convention and I would like to thank the other Members who supported in silence. As Honourable Venaani mentioned, this Convention is very important for safety and I thank you very much for your support.

02 March 2005

ADJOURNMENT

HON SPEAKER: I thank the Honourable Minister for his concluding remarks and I now put the Question, that this Motion be now adopted. Any objections? No objections. Agreed to. The Motion is unanimously adopted. We have come to the end of our business as scheduled for this afternoon and I call on the Right Honourable Prime Minister to adjourn the House until tomorrow afternoon.

RT HON PRIME MINISTER: Thank you, Honourable Speaker. I Move that the adjournment of the House until tomorrow afternoon, 14:30.

HOUSE ADJOURNS AT 16:40 UNTIL 2005.03.03 AT 14:30

ASSEMBLY CHAMBERS
03 MARCH 2005
WINDHOEK

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 Bohitile.

TABLING: REPORTS OF THE AUDITOR-GENERAL

HON DEPUTY MINISTER OF FINANCE: I lay upon the Table, Reports of the Auditor General on the Accounts of:

1. Electoral Commission for the Financial Year ended 31st March 2002; and
2. The Municipality of Windhoek for the Financial Year ended 30th June 2002.

I also lay upon the Table, the Reports of the dg on the Accounts of:

1. Minister of Basic Education, Sport and Culture for the Financial Year ended 31 March 2002;
2. Municipality of Otavi for the Financial Year ended 30 June 2003;
3. Regional Council for Erongo region for the Financial Year ended 31 March 1998;
4. Office of the Attorney-General for the Financial Year ended 31

03 March 2005

**TABLING OF REPORTS
HON BOHITILE**

March 2003;

5. Ministry of Agriculture, Water and Rural Development for the Financial Year ended 31 March 2002;
6. Office of the Prime Minister for the Financial Year ended 31 March 2002;
7. Regional Council for the Hardap Region for the Financial Year ended 31 March 1998;
8. Ministry of Foreign Affairs, Information and Broadcasting for the Financial Year ended 31 March 2002;
9. Municipality of Henties Bay for the Financial Year ended 30 June 2003;
10. Village Council of Leonardville for the Financial Year ended 30 June 2001;
11. Regional Council for Caprivi Region for the Financial Year ended 31 March 1998;
12. Ministry of Fisheries and Marine Resources for the Financial Year ended 31 March 2002;
13. Ministry of Trade and Industry for the Financial Year ended 31 March 2002; and
14. Omaheke Regional Council for the Financial Year ended 31 March 1998.

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

03 March 2005

**NOTICE OF QUESTIONS
HON MUCHILA**

NOTICE OF QUESTIONS

HON MUCHILA: Honourable Speaker, I give Notice that on Thursday, 10th March 2005, I shall ask the Honourable Minister of Works, Transport and Communication:

1. Is the Minister aware that the Linyanti-Sangwali-Kongola Road has not been renovated since Independence and that it has claimed so many lives, including the latest accident in which the Governor of the region was involved?
2. What plans does the Honourable Minister and his Ministry have to ensure that maintenance works are done to avoid unnecessary loss of lives or what are the possibilities to tar to 140 kilometres of road?

HON MUCHILA: I give Notice that on Thursday, 10th of March 2005, I shall ask the Honourable Minister of Health and Social Services:

1. Is the Honourable Minister aware that for the past two weeks some clinics and health centres in the Region, such as the Katima Mulilo Clinic, the Lisikili Clinic, Ngoma Clinic and Bukalo Health Centre, did not have power?
2. Shall the Honourable Minister kindly shed some light on why it is so and what measures are they going to put in place to ensure that innocent patients do not suffer?

HON MUCHILA: I give Notice that on Thursday, 10th March 2005, I shall ask the Honourable Minister of Agriculture, Water and Rural Development a question regarding the Katima Mulilo-Linyanti water pipeline.

03 March 2005

**NOTICE OF QUESTIONS
HON MUCHILA**

1. Is the Honourable Minister aware of the fact that this very important project always resumes construction work at every election and stops immediately after elections are over since it started about six years ago?
2. Can the Honourable Minister give an indication as to when this very important project shall be concluded, because water is life?

HON MUCHILA: Honourable Speaker, I give Notice that on Thursday, the 10th of March 2005, I shall ask the Right Honourable Prime Minister a question with regard to the Caprivi Flood Disaster Fund.

1. Shall the Right Honourable Prime Minister enlighten us on how much was spent, including donations that were collected locally and internationally?
2. Shall the Right Honourable Prime Minister provide a summary breakdown of how much of the total be spent directly on the flood victims in terms of providing food, materials and other assistance?
3. How much of the difference was spent on subsistence and travel allowances and other allowances, which were paid directly to the officials?

The reason for my questions, Right Honourable Prime Minister, is that there is an outcry in the Caprivi Region...(Intervention)

HON SPEAKER: Honourable Muchila, put your question, you may not make a statement.

03 March 2005

**RULING BY SPEAKER
HON N ANGULA**

HON MUCHILA: My question to the Right Honourable Prime Minister is: Is it true that funds that were intended for this project, has been directed to enrich the officials because right now they are acquiring luxury vehicles?

HON SPEAKER: Honourable Muchila, if you answer your questions in the process, they will be disqualified because you have provided answers to them.

HON SPEAKER: Will the Honourable Member please table the Questions? Are there any further Notice of Questions? Any Notice of Motions? Ministerial Statements? Before we go into the business of this Chamber as scheduled for this afternoon, I want to remind the House of an advisory opinion that I gave yesterday. Having been very reliably informed by the Political Parties represented here that indeed any Bills that have not been motivated would have to be taken off the Order Paper, this however does not under any circumstances exclude a particular Bill that has been tabled as a burning existing need that cannot wait. That justification, however, has to be given. It does not need to be given to me, but it has to be given to the collective Floor managers of this Chamber. Honourable Minister Angula.

HON MINISTER OF HIGHER EDUCATION, TRAINING AND EMPLOYMENT CREATION: I thank you, Honourable Speaker, for your kindness. I am put in a very difficult situation by the Ruling, which was made in my absence. I was tasked and entrusted by the Head of State to table a Bill here for the establishment of a National Youth Service and the National Youth Service Fund. As you recall, there was a Bill of similar nature here in Parliament and it was withdrawn for technical reasons. Honourable Pretorius the other day asked the Prime Minister

03 March 2005

**RULING BY SPEAKER
HON N ANGULA**

under which law does the National Youth Service function and he was right because the Service functions only under Cabinet resolution.

Now we are talking here about a group of young people in some form of formation and they need to be guided by a legal framework and this is what I tabled here the end of last month and I am rather taken aback that the Bill is not on the Order Paper. I am ready to motivate it right now once I have tabled it and I am just begging this House for its indulgence to ensure that this Bill be passed in this House in the interest of the youth of Namibia. Thank you.

HON SPEAKER: The appeal made is to the House, asking them to make an exception for this one Bill and of course, exception means that. We cannot have an exception today and have an exception tomorrow. That would be doing a disservice to what we are trying to do. I take it that the Whips with whom I have negotiated have no objection to the request of the Honourable Minister and that being the case, that exception will then be made. This will be brought back on the Order Paper. That is the Ruling. Today being Thursday, we will commence with questions. Question 6 as put by Honourable Member Pretorius to the Minister of Regional and Local Government and Housing. Does the Honourable Member put the Question?

RESPONSE TO QUESTIONS

QUESTION 6:

HON PRETORIUS: I put the Question.

03 March 2005 **RESPONSE TO QUESTION BY HON PRETORIUS
HON KAAPANDA**

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT
AND HOUSING:** Honourable Speaker, Honourable Members, allow me to use this opportunity to respond to the questions raised by Honourable Kosie Pretorius of MAG on the issue pertaining to traditional matters.

In his two questions, Honourable Pretorius asked me to give clarity on the Right Honourable Prime Minister's statement last year at the Council of Traditional Leaders' Conference when he appealed to them to confine themselves to their own domains. In this regard, the Honourable Pretorius wanted to know whether traditional leaders should only concern themselves with cultural activities or should these all include geographical areas of jurisdiction or not? If so, how are the latter geographical areas of jurisdiction determined?

In responding to Honourable Pretorius' questions, I wish to say that Traditional Authorities are creations of statute in terms of Article 56 of the Namibian Constitution. The Traditional Authorities Act clearly defined the domains of the Traditional Authorities as being the duties, powers and functions of traditional leaders, conferred upon them by Act 25 of 2000, the Traditional Authorities Act.

Cognisant of the fact that one of the requirements for the Traditional Authorities is the geographical area of jurisdiction of that traditional community. However, the geographical area of jurisdiction of any Traditional Community in Namibia has to be in accordance with the customary land rights as stipulated in the Traditional Authorities Act that I have just referred to above. Therefore, suffice to say that the domain that the Right Honourable Prime Minister talked about relates to the powers, duties and functions and any other such matters referred to by the Act 25 of 2000. I think it is clear.

In addition to that, I brought with me some copies of the Traditional Authorities Act just for the Honourable Members to refer to in case they need more information on traditional matters. I thank you, Honourable Speaker.

03 March 2005

**RESPONSE TO QUESTION BY HON ULENGA
HON DR A IYAMBO**

HON PRETORIUS: In the first place I want to thank the Honourable Minister for the answer and that he indicated very clearly that the geographical areas are according to customary land rights. I also want to thank him for the documents, but I have the documents. The only document that I do not have is the one demarcating the borders of these Traditional Authorities and I want to know whether it is possible that I will have it.

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT
AND HOUSING:** Honourable Speaker, the Honourable Member is asking for a document defining the demarcating the borders of Traditional Authorities. The answer is no, we do not have that. We only have documents that contain the political boundaries of our Regions.

HON SPEAKER: I would like to thank Honourable Kaapanda for his response to the questions put to him. Question 11 is put by Honourable Ulenga to the Minister of Fisheries and Marine Resources. Does the Honourable Member put the Question?

QUESTION 11:

HON ULENGA: I put the Question.

HON MINISTER OF FISHERIES AND MARINE RESOURCES:
Comrade Speaker, I did not see the question, but I will attempt to answer.

Question 1 is: What are the causes of economic and financial problems being experienced throughout the Fishing Industry?

03 March 2005

**RESPONSE TO QUESTION BY HON ULENGA
HON DR A IYAMBO**

Honourable Speaker, the problems are many, both of external forces as well as of internal forces in terms of competitiveness and the different products of the industry. What is faced by the fishing industry is faced by all export oriented industries. I am here referring to fisheries as well as agricultural products, particularly beef, as well as minerals.

I mentioned that the problems are so many and I will start with the vagaries of nature, referring here to the mystery of environmental degradation. What we find at the moment is that the stocks are in good shape, but the size of the fish caught at the moment is intriguing. Hake in particular is normally caught at a certain depth where it survives, as other species such as monk, mainly around 500 to 700 metres depths where you catch that fish.

What we are finding now is that many of the captains are catching at a very awkward depth of around 200 to 300 metres, which is meant mainly for pelagic species, such as pilchards, anchovies, etcetera, as well meant for the young fish, particularly for the juvenile hake, which are found at this depth for biological reasons.

We are also finding a lot of the bigger fish at a depth of around 800 to 900 metres which is more appropriate for the deep water species, particularly Alfonsino as well as Orange Roughy and some of the larger pelagic fish, referring mainly to swordfish as well as tuna, but that is where we are now finding the bigger hake. Some of the captains of a few companies are getting only the big fish and it depends on knowledge as well as bravery for you to attempt to get fish at different depths. It is a global phenomenon, which is experienced by all scientists in the world, not only Namibia. We are asking ourselves why the fish are sometimes so small and why the small hake, in particular, are bearing eggs at a very small size. The questions are: Are these adults, which have stopped growing or are these children bearing eggs? A lot of these very small fish are bearing eggs and these eggs which are normally supposed to be round, as one sees with respect to caviar, are soft and to some extent watery. The offspring will not be able to survive in such an environment and the question is, what is happening?

03 March 2005

**RESPONSE TO QUESTION BY HON ULENGA
HON DR A IYAMBO**

Many scientists across the globe are asking whether it has something to do with the food chain of the fish. In Canada, many studies are being conducted and they have found that the food chain has to some extent changed. Whether it has to do with global warming, particularly because of the anoxic conditions of lack of oxygen, particularly at the bottom of the sea, is a question that we are asking ourselves.

With respect to rock lobster, for the last four years they have not been able to catch more than 40% of their quotas, particularly because of a very, very strong up welling around Lüderitz and because of the market, which is at the moment flooded in Japan. Japan is mainly our key market because of the smaller size of our rock lobster, while other markets are asking for the bigger size and the Japanese market is now heavily inundated with very cheap products. That is in terms of the environmental issues.

The fish are there, but the issues of depths defies the knowledge that we have about the sea and that is why at the moment we are trying to assess by means of a survey which we have at the moment to see what is the hake at a depth of around 2,000 metres, that is two kilometres. We are finding that at around 800 to 900 metres there are quite a lot. Therefore, the economics is part of that one, hence you have too many small fish and the market requires bigger fish.

Another issue is the exchange rate. The exchange rate is supposed to have both a negative as positive ramifications to the economy. Those involved in the retail trade and the industry are supposed to buy equipment and machinery cheaper overseas because of the cheaper dollar, but it also has serious negative repercussions for the fishing industry as well as all export industries because of the exchange rate. Our export market is particularly the USA for deep-sea fisheries as well as Europe and Japan for hake, monk, crayfish, tuna, crab and swordfish. With the Yen we are not that much affected, we are not so much worried either about the USA Dollars, it was even worse at times. When there was no Euro, we were using more the USA Dollars as well as money of specific companies of Spain and we were surviving.

03 March 2005

**RESPONSE TO QUESTION BY HON ULENGA
HON DR A IYAMBO**

The main problem, therefore, is the prices as they stand in the markets now. The other problem is the price of crude oil. The Fishing Industry mainly uses oil and many of the engines at the factories are using a lot of fuel of a different nature. When we look at the calculations, there has not been a dramatic increase in the price of oil and what we see is more the markets.

One of the main critical reasons why the fishing industry is experiencing problems mainly the labour force, not Namibians, Namibians are not paid that much, but the management of some companies are bloated. One some vessels you find more than seventy crewmembers of which only one or two are Namibians. The three cooks are foreigners, some of the cleaners are foreigners and when you are chartering this vessel, in most cases the costs are transferred to many Namibian companies. You have to pay the insurance of that vessel, the salaries of the people as well as for the oil, etcetera. The chartering fees are quite expensive.

Another reason is the maintenance of these vessels. Many of the vessels in the Fishing Industry are around thirty to forty years old with the exception of the one that was acquired by Etale Fishing and baptised by the President-elect two weeks ago.

I am saying that the problems are many, I can continue, but it is better to leave it there for the moment and we continue at an appropriate time on what the problems are, both biological, economic and issues of trade and sometimes also inefficiency in terms of diversification of our markets. There is so much complacency, not only in fisheries, but all industries seem to be too much complacent, that if I happen to secure a certain market, I will remain with that market in good and bad times and I do not consider other markets.

Question 2: *“How many jobs have been lost in the Fishing Industry?”* I do not have a figure now. When the time comes, we need to look at a bigger picture. We may need to look at the other supporting industries of the Fishing Industry – engineering and other industries, how much we have lost in the process.

03 March 2005

**RESPONSE TO QUESTION BY HON ULENGA
HON DR A IYAMBO**

“How many more jobs are expected to be lost?” On that one, I do not have an answer as well, but it would not only be direct jobs, it will even be some industries far away from Walvis Bay and Lüderitz, because they are dependent on that industry. Even those who are supply the different ingredients used in the factories or supporting in terms of materials are likely to be affected. It is a bigger picture that we should all look at, it is an issue that is beyond our own control.

The last question: *“What the Government has undertaken to do to save the jobs?”* The Government is seized with all these issues of economic survival. Two days ago, Cabinet deliberately, through its collective wisdom, considered what the industry has submitted to the Government as part of short-term relief measures and through its collective wisdom and soberness, they decided that we need to take a more incisive approach and see exactly what is humanely possible, what is within the power of the Government and what is more pure business arrangements. There have been some inefficiency with many institutions, not only fisheries, and we do not want to reward inefficiency. We want to award and assist those whom we knew are true performers, but were just caught in the crossfire because of international trends and what is currently taking place in the world.

We are going to look at the short-term relief measures such as quotas, issues of uncaught fish and caught fish, whether they should pay or not, issues of fuel through NamPort, because they have to pay tariffs. There are issues of other enterprises, the different utilities in terms of water and electricity as well as payment in instalments. However, we have to look at everything with sober minds to ensure that we do not add to the deficit of the country, that we do not reduce revenue to the country. Therefore, Cabinet has established a Technical Committee composed of different institutions to see how we can assist them. However, we look at this more as a temporary type of issue, based on the exchange rate and economic trends and it has nothing to do with the stock.

You have heard about the liquidation of Lalandi. The Government has met with the management as well as with the liquidators just to get the picture, which technically means it is a provisional liquidation, which is

03 March 2005

**RESPONSES TO QUESTION BY HON ULENGA
HON DR A IYAMBO**

indirectly judicial management, meaning the liquidators, in line with the directives from the High Court, will be in charge. Hence, all the workers are still working, they are not in the street, but if there are compelling reasons that liquidation should go ahead, then we will be able to reassess the situation.

At Cadilu, the workers were retrenched and they sent a letter to Government two days ago that NAFAU and Cadilu management have agreed that 125 workers will be retained and would assume their duties on the 2nd of March.

With respect to Blue Ocean Products (BOP), we have met with the management, the shareholders and the funders. They have made a commitment to Government that come the 1st of May when next hake season starts again, then they will reopen the company.

I want to end by saying that whatever happens, Government should have the responsibility to ensure that all the workers at Lalandi and Blue Ocean are accommodated. If Lalandi is not there, the fish will be there and the companies will be requested to accommodate them. I will end there and I rest my case.

HON SPEAKER: I thank the Honourable Minister for his comprehensive answer to questions put to him. Question 14 is put by Honourable Member Mr Moongo to the Honourable Minister of Basic Education, Sport and Culture. Does the Honourable Member put the Question?

QUESTION 14:

HON MOONGO: I put the Question.

03 March 2005

**RESPONSE TO QUESTION BY HON MOONGO
HON WENTWORTH**

HON DEPUTY MINISTER OF BASIC EDUCATION, SPORT AND

CULTURE: Comrade Speaker, parts 1, 2 and 3 of the question deals with one topic, therefore I will respond to them together. Food provision in all Government school hostels is contracted to catering companies, which provide the needed quantities as per a set uniform menu for preparation by the kitchen staff of the Ministry in every hostel. Equal portions are then served to all the boarders. This is a standardised provision across the country. Therefore, should there be a case of starvation in a hostel in the North, it should also be the case in any other Region because the same uniform menus are given throughout the country, unless of course the Honourable Member refers to a different category of hostel which falls outside the jurisdiction of the Ministry of Basic Education, Sport and Culture, such as community hostels or private hostels. It would be much easier if the Member could give the name of the hostel where this supposed starvation took place.

All Regional offices in the North were contacted, they contacted all the hostels and there is not a single hostel under the jurisdiction of this Ministry where there is a case of starvation.

Response to parts 4 and 5: All the Grade 10 learners from the formal system, in other words all the Grade 10 learners in schools last year, 2004, who passed Grade 10, in other words who achieved 23 points and the minimum of an F in English and who applied for a place in Grade 11 have been accommodated in Grade 11 in schools in Namibia in 2005.

More than 800 NAMCOL learners who passed Grade 10 and applied for a place in Grade 11 have been accommodated in the formal system in Grade 11 in 2005. Therefore, all those in schools who passed and applied for a place, plus 800 from NAMCOL, are now accommodated in Grade 11. Although not the favourable option, some secondary schools in Namibia introduced the platoon system in the afternoons to accommodate Grade 11 learners.

With particular reference to the question regarding age, according to the regulations of the Education Act of 2001, Subsection 23(5): *“A person who is older than 21 years of age may not be admitted to any grade in a*

03 March 2005

**RESPONSE TO QUESTION BY HON GENDE
HON SMIT**

State school unless such person had already been enrolled in a State school the previous year and was promoted to the next grade.” Such persons, 21 and older, should rather be admitted at adult education referred to in Section 67 of the Act. The only learners younger than 21 years that might be without a school are former NAMCOL students. If there are Grade 11 learners who are not in school, it could possibly be NAMCOL learners.

Lastly, why are Grade 12 learners without a place in a school? NAMCOL students cannot be admitted to a school in Grade 12 because the Cambridge Grade 12 is a two-year course and learners only enter the formal senior secondary phase in Grade 11. I thank you, Honourable Speaker.

HON SPEAKER: I thank Honourable Wentworth for his response. Question 16 is put by Honourable Gende to the Honourable Minister of Agriculture, Water and Rural Development. Does the Honourable Member put the Question?

HON GENDE: I put the Question.

HON MINISTER OF AGRICULTURE, WATER AND RURAL DEVELOPMENT: Honourable Speaker, Honourable Members, please allow me to answer questions 1 and 2 together as well as 3 and 4 together.

Question 1 asked whether the Ministry is aware that Meatco pays its workforce according to racial groups, irrespective whether they occupy the same positions in the company and secondly, whether the Ministry is also aware that this company pays its workforce according to sectors or Regions, for example, North, Central and South and also that each of these sectors have been divided into North for racially disadvantaged salaries

03 March 2005

**RESPONSE TO QUESTION BY HON GENDE
HON SMIT**

and another North for racially advantaged persons.

Honourable Speaker, all Meatco positions are graded according to the Patterson Job Evaluation System and salaries are paid in accordance to that. There are no salary scales in place although minimum salaries per job grade were introduced in the beginning of 2003. Honourable Speaker, I believe the misperception is that a factory that slaughters 10,000 animals per annum is on the same level than a factory that slaughters 70,000 to 80,000 animals per annum and that is where the Patterson Evaluation System comes in and where you get the difference at the end of the day.

Questions 3 and 4: Can the Minister provide this august House with the salary scales for the different positions and can the Minister confirm or deny whether it is true that these different salary scales according to racial groups have been approved by Government.

Honourable Speaker, unfortunately I cannot give the salary scales and secondly, it is against the Constitution, the policies and laws to discriminate on racial basis, so it is not possible for Government to approve this.

Honourable Speaker, Meatco is a company with a Board which is responsible to approve or disapprove the Patterson Job Evaluations with the salaries and then in addition to that, a summary of the remuneration within Meatco is submitted to the Employment Equity Commission on an annual basis and the Commission is the responsible body within our structures to ensure that Meatco does not discriminate against any person, it does not matter on what ground.

Honourable Speaker, I believe that with all these checks and balances between the board and the Equity Commission, we can be assured that Meatco pays its people according to the rules of the Government. Thank you very much.

HON GENDE: I would like to know from the Honourable Minister why it is so that in the North where the North is divided into racially and

03 March 2005

**COMMITTEE STAGE: NATIONAL ARTS FUND
OF NAMIBIA BILL
HON WENTWORTH**

disadvantaged and advantaged, persons occupying the same position of procurement officers receive different salaries. They are in the same category but because the one is black and the other one white, they are paid different salaries. Why is this, the case?

HON MINISTER OF AGRICULTURE, WATER AND RURAL DEVELOPMENT: Honourable Speaker, I believe I have explained the way that Meatco salaries are being determined and I would like to have the proof in my hand of what the Honourable Member is saying and I will definitely take it up if that is the truth because that is unacceptable. I thank you.

HON SPEAKER: I would like to thank the Honourable Minister for his response. I ask the Secretary to read the First Order of the Day.

**COMMITTEE STAGE:
NATIONAL ARTS FUND OF NAMIBIA BILL**

HON SPEAKER: Does the Honourable Minister of Basic Education, Sport and Culture Move that this Assembly now goes into Committee?

HON DEPUTY MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: I so Move, Comrade Speaker.

HON SPEAKER: It is moved that I leave the Chair. Any objections?

03 March 2005

**THIRD READING: NATIONAL ARTS FUND
OF NAMIBIA BILL
HON WENTWORTH**

Who seconds the Motion? Agreed to. I shall call on the Chairperson of the Whole House Committee, Honourable Willem Konjore, to take the Chair.

ASSEMBLY IN COMMITTEE:

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: The Committee has to consider the National Arts Fund of Namibia Bill.

Clauses and the Title put and agreed to.

ASSEMBLY RESUMED:

Bill reported without Amendment.

**THIRD READING NATIONAL ARTS
FUND OF NAMIBIA BILL**

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

**HON DEPUTY MINISTER OF BASIC EDUCATION, SPORT AND
CULTURE:** I so Move, Honourable Speaker.

03 March 2005

**THIRD READING: NATIONAL ARTS FUND
OF NAMIBIA BILL
HON WENTWORTH**

HON SPEAKER: Any objections? Who seconds this Motion? So agreed. Any further discussions? There being no indication of a Member wishing to take the Floor, may I revert the Floor back to Honourable Deputy Minister Wentworth to make concluding remarks?

HON DEPUTY MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: Comrade Speaker, I wish to thank all those who participated in this Debate and contributed to the better understanding of the Bill. I also wish to thank the entire House for treating this as a national issue and not a political issue and I wish to thank everyone for seeing this Bill as the serious measure, which is required to address arts and culture in Namibia. May I just in closing remind all Honourable Members of the invitation by His Excellency the President to join him on Saturday morning at the Independence Stadium? There is no charge for admission and we expect as strong a representation from this august House as possible. I thank you, Comrade Speaker.

HON SPEAKER: I thank the Honourable Deputy Minister for his concluding remarks. I now put the Question, that this Bill be read a Third Time. Any objection? So agreed. I call on the Secretary to read the Bill a Third Time.

NATIONAL ARTS FUND OF NAMIBIA BILL

**RESUMPTION OF DEBATE: MOTION ON VIOLENCE
AGAINST WOMEN AND CHILDREN**

03 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON GENDE**

HON SPEAKER: When this Debate was adjourned yesterday, the Question before the Assembly was a Motion by the Honourable Member Ms Namises. The Debate was adjourned by Honourable Gende who now has the Floor.

HON GENDE: Thank you very much, Honourable Speaker, Honourable Members of this august House. I am rising to air my views on this very serious Motion under discussion as tabled by Honourable Namises.

Honourable Speaker, very, very important issues were raised by all previous speakers in the Motion since it was tabled in this House two weeks ago. My contribution will also try to do justice to this very important Motion.

When I grew up during the fifties and sixties, I was told by my parents that when you rape a woman, your punishment by the Traditional Leader of that time, could only be the death penalty. There were no other options. Honourable Speaker, only one question was put to you and if you confirmed that you who have done it, they do not waste time. That is why during those days you hardly heard about the raping or killing of innocent people, whether women or children.

The current state of affairs of the raping of babies and killing of innocent women – although not all women are innocent at all – is something new on the horizon of the Namibian soil. We as Namibians or legislators of this Nation need to urgently look into ways and means as to how to address this very serious issue in our country.

As a father and a man, for that matter, I feel ashamed to walk on the streets of our towns and villages because of what has been happening in our beloved country since Independence. Some men have become senseless animals, while animals have changed into human beings. Some of the so-called men have totally lost control over their own behaviour and as a result all of us as men... (Intervention)

03 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON GENDE

HON MINISTER OF HIGHER EDUCATION, TRAINING AND EMPLOYMENT CREATION: On a Point of Order. Is it allowed for an Honourable Member of this House to declare all the animals as being cruel, including my cat and my dog? Is it allowed?

HON GENDE: Honourable Mr Speaker, some of men have totally lost control over their own behaviour and as a result, all of us as men are now being blamed for their wrongdoings. I cannot believe that a normal person will blame alcohol as the cause for the total change of his behaviour and as a result, commit inexcusable criminal acts against their own babies as well as killing of women in this country. (Intervention)

HON DEPUTY MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: May I ask my dear friend, the Honourable Member, a small question? I was impressed when the Honourable Member mentioned that he is also speaking as a father. If you are a father of a child, whether that child reaches the age of 50 or 60, 30 or 40, you are still the father. How do you feel about your married daughter being beaten up by her husband? Do you as the father feel that you too should do something about that? It is still your child, that is being beaten up by your son-in-law or should you just say, "*You are married now, that is your husband, if he wants to beat you up it is okay*". How do you feel about that, just your personal feeling?

HON GENDE: I will come to your question later. Honourable Mr Speaker, a lot has been discussed about the roles and functions of a very important institution and a permanent institution, for that matter, in our beloved country. This is the institution of the traditional leaders. Whether we like it or not, at Independence our Government has also joined the colonial regime, trying to put up mechanisms to control the workings of the institution of the traditional leaders. Right now most duties, if not all, which used to be handled by this institution has been taken away through

03 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON GENDE

this legislation in this august House. (Intervention)

HON ATTORNEY-GENERAL: May I ask the Honourable Member a question? Comrade Speaker, the Honourable Member made a statement that the Namibian Government joined the colonial regime by taking away the duties of the traditional leaders. Does the Honourable Member know that this Government and the Constitution of the Republic of Namibia have recognised traditional leadership and as such, have facilitated that Traditional Leaders have what is called a Council of Traditional Leaders which is a legal institution in this country. Does he know?

HON GENDE: Honourable Speaker, I think the Honourable Member knows that we started here together and I know that the Council of Traditional Leaders is only there to advise the President on matters concerning land and culture. That is what I know, not the rules and functions amongst their own people.

Honourable Speaker, I only wanted to demonstrate that as long as we are trying to prescribe to the institution of traditional leaders and limit their environment under which they have to operate amongst their people, the crime rate would never go down. Even if Honourable Jerry Ekandjo puts a Police Officer at every metre in all the villages of our country, we will not combat criminal activities in this country.

Honourable Speaker, Honourable Members of this august House, I am of the opinion that the time has come for this august House, together with the Regional Councillors, Traditional Leaders, Church Leaders and NGOs to organise conferences up to village level to address these shameful evils in our beloved country. I am also calling upon the Justice Minister to speed up the implementation of the Community Courts countrywide, with additional powers and functions to these courts to deal with the current escalation of the crime rate in our country. I do not think for a moment that demonstrations alone will do anything to this matter in order to bring

03 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON GENDE**

everlasting changes in the minds of some senseless men in this country. They need to be brought to book, not to be jailed and to be fed three meals a day with coffee and tea-breaks in-between. They need to be punished for their deeds.

Honourable Speaker, as one of the founding fathers and mothers of this Nation, I personally do not think that it is the right time for the call for the reintroduction of capital punishment or the death penalty in this country. Let us first try other options before we look into amending our Constitution.

Mr Speaker, the rape and killing of toddlers and women, which includes the late Rachel and Manuela three weeks ago in Katutura and Swakopmund, respectively, cannot qualify to be called rape *per se*, but should rather be called the brutal killing of children. Honourable Members, we all know that a child at the age of three years does not even know her body parts. She does not have any feeling of any sexual intercourse with anybody at all. What makes it more serious is the fact that this senseless murderer of Rachel in Swakopmund, after doing all these actions, then took the child at her legs and smashed her against a pillar to kill her finally.

Mr Speaker, it is my belief that it is now where this senseless murderer forfeited all his human rights as guaranteed by our Constitution. It is at this point, where this murderer should be refused bail and appeal opportunities to any Court in this country.

Honourable Speaker, Honourable Members, women as well as our own daughters are saying that they do not trust us as men anymore, including their own husbands, brothers, uncles and everybody who is a man. The question is where this lead would if your own family does not trust you anymore. You cannot leave your child with your neighbour, even with your brother. You cannot leave him alone in the house, when you come back somebody is bleeding.

To conclude, Mr Speaker, let me reiterate what I have previously proposed concerning the organising of conferences up to village level,

03 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON LUCAS**

including all stakeholders. This is a very serious Motion and we therefore, need to address it with the seriousness it deserves. I thank you, Honourable Speaker, and I support the Motion wholeheartedly.

HON SPEAKER: I thank Honourable Gende for his contribution to this serious discussion. Honourable Lucas.

HON DEPUTY MINISTER OF FOREIGN AFFAIRS: Comrade Speaker, Honourable Members of Parliament, I rise to add my voice to the Debate on the violence against women and children in the Namibian society.

Comrade Speaker, I could not agree more with many of my Colleagues in this august House who earlier stated that our society is sick and a cure must be found before it is too late. Namibia is a signatory to many international treaties and conventions and these instruments contain provisions to protect women and children from all forms of violence, economic exploitation, physical and sexual abuse, degrading treatment and punishment, to mention a few.

There is a tendency in Namibia by some violent men, rapists and murderers who are saying that, *“women and girls who are sexually abused call it upon themselves by the way they dress”*. Comrade Speaker, this is a silly statement because when babies are being raped, Namibia is no longer a safe place for women and children.

As we slowly emerge from an era of oppression, an era of exploitation of men by men, an era of great suffering and discrimination based on colour, race, name it, we need to continue our journey of building institutions that will help in minimising the possibility of any injustice committed. All sectors of our society have to be involved, we have to join hands to develop programmes, share information and research that will halt the

03 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON JOOSTE**

violence against women and children that has deeply penetrated our society.

Comrade Speaker, when the Bill on the Combating of Domestic Violence against women and children was introduced and finally passed in 2003 by this Honourable House, the Namibian women and children out there were ululating, hoping that an everlasting solution to these evils have been found, but practically this tends not to be the case. It is a well-known fact that women and children of our times are surrounded by many challenges. In times of war, women and children end up being victims. With the escalation of HIV/AIDS, women are dying in big numbers as opposed to men and children become orphans as a result.

Comrade Speaker, I would like to conclude by quoting Unity Lobes, an African child who wrote: *"I call and no-one answers, I lie down but I do not rest"*. This message is directed to some Namibian men who are finding it difficult to change their attitude and behaviour to provide an answer when called upon to do so.

With these few remarks, Comrade Speaker, I rest my case and I thank you.

HON SPEAKER: I thank Honourable Deputy Minister Lucas. I now recognise Deputy Minister Jooste.

HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING: Honourable Speaker, they are correct. It is a maiden speech. I was always hoping for a truly controversial issue to come up to make full use of the privilege of your protection during the maiden speech, but I find that the clock and the calendar are not stopping, so I will use this opportunity.

Honourable Speaker, I rise to contribute to this Debate to discuss and offer solutions to the escalating violence against women and children. Comrade

03 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON JOOSTE

Speaker, I have good news and I have bad news. The good news is that this particular disease, as we are calling it now, is not isolated to Namibia alone. These vile acts of violence occur in every single country on the face of this earth, whether they are highly developed, industrialised countries, or the so-called Third World countries. The bad news is that this is no excuse for these acts to occur in our country, as they violate our Constitution and it is our duty to address and rectify this unacceptable situation, as we are doing now.

To illustrate the occurrence of this global epidemic, I have some interesting statistics, which I want to read to the House to illustrate two points I want to make. I know the Motion says that this is for this issue in our country, but I will bring everything together after a while.

In parts of Papua New Guinea, 67% of women are victims of marital violence. In Bangladesh, half of the 170 reported cases of women murdered between 1983 and 1985 took place within the confines of the family. In the United States, a woman is beaten every 18 minutes. Between 3 million and 4 million are battered each year, but only one in 100 cases of domestic violence is ever reported. In Colombia, about 20% of the patients in Bogota Hospital were victims of marital violence. In India – this is my favourite one – five women are burnt in dowry related disputes each day according to the official figures, although the number estimated by activist groups are much higher. In the United Kingdom, one in three families is a victim of assault and one in five, victims of serious assault according to a recent report by the Home Office of that country.

The point I want to make is that a great deal of violence against women and children is domestic violence and this is a silent statistics because these incidents are more often than not kept secret but are obviously no less serious.

I want to quote from another report by an organisation calling themselves, **“Women Aid International”** on an international conference held recently: *“Violence does not occur as an isolated incident in the lives of abused married women and young girls. Physical brutality as well as mental torture usually occurs on a regular basis, causing incalculable*

03 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON JOOSTE**

suffering and inflicting deep scars on the victims' families and society as a whole. Women's physical and mental health is often permanently damaged or impaired and in some cases, violence can have fatal consequences. Pregnant women are particularly at risk. Not surprisingly perhaps, abused women are twelve times more likely to attempt suicide than non-abused women are. For some battered women, alcohol and drugs is the only escape, with disastrous effects on their health and well-being. As a result, domestic violence has devastating repercussions on the entire family. Mothers are unable to care for their children properly. Often they transmit to them their own feelings of low esteem, helplessness and inadequacy. Children themselves may become victims of their fathers' abuse if they try to defend the mother. On the other hand, boys who witness their fathers beating their mothers are likely to emulate this behaviour."

Comrade Speaker, I do not have the solution to this problem, but there are particular known things which we all know have a direct influence on the occurrence of violence both domestically and otherwise and these factors have been identified as prevalent in all societies. The most common fact is the direct relationship between all forms of substance abuse and violence. I am referring specifically to alcohol and drug abuse and these two social diseases often lead to violence of some sort. The statistics of any country in the world will illustrate exactly the same tendency. If these issues are addressed, we will see a decrease in the occurrence of these violent acts.

The issue at hand is specifically violence against women and children and it is obvious that we men are to blame for this. I can already hear some of my male colleagues screaming, "*some men*" and I agree, "*some men*", but I think we must take responsibility collectively for this issue.

One report estimates that as many as one hundred million girls, often under the age of ten years, are raped by adult men, very often their own fathers every year. I want to quote something from a very common manual we all have, which is the Vision 2030 book. It was handed to us recently and we all have to study it as quickly as possible. I quote from page 134 of that manual. There is a little block, which says, "*Where do*

03 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON KAAPANDA**

we want to be in 2030?” Number one: “The family is sacred and upheld as the most fundamental social unit.” Number two, “Parents, meaning mothers, fathers and guardians, are well aware and fulfil their parental responsibilities”. The last one: “Children remain disciplined and have an inalienable right to survival, development, protection and participation in the development of society”.

I believe that we as men should also accept responsible parenting. We are to a large degree responsible for the man that develops from a baby boy. We have been granted the honour and privilege to shape that person and this should surely get priority above all other things, especially insignificant things like the short-lived pleasure from alcohol and drugs.

What else can we do? I think we can take complete ownership – and that is for women and men – of this Vision 2030 that we are committing to as a Government and in achieving these specific goals, our entire socio-economic situation will improve and all forms of violence in our country will diminish as well.

Honourable Speaker, before I take my seat, I quickly want to make use of this opportunity to thank all the kind Members of the House for welcoming me and I want to, obviously, thank my Comrades for their support and continued kindness. Thank you.

HON SPEAKER: I would like to thank Honourable Jooste for a well-researched and presented maiden speech. I think it went down very well indeed. Welcome aboard. Now the shield of protection has been removed from you. Honourable Kaapanda.

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT
AND HOUSING:** Honourable Speaker, Honourable Members of this august House, I rise to contribute to the Debate regarding the escalation of violence against women and children, which has assumed horrific

03 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON KAAPANDA**

proportions in our country. I agree with Honourable Members before me who condemned in the strongest terms the perpetration of violence against women and defenceless children in our society. I also agree with the many speakers that this escalation of violence should be brought to an end as quickly as possible in order to allow the citizens of this country to live in peace and harmony.

Because of anger and indignation, some speakers even proposed a radical change in our criminal justice system and proposed solutions, such as castration, capital punishment or long periods of imprisonment for the perpetrators of this violence. However, some speakers suggested that instead of dealing with the symptoms of violence, as a Nation we should look at the root causes as to why the perpetrators of this violence are behaving the way they do. In other words, the Nation should look deeply into, investigate the source of violence in our society, and come up with suggestions that will bring about long-lasting solutions.

Honourable Katjita made a practical example where our investigation could begin. She suggested that given the fact that we have so many cuca shops and shebeens and alcohol is readily available in our country and some of the shebeens and cuca shops are located near schools, maybe this is a source of violence. Then the question is, what can we do with these shebeens?

Honourable Speaker, Honourable Members, while trying to protect our children from being exposed to alcohol and drug abuse at a tender age, we should also put emphasis on parental care. It is quite evident that some parents are no longer looking after their children. Young children of six and eight years of age are usually found roaming around streets until very late at night and this provides ample opportunity for criminals to prey on these defenceless and vulnerable children. (Intervention)

HON VENAANI: May I ask the Honourable Minister a question? Honourable Speaker, with the decorum notwithstanding, I want to ask the Member a question and that is, that in our society we speak of collective

03 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON KAAPANDA**

solutions to this problem. In our society, there is this tendency by our female counterparts and especially with unmarried couples, that when a girlfriend gets another boyfriend, you would not be dumped first. She makes sure that she gets the other boyfriend and when you find them together, that is the time that you are being dumped. (Interjections). It is true! We are speaking of the urban problems of alcoholism, but I have seen that this tendency has escalated to some serious violence against women, because when somebody comes into the house, that is the time that Abraham Iyambo has taken now. How do we address this problem?

**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT
AND HOUSING:** Honourable Speaker, I fully agree with the proposition that as a Nation we should re-examine ourselves and see what has gone wrong in our society. We must be objective in dealing with this issue because crime has now been committed by high profile personalities in our society.

One cannot also assume that unemployed and anti-social elements in our society commit these crimes. Therefore, I agree with Honourable Katali who said that he would pray that so that this evil spirit, which is going around in our country today, should not befall him.

Many speakers termed violence in our society as a phenomenon because it is incomprehensible to know why women and innocent children fall victims to these heinous crimes. Society is perplexed and mystified and has no proper words to explain as to what is going on in our society. People are sickened and saddened by what is going on in our society. That is why many speakers called violence in the society a phenomenon.

To understand this phenomenon we need to engage in the service of experts to research and to come up with practical ideas how to bring to an end these acts of violence. At the same time, all Namibians from all lifestyles must unite and fight violence against women and children.

I support the idea of National conference to discuss this matter, but in the

03 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON KAAPANDA**

final analysis, we must go deeper than mere debate and enlist the services of experts and researchers in social issues who could be of assistance in finding solutions to this social evil. There are widespread rumours that some people who rape minors are instructed by the traditional healers to have sex with children so that they could be cured from AIDS infection. This has not been substantiated and, therefore, it is appropriate for the Namibian Police to take HIV-tests on the current and future perpetrators of these crimes to ascertain their HIV/AIDS status and if they are found positive, they should be interrogated to determine the motive for their criminal act. If it is proven that traditional healers have indeed given such advice, they too should face the wrath of the law.

In conclusion, I would like to react to what the leader of the CoD party said yesterday, that by implication Namibia as a country promotes violence. He gave the example of our national team, which is known as the Brave Warriors, and that the name promotes violence. He also said that the glorification of the battle at Cuito Cuanavale is also tantamount to promoting violence.

I would like to say the following to the Honourable Member that he was completely Out of Order, out of his mind, by trying to deliberately confuse and mislead the public by misinterpreting our glorious history. The name, Brave Warriors, as well as the reference to Namibia as the Land of the Brave embodies the heroic struggle and resistance waged by our ancestors against foreign invaders. This is the history of Namibia, the Land of the Brave.

At Cuito Cuanavale, an epic battle took place that defined the course of history, where the heroes of this country fought a decisive battle, which brought the racist army of South Africa to agree to a ceasefire and the subsequent implementation of the UN Resolution 435 that culminated in Namibia's freedom and Independence.

Therefore, I would like to call upon the Honourable Member to refrain from distorting our history, but rather to concentrate on this serious issue and suggest practical solutions to bring to end violence against women and children in our society. I thank you and I support the Motion.

03 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON N ANGULA**

HON SPEAKER: I thank Minister Kaapanda for his contribution. I now call on Honourable Minister Nahas Angula.

HON MINISTER OF HIGHER EDUCATION, TRAINING AND EMPLOYMENT CREATION: Thank you, Comrade Speaker. This Motion unites us. It unites the country as a whole, especially the law-abiding citizens. However, I would like to say that we are talking about violence against the powerless – young girls, women, everybody who is powerless, women perhaps more so, but violence is being perpetrated against the powerless, including men. If you are an old grandpa on pension, you run the risk of being hacked to death by your grandchildren. Similarly, if you are a politician and you are suspected of having money in your pocket, you run the risk of being shot by bandits to get money from you, especially those who drive 4-wheel drive cars.

What we have to talk about is actually the dilemma of violence in our society and ask ourselves as to what is the cause of this escalating violence. The real issue is violence perpetrated against people, women and children included, but all of us are potential victims and that is the truth.

I am asking myself, is this escalating violence because of some kind of decadence in society, that there are no moral laws, ethics and respect for life? It becomes even more terrifying when you consider the fact that the Constitution of the Republic of Namibia proscribes the State to take the life of a person. The State cannot do it but individual citizens are doing it. It becomes very troubling. I thought the State is above all of us, but the right, which is denied the State, is being perpetrated by individuals. What should happen to these individuals? I think we have this dilemma. What should we do with these criminals? Unless we find an answer to that question, we can debate here and if the Nation out there sees that even the National Assembly is paralysed, then that is a prescription for lawlessness, because even the people who make laws cannot do anything about it if my child is raped, I had better take the law into my own hands and defend

03 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON N ANGULA**

myself because the people who are supposed to defend us are also paralysed.

We talk about all sorts of things here, everybody knows what is happening from the newspapers, and that is not the solution. The point is, do we really have a concrete proposal to bring to the Table and assure the people that something will happen? That is the question.

My humble contribution is that perhaps as a starting point let us propose a commission on violent crimes, made up of legal minds, religious bodies, academics, but respected citizens and perhaps traditional leaders.

I was listening to my good friend, General Gende, who was saying that we should resuscitate Traditional Authorities to rescue us from this issue of violence and I am trying to reflect back, that if we do that in my community, any girl who gets pregnant before marriage is burnt alive. It is true. If you kill a person, your whole clan is in trouble. A party will be sent to your house to burn it, rob it and take everything. If you do not run, you are dead. If you want to return to that state of affairs, fine. However, before we go there, I think we should convene a conclave of the wise to consider what the possible root causes are. Is it the breakdown of the family values, is it alcohol and substance abuse, is it poverty, and is it HIV/AIDS as some people are claiming? What is it really, because unless we can pinpoint and interview all those people who have committed crimes, were not likely to see a pattern and we will go talking and condemning. We should condemn, but we should also be seen by the public there as trying to find a solution. That is the real dilemma we have. What kind of hope can we give the people out there who have elected us to come and make laws for them?

We said the death penalty is out. Yes, it is proscribed by the Constitution and we cannot amend it. Those who are saying that it should be done. We know it is propaganda. It cannot be happen unless you overthrow the Constitution. However, the danger we are running is that if we are seen to be so paralysed ourselves, the people will start taking the law into their own hands.

03 March 2005

ADJOURNMENT

Therefore, let us come with something concrete. I am proposing here a Commission on Violent Crimes and if it was proposed before, I am seconding it, made up of wise men and women to come up with concrete recommendations as to what are the likely measures to prevent these things to happen again to ourselves and to our children, wives and to the weak of our society. Thank you.

HON SPEAKER: I thank Honourable Minister Angola for his contribution. I shall now call on Honourable Mungunda.

HON MINISTER OF LABOUR: Comrade Speaker, I would like to adjourn the Debate until Tuesday, the 8th of March 2005.

HON SPEAKER: Are there any objections? So agreed to. The Debate on this item stands adjourned until next week Tuesday at 14:30.

We have come to the end of our business as scheduled this afternoon. I now call on Honourable Minister of Trade and Industry to adjourn the House until Tuesday.

HON MINISTER OF TRADE AND INDUSTRY: Comrade Speaker, I would like to adjourn the House until Tuesday, the 8th of March 2005 at 14:30. I so Move.

HON SPEAKER: Any objections? Who seconds the Motion? So agreed. Therefore, the House stands adjourned until Tuesday, the 8th of March 2005 at 14:30.

HOUSE ADJOURNS AT 17:00 UNTIL 2005.03.08 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
08 MARCH 2005
WINDHOEK**

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? Any Notice of Questions? Any Notice of Motions? Honourable Angula.

NOTICE OF MOTIONS

HON MINISTER OF HIGHER EDUCATION, TRAINING AND EMPLOYMENT CREATION: Honourable Speaker, I give Notice that today, the 8th of March 2005, I shall Move –

That this Assembly considers the National Youth Service Bill as an urgent Bill in terms of Rule 98 of the Standing Rules and Orders. I so Move, Comrade Speaker.

HON SPEAKER: Will the Honourable Minister please table the Motion? Any further Notice of Motions? Any Ministerial Statements? In terms of powers vested in this Chair, I move as a matter of urgency, the Motion of the Honourable Minister of Higher Education, Training and Employment Creation to supersede the three Orders of the Day in terms of Rule 98 of our Standing Rules and Orders. I take it that there are no objections. The First Notice of Motion is the one by the Honourable Minister of Higher Education, Training and Employment Creation,

08 March 2005

**INTRODUCTION AND FIRST READING
NATIONAL YOUTH SERVICE BILL
HON N ANGULA**

Honourable Nahas Angula. Does the Honourable Minister Move that the Bill be now introduced?

**INTRODUCTION AND FIRST READING:
NATIONAL YOUTH SERVICE BILL**

**HON MINISTER OF HIGHER EDUCATION, TRAINING AND
EMPLOYMENT CREATION:** I so Move, Honourable Speaker.

HON SPEAKER: Who seconds this Motion? Any objections? So agreed. Will the Honourable Minister please table the Bill? I call on the Secretary to read the Bill a First Time.

NATIONAL YOUTH SERVICE BILL

HON SPEAKER: Does the Honourable Minister of Higher Education, Training and Employment Creation Move that the Bill be read a Second Time?

**HON MINISTER OF HIGHER EDUCATION, TRAINING AND
EMPLOYMENT CREATION:** I so Move.

08 March 2005

**SECOND READING: NATIONAL YOUTH
SERVICE BILL
HON N ANGULA**

HON SPEAKER: Who seconds the Motion? Any objection? So agreed. Will the Honourable Minister please Move the Bill?

**SECOND READING
NATIONAL YOUTH SERVICE BILL**

**HON MINISTER OF HIGHER EDUCATION, TRAINING AND
EMPLOYMENT CREATION:** Thank you, Honourable Speaker, Honourable Members. It is my honour and privilege to introduce on behalf of the Office of the President the National Youth Service Bill.

Honourable Members will recall that a similar Bill was introduced in this House a couple of years ago. That Bill was withdrawn for technical reasons. Subsequently the National Youth Service was transferred from the Ministry of Higher Education, Training and Employment Creation and placed in the Office of the President. The new Bill was drafted to consider the new situation. I, therefore, beg your indulgence in the consideration of this important Bill.

As we all know, Namibia is a youthful Nation, the majority of the citizens are below the age of thirty years. The youth are, therefore, the first call to our Nation. The youth are our future. The youth are our hope. In this regard, it is imperative to provide the youth with the opportunities for growth and to develop their potentialities in preparation for their future roles. The Bill creates the legal framework for youth development and growth.

The National Youth Service Bill provides opportunities for young people to share common experiences, develop a sense of citizenship, acquire skills for civic life, and cultivate personal careers and skills for adult life. That the National Youth Service has been placed in the high office is a testimony of what Government attaches to the plight of young people,

08 March 2005

**SECOND READING: NATIONAL YOUTH
SERVICE BILL
HON N ANGULA**

especially those who are out of school and unemployed. A Youth Service is, however, a voluntary service. It is not a conscripted service.

Honourable Members, the National Youth Service Bill aims at:

- (a) The establishment of the National Youth Service as a statutory body;
- (b) The creation of the Youth Service to oversee the management and administration of the Service; and
- (c) Recruitment to the Youth Service.

The President of the Republic of Namibia will be the head of the Service. The President will therefore be required to give policy directions to the Service. The President may however delegate such powers to any Minister.

The establishment of the Board for the Youth Service, the management and administration is provided for in Part 3 of the Bill. The President, as the Head of the Service, will appoint a Commissioner for the National Youth Service in consultation with the Board. The Commissioner will be the Chief Executive Officer of the Service.

Part 4 provides for the procedure for recruitment and participation in the Service and that the Service should be based on the principle of equitable representation of persons of all the political Regions of our country.

Part 5 establishes the National Youth Service Fund. The Fund will consist of moneys appropriated by Parliament, money generated through the performance of the functions of the Service, donations and contributions received by the Service and interest received from investments made by the Service. The Fund will be exempted from taxation. The Fund will finance the various projects and programmes and other activities of the Youth Service, financing the administration of the Fund and matters related thereto.

08 March 2005

**SECOND READING: NATIONAL YOUTH
SERVICE BILL
HON NAMISES**

Part 6 provides for general issues, such as delegation of powers, immunity from liability, transfer of property and the dissolution of the Service. The Bill aims at regulating the Service, management and administration of the Service and sustainable programming of the Service. The Service will therefore absorb many of our young people, especially those who are out of school and who are unemployed.

I, therefore, Honourable Members, recommend this Bill to the House on behalf of the President for your urgent consideration in the interest of the young people of our Republic. I thank you.

HON SPEAKER: I thank the Honourable Minister for the motivation. His request to move this Bill under Rule 98 was granted, however Rule 98(b) stipulates that this Bill will go through all the stages and that each Member participating will only have 10 minutes for each stage. This is what you have tied yourself into by invoking Rule 98. I am stating what it means, what you will decide is your own decision, I am not making that on behalf of anyone. What is facing the Chamber this afternoon is that the Bill has just to do that and thus, conforming to Rule 98(b) is therefore automatic. I leave it there for you to decide the way forward. I hope you understand that we have to go through all the stages, but the distribution of the Bill was not done on time for Members to read it. What do we do now?

HON NAMISES: I understand the urgency, but the Minister has not even told us why the urgency and secondly, I would like to adjourn the Debate because I have just received the Bill now. We need to understand why it is so urgent and then maybe I can adjourn until Thursday.

HON SPEAKER: Honourable Minister, the question is the reason

08 March 2005

**SECOND READING: NATIONAL YOUTH
SERVICE BILL
HON N ANGULA**

why. Honourable Namises wants to adjourn the Debate until another day.

**HON MINISTER OF HIGHER EDUCATION, TRAINING AND
EMPLOYMENT CREATION:** Comrade Speaker, in consideration of the concerns of my Colleague, I would consider that it be adjourned until tomorrow. All of us were youth at one time and we should consider the plight of the young people. It is very straightforward Bill.

HON ULENGA: Honourable Speaker, on a Point of Order. While understanding that there may be urgent reasons for the Minister to table this Bill on an urgent basis, I am just wondering whether the Speaker has paid due consideration to especially the last part of Rule 98(a), because here it says that the Presiding Officer must be satisfied that the Motion is indeed not a misuse of Standing Orders and that the rights of the minority are not infringed upon.

When I listened to the motivation of the Minister, I did not see the grounds for the urgency. I hear about the needs of the Bill, but not the urgent status of the Bill, that it should be considered on one day and that every Member is given only ten minutes to consider it when we did not have a copy of it. Why do we not postpone it so that we can have enough time to study the Bill?

HON SPEAKER: I have to exercise the authority. The Honourable Members, in all fairness, have only two options realistically. The point at which objection was to be raised was when the Minister moved the Motion under Rule 98. I put the Question and no objection was registered. I have, indeed considered the latter part of Rule 98 and hence, if I did not take into account the rights of the minorities, I would not have opened this for discussion. In fact, this is where the minorities are

08 March 2005 **REPORT ON ACCOUNTS OF THE GOVERNMENT**
HON KUUGONGELWA-AMADHILA

exercising their rights and I am very content and pleased that, indeed, I have considered those.

The only request to the Honourable Minister, in all fairness, because the Bill was just distributed, that is where I have sympathy for the Chamber and hence my request to the Minister is that adjournment for a day or two should be permissible, to be fair to the Bill. We do not want half-baked laws out of this Chamber.

HON SIOKA: I Move that the Debate be adjourned until Wednesday.

HON SPEAKER: I accept that that is an acceptable compromise. Those who are ready will contribute tomorrow. I take it that there is no objection to the adjournment of the Debate until tomorrow afternoon. So decided. The Secretary will now read the Second Order of the Day.

**CONSIDERATION: FIRST REPORT ON
ACCOUNTS OF THE GOVERNMENT**

HON SPEAKER: The Honourable Minister of Finance adjourned the Debate and I now yield the Floor to Honourable Kuugongelwa-Amadhila.

HON MINISTER OF FINANCE: Honourable Speaker, Honourable Members of the House, I have the pleasure to make a contribution to the discussion on the Public Accounts Committee's Report on the Accounts of the Government for the years ended March 2000 and 2001, respectively.

08 March 2005 **REPORT ON ACCOUNTS OF THE GOVERNMENT**
HON KUUGONGELWA-AMADHILA

Firstly, I wish to thank the Committee for its scrutiny of Government Offices, Ministries and Agencies and for compiling this Report. The Report highlights a number of important issues and problems that Government would have to address with urgency, I must state well known to us and are currently subject to discussions. I shall use this opportunity with the submission of this Report to highlight some of the efforts to address these issues and the successes so far.

Topping the list of concerns of the Public Accounts Committee is the unauthorised expenditures. The State Finance Act defines unauthorised expenditures as, *“any expenditure or payment incurred or made contrary to the provisions of Section 17 of the State Finance Act, any expenditure or payment for which no provision has been made by or under any law; any expenditure or payment made without the authorisation or approval required; any expenditure or payment incurred or made contrary to the provisions of any law and any expenditure or payment in respect of which no voucher or other document required by the Auditor-General has been produced.”*

In most instances unauthorised expenditures involve exceeding the amounts appropriated to main divisions and sub-divisions and do not necessarily involve exceeding total funds appropriated to a Vote. In the case of those that involve exceeding allocations to divisions and sub-divisions, they do not necessarily manifest themselves in increasing it because they do not always result in overshooting of Vote ceilings, but I agree that it is worrying when resources get shifted away from activities to which they were voted, because this may result in diversion of funds from the real priorities and as a consequence, the effectiveness of Government intervention is eroded away.

To curb the trend of unauthorised expenditure, the Ministry of Finance issues Treasury Authorisation Warrants for the approval of monthly expenditure needs of Line Ministries and Agencies and the use of Commitment Registers. These measures are regularly monitored with a view to detect early enough the occurrence of unauthorised expenditure.

Disciplinary actions have also been proposed in the new State Finance

08 March 2005 **REPORT ON ACCOUNTS OF THE GOVERNMENT**
HON KUUGONGELWA-AMADHILA

Act, which is now in its final stages and due for tabling soon. The draft Bill makes provision for penalties against accounting officers who make themselves guilty of unauthorised expenditure.

The Report expresses concern about the non-clearing of suspense accounts and reconciliation thereof. A lack of capacity in line Ministries has been identified as the main reason for this problem. Programmes were conducted during 2002 and 2003 to supply Ministries in order to address this problem. Procedure manuals and practical examples of work were also developed and distributed to line Ministries and we are now observing improvements in this area.

The Ministry of Finance has also introduced a monthly general ledger circular to accounting officers and financial advisers on issues such as the general ledger report and closing of balances and corrective measures. The Ministry of Finance is also currently installing an Integrated Financial Management System (IMFS) that will replace the current non-integrated financial system. IMFS will assist the Ministry with easy monitoring of Line Ministries.

With regard to overspending on Tender Board exemptions, the Tender Board is devising control measures to ensure that there is no overspending on exemptions.

On the question of outstanding S&T claims, I concur with the recommendations of the Committee that this situation needs to be corrected. This concern is also receiving the attention of the Ministry and the stipulations of the Treasury Instructions will be strictly enforced. The Ministry will impose penalties and interest on all advances that have been outstanding for a period of thirty days and longer. Line Ministries will be required to submit monthly statements in this regard to Treasury.

As regards the delays in tabling of the Government accounts, the issue is also receiving the attention of the Ministry of Finance and the Auditor General's Office. The decision to table Ministerial Financial Reports tends to delays in this regard. Efforts are being made to address the existing backlog of outstanding reports, so that we can return to the

08 March 2005 REPORT ON ACCOUNTS OF THE GOVERNMENT
HON KUUGONGELWA-AMADHILA

normal way of presenting an integrated financial report for the whole Government. It is envisaged that the Report on the Accounts of the Government for the 2002/2003 Financial Year will be completed by June 2005 and that for the 2003/2004 Financial Year we would have the report soon thereafter.

The backlog on the Municipalities, Town Councils and Villages will be addressed by the end of the Financial Year. What led to this accumulated backlog in finalising Financial Reports is due to a lack of capacity especially at Municipalities, Town Councils and Villages. Because of this, they fail to submit their accounts and statements timeously to the Auditor-General for auditing. For its part, the Office of the Auditor-General has tried to address the backlog by making use of private audit firms to augment its capacity and accelerate the pace of clearing the backlog. As a result, improvements have been achieved. For example, some reports have been tabled in this National Assembly from April 2004 to 28 February 2005, compared to only sixty reports during the preceding year. Another twenty-six reports have been received by my Office and will be ready for tabling soon, while nine others are in the production stage at the Auditor-General and will be finalised soon.

I have also learnt that the Ministry of Regional and Local Government and Housing has mobilised private sector support to Regional Councils, Towns and Village to assist with the compilation of their accounts and statements. These efforts will contribute towards the speeding up of the auditing process of these councils' Financial Statements.

The Report also proposed that resources be allocated to Offices, Ministries and Agencies in order to help them avoid overspending. On that one, I can unfortunately not agree. The country is facing financial constraints and Offices, Ministries should learn to live within their expenditure limits as Budget, and macro-economic targets will be overshoot. In addition, the contingency provision is intended to cater for emergencies and not for uncontrolled expenditures. I also reject the excuse that they overshoot their Budget ceilings because of low allocations. Accounting Officers should be reminded that ceilings are determined by available funds and lifting the ceilings will not create additional funds. Instead, it will increase public

08 March 2005 **REPORT ON ACCOUNTS OF THE GOVERNMENT**
HON DE WAAL

debt, a situation that is most definitely undesirable. Accounting officers are, therefore requested to discontinue this practice as it only serves to threaten the fiscal and macro-economic stability so far achieved.

Lastly, I wish to inform this House that my Ministry has introduced measures to enforce full compliance by Accounting Officers in collecting revenue. Those Ministries, which fail to be, do so will be required to compensate for the loss on their own Ministerial Budgets, except where good reasons can be provided.

Finally, I would like to thank the Committee for its good work. We value its contribution to ensuring the prudent utilisation of our scarce public resources. I assure the Committee, the House that the problems identified in this Report will be given the necessary attention, and I call for cooperation from all Offices, Ministries and Agencies of Government in this regard. I thank you, Honourable Speaker.

HON SPEAKER: I thank the Honourable Minister of Finance for her contribution and I hope the standard has been set for the manner in which Committee reports are presented and received. Any further discussions? I call on Honourable De Waal to reply.

HON DE WAAL: Honourable Speaker, I would like to reply tomorrow.

HON SPEAKER: I take it that there is no objection. Therefore, the reply will be given tomorrow. The Secretary will now read the Second Order of the Day.

08 March 2005 **REPORT ON ACCOUNTS OF THE GOVERNMENT**
HON DE WAAL

**CONSIDERATION: SECOND REPORT ON THE
ACCOUNTS OF THE GOVERNMENT**

HON SPEAKER: Does Honourable Member De Waal move that this Report now be considered?

HON DE WAAL: I so Move. Honourable Speaker, this Report deals with seven Ministries and Departments for the Financial Years ending 31st March 2000 and 2001, respectively.

Honourable Speaker, many of the problems that we alluded to in the previous Report, as if unauthorised expenditure, debts to Government, etcetera, is also applicable as far as this Report is concerned. I will thus only highlight those problems that are unique to the Report currently under discussion.

Firstly, Honourable Speaker, there seems to be a problem with the reporting of vehicle accidents, resulting in the Government losing money because the guilty persons are not traced in time in order to recover the cost from them. Better communication between the Government Garage and Transport Officers, coupled with better control over and the filing of accident reports might go a long way in solving this problem.

Secondly, Honourable Speaker, the problem of reconciling the internal record of Ministries with records kept by the Ministry of Finance seems to continue unabated. One can accept that there will always be problems with these reconciliations, but what is totally unacceptable is that these problems are only corrected after the printing of the final financial statements and in some cases only after the Audit Report of a particular Financial Year has already been tabled in Parliament. I can only repeat the recommendation by the Public Accounts Committee that reconciliations should be done regularly and timeously and in any case,

08 March 2005 **REPORT ON ACCOUNTS OF THE GOVERNMENT**
HON DE WAAL

before the final Financial Statements are submitted to the Auditor-General for auditing purposes.

Honourable Speaker, another problem that we encounter too often is the question of proper filing of documents. In this Report, again Honourable Members will see that in one case the suspense accounts could not be reconciled because the necessary documents could not be traced. The question that we need to ask ourselves is the following: Are all these cases simply cases of misfiling of documents or are some of them deliberate disappearance of documents. If the latter is true, then of course we have a much more serious problem at hand.

Honourable Speaker, in this Report a number of fraud cases was reported. Two cases are currently with the Office of the Attorney-General, while the other has been referred to the Namibia Tourism Board. It is hoped that the Auditor-General will report on the progress in these cases in future Audit Reports.

Another issue of concern is the collection of rent from people who lease Government properties. It is standard practice that rent should be collected on a monthly basis, yet in one case in this Report Government lost thousands of dollars because by the time the Ministry tried to collect the rent, the entrepreneur in question had already been liquidated. Surely, Honourable Members, this type of mismanagement is simply not acceptable and the question that begs to be answered is who is going to be held responsible for this loss?

Honourable Speaker, in one case no Financial Statements were produced for both the 2000 and 2001 Financial Years. During the Public Hearings, it became clear that no Financial Statements would be produced before September 2004. I, therefore, want to repeat the recommendation by the Committee, namely that the Department in question should undertake urgent consultations with the Ministry of Finance to reconfirm the purpose of the Trade Account in question as well as the format and the content of the Financial Statements.

In conclusion, Honourable Speaker, I want to, once again, thank all the

08 March 2005 **REPORT ON ACCOUNTS OF THE GOVERNMENT**
HON KUUGONGELWA-AMADHILA

Members of the Committee, the Accounting Officers that appeared before us as well as all the staff members and officials from the Auditor-General's Office and the Ministry of Finance for their kind cooperation and assistance. I thank you, Honourable Speaker.

HON SPEAKER: I thank Honourable De Waal. Any further discussions? Honourable Minister of Finance.

HON MINISTER OF FINANCE: Thank you Honourable Speaker. As Honourable De Waal has said, a number of issues raised are similar to those raised in the earlier Report and I think the general comment that can be made is that while there are some issues that are still outstanding which we are trying to sort out with the Ministries, one finds that the situation has improved since then and all I can say is that we will continue with the efforts that we have instituted already to ensure that there is full compliance and appropriate capacity at Line Ministries level.

HON SPEAKER: I take it that there is no further discussion. I call on Honourable De Waal to make concluding remarks.

HON DE WAAL: Honourable Speaker, I want to thank the Honourable Minister of Finance for what she has just said and I am sure that the Committee understands and knows that the Ministry of Finance is taking these issues very seriously and I can just say that I hope that all the other Accounting Officers will also take these matters very seriously. An Audit Report is one of the most important Reports that an Accounting Officer has in his possession and it must be taken very seriously. I thank the Minister of Finance and I ask that the House now approve this Report. I thank you.

08 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON MUNGUNDA**

HON SPEAKER: I thank Honourable De Waal for his concluding remarks and I now put the Question, that this Report be now adopted. Any objections? So agreed. Therefore, this Report is unanimously adopted. The Secretary will now read the Third Order of the Day.

**RESUMPTION OF DEBATE: MOTION ON VIOLENCE
AGAINST WOMEN AND CHILDREN**

HON SPEAKER: When this Debate was adjourned on Thursday, 3rd of March 2005, the Question by the Assembly was a Motion by the Honourable Namises. This Debate was, however adjourned by the Honourable Minister of Labour, Honourable Mungunda and she now has the Floor.

HON MINISTER OF LABOUR: Honourable Speaker, Honourable Members, today is International Women's Day and I have the humble honour to congratulate all the mothers, sisters and daughters on this precious day.

Repeatedly this august House feels compelled to discuss the issue of violence, which is becoming one of the most challenging social problems for Namibia. We have passed some Bills aimed at reducing violence, but it appears that Bills alone cannot substantially improve the situation. Just last weekend a farmer and his family and his workforce were wiped out on a farm in the Hardap Region. Even a pregnant mother was killed in this incident.

It is also not enough to abhor violent crimes and ask for stiffer sentences. That can be only part of the solution. If we want to understand the problem thoroughly, we must be very honest with ourselves and see that all this violence, particularly against children and women, is transmitting

08 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON MUNGUNDA**

from the base of our society. The first message, as I see it, is that those who commit such horrible crimes, such as the rape and murder of children, do not see themselves bound by any social norms and regulations. They are not bound by traditional moral norms and traditional laws, because both are disintegrating and have no significant power over people's minds anymore.

At the same time, they do not feel bound by modern society's laws and norms because, firstly, they do not know or might not understand them and secondly, they see that such norms and laws are not being adhered to consequently and strictly. If a criminal knows that he has a chance to get out of custody on bail or even escape from the Prison Cells, he will continue committing crimes. His conscience might not be highly evolved, he acts on impulse or lust and not on moral grounds, because moral norms might never have been properly instilled in him.

Our society is in transition between the traditional and modern and we must understand all aspects of that situation – psychologically, culturally, societal, legal, moral and otherwise. One of the consequences is that human life becomes very cheap. Let us face it, due to traditional and historical reasons we do not value human existence sufficiently, we do not recognise the preciousness of human life and life in general. At least the hope is that all of us in Namibia are united on fighting and defeating this issue and we have won many wars as a brave Nation and a brave Nation never fights in vain. Our Nation needs healing to overcome psychological damage inflicted by both dictatorship or collectivism and colonial abuse.

The recent protest against violence was led by some prominent Church Leaders, yet we must ask ourselves how deep religion goes. Does it give the believers a sense of oneness of all life, sacredness of all life? I am afraid not. Many people look at religion as just another ritual, it does not touch their lives at deeper levels and consequently, does not influence their behaviour. All religions of this world have as their first Commandment, "*do not kill*". Do Religious Leaders in Namibia understand and spread this message properly? If they were truly able to see the human body as a vessel for the divine, they would be more persistent in teaching their followers the value of human existence.

08 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON MUNGUNDA**

Lawmakers and representatives of different Political Parties, we must come together in trying to devise comprehensive programmes aimed at giving our people holistic understanding of human existence, environment and inter-connectedness of all life. We must cultivate a sense of self-worth and dignity through an educational system, faith-based organisation, political organisation, arts and culture, entertainment and certainly, laws.

Recently somebody told me that Namibians must learn to become arrogant. I understood that statement, no matter how shocking it may sound, as coming from the same kind of concern as the one I am talking about. All the person was trying to say was that we must learn self-esteem, but arrogance is not equal to self-esteem and dignity, it is just the opposite. Arrogance builds walls around us, it tries to defend an imagined psychological territory, preventing real communication, intelligence and learning. We do not need arrogance, we need dignity, wisdom, cooperation, solidarity, openness for new things and more values that are human. We must all cooperate to create such a social climate that would promote dignity as opposed to lack of self-worth, lack of love and the sin of arrogance and yes, we need laws. Some we already have and what is needed now is their strict implementation. Perhaps we also need some new ones to protect children specifically against sexual abuse and to impose the stiffest possible sentences on the perpetrators of child abuse.

However, a long-term solution is in the conscious promotion of a human system of values and morality that would bridge the traditional condition in which no real values apply.

In conclusion, we are here not only to make laws, but also to think of social interventions that might improve our human environment on a long-term basis. On that note, Comrade Speaker, Honourable Members, I close the chapter. Thank you.

HON SPEAKER: I thank the Honourable Minister of Labour for her contribution to the Debate on this item. I now recognise the Honourable Minister of Mines and Energy, Honourable Dr Iyambo.

08 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON DR N IYAMBO**

HON MINISTER OF MINES AND ENERGY: Honourable Speaker, Honourable Members, I will be very brief indeed.

Comrade Speaker, I rise to add my voice to those Honourable Members who have eloquently spoken on the Motion before this Honourable House against violence perpetuated against women and children by some male species of our society. I agree, Comrade Speaker, with those Honourable Members who recommend that strong measures must be taken against the perpetrators to demonstrate our concern and resolve to send a strong message to the would-be violators against women and children.

When the House adopts the Motion before it, the following recommendations must also be agreed to, if possible:

1. That national dialogue in all constituencies, Local Authorities, at regional and national level against violence against women and children must continue.
2. That research is conducted to find out the root causes of these horrific acts perpetuated against women and children.
3. That no bail must be given for rape and sodomy.
4. That once found guilty, they must serve long-term sentences with hard labour until they reach the age of at least 75 years old and that early release can only be considered on compassionate grounds by the Head of State, for example on grounds of terminal ill-health.
(Intervention)

HON DEPUTY MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: Comrade Speaker, may I direct a question to my dear Comrade Minister? I am very much in favour of the measures, which you are suggesting there, but there is one thing that I would like you to consider. Statistics show that 87% of cases where women lay a charge against their husbands or boyfriends for physical violence are withdrawn.

08 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON DR N IYAMBO

One way of perhaps reducing that number is to ensure that those cases may not be withdrawn. Once a woman comes to the charge office to lay a charge that is a case on Record. They must name and shame those men and either their names or pictures must be published. Do you, Comrade Minister, agree that something like that must be done?

HON SPEAKER: There was no question. It is a recommendation. You may proceed.

HON DEPUTY MINISTER OF PRISONS AND CORRECTIONAL SERVICES: Comrade Speaker, may I ask the Honourable Minister a tiny question? Comrade Minister, one of your suggestions is that when these perpetrators are found guilty, they must serve until they become 75 years old. What if they committed these crimes at the age of 65 years?

HON MINISTER OF MINES AND ENERGY: I can just agree with Honourable Buddy Wentworth that, indeed, to help our womenfolk, because I am sure they do withdraw those cases under duress, those cases may not be withdrawn. Secondly, if any other person notices such crime being committed, that person should also be permitted to go to the Police and report in case the woman herself may not have the courage to do so.

To Comrade Nambinga, what I said before I mentioned the age of 75 was that these undesirable species of men must really be sentenced to long-term imprisonment. If they happened to commit the crime at the age of 65, it will mean they will serve at least ten years of hard labour. Considering the life expectancy of many of these people behind these horrific acts, the person will be unable to do it again after those ten years.

Otherwise, Comrade Speaker, I propose to this august House that when adopting this Motion on violence against women and children, the

08 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON NAMBINGA

following proposals should be included:

That national dialogue at all levels, constituency, regional and national level must continue and that research be done to find out what are actually the root causes of these horrific acts against women and children and that no bail must be given for rape and sodomy and once found guilty, they must serve long-term sentences with hard labour until they are at least 75 years old and early release from prison will only be considered on compassionate grounds, particularly terminal ill-health. I so Move, Comrade Speaker.

HON SPEAKER: I thank Honourable Dr Iyambo for his contribution. I now call on Honourable Nambinga.

HON DEPUTY MINISTER OF PRISONS AND CORRECTIONAL SERVICES: Comrade Speaker, Honourable Members, I am taking the Floor to add my voice to those who have already spoken before me as we try to offer solutions to curb the increase in violence against women and children.

As fathers and husbands of our beloved wives and daughters, the challenge before us now is how to find a way to change the attitude of irresponsible men who seem to have no conscience regarding the well-being of women and children, so that at least they will stop committing these atrocities.

I am afraid, Comrade Speaker, Honourable Members, that is no longer sufficient to organise demonstrations and carry posters, because this does not bring about any change. Instead, the killing and rape just continue as if these demonstrations and outcries of anger do not exist. In fact, I said on several times in this august House that the more we speak, the more these culprits perpetuate their barbaric atrocities against women and children. It looks as if they are competing against us.

08 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON NAMBINGA**

Honourable Speaker, Honourable Members, we must admit that the trust that used to exist within families is disappearing, as women are now starting to look at their husbands, brothers and uncles as people who are a potential threat to their well-being. It has become extremely difficult, if not impossible, for a wife, for example, to leave behind her young daughters with her husband in the house, even if she is just going for shopping. It is difficult, if not impossible, for a sister to leave behind her young daughters with her brother or an uncle, because the fear is, “*what would happen during my absence?*” Some of us as men have become wolves in lambskin. The challenge, therefore, is now on us as lawmakers to take action so that we can reverse the situation.

Comrade Speaker, Honourable Members, I know that life in Namibia is protected by our Constitution, which states: “*The right to life shall be respected and protected. No law may prescribe death as a competent sentence. No court or tribunal shall have the power to impose a sentence of death upon any person. No execution shall take place in Namibia.*”

Comrade Speaker, I was not a Member of the then Constituent Assembly, which wrote the Constitution, but I want to plead that our founders of the Namibian Constitution did not expect Namibians to be haunted by perpetual fears of woman and child molestation. I also want to plead that their minds were mostly preoccupied with the violent and inhuman treatment the Namibian society was subjected to during the colonial era. Hence, they had to make efforts to relieve the society from this horrible treatment. Little, we must admit, did they know that human beings could sometimes quickly forget. That is why today, immediately after Independence, we have this problem.

Honourable Members, I personally believe that as a Government we lack a deterrent as far as the prevention of crime is concerned, particularly the issue of violence against women and children. I know that things like the rape of children of one year old was almost unheard of before 1990, but immediately after we have become an independent Namibia, now that we have become masters of our own, it would appear people have studied our laws, they have discovered how lenient our laws are, they know they can do whatever they want and still get away with it.

08 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON NAMBINGA**

Now we are here, very much aware that the cohesion of the death penalty does not, as some of us would like to pretend, reflect the aspirations of the majority of our people whom we are representing here. The majority of our people are sick and tired of mourning their dear ones who die at the hands of these criminals, which criminals' lives are currently untouchable. We are busy defending the moral corrupt, we are busy defending the indefensible, that yes, they can have a licence to go and kill but we should not touch their lives. I sometimes wonder as to for how long we shall close our eyes to the reality and continue defending them. For how long will this situation have to continue, lawmakers defending people who have no respect for the lives of the defenceless women and children? For how long shall we continue to sing the chorus of "life is protected, it is untouchable" when babies are being raped – for lack of a better word. Rape to me means to have sexual intercourse with somebody against his or her will. A child of one year or less certainly does not even have that feeling, so it means it is not rape.

How many incidents of the likes of the poor Hamatundu child of Swakopmund must still happen before we open our eyes to reality? Whom are we trying to impress with Article 3 up to Chapter 6 of our Constitution when we know in fact that if we have to take this Constitution to the grassroots of our masses will never stand? Is the singing of this chorus of Article up to Chapter 6 not tantamount to hypocrisy when we know deep in our hearts that even when we stand here to defend it, in our hearts we know we are not being honest to ourselves by protecting the indefensible. Are we waiting for the masses of our people to take the law into their own hands and thereafter blame them again?

Comrade Speaker, if ever there was a time that demands of us to be serious as lawmakers, I think the time is now. Therefore, let us organise conferences in all thirteen regions and hear the feelings of the people. The Constitution is written for the people. I do not think the Constitution was just written for this wall, I do not think the Constitution was just written to impress the international community. I want to believe that this Constitution was written by the people for the people and to reflect the aspirations of the masses of our people.

08 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON NAMBINGA

I am a taxpayer just like all of you here. We say that people must be given long sentence. Today he kills a child, tomorrow he sits in jail, eating my money. Then we are trying to be serious. (Intervention)

HON ATTORNEY-GENERAL: May I ask my Honourable Colleague a question? Honourable Nambinga, is it true that as Deputy Minister of Prisons and Correctional Services you have been starving the prisoners just because you want to save your tax money?

HON DEPUTY MINISTER OF PRISONS AND CORRECTIONAL SERVICES: I am saying we are lawmakers and we must be very serious. We have people today we cannot defend. They kill babies! Today he kills a baby, he goes to prison, tomorrow he is on bail and he continues, but we are singing this chorus, “*Life is protected*”. Goodness me, what is this? Is it just to impress the Americans, the British and others while there is death penalty in America? We must be serious. How long have been speaking in this august House and I am sure tomorrow you will read in the newspapers that somebody else has done it. They are competing, “*let them speak, we will continue*”, because they know at the end of the day it is a question of spending a few years in prison and then they will be out again and what is painful to me as a taxpayer is that I have to feed the *bliksem* who has killed my wife! (Laughter). I am sorry. I withdraw that.

HON SPEAKER: Honourable Nambinga, what language is that?

HON DEPUTY MINISTER OF PRISONS AND CORRECTIONAL SERVICES: I withdraw that Comrade Speaker. I know that some of our people try to compare us with the Americans. They say capital punishment will never be a deterrent because it has failed in America. We

08 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON NAMBINGA**

are not Americans, we should not do things because of what the Americans are doing. Even so, they all fail to tell us, if it were not for capital punishment in America, how serious could the crime have been in America? They do not tell us.

Comrade Speaker, we must be serious with this matter. Speaking and demonstrating does not help. We can decorate our sentences the way we want to, I can assure you these people will not hear you. You can speak the tongues of angels, whether it is here or outside, these people will never listen to you. You can be an archbishop or even the Pope, these people will never hear you, they will continue and the public is looking at us, "*we are dying here, what are our leaders doing?*" The chorus we have been singing should be stopped. We wrote this Constitution to benefit the people, not just to make Namibia an apparent good country. Our people are dying but we want to impress the international community. What is this?

I, therefore, support the idea of consulting with the purpose of respecting the opinions of those people whom we are going to consult. I do not want to be hypocritical, to go for conferences but then ignoring the feelings of the majority. I know the majority will go for capital punishment that much I know, but I know that because we want to please certain people somewhere else, we can go for conferences and at the end of the day, we will do contrary to what they will demand.

In conclusion, Comrade Speaker, I would like to express the serious problem I have with the way and manner in which this Motion was submitted. You will all remember that in her Ministerial Statement, the Honourable Minister of Women Affairs has indicated that she wants to organise a conference where she will consult with the people with the view to reintroduce capital punishment if that would be a deterrent, but immediately thereafter, the CoD hijacked the Motion. This Motion was not supposed to be a CoD Motion, it was hijacked by Honourable Namises.

08 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON DR AMATHILA

HON SPEAKER: Honourable Nambinga, do not water down your contribution.

HON DEPUTY MINISTER OF PRISONS AND CORRECTIONAL SERVICES: Therefore, Comrade Speaker, I support this Motion on the basis of the fact that it was initiated by Comrade Netumbo. I thank you.

HON SPEAKER: I thank the Honourable Deputy Minister for his contribution and at this stage, in terms of the indivisibility of our SADC Region in all matters of concern, I would like to recognise the presence of Honourable Mosibudi Mangena, Minister of Science and Technology of South Africa and his delegation in the gallery. Welcome. Honourable Minister of Health and Social Services, Honourable Dr Amathila.

HON MINISTER OF HEALTH AND SOCIAL SERVICES: Thank you, Honourable Speaker. I was listening to this whole Debate on this issue of violence against women and I know this is not the first time we have this same Debate and we often say the same things, we come to the same conclusion that we must castrate the men, we must bring back the death sentence and all that. The death sentence will not come back, even if we have a conference. (Interjections). Castrate the men? No, doctor will be willing to castrate another man, so we had better forget about castration. (Intervention)

HON MINISTER OF MINES AND ENERGY: May I ask the Honourable Member a question? My Honourable Colleague is doing very well so far, but she said this House has Debated before and what was, amongst others, advanced was to castrate men. Is it to castrate men or those who committed these crimes?

08 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON DR AMATHILA**

HON MINISTER OF HEALTH AND SOCIAL SERVICES: The men who have committed these crimes, I apologise, not all of you here.

Honourable Nambinga said we have beautiful languages, we can talk very eloquently about the problems, but we need to diagnose first before we talk about the treatment. What are the problems, why are few men who are doing this, doing it and I discovered that this is a worldwide problem, not only in Namibia. Every day you read of girls being kidnapped on an almost monthly basis in America and Britain is even worse. You read that this schoolgirl has disappeared and her body is found in the swamps.

I also overheard somebody saying some people who are doing this are mad and I think our lawyers want us to believe these people are mad. Some of them with money who commit these things are taken to hospital. I found them in Central Hospital on a drip and I said, what is my nurse doing, Honourable Saara Kuugongelwa does not give us enough money, the few drips we have are put on the grownup criminals who know what they were doing. Then it is said, *“Oh, he is so depressed, he cannot eat”* and I said, *“Let the bugger die?”* Why should my nurses waste the time of a psychiatrist? (Intervention)

HON DEPUTY MINISTER OF PRISONS AND CORRECTIONAL SERVICES: May I ask the Honourable Member a question? Honourable Minister, you have just made a very important remark. You said when you found them on a drip and asked you nurses, you said, *“let the bugger die.”* Are you confirming that the death penalty is the right sentence? (Laughter).

HON MINISTER OF HEALTH AND SOCIAL SERVICES: I did not say it to the nurses, I thought it on my heart, because I was on leave and I did not go to the hospital. I thought in my heart, *“man, what is this waste of time?”* Two years ago, we had a brutal murder, which we discussed in this House.

08 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
HON DR AMATHILA

HON DEPUTY MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: The Minister said no doctor will castrate these evil men, but I had brief consultations here and there is a group of us here who are prepared to assist in this regard.

HON SPEAKER: There is no Medical Doctor in that group of three. Proceed, Honourable Minister.

HON MINISTER OF HEALTH AND SOCIAL SERVICES: These people call themselves doctor, but they are not. Let me move on.

A man who committed murder two years ago was sent to a psychiatrist to be tested whether he was mad that day. I mean, these are tactics by our lawyers just to waste time and water down these criminals.

Thirdly, if you look at the whole question of the criminals, I came to three or four conclusions. First, it is the power game and every man who is sitting here has that power game in his heart. It is only that you are controlling yourselves and those out of control use that power game. You are wearing a military uniform with a gun, you go to the village, you rape the kids, you rape the women, because what can the poor things do against you? You have read it in *New Era* today. It is sickening.

I do not know how many of you watch Police Academy films. There is this tall guy called High Power. The first film shows a small girl who is also a student there and the instructor is very powerful because he is now the trainer, he is the instructor and he is insulting this little girl. Then High Power gets up behind the girl, this guy looks and leaves the girl because he cannot stand up against High Power, he knows High Power will kill him.

After the power game, what is happening to us? We have a high degree of alcohol and drug abuse. They drink, they take drugs to get strength to go

08 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON DR AMATHILA**

and do what they are doing. We have so many *kambashus*, we allow this drinking to go on from morning until night. I am afraid to say that whenever we find drugs coming in from our neighbours a woman is involved. Even in my village, you will hear that somebody is selling Mandrax and when people go and commit murder under the influence of these drugs, they are in the forefront demonstrating. Why are we accepting these issues in our houses?

The sad thing is our society in Namibia, we want the death sentence. I was in many African countries and they also started like us, "*the law says, the law says.*" In Tanzania they had a word for a thief, *mwizi* or something. The minute you say, "*mwizi*", everybody leaves what he is doing and chases that person. They all leave what they are doing, they chase this man, they beat him to pulp before the Police arrive. If you hit somebody with your car, you had better run for your life to the police station. They will kill you before you get to the police station and these things are now rare in those places. But if a woman is assaulted in Namibia, we are just looking on, we are laughing and if some brave person intervenes, he says, "*no, it is my wife*", but it is not his wife, he is grabbing the handbag of the woman. We are watching criminals killing our women. The women are screaming, who comes to their aid? Nobody and now you are talking about the death sentence. Who are going to execute these people anyway? I think we are all cowards.

On top of all this, we have our Witchdoctors. I am not calling them Traditional Healers because they are not Traditional Healers. I am talking about Witchdoctors who are urging people who have HIV-infection to go and sleep with virgins, small kids, so that they can be cured. It is true, this happens.

The last one on this issue is idleness. When you go to our villages or even here in the parks, have you ever found women lying and sleeping in the parks all day. Not one single woman. He is lying idle in the park the whole day, women are passing by, and his head is turning wherever a woman passes. He does not have a wife, in the evening he drinks and then he goes and rapes. Idleness breeds crime.

08 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON DR AMATHILA**

Comrades, while we are thinking of conferences and changing the Constitution, let us look at these immediate issues here and deal with some of them.

It was mentioned that women withdraw the cases and I was also of the same opinion, I am also angry with the women, but you must understand that that a woman who ran to the Police has children in the house. She has no job, she is beaten up by her husband, where is this woman supposed to go at the end of the day? She has to come home and then he threatens her left and right. We are not in that house. He says he is going to kill her. Where are we to assist the woman? Then she withdraws the case. Unless there is another way the women are protected, they will withdraw the cases.

Even the so-called important men, why have I not heard you discussing the issue of Walvis Bay? (Intervention)

HON DEPUTY MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: I am really sorry to interrupt, but if we allow these charges to be dropped, nothing happens. That weekend boxer, end-of-the-month boxer who beats up his wife or girlfriend will do it regularly. There must be some way in which that person can be changed to end that behaviour. If he is named in some way and even if criminal proceedings do not proceed immediately, I do believe it will have the necessary effect.

HON MINISTER OF HEALTH AND SOCIAL SERVICES: I feel there must be an organisation of men who can shame other men who are beating their wives. 50% of men are women beaters. (Intervention)

HON ATTORNEY-GENERAL: May I ask a question? Honourable Amathila, in your absence a statement was made here that women like it

08 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON DR AMATHILA**

when they are beaten by their husbands, because that is a sign of love. Have you ever heard a woman saying so?

HON MINISTER OF HEALTH AND SOCIAL SERVICES: Yes, this is how the issues of women are usually downplayed. I do not think any woman in her right mind will think that the husband who kicks her in her face loves her. That one I will take to a psychiatric ward and put her on a drip. I think it is just the power game, the women have absolutely no say. The society also assists the men to beat the wives. Women are also ostracising these things. The mother-in-law says she does not have children or the children are girls, when is a boy coming, the child does not look like my son and it is perpetuated by women because they want to please their brother or their uncle.

Then there is the final issue of leaving your child with an uncle or the father. I heard a horrible story, which I am not going to mention here because I am even too ashamed to talk about it. I have warned my grandchild, previously I was saying, “*do not get into a car with a stranger*” and now I have given only two names of the two uncles who are safe to take her, the rest I do not trust after all these things, the child who was left with the father which I cannot tell here in Parliament.

There is this new thing of pornography in this country, which is going to destroy our babies. The men are putting cream there, when the child cries, you know what I mean. We should not imitate everything these people with dislocated minds are doing. If you read the “*You*” of this month, one woman killed her husband because he continuously did horrible things to her.

I agree that they should not be given bail and also that hard labour can be given, but then we have our lawyers and people with money get away. Somebody steals right in front of you and the lawyers say because you forgot to put a question mark there or a comma there, it is not relevant and the case is thrown out. Our Police Officers are accused of not knowing how to read and write, the people get lawyers, and they go scot-free. In

08 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
RT HON DR T-B GURIRAB

my Ministry, people are stealing left, write and centre, but then they get a lawyer and because the security people did not write the report properly, they go free.

Let us look at the things we can do with these people, because I do not believe that all these people had taken drugs or alcohol. With these few words, I rest my case. I just thought I should add my voice to this issue and thank you very much for listening to me.

HON SPEAKER: I thank the Honourable Minister for her contribution and I call on the Prime Minister to take the Floor.

RT HON PRIME MINISTER: Thank you very much, Honourable Speaker. I have three reasons why I will be very brief. One is that today is International Women's Day and the reason why I was absent when you entered the Chamber is that I was addressing a rally organised by women under the leadership of the Governor of Khomas Region. Secondly, I will be brief because we did not only listen to a medical doctor and perhaps because she is a medical doctor, she looked at the social side of the problem we are debating. Thirdly, I made an address there and I do not want to repeat what I said there. I have asked for the Floor to commend Honourable Rosa Namises for having introduced the Motion that we are debating and I want to assure Honourable Nambinga that on this one women are reading from the same page and whether this Motion was introduced by Honourable Namises or whether we would have been discussing these issues under an arrangement made by Honourable Ndaitwah is really the same. These are issues of national concern, they touch very hard on our Republic and concern all of us.

The meeting that I addressed consisted mainly of women, but they represented the entire national spectrum of our country. They were white, they were black and they were in-between that, they were young and old and in all the other forms in which our mothers, wives, daughters and

08 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
RT HON DR T-B GURIRAB**

sisters come and they were there to speak with one voice about the plight of women and particularly the plight of their daughters. The theme under which they organised the gathering was, “*Women March Together in Defence of National Reconciliation*” and I said in my speech that I found the formulation of the theme a contradiction. I posed a rhetorical question, whom are these women reconciling with? Their killers, their rapists, the men who are tormenting them of whom Dr Libertine Amathila just spoke? That is the women’s perspective, at the end of the day they are our mothers.

As the Minister said, perhaps capital punishment, perhaps amputation, perhaps hard labour and all that, but at the end of the day we must solve the social ills of the society. That is where we must begin.

I posed these questions, but in the end, I came back to the point, reminding them that this Honourable House is busy debating the issues about which they met on this International Women’s Day at this very moment.

I also said something about the Constitution. We are saying because of the Constitution this cannot happen and because of the Constitution the other must happen and here in Namibia, we pride ourselves that we have entrenched certain things under Chapter 3, life being one of the fundamental human rights. I did not say this to them, but I said this at so many other places, constitutions can live for centuries and there are nations that boast of that, but depending upon what happens in a society, the kinds of social ills that the Minister was speaking about, constitutions can become nothing more than a piece of paper with some words written on it.

Therefore, we as National leaders have a responsibility when we are speaking of issues of this magnitude to show seriousness, to listen to what our mothers, wives, sisters and daughters are saying what they see as their plight. They might be powerless, it might be a power game, but I have seen with my own eyes and history is telling us that women can move mountains and if they can move mountains, they may reach a point that they would want to overthrow the Constitution. As one of the fathers of

08 March 2005

MOTION ON VIOLENCE AGAINST WOMEN
RT HON DR T-B GURIRAB

the Nation and the Republic and one of the authors of our Constitution, I do not want us to arrive at that stage. I do not want us to even contemplate saying, *“To hell – if that is allowed in Parliament – with our Constitution”*.

We are talking about the very essence of our life and the future of our Republic. A society that mistreats its women, a society that has no place to care for its children is a doomed society. I said a lot about this earlier, I just wanted to give my full support to this Motion and I hope that at the end of it we will collectively send out a voice to the society out there that we do not only care, which we do, but that we would recommit ourselves to begin to do those things that we can do and there are a lot of things that we can do. Thank you.

HON SPEAKER: I thank the Right Honourable Prime Minister for his contribution to this Debate. I now call on the Honourable Deputy Minister of Environment and Tourism.

HON DEPUTY MINISTER OF ENVIRONMENT AND TOURISM:
I Move that the Debate be adjourned until tomorrow.

HON SPEAKER: Any objection? So agreed. Therefore, the Debate on this item stands adjourned until tomorrow afternoon at 14:30. The second Notice of Motion is the one by the Honourable Minister of Agriculture, Water and Rural Development. Does the Honourable Minister move the Motion?

08 March 2005

**RATIFICATION: STOCKHOLM CONVENTION
HON SMIT**

**RATIFICATION: STOCKHOLM CONVENTION ON
PERSISTENT ORGANIC POLLUTANTS AND ROTTERDAM
CONVENTION ON PRIOR INFORMED CONSENT
PROCEDURES**

**HON MINISTER OF AGRICULTURE, WATER AND RURAL
DEVELOPMENT:** I so Move, Honourable Speaker.

Honourable Speaker, Honourable Members, although Namibia does not produce chemicals on a large scale, it does receive a lot of chemicals and the two Conventions for which I seek ratification by the House is, firstly, the Stockholm Convention on Persistent Organic Pollutants and, secondly, the Rotterdam Convention on Prior Informed Consent Procedures for Certain Hazardous Chemicals and Pesticides in International Trade.

Honourable Speaker, the Stockholm Convention is in accordance with Decision 19/13C of 7 February 1997. The Governing Council of the United Nations Environmental Programme (UNEP) requested the Executive Director of UNEP together with relevant international organisations to prepare for and convene by early 1998 an inter-governmental association committee where Namibia participated with a mandate to prepare an internationally legally binding instrument for implementing international action on certain persistent organic pollutants.

The Stockholm Convention seeks to protect human health and the environment from persistent organic pollutants. The twelve certified persistent organic pollutants are : Aldrin; Chlordane; Dieldrin; DDT; Endrin; Heptachlorin; Hexachlorobenzene; Mirex; Toxaphene; PCBs Dioxins and Furans, and have been targeted for immediate action in the Stockholm Convention's finalised text.

For many years before the negotiations began, Governments around the world have agreed on the critical need to rid the world of the worst contaminants. The initial twelve persistent organic pollutants that have been prioritised for urgent action were selected based on irrefutable evidence of acceptable scientific research that these chemicals are capable

08 March 2005

**RATIFICATION: STOCKHOLM CONVENTION
HON SMIT**

of doing enormous harm to humans, wildlife and the environment.

The primary motivation for seeking to eliminate or reduce persistent organic pollutants is the need to protect human life and the environment. Some of the more common and alarming human life effects of exposure to persistent organic pollutants include compromised immune systems, leading to greater vulnerability to both infectious and viral diseases, such as HIV/AIDS and malaria plus many more. Those who face the highest exposure to persistent organic pollutants are the already vulnerable and disadvantaged sections of the population, women, children and the poor.

Studies have shown that women, infants and children are especially vulnerable to certain effects of persistent organic pollutants. The greatest damage caused by persistent organic pollutants is to infants exposed to persistent organic pollutants while still in the womb. The presence of persistent organic pollutants in a pregnant woman is transferred through the placenta to the developed foetus. One study has shown that the foetus was hundred times more sensitive to a particular persistent organic pollutant than was an adult. A pregnant woman contaminated with persistent organic pollutants faces the risk of increased miscarriage and of giving birth to an underweight child.

Honourable Speaker, the second Convention for which I seek ratification by the House is the Rotterdam Convention. The Rotterdam Convention, which is based on the principle of prior informed consent procedures, developed and applied since 1998 on a voluntarily basis through the United Nations Food and Agricultural Organisation and United Nations Environmental Programme.

Namibia has been a party to the voluntarily prior informed consent procedures since it came into effect in 1998 and as well as to the Stockholm Convention on Persistent Organic Pollutants. Prior informed consent procedure implies that importing and exporting countries share responsibilities. The dramatic growth in chemical production and trade during the past three decades has raised both public and official concern about the potential risk posed by hazardous chemicals and pesticides.

08 March 2005

RATIFICATION: STOCKHOLM CONVENTION
HON SMIT

Countries lacking adequate infrastructure to monitor the import and use of these chemicals are particularly vulnerable, Namibia included.

For many years before negotiations began, Governments around the world have been agreeing together on the critical need to rid the world of hazardous chemicals. The Convention will assist Namibia to develop an appropriate infrastructure through technical assistance in the fields of chemicals and hazardous materials management. This will be done through projects sponsored by developed countries and countries with advanced programmes in sound management of chemicals.

Honourable Members, more information is available in the two texts as provided. Persistent organic pollutants respect no borders. Let us protect our clean environment that we enjoy today, clean water, our beautiful wildlife and our long coastline with all its resources and much more.

Ratification of the two Conventions confirms Namibia's commitment to national, regional and international cooperation of ensuring the environmentally sound management of hazardous materials and chemicals.

Honourable Speaker, I request the House to ratify both the Stockholm and Rotterdam Conventions. Thank you very much.

HON SPEAKER: I thank the Honourable Minister of Agriculture, Water and Rural Development. Any further discussions?

HON MOONGO: I Move that the Debate be adjourned until tomorrow.

HON SPEAKER: Any objection? Agreed to. That means Honourable Moongo only adjourned the Debate on the Ratification of the Stockholm Convention. The Honourable Minister, for some strange reason, covered the two items under the same motivation, but they have to be presented separately. Therefore, I put the Question on the next one, and that is that

08 March 2005

**RATIFICATION: ROTTERDAM CONVENTION
HON SMIT**

the third Notice of Motion if one by the Honourable Minister of Agriculture, Water and Rural Development, Honourable Smit. Does the Honourable Minister Move this Motion?

**ROTTERDAM CONVENTION ON PRIOR
INFORMED CONSENT PROCEDURES**

**HON MINISTER OF AGRICULTURE, WATER AND RURAL
DEVELOPMENT:** I Move the Motion.

HON SPEAKER: Who seconds the Motion? So agreed. Honourable Minister, you will have to Move this Motion separately.

**HON MINISTER OF AGRICULTURE, WATER AND RURAL
DEVELOPMENT:** Honourable Speaker, thank you very much. I have motivated the two Conventions together because they are linked to one another and I believe that the Honourable Members will understand it and that they will read the two Conventions together and I request that they ask the questions together. Thank you very much.

HON SPEAKER: Are there further discussions on the Rotterdam Convention?

HON MOONGO: I Move that the Debate be adjourned until tomorrow.

08 March 2005

**ZAMBEZI WATERCOURSE COMMISSION
HON SMIT**

HON SPEAKER: Any objections? So agreed. Therefore, this Motion stands adjourned until tomorrow afternoon. The fourth Notice of Motion is the one by the Honourable Minister of Agriculture, Water and Rural Development. Does the Honourable Minister Move this Motion?

HON MINISTER OF AGRICULTURE, WATER AND RURAL DEVELOPMENT: I Move the Motion.

HON SPEAKER: Who seconds the Motion? Any objection? So agreed. Will the Honourable Minister of Agriculture, Water and Rural Development please move the Motion?

**RATIFICATION: AGREEMENT ON ESTABLISHMENT
OF THE ZAMBEZI WATERCOURSE COMMISSION**

HON MINISTER OF AGRICULTURE, WATER AND RURAL DEVELOPMENT: Honourable Speaker, Honourable Members, we are all aware of the importance of water to Namibia and due to the geographical position of Namibia and the low rainfall we experience, we are absolutely dependent on the water in the perennial rivers which form part of the 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 secure and protect our interests in having secure access to this water.

Namibia has ratified the SADC Protocol on Shared Watercourses as well as the United Nations Convention on the Law of the Non-navigational Uses of International Watercourses of 1997. These Conventions, *inter*

08 March 2005

**ZAMBEZI WATERCOURSE COMMISSION
HON SMIT**

alia, require watercourse states to cooperate in the management of international watercourses.

With this in mind, an agreement was drawn up to establish the Zambezi Watercourse Commission. 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. Honourable Nangolo Mbumba signed the Agreement on behalf of Namibia during a ceremony presided over by the President of Botswana. Zambia was the only country, which did not sign the Agreement, but may hopefully do so in due course.

After an international agreement has been signed, it must be ratified by the National Assembly and the purpose of this submission is to meet this Constitutional requirement. Article 63 of the Constitution deals with the powers and functions of the National Assembly. According to Article 63(e), *the National Assembly shall have the powers and functions to agree to the ratification of or accession to international agreements which have been negotiated and signed in terms of Article 32(ee).*

In view of the fact that Namibia became a signatory to the said Agreement, it has an obligation to ratify the Agreement. Cabinet has approved the ratification of the said Agreement and I, therefore, urge the Honourable House to ratify the Agreement on the Establishment of the Zambezi Watercourse Commission. Thank you, Honourable Speaker.

HON SPEAKER: I thank the Honourable Member for his submission. Any further discussions on this matter?

HON MUCHILA: I Move that the Debate be adjourned until Tuesday, next week.

08 March 2005

ADJOURNMENT

HON SPEAKER: Any objection? So agreed. The Debate stands adjourned until Tuesday, next week. That, indeed, brings us to the end of the business as scheduled for this afternoon. Before I call on the Honourable Prime Minister to adjourn the House, I call on the Government Chief Whip to make an announcement. Honourable Amathila.

HON B AMATHILA: Honourable Speaker, with the concurrence of my Colleagues of the Opposition parties, I would like to move a Motion that the business planned for tomorrow be adjourned to Thursday because of urgent business that the majority of the Members of this Parliament will have to attend to. I Move that we adjourn until Thursday.

HON SPEAKER: Any objection to the Motion by Honourable Amathila? No objection. Therefore, I will call on the Right Honourable Prime Minister to adjourn the House until Thursday afternoon.

RT HON PRIME MINISTER: I rise to Move that this House now adjourns until Thursday, 10 March 2005, at 14:30.

HOUSE ADJOURNS AT 17:10 UNTIL 2005.03.10 AT 14:30

ASSEMBLY CHAMBERS
10 MARCH 2005
WINDHOEK

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? Honourable Amathila.

TABLING: REPORT ON HARDSHIP MISSIONS

HON B AMATHILA: Comrade Speaker, I lay upon the Table, the Report on Hardship Missions by the Standing Committee on Foreign Affairs, Defence and Security for the consideration of this House.

**TABLING: REPORT ON VISITS
TO MILITARY INSTALLATIONS**

HON B AMATHILA: I lay upon the Table, the Report on the Visits to Military Installations by the Standing Committee on Foreign Affairs, Defence and Security for the consideration of the House.

HON SPEAKER: Will the Honourable Member please table the Reports? Any Reports of Standing or Select Committees? Other Reports and Papers? Honourable Ya France.

10 March 2005

**TABLING OF REPORTS
HON YA FRANCE**

HON YA FRANCE: Honourable Speaker, I lay upon the Table, Report on the ACP-EU Joint Parliamentary Assembly which met in Brussels, Belgium by the Parliamentary Standing Committee on Economics, Natural Resources and Public Administration for information.

HON SPEAKER: Will the Honourable Member please table the Report? Honourable Amathila.

**TABLING: REPORT ON PAN-AFRICAN
PARLIAMENT SECOND SESSION**

HON B AMATHILA: Comrade Speaker, I lay upon the Table, Report of the Namibian delegation and Members of the Pan-African Parliament Second Session, held from the 16th of September to the 1st of October 2004 at Midrand, South Africa, for the consideration of the House.

HON SPEAKER: Will the Honourable Member please table the Report? Other Reports and Papers? Any Notice of Questions? Any Notice of Motions? Any Ministerial Statements? Today being Thursday, the day on which the business in this Chamber is initiated by the Opposition benches, we will now commence with the Questions. Question 15 is put by Honourable Moongo to the Honourable Minister of Health and Social Services. Does the Honourable Member put the Question?

RESPONSE TO QUESTIONS

10 March 2005

**RESPONSE TO QUESTIONS BY HON MOONGO
HON KAMWI**

QUESTION 15:

HON MOONGO: I put the Question.

HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES: Thank you, Honourable Speaker, Sir. I rise to respond to the question put by Honourable Moongo to the Honourable Minister of Health and Social Services.

The Ministry of Health and Social Services does not have a policy regarding the donation of healthy organs for diseased people. The Ministry does not even envisage having a programme of this nature in the near future. It is a programme, which demands high expertise and demands funds. However, the Ministry has an arrangement that once there is such a demand, reference is always made with our South African colleagues and assistance is always in place. Thank you.

HON MOONGO: I would like to ask whether the Minister is aware that South Africa has very expensive machines, which drain inactive kidneys. When will Namibia buy those machines to assist our patients?

HON SPEAKER: Honourable Moongo, is it a follow-up question?

HON MOONGO: It is a follow-up question because it deals with those who have inactive kidneys. South Africa has those machines and I want to know when is Namibia going to buy those machines to assist the Namibians who are suffering?

10 March 2005

**RESPONSE TO QUESTIONS BY HON NAMISES
HON KAMWI**

HON SPEAKER: The question is ruled Out of Order, it is an independent question, as I do not see any link to these two questions. I thank the Honourable Deputy Minister for his response and we shall proceed to Question 18, which is put by Honourable Namises to the Honourable Minister of Health and Social Services. Does the Honourable Member put the Question?

QUESTION 18:

HON NAMISES: I put the Question.

HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES: Honourable Speaker, Sir, Honourable Members. I rise to respond to a question put by Honourable Namises to my Minister.

First of all, the allegation that since October 2004 mobile clinics have not visited some rural communities is ill placed and not true. The Honourable Member should maybe have put her question in reference to a mobile clinic for Rehoboth Rural rather than to generalise. We know for certain that all the mobile clinics in the country are doing well and are in place.

Secondly, the outreach services came to a halt on a temporary basis due to logistical problems. The mobile clinic depends on a reliable vehicle. In this case, the vehicle meant for Rehoboth Rural was Out of Order. A mobile clinic is expensive to maintain. On the other hand, the Ministry was faced with financial constraints at the time. As of now, since the 1st of March, the outreach services for Rehoboth Rural are working and all is well. Thank you.

HON SPEAKER: I would like to thank the Honourable Deputy Minister. Question 19 is put by Honourable Muchila to the Right Honourable Prime

10 March 2005 **RESPONSE TO QUESTIONS BY HON MUCHILA
RT HON DR T-B GURIRAB**

Minister. Does the Honourable Member put the Question?

QUESTION 19:

HON MUCHILA: I put the Question.

RT HON PRIME MINISTER: Thank you, Mr Speaker. In response to the Caprivi floods, the Government of the Republic of Namibia, as the custodian of the Namibian citizens' well-being, allocated an amount of N\$10 million. Following an appeal for contributions and donations to this natural disaster, a local contribution amounting to N\$117,782.50 was received and paid into the Natural Disaster Fund. In the light of this, the total budget for the Caprivi amounted to N\$10,117,782.50. Therefore, the international community did not make any donations to the Caprivi flood in monetary terms.

In addition, however, other social partners, both national and international, including the International Red Cross and World Food Programme and others made in-kind contributions to the plight of the Caprivi flood victims in the form of food and non-food items. Regarding food items, 77 750 bags of maize meal, 6,206 boxes of cooking oil, 2,509 boxes of rice, 5,670 cases of tinned fish and 1,026 boxes of fresh sea fish were donated.

On the other hand, 1,000 blankets, 2,600 mosquito nets and 130 mattresses were also donated. It should be noted that it is, however, difficult to quantify the in-kind donations made by both national and international social partners in monetary terms, since purchasing was done by the respective social partners and only handed over to the Caprivi Regional Council or in some instances to the National Emergency Management Committee. The donated food and non-food items benefited about 10,000 people directly affected by the flood. The distribution of the aforesaid was directly done under the supervision of the Chief Control Officer in the Office of the Caprivi Regional Council.

10 March 2005 **RESPONSE TO QUESTIONS BY HON MUCHILA
RT HON DR T-B GURIRAB**

The answer to the second question is as follows:

The amount of N\$9,052.50 was spent on S&T and danger allowances for the Zimbabwe contingent and S&T for the Namibian Defence Force members. The amount of N\$189,552 was spent on food commodities. The amount of N\$665,569.63 was spent on flood management activities. This money was transferred to the Caprivi Regional Council account to pay for the S&T for staff members, power generators, fuel for vehicles and other equipment. The amount of N\$565,366.02 was spent on vaccination of animals. The amount of N\$3,960,265.67 was spent on transport and fuel. The amount of N\$151,121 was used to purchase a speedboat. Thus the total amount spent was N\$6,941,125.82.

Answer to the third question:

A total amount of N\$215,367.96 in addition to N\$6,941,125.82 was spent on the provision of food, materials and other assistance spent on subsistence and travelling allowance for the flood, resulting in a total expenditure of N\$7,156,493.78.

During the emergency operations relating to the Caprivi flood, it was discovered that some officials were claiming exorbitant and unjustifiable subsistence and travelling allowance and related overtime pay. With a view to addressing the above and in order to close possible administrative loopholes, my Office, in cooperation with the Caprivi Regional Council, set up a Committee to thoroughly scrutinise subsistence and travelling allowance and related overtime claims before any payments are made. In the light of this, it is not true to say that the emergency operations in the Caprivi have been turned into self-enrichment schemes and that funds were misdirected. Initially there were two instances where individuals claimed more than what they are entitled to. This could be attributed to existing despicable and unethical behaviour of some civil servants within the Public Service. They are a few rotten apples.

It should further be noted that outstanding commitments received from Line Ministries amount to N\$2,901,634.80, while estimated outstanding claims from the line Ministries relate to transport and fuel and also

10 March 2005 **RESPONSE TO QUESTIONS BY HON MUCHILA
RT HON DR T-B GURIRAB**

subsistence and travelling allowances. Adding both outstanding commitments of N\$2,991,634.80 and outstanding claims of N\$1,750,000 to the total expenditure of N\$7,156,493.78 will result in an overall expenditure of N\$10,998.128. In the light of this, it is anticipated that the estimated shortfall in the Caprivi Flood Disaster Fund will amount to N\$880,346.08. However, we expect to make good on this shortfall through the small surplus on the allocation of the drought relief project, which also ended late last year. This administrative arrangement has been authorised by the Ministry of Finance.

The last question: Directors and other senior Government Officials were involved during the operations of the emergency simply because the magnitude of the flood was life threatening and as managers they were, therefore, needed to carry out managerial functions such as supervision and to take crucial and timely decisions with a view to saving the lives of those affected. It was not a job creation affair. In addition, school inspectors and principals were needed since a number of schools were affected. For example, school Inspectors and Principals were entrusted with responsibilities of relocation of schools, replacement of learners in relocated schools, monitoring transportation of school materials as well as to hold regular meetings with learners and community members at large. This was a pure emergency operation and, therefore, not an employment creation project. We needed urgent and immediate Government response and action in order to save lives in the affected areas and to give as much as possible comfort to our people in the Region.

Mr Speaker, I am done.

HON MUCHILA: I want to thank the Prime Minister for his response to the questions.

HON SPEAKER: Question 21 is put by Mr Muchila to the Minister of Health and Social Services. Does the Honourable Member put the Question?

QUESTION 21:

HON MUCHILA: I put the Question.

HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES: Honourable Speaker, Honourable Members, I rise to respond to the question put by Honourable Muchila to the Honourable Minister of Health and Social Services.

First of all, I would like to say that question is misdirected. The Honourable Minister of Health and Social Services is not responsible for the electrification of the health facilities. The Minister of Mines and Energy is responsible for supply of electricity to all Government institutions. However, for reasons that I have some information on this, I will attempt to answer him.

Yes, indeed, around this time the Katima Mulilo town experienced a blackout. It was not only at the Clinics cited here but the whole Katima Mulilo and probably the whole Caprivi Region.

The second is question is whether the Minister could kindly shed some light on why this has happened. Certainly, that is equally irrelevant here. Even if this question was been directed to the Honourable Minister of Mines and Energy, it would not have served the purpose. The electricity supply in Caprivi Region is supplied by Zambia and thus he would not have been in a position to know what went wrong on the other side in Zambia. That is the information I can give the Honourable Member Muchila. Thank you.

HON SPEAKER: I would like to thank the Honourable Deputy Minister of Health and Social Services for his responses. I call on the Secretary to read the First Order of the Day.

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON SIOKA**

**RESUMPTION OF SECOND READING:
NATIONAL YOUTH SERVICE BILL**

HON SPEAKER: When this Debate was adjourned on Tuesday, the 8th of March, the Question before the Assembly was a Motion by the Honourable Minister of Higher Education, Training and Employment Creation. This Debate was adjourned by Honourable Sioka and I call on her to take the Floor.

HON SIOKA: Thank you, Honourable Speaker, Honourable Members. I am rising to make my humble contribution to the Bill under discussion. First, allow me to thank and congratulate the Minister of Higher Education, Training and Employment Creation for tabling this long overdue Bill.

As we all know, this Bill was here last year and I strongly feel that the more we delay this very important Bill, the more we are contributing to the delay of their contribution to the economy of this country and deny them an opportunity to education in many fields, such as agriculture, arts and many more. I am requesting the Members to do justice to this very important Bill of our youth and pass it without referring it to any Committee.

Honourable Speaker, Honourable Members, since the youth are the major Human Resources for development and the key for social change in our country, more attention should be given to them by providing all skills we have at our disposal, being knowledge and training. Let us not be selfish and keep it to ourselves, let us transfer the knowledge for the sake of the skills of our new generation to come.

Honourable Members, since Namibia is faced with a multitude of problems, such as hunger, poverty, disease, unemployment and natural

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON SIOKA**

disasters, I think this is the greatest opportunity for our youth to start proving their capabilities that in future they will be able to feed our Nation and alleviate unemployment among their fellow youth who are still stuck in the ghetto of alcohol and drug abuse.

Honourable Speaker, Honourable Members, this important Bill is seeking for the establishment of the National Youth Service as a statutory body, for the youth to be able to manage their own affairs without any interference. Again, it is seeking the creation of the Youth Service Fund, which, in my view, will benefit all the youth in our country regardless of their political affiliation.

Honourable Speaker, Honourable Members, last year Comrade Hishongwa extended an invitation to all Members of Parliament to see what our youth are doing at Berg Aukas. Those who had the opportunity to attend have seen a lot and I am quite sure they were touched to see the products these youth have produced under a difficult situation, without enough funds and good implements for cultivation. If this Bill could be passed, these kids could produce more.

Honourable Speaker, Honourable Members, there are many things, which the young people can learn from one another once this Bill has been passed. I think the Minister has mentioned what the youth can share once they are on their own.

Furthermore, I would like to emphasise recruitment. The Government has played a role in shaping the Bill and now it is left to the Traditional Leaders to reserve land for the youth so that they can show their skills and their capabilities. Since recruitment will not take place in one area, I am still calling upon our youth to pay attention when the call for recruitment is made.

With these few remarks, Comrade Speaker, I support the Bill and I want it to be passed as soon as possible. I thank you.

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON PRETORIUS**

HON SPEAKER: I thank Honourable Sioka. I now recognise Honourable Pretorius.

HON PRETORIUS: Mr Pretorius, I am very uneasy about this Bill. As a matter of fact, I am seriously worried. Within one or two days we want to destroy everything we have done for the last fifteen years to give effect to a Constitution which we are still boasting about to be a masterpiece of democracy. There is no sense in having a democratic Constitution, but then to deal with it, manage, and administer it in an autocratic way. There is no sense in steamrolling it without the opportunity to study it in depth and discuss it and being forced to deliver a speech in only ten minutes, trying to cover everything.

With only a few hours at my disposal to scrutinise the Bill very superficially, I nevertheless concluded that this Bill could not be supported without creating a precedent, which will be the beginning of the end of the correct procedure concerning democracy in Namibia. Because I am restricted to ten minutes, I will therefore only deal mainly with the aspect of procedure. (Intervention)

**HON DEPUTY MINISTER OF WOMEN AFFAIRS AND CHILD
WELFARE:** May I ask a question?

HON PRETORIUS: If the time can be added to the ten minutes, yes, otherwise not.

HON SPEAKER: The question is declined.

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON PRETORIUS**

HON DEPUTY MINISTER OF WOMEN AFFAIRS AND CHILD WELFARE: On a Point of Order. Does the Cabinet Ministers of the colonial past want continuation of that regime for our generation or what does he want to say? You were beating us here, you were killing us here and now want to bring those things in this Chamber again?

HON SPEAKER: The Honourable Member who rose on a Point of Order is seriously angry and I ask Honourable Pretorius to continue, that not being a Point of Order.

HON PRETORIUS: As a matter of fact, Mr Speaker, I have not motivated anything as yet. Because I am restricted to ten minutes, I will therefore only deal mainly with the aspect of procedure. It must therefore be clear that my contribution as such is totally incomplete and will cover only a few points.

Let us first look at the time factor. The fact that there was no need for legislation for the eight years that the National Youth Service existed, is clear evidence to me that there is no urgency at all, except for unknown political reasons. Exactly two years ago, the Deputy Minister of Higher Education, Vocational Training, Science and Technology moved the National Youth Service Bill on the 27th of February 2003. He even motivated in the Second Reading on the 4th of March of 2003 and then suddenly withdrew it for what was now indicated as “*technical reasons*.” Now two years later a new Bill was introduced which differs totally from that one of 2003 without any motivation or reasons for the sudden change and urgency.

To put a President in charge of a Ministry does not need any law. It was already done in the past in connection with, for example, the Police and Information and Broadcasting.

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON PRETORIUS**

When I read this Bill for the first time, my first conclusion as a layman was that it is totally in contradiction with our Constitution. You cannot overrule Article 27 of our Constitution by making the President, as proposed, Head of a service with, for all practical purposes, full legislative, executive and judicial powers in connection with the service. Article 27, which is about the Head of State, very clearly stipulates, *“Except as may be otherwise provided in this Constitution or by law, the President shall in the exercise of his or her functions, be obliged to act in consultation with the Cabinet”*. Replacing the Cabinet with a Board, which shall be appointed by the President himself, and with only advisory powers is absolutely not acceptable to me. To give Parliament no input or control in the policy-making.... (Intervention)

HON DEPUTY MINISTER OF WOMEN AFFAIRS AND CHILD WELFARE: On a Point of Order. Honourable House, you know why today Muharukua is not speaking English nicely today. It is because of the Honourable Member who is talking today. He is saying that we are not making the things in the same day. We were supposed to develop a long time ago, but you did not bring education to us. You took our money to buy a gun and kill us! What you are talking about now?

HON SPEAKER: Honourable Muharukua is very perturbed. I would advise that Honourable Muharukua takes the Floor and vent it out, because the Points of Order will not allow you to say everything you want to say. The Floor is still open, just prepare to take the Floor and express yourself. That was not a Point of Order. Proceed.

HON PRETORIUS: To give Parliament no input or control in the policy-making is against the spirit of the Constitution or will the Parliament, be in a position to criticise and overrule the President? In

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON PRETORIUS**

practice, with the monopoly... (Intervention)

HON SPEAKER: Three minutes to go, Honourable Pretorius.

HON PRETORIUS: It is not my fault.

HON SPEAKER: I know, it is not mine either.

HON PRETORIUS: With the monopoly to govern squarely in the hands of a Majority Party that will, in any case never happen in practice. The President would *de facto* take over the legislative power of the Parliament and make his own laws by way of regulations and proclamations.

Against the background of Article 31 of our Constitution which is about the immunity of the President from civil and criminal proceedings, read together with Clause 27 of this Bill which is about the immunity from liability of the Service, the Commissioner or a staff member, I as a layman am wondering whether the Courts will have any role to play. Even the most irresponsible recruit will not be liable for anything done in good faith in carrying out a function or power under this Act or any other law or in reasonable belief that the act or omission was in the carrying out of a function or power under this Act or any other law. Furthermore, one needs to keep in mind that school education or literacy is not a legal requirement to be recruited to the Service. One may even call the National Youth Service a juristic person with immunity from liability. What is proposed is what we usually in politics call “*empire-building*”.

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON PRETORIUS**

Even going further, it will be a state within a state, for all practical purposes, a Government within a Government.

Clause 6(2)(b) of the Bill, for example, stipulates that one of the functions of the board will be to advise the President as head of the service to enter into an agreement with any person, including the State, a University, a research institution, etcetera. Therefore, what my common sense is telling me is that the President, as Head of the Service, has to approach himself as Head of the State to enter into an agreement.

It is also not clear to me whether Public Service Commission and its laws and salary scales will have any role to play and whether the Head of the Service, that is the President, will act as his own Public Service Commission.

It is not clear to me what the concept of “*voluntary recruitment*” means. However, the fact that the Labour Act will, according to Clause 13(4), does not cover the recruits is outrageous, unheard of. If the Labour Unions were upset about the position of the workers under EPZ, I am wondering what their reaction will be in this connection.

Furthermore, it is not clear to me whether any institution, such as the Namibia Qualifications Board, will have anything to say about the curriculum or standard, which will be followed.

To summarise, I cannot help to conclude that the President will replace the Parliament to legislate by way of regulations and proclamations, with even the authority to give codes of conduct the power of law. The President will also have the sole power to decide about the execution, management and administration of his own laws without consulting his Cabinet or Parliament. Nobody will ever dare to do it or be in the position to take the President to Court or even to the Ombudsman. This Bill, if it becomes law, will finally put the President, as far as the National Youth Service is concerned, above the law and that with the consent of the Parliament itself.

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON BLAAUW**

Against the background of Article 45 of Namibia's Constitution which stipulates that "*the Members of the National Assembly shall be representative of all the people and shall in the performance of their duties be guided by the objectives of this Constitution, by public interest and by their conscience*", I am also for the sake of democracy unfortunately not convinced to support the Bill on the National Youth Service, also because it is not clear whether the financial implications will be affordable and a priority. I thank you.

HON SPEAKER: I thank Honourable Mr Pretorius for his contribution. I want to remind the Honourable Members that this National Youth Service Bill is being discussed under the provisions of Rule 98 and its restrictions, restriction number one that each Member is only allowed to take the Floor for ten minutes at every stage throughout the three stages.

Your preparations must be within that confinement of ten minutes. I now recognise Honourable Mr Blaauw. It is his maiden speech, I want all the protective Clauses to apply to him, and that the Members will not interject.

HON BLAAUW: Thank you, Honourable Speaker, Honourable Members. As the youngest Member of this House, I am rising in support of the National Youth Service Bill.

As we know, the youth are not only the future of our country, but it is also more than 60% of the population. I believe this Bill is long overdue and I would, therefore like to congratulate Honourable Angula and the Office of the President, in particular, for bringing this Bill to the House.

This Bill gives many young people the opportunity to become part of an organised structure, which will be able to create patriots of Namibia. I believe this Bill, as an organised structure, will address issues such as HIV/AIDS, discipline, basic respect and respect for the law, the

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON BLAAUW**

combating of violence against women and children and many other issues.

Last week when Honourable Angela was speaking on the issue of violence against women and children, he mentioned that we must come up with solutions and I see this as one of the solutions, where we can groom our youth to make sure that Namibia becomes a country that is crime free and that all can be proud of.

Honourable Speaker, Honourable Members, I was blessed two weeks ago when I visited the headquarters of the National Youth Service at Berg Aukas and one cannot help but be impressed if you see the projects that these young people have embarked upon in sometimes harsh conditions – projects such as agriculture, construction and many others. I believe that if the necessary support and funding can be given to these young people, the paradigm can be shifted for us to see that Namibia can become a country that can sustain itself, but that can only be done if we are all hardworking and patriots.

Honourable Speaker, Honourable Members, young people are listening to each other and I believe that information and also a passion to fight this terrible disease, HIV/AIDS, which is facing our country can be created if we are in an organised structure. I have also noticed that the enrolment in the National Youth Service is of a voluntary nature and I, therefore, call on all the young people in this country, even those in political leadership, to enrol in order for us to get back to one of the basic principle on which the Namibian society was based, which is respect, and even more so if it is respect for the Head of State, in order for us not to insult.

Honourable Speaker, I am urging all the Members of this House to support this Bill and allow me to say thank you to the Members for welcoming me to this House, for showing me the ropes and allowing me to be part of this team of lawmakers of our country. I thank you.

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON HISHONGWA**

HON SPEAKER: I thank Honourable Blaauw for his maiden speech. With that, the immunity has been lifted. You are no longer protected from the barrage. Honourable Hishongwa.

**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING
AND EMPLOYMENT CREATION:**

Thank you very much, Comrade Speaker. I rise to support the introduction of this National Youth Service Bill. When the National Youth Service Bill came to the Ministry of Higher Education, Training and Employment Creation, we were told to start a project and see whether it would work. The aim was all the time that the project would ultimately go to the Office of the President. I was entrusted to spearhead this programme. Therefore, the programme is extremely important and urgent.

We have to know that the young people of our country are facing a problem of unemployment. This problem is not due to the fact that we do not have employment opportunities. It is because we do not have young people with the necessary skills to add value to our natural resources.

That is the problem and the National Youth Service is taking care of that, to see to it that our young people are given the necessary skills, so that we can end unemployment and poverty. When they have the necessary skills, they will be able to create employment for themselves and that is what we have been doing. Due to the fact that we do not have enough funds, we are actually training them in various areas, some in agriculture, some in carpentry, etcetera. The programme will assist them financially and link them to Financial Institutions and then we give them the necessary tools to start their own projects.

It is, therefore, very important that all Namibians, particularly Members of Parliament and those who want peace and stability and those who wish for the economic development of our country, should support this project. It is urgent because 35% of our people are unemployed and 60% of the youth are unemployed of which I understand about 40% are women.

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON HISHONGWA**

With this programme, we take young people from all over the country, an equal number from each constituency and equal in gender so that we are able to train them and send them to all parts of the country. I could say this is actually also a programme that bring all our young people together to learn from each other and being the future leaders of our country to know each other. They are more fortunate than me who had to meet Honourable De Waal in the Parliament here at the age of fifty. It is necessary to bring our young people from various backgrounds together, so that they can create what we could really very proudly one day call One Namibia, one Nation. They are learning from each other's cultures, they are accepting each other's cultures. I had the honour to invite most of the Honourable Members and they have seen what we have done there while only given about N\$1,8 million and if money could be made available, I believe then our young people could have the support of all of us, particularly this House and then also to inform our respective regions and constituencies to support these young people.

Therefore, we will add value to their lives, we will end violence, we will end unemployment and Namibia could be a place, which we could be proud to live in.

Therefore, Honourable Members, I appeal to all political parties to urgently support the Bill. Of course, as Members of Parliament, you can debate what you are not happy with or criticise and I am sure the Honourable Minister will clarify. This is a question of doing justice and to delay justice is to deny justice. It was delayed before because it was taken from our Ministry to the Office of the President so that the Bill can reflect the President.

Honourable Members, it would be good if all of us support the Bill, particularly the young people among us here and particularly the elderly ones here, because they are the fathers and mothers of the young people. Let us not deny our children a better future. Let us support our children as parents and particularly as Members of this House and leaders of this Nation. I support the Bill.

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL**

HON SPEAKER: I thank the Honourable Deputy Minister for his support of this Bill. Honourable Venaani.

HON VENAANI: Honourable Speaker, I pray for your indulgence to adjourn the Debate until next week, Tuesday.

HON SPEAKER: I refer you to Rule 98.

HON DE WAAL: It says nothing about adjournment. It just says ten minutes.

HON SPEAKER: This Rule is the one, which allows you to go through all three stages in one day, unless we are reading the Rule in different languages. This is the Rule to accelerate the process, suspend the regular procedure that each stage of the Bill takes a day. Since I am growing old, that is my Ruling, it can be overruled by others.

HON DE WAAL: The Rule says nothing about adjournment.

HON SPEAKER: How can you adjourn if you have agreed to complete the three stages in one day? What did we agree on when I introduced this on that day?

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL**

HON DE WAAL: Honourable Speaker, on a Point of Clarification. When this Bill was introduced, we complained and said that we have not seen the Bill. Then you said, let it be introduced, when you have seen the Bill we will talk about it again. You can consult the HANSARD. We have not had that time to talk again. We still do not agree that this Bill is urgent. How can you delay a Bill for eight years and then all of a sudden, two weeks before the end of the life of a Parliament introduce it? It is not urgent.

HON SPEAKER: That is an argument, I have no basis to refute your position that it is not urgent and I have no basis to refute the Minister's position that it is urgent. What I am interested in is the understanding of this Chamber's way forward, that is all, and in that, I am governed by nothing but the Rules of this Chamber.

HON VENAANI: On a Point of Order. I just need clarification from you as the Chair whether the Minister has moved a Motion, requesting the consideration of the Bill to be under urgency, as the Rule says. Was that Motion tabled here?

HON SPEAKER: I would ask Honourable Venaani to consult his Party so that he does not appear to be embarrassed. If you were not in the Chamber, you can consult. I do not have to answer those questions and I shall not. Everything was done about this Bill to conform to this Rule 98 and I will not entertain any argument on the last minute, whereas there was time in which these arguments could have been presented. That was yesterday, it is water under the bridge. Therefore, you either discuss, you move on, vote it out. The command from here is that this Bill now goes through all three stages this Thursday, not tomorrow, not yesterday. That is what the Rule says. If you adjourn, that is it. Honourable Minister Kawana.

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON DR KAWANA / HON VENAANI**

HON MINISTER OF JUSTICE: Comrade Speaker, I rise to support my previous Comrades who have contributed to this very important Bill. I have only two points to clarify because there was a misinterpretation by the Opposition concerning this Bill.

It is not true that the President is going to usurp the powers contrary to the Constitution. On the contrary, the President is trying to be transparent, because Article 27(3), as cited by Honourable Mr Pretorius, says, “*Except as may be otherwise provided in this Constitution or by law...*” and this is the law that we are passing now to give power constitutionally to the President to be the Head of the Youth Service. Therefore, Honourable Mr Pretorius’ interpretation is really wrong in law and in the Constitution.

At the same time, I would like to refer Honourable Mr Pretorius to Clause 2 of the Bill. Clause 2 says, “*There is herewith established the National Service. The Service is a juristic person capable of suing or being sued.*” Therefore, whatever is done in the name of the Service, any citizen who is aggrieved has the right to sue. In that sense, to subject this to the immunity of the President, I do not understand where the President’s immunity comes in, because whatever is done in the name of the Service, any aggrieved person will have recourse to our judicial system.

At the same time, as per Clause 8 of this Bill on regulations, it is perfectly legal for the President to issue directives by way of proclamations, because we are enabling the President to do so in terms of Clause 8 of the Bill. I just wanted to clarify those misconceptions, Comrade Speaker.

HON SPEAKER: I thank the Honourable Minister. Honourable Venaani.

HON VENAANI: Honourable Speaker, I want to record our Party’s objection to the Bill. Honourable Speaker, no person in this House does

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON VENAANI**

not agree with the necessity and the urgency of assisting the young people of this country through training, through job creation. (Interjection). Let me remind you that youth is a transit period. It is not static.

Honourable Speaker, I for one and many Members of my Party visited the Berg Aukas Project on various occasions. One is impressed with the work done by the youth at that particular centre and we agree that there is a need to have proper legislation. As lawmakers, we have the obligation to legislate properly in order to know that the laws that we pass would stand the test of time.

Honourable Speaker, our great concern as a Political Party is the examples of many other Youth Services on the African continent that are used as political, military institutions. (Intervention)

HON DEPUTY MINISTER OF LANDS, RESETTLEMENT AND REHABILITATION: On a Point of Order, Honourable Speaker. I understood Honourable Venaani invoked Rule 69, but my understanding is that this Rule can only be invoked when the Question is put and the Honourable Speaker has not yet put the Question.

HON SPEAKER: If there were three Members competing to register their opposition to the subject under discussion, then the Presiding Officer would move to put the Question. At this point, the Member has registered only his Party's opposition and he is debating, so I cannot put the Question. Putting the Question would mean to end this and going into division.

HON VENAANI: Honourable Speaker, I was speaking about the African experience. Let me refer you to the year 1967 and the Kenyan history of a

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON VENAANI**

National Youth Service under Joshua Mange Karioki who was the head of that Service. (Interjection)

HON MEMBER: It was before you were born.

HON VENAANI: Yes, history and knowledge is not a monopoly of age. That institution was used during those times in that particular country as an instrument to oppress opposition in governance in that country. (Intervention)

HON DEPUTY MINISTER OF ENVIRONMENT AND TOURISM: May I ask the young Parliamentarian a question?

HON SPEAKER: Question declined. There should be consideration given to the Honourable Members due to the time restriction. All these interventions of course cut the time. We do not have a stopwatch like in sports. The minute you rise the clock goes on. It is only ten minutes that would be allowed on the clock.

HON VENAANI: Honourable Speaker, the experience goes up to our northern neighbour, Zimbabwe. (Intervention)

HON DEPUTY MINISTER OF ENVIRONMENT AND TOURISM: On a Point of Order. Due to Honourable Venaani's disorientation and

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON VENAANI**

negativity in his mind, I want to say that DTA has youth. Does that mean that they are the DTA's military wing? As a young leader, he is supposed to support this Bill.

HON VENAANI: Honourable Speaker, I totally disagree with the Honourable Member's thinking that our youth need military training in order to improve themselves. Our youth need employment, education and they need to be trained and not to have a sub-military institution to run the affairs of the youth. (Interjection)

HON DE WAAL: Or to be indoctrinated.

HON VENAANI: Just recently, the Cabinet has announced the need and urgency to have a round table discussion on education and this Bill would also come under review when that time comes, when this Nation discusses the education and training of our young people in this country.

Therefore, Honourable Speaker, we oppose the justification of the urgency of appointing a commissioner as if this country would not have a next President in the next few days. We firmly believe that any Head of State elected today or tomorrow has the prerogative under this law to appoint the Commissioner. So, if the justification is that because we must appoint a Commissioner today, we must pass this Bill now, our Political Party disagrees with that approach.

Honourable Speaker, we want the young people to be trained and I am very happy that the Mover of the Motion is also the one initiating a round table discussion and knowing that we have an educational crisis in this country, I firmly believe... (Intervention)

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON VENAANI**

HON DEPUTY MINISTER OF WOMEN'S AFFAIRS AND CHILD WELFARE: On a Point of Information. I am talking about the youth in Kunene Region. We know that the education in the Kunene Region is not enough. In the Ministry of Higher Education, there is room for the neglected youth. We have the Ongwediva Training College, the Windhoek Training College, Rundu Training College, and in Katima Mulilo, we have those things. Why are you complaining about the youth?

HON VENAANI: Honourable Muharukua that is why you were defeated in Kunene, because the young people will not follow you. (Interjections). (Intervention)

HON SPEAKER: There is an Afrikaans expression, which says we can sing together, but when it comes to talking, only one person speaks. If we do not follow that, then we have other options. You have two minutes to wind up your argument.

HON VENAANI: Honourable Speaker, the basis on which we object to this important Bill is the urgency that is sought and the office under which it must resort. We firmly believe that the current Minister of Basic Education and Culture can handle youth matters. We disagree with this institution to fall under the Office of the President, due to the examples that I have mentioned on the African continent. I also appeal to the young people of this country to understand why we do not support this Bill, not because we do not want development for young people, but because we do not want the institution, under which it must resort and the military training that would be attached to this important Bill.

As I have earlier mentioned, Honourable Speaker, we record our objection under Rule 69 of the Standing Rules and Orders.

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON DE WAAL**

HON SPEAKER: I thank Honourable Venaani. Any further discussions? Honourable De Waal.

HON DE WAAL: Honourable Speaker, I do not have a prepared statement due to the fact that we are once again steamrolled in Parliament. I want to make it categorically clear that we support help to the youth, that we support a Youth Service, that we want to vote money for the promotion of the youth and there should be no doubt that we are in support of that. However, we have a serious problem that this Bill is not of an urgent nature, they waited for at least eight years and now all of a sudden we are told that it is urgent, which it is not, and I want to put that on record. No one single argument has been brought to this House about the urgency of this Bill, except to say that somebody asked us to introduce it and that is not an argument.

Secondly, as Honourable Venaani said, we object to the office under which this Service will fall. We object to regulations in Article 30 of this Bill, which states the following: “*The President may, on the recommendation of the Board, make regulations in relation to*” and now you must listen carefully: “*(c) any matter required or permitted to be prescribed under this Act or which the President considers necessary or expedient to prescribe for the purpose of achieving the objects of this Act.*” Then the most important one is that these regulations, which we do not know what they are going to be all about, they could be anything, they could say that once you have gone into the Service you are not allowed to leave it, it can say anything under these regulations, but what is worse, is that once these regulations have been made, it may create an offence. Now all of a sudden it also creates an offence, “*may create an offence for any contravention thereof or any failure to comply therewith, and may prescribe penalties*”.

Honourable Speaker, as we say in Afrikaans, *jy kan met ‘n wa en osse in hierdie Bill rondhardloop.*” This Bill is so wide and so open that you can do anything. (Interjections). You can shout, you can make noise, you can

10 March 2005

**SECOND READING: NATIONAL
YOUTH SERVICE BILL
HON DE WAAL**

misuse this Bill to create a private army and that is why we are objecting to it. We are objecting to the fact that these people are going to receive military training and not trained to become plumbers and educated people. We object to the Bill, we are going to vote against it at every step of the way, and I want to conclude by saying that the fact that this Bill has been declared urgent is the biggest lot of nonsense that I have ever seen in my life. Thank you.

HON SPEAKER: I thank Honourable De Waal for his contribution. Are there any further discussions? I call on the Honourable Minister to reply.

HON DE WAAL: Can we test the quorum?

HON SPEAKER: The House is deprived of a quorum at present. I ask the Secretary to ring the bells for two minutes and after two minutes the doors will be shut and we will take another count. Sergeant-at-Arms, lock the doors and the Clerk will now take the names of those Members present. We have allowed two minutes for Members to come in. The House is deprived of a quorum and thus for the decisions of this House to be valid, we have set a quorum as a necessary condition.

Before I ask the Prime Minister to adjourn the House until Tuesday, I have the following Ruling to make and it is in connection with the Sessions of this Assembly. In December 2004, the day of commencement of the National Assembly was altered by proclamation by the President, His Excellency Dr Sam Nujoma, in terms of Article 62(1)(c) of our Constitution. The Proclamation was altered for a Special Session to be held, commencing from the 1st of December 2004, ending on the 15th of March 2005, which is coming Tuesday. Therefore, the decision, in terms

10 March 2005

ADJOURNMENT

of the powers vested in this Chair, is as follows:

I hereby authorise and direct that the current Session be extended from the 15th of March 2005 until the 19th of March in terms of Rule 15(i) of our Standing Rules and Orders. So ruled.

In terms of Rule 17 of the Standing Rules and Orders, the Assembly adjourned at 16:20 with the following Members present:

Honourables:

Pretorius; Ui/o/oo; Jwagamang; Kaiyamo, Katjita; Dinyando,, Blaauw, Ndjoze; Booys; Ya France; Sioka; Konjore; B. Amathila; Kawana; Ngatjizeko; A. Iyambo; Ndaitwah; Malima; Hausiku; Nghidinwa; !Naruseb; Kasingo; Lukas; Esau; Jooste; Iilonga; Muharukua; Kamwi; Katali; Simunja.

HOUSE ADJOURNS AT 16:20 UNTIL 2005.03.15 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBER
15 MARCH 2005
WINDHOEK**

The Assembly met pursuant to the adjournment.

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

HON SPEAKER: The afternoon Session is called to Order. I have the following announcements. One is a Ruling that I want to repeat. The time I made this Ruling, the House may not have had the necessary quorum and I will repeat it. It is known information but for it to be valid.

In December 2004, the day of commencement of the National Assembly was altered by proclamation by the President, His Excellency, Dr Sam Nujoma, in terms of Article 62(1)(c) of the Namibian Constitution. The proclamation was altered for a Special Session to be held, commencing on the 1st of December 2004 and ending on the 15th of March 2005.

I hereby authorise and direct that the current Session be extended from the 15th of March 2005 until the 19th of March 2005 in terms of Rule 15(i) of our Standing Rules and Orders. Thus, this Session will proceed up to the 19th of March. The programmes for the rest of the current Session, as decided by the Standing Rules and Orders Committee are, therefore, as follows:

The Valedictory Speech by His Excellency, the President of this Republic, Dr Sam Nujoma, will be on the 19th of March 2005 at 09:00, Saturday morning here in this Chamber. Its appearance will take almost the same pattern that the Official Opening takes in terms of the presence of all three Branches of State, all the Service Chiefs, Diplomatic Corps and the citizens who can be accommodated in this Chamber.

Taking of oath and swearing-in ceremony of the new Members of Parliament will take place on the 20th of March 2005 and as per our late negotiations, this will also occur in the morning at 09:00. The reasons are

15 March 2005

**ANNOUNCEMENTS
HON SPEAKER**

very well known to our Colleagues of the Cabinet. Thus, the Official Opening of the Fourth Parliament will be on the 5th of April 2005 at 14:30. That is the roadmap subject to amendments by those who make decisions.

For those of us who may vacate this Chamber, either by our own volition or by the choice of the electorate, whichever the case might be, I would like to extend an invitation to all Members of Parliament to attend a presentation by the GIPF on the Members of Parliament and Other Office-bearers Pension Fund, which will take place tomorrow, the 16th of March 2005 at 09:00 in this very Chamber. All of you are urged to attend, as the presentation will affect all of us in one way or the other.

Today also, depending on the speed at which you are moving ahead, I just wanted to put the minds of the Honourable Members at ease that there should not be any rush to finish anything today. Tomorrow is still there and if need be, the day after tomorrow will also be made available. However, those Members who had, on the basis of 15th of March, made preparations to indicate their end of the journey on this day, will be most welcome and particularly the Ministers can rise under Ministerial Statements.

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

TABLING: REPORTS OF THE AUDITOR-GENERAL

HON MINISTER OF INFORMATION AND BROADCASTING:
Comrade Speaker, on behalf of the Minister of Finance, I lay upon the Table the Reports of the Auditor-General on the Accounts of the

15 March 2005

**REPORTS AND PAPERS
HON N ANGULA**

- (a) Ministry of Higher Education, Training and Employment Creation for the Financial Year ended 31 March 2002;
- (b) Ministry of Finance for the Financial Year ended 31 March 2002;
- (c) Ministry of Higher Education, Training and Employment Creation for the Financial Year ended 31 March 2003;
- (d) Ministry of Defence for the Financial Year ended 31 March 2002;
- (e) Office of the President for the Financial Year ended 31 March 2002;
- (f) Regional Council for the Ohangwena Region for the Financial Year ended 31 March 1998; and
- (g) Ministry of Basic Education, Sport and Culture for the Financial Year ended 31 March 2003.

HON SPEAKER: Will the Honourable Member please table the Reports? Any further Reports and Papers? Honourable Nahas Angula.

**TABLING: 2004 ANNUAL REPORT: MINISTRY OF
HIGHER EDUCATION, TRAINING AND EMPLOYMENT
CREATION**

**HON MINISTER OF HIGHER EDUCATION, TRAINING AND
EMPLOYMENT CREATION:** Honourable Speaker, I lay upon the Table, Annual Report, 2004, of the Ministry of Higher Education, Training and Employment Creation.

15 March 2005

**REPORTS AND PAPERS
HON POHAMBAM**

HON SPEAKER: Please table the Report. Any further Reports and Papers? Honourable Pohamba.

**TABLING: 2004 ANNUAL REPORT: MINISTRY OF
LANDS, RESETTLEMENT AND REHABILITATION**

**HON MINISTER OF LANDS, RESETTLEMENT AND
REHABILITATION:** Honourable Speaker, I lay upon the Table, the 2004 Annual Report of the Ministry of Lands, Resettlement and Rehabilitation.

HON SPEAKER: Please table the Report. Any Notice of Questions? Notice of Motions? Ministerial Statements? Honourable Iyambo.

**MINISTERIAL STATEMENT:
FUEL PRICES**

HON MINISTER OF MINES AND ENERGY: Honourable Speaker, Honourable Members, I rise to make a statement on the current situation regarding fuel prices internationally and locally.

The Ministry of Mines and Energy herewith has to announce a fuel price rollover as the fuel price is now reviewed monthly. Since the beginning of the current review period for fuel prices, international crude oil prices remained relatively stable up to some point. However, that is no longer the case as crude oil prices have again started increasing, the effect of which will filter through after a period of about six weeks. The

15 March 2005

**MINISTERIAL STATEMENT
HON DR N IYAMBO**

international refined product prices increased substantially during the period under review.

Another contributing factor is that the demand for crude oil decreased as a number of refineries embarked on maintenance programmes, which meant that fuel refineries were thus operational to date, which had to satisfy a strong demand for refined petroleum products. International refined product prices increase once the demand for refined petroleum products is higher than the supply thereof.

The average Namibia-United States Dollar exchange rate has also weakened compared to the average exchange rate during the previous review period. Most of our fuel comes from South Africa. The landed cost price in South Africa differs from that in Namibia as follows:

In South Africa the landed cost fuel price is N\$2,6 per litre for leaded petrol, N\$2,7 per litre for unleaded petrol and N\$2,29 per litre for diesel. In the case of Namibia the landed cost price is N\$2 per litre for leaded petrol and N\$2,1 per litre for unleaded petrol and N\$2,15 per litre for diesel. The cost differences to recover at the pump price are currently ranging between N\$17,68 per litre and N\$15,052 per litre and N\$14,424 per litre below the imported parity cost for landed petrol, unleaded petrol and diesel, respectively. As at the end of February 2005 that was the case.

These costs will be absorbed within the National Energy Fund and State Account mechanisms in order to grant relief measures to consuming public as well as productive sectors of the economy, such as fishing, mining, agriculture, transport, etcetera. It is difficult, however, to say now for how long these mechanisms will be able to be carried at this loss. As is usual practice, the Ministry of Mines and Energy will keep monitoring the developments in the oil and currency markets with a view to correct fuel price fluctuations in a timely manner.

The Ministry is also striving to keep fuel price increases to the absolute minimum. I am, therefore, glad to announce to the consumer public that fuel prices are again this time to remain at the same price level for the month of March 2005, thus there is no fuel price increases in Namibia for

15 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON NGHIDINWA**

the time period of March until the next review next month. I thank you, Honourable Speaker.

**MOTION ON VIOLENCE AGAINST WOMEN
AND CHILDREN: RESUMPTION OF DEBATE**

HON SPEAKER: When this Debate was adjourned, the Question before the Assembly was a Motion by Honourable Namises. Honourable Nghidinwa adjourned the Debate and she now has the Floor.

HON DEPUTY MINISTER OF LABOUR: Honourable Speaker, Honourable Members, I rise to contribute to the Motion introduced by Honourable Rosa Namises, that this Assembly seriously discusses and offers solutions on the violence against women and children which has assumed horrific nature and proportions in our country.

Honourable Speaker, at the outset I would like to join others who congratulated Honourable Namises even though she may have hijacked the statement made by Honourable Netumbo. We know that if you are from a minority group, you should always try to win the support of the majority group.

Very importantly, when we speak about violence against women and children, which is now the major issue under discussion, people will automatically concur, but it does not mean we will become members of the CoD – never!

Honourable Speaker, violence against women and children is a gender problem, which is rooted in the social norms and is being perpetrated through patriarchal structures, which place women and children in a subordinate position. Here I would like to highlight some types of violence we have in Namibia.

It is integrated physical and social violence and psychological violence in

15 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON NGHIDINWA**

the first place. Integrated or physical and social violence is types of violence which are manifested through physical abuse, ranging from rape, slapping, pushing, shoving, kicking, murder, etcetera, while separation of families, divorces, hatred, jealousy, alcoholism, homelessness are more social pathologies which can damage the image of society to women and children. However, there are other types of physical violence where men bring sexually transmitted diseases and HIV/AIDS infections to their spouses or partners.

Psychological violence, on the other hand, is manifested in verbal abuse, such as polygamy, suppression, threats, fear, scorn and ridicule. Nowadays men are proposing or dating their own biological children, nieces or aunts. (Intervention)

HON YA FRANCE: May I ask a question? Comrade Nghidinwa spoke of psychological violence and that it includes polygamy. I think you are aware that the Constitution gives the right of freedom of religion and according to my religion as a Muslim, I have the right to marry up to four wives. Would you characterise that as psychological violence against my four wives, which I love equally?

HON MINISTER OF LABOUR: Honourable Speaker, 85% of Namibians are Christians, they are not respecting minority religions in Namibia.

Nowadays men are proposing or dating their own biological children, nieces or aunts. Such phenomena can damage the psychology of both the mother and her child. I am certain that a number of us here are referring to the women who can identify that this has happened to us once upon a time.

Violence against women and children can best be defined as any form of action directed against them, which results in physical and psychological

15 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON NGHIDINWA**

discomfort. Another form of violence we have in Namibia, apart from physical, social and psychological violence against women and children, is economic violence. For example, a man spending the woman's money and depriving the woman of economic empowerment.

Secondly, we have cultural violence. For example, a wife has to wake up and cook for a drunken spouse regardless the time of the night, exchanging ceremonies, early marriages, sexual cleansing, etcetera. Most women in Namibia are working 24 hours. I am talking about the employed women, but even unemployed women are regarded as slaves.

Another form of cultural violence, which was already mentioned by previous speakers, believes in bewitched men, where they are advised to rape babies as a cure for HIV/AIDS or to become rich. In addition, it is a cultural belief that if you do not beat your wife, then you do not love her and all these are types of violence. Child labour is also violence on its own, such as vending and prostitution.

Comrade Speaker, I would like to underline the root causes of violence in Namibia. Number one is alcohol and drug abuse. I think if we do research, the highest percentage will be people with an alcohol and drug dependency. In 1987, I attended a course in one of the South African alcohol rehabilitation centres where a doctor from Finland taught about the Korsakoff Syndrome, which is a serious complication in alcoholics who have been using alcohol for more than fourteen years continuously. This type of syndrome can even cause a person to kill someone without feeling any emotional pain, because the brain cells are damaged, specifically those from the feeling centre of the brain. That is why they cannot feel anything, even if they drink bitter liquor like Kashipembe and kaalgat.

Comrade Speaker, I do not want to give a lecture, but I want all of us to think about the causes of the evil. Stereotypes and the identity of our male counterparts can be a contributing factor. Men always want to show who they are and then they end up doing wrong things, even though there are some women who may have a few male hormones who can act the same.

15 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON NGHIDINWA**

Domestic problems on which consensus cannot be reached during discussions, social economic causes, like unemployment, poverty, divorces that affect children and then they become frustrated and end up carrying out criminal activities.

Psychological problems: Lack of spiritual care. I have already mentioned that 85% of Namibians are Christians. I do not know if 85% of Namibian Christians attend church or their children are attending Sunday schools, church youth meetings and men and women church groups as well.

The issue if Bible Study not being a subject can also be a contributing factor to all the social problems we are experiencing, stress and many others.

Comrade Speaker, Honourable Members, when we are talking about root causes we should also think about the impact of violence on women and children. Depression, fear, low self-esteem, prostitution, negative attitude towards children, withdrawal syndrome, poor school performance, rudeness, stigma, later ending up with physical sickness like high blood pressure, heart failure and many others.

I also want to propose strategies on how to combat violence against women and children. Firstly, approach to eradicate any form of violence by involving the Government, households, NGOs and churches. We need consultative meetings at national, regional and district levels up to the grassroots level. I suggest, if possible, setting up some institutional mechanisms.

Secondly, the domestic violence intervention units: I know that the Minister of Women Affairs has already set up some, but to extend this institution up to the district level is recommended. This institution will intervene rapidly in reported cases of domestic violence from all corners of the country. The actors will be the Minister of Women and Child Welfare, the Minister of Health, the Minister of Home Affairs and the Minister of Justice. Each unit will be equipped with transport, facilities and a hot line service.

15 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON NGHIDINWA**

Integrated services should contain child development units, family counselling services and domestic violence intervention units. If possible, they should be under one roof, be in one compound to help women and children to have access to such services.

The objective of family counselling services is to provide individual psychological, marital, family and legal counselling to men, women and children in need. This family counselling will be provided by a technical team consisting of spiritual counsellors, pastors, priests, legal advisers, family counsellors and resource persons. We also need shelter to provide temporary accommodation for women and children who are victims until they have recovered psychologically from the stigma.

A task force on discriminatory laws against women. Through you, Comrade Speaker, I am speaking under correction, I am not sure whether such a unit has already been established in Namibia, a task force that can identify all laws, which are still discriminatory towards women. We need a review enforcement mechanism for protection of women against domestic violence and make recommendations on new laws and policies necessary for the promotion of gender equality.

There is also a need to carry out various studies regarding violence against women and children to create a better understanding of the problem and to consequently develop strategies to eliminate domestic violence within families in the Namibian society in general for the betterment of our well-being. If we feel that the problem affects the SADC Region, we can do it together, but the researchers should be people who are from the same cultural background, which means the local people, to penetrate the unidentified problems, which may be contributing factors to this phenomenon.

We also need criminological research methodologies for the agencies dealing with domestic violence; to examine patterns of domestic violence and to report to the action-takers; to examine patterns of prosecution, charges against them, follow-up action and to protect victims and to ensure protection orders are adhered to; to assess the number of crimes and offences related to domestic violence in collaboration with the

15 March 2005

**MOTION ON VIOLENCE AGAINST WOMEN
HON NGHIDINWA**

Ministry of Home Affairs, the Ministry of Justice and other relevant stakeholders; critical punishment and woman and child abusers; economical empowerment of households through community-based projects to reduce poverty; promotion of peer counselling sessions; to reduce shebeens, bottle stores and clubs, premises of liquor and if possible, to replace it with *oshikundu* and other healthy foods.

I know for sure that when you talk about alcohol, most of the people will say it is also job creation, but alcohol businesses, according to my experiences, are not making as much profits as others, it only destroys the image of the country and it is also a contributing factor to HIV/AIDS and all criminal activities.

We need to encourage women to speak up and report cases to the Police. We need to have sensitisation workshops and have critical punishment for abusers. We need to introduce personal development programmes that tackle issues such as self-esteem, self-confidence and self-belief.

In conclusion, I challenge all of us, including the Opposition Parties....
(Intervention)

HON DEPUTY MINISTER OF INFORMATION AND BROADCASTING: May I ask a question to the Honourable Deputy Minister? I was touched when my neighbour mentioned that a wife has to wake up and cook for a drunk spouse. My question is, what happens if the woman is the drunken spouse? Should the man also wake up and cook for her?

HON DEPUTY MINISTER OF LABOUR: It does not happen. We are talking about things, which are really happening.

In conclusion, Honourable Speaker, I challenge all of us, including the Opposition Parties, churches and NGOs to play an active and focused role

15 March 2005

**CONSIDERATION: ACCOUNTS OF GRN
HON DE WAAL**

to complement the efforts being done by the Government of the Republic of Namibia to fight the evil of violence against women and children. Mind you, those women were created as mothers and suitable partners to men, not slaves, but today we mean nothing to them. With these few words, I hope the situation should change for the better, and I rest my case.

HON DEPUTY SPEAKER: I thank the Honourable Deputy Minister for her contribution. Are there any further discussions?

HON DEPUTY MINISTER OF HOME AFFAIRS: I Move that the Debate be adjourned until tomorrow.

HON SPEAKER: Any objection? The Debate is adjourned until tomorrow. The Secretary will read the Second Order of the Day.

**CONSIDERATION: REPORT ON THE 1999/2000 AND 2000/2001
ACCOUNTS OF THE GOVERNMENT**

HON SPEAKER: I call on Honourable De Waal for his reply.

HON DE WAAL: Thank you, Honourable Speaker, Honourable Members. The Committee wishes to thank all the Members who participated in the Debate. Firstly, the *Honourable Minister of Finance* for her detailed contribution, highlighting some very important steps

15 March 2005

**CONSIDERATION: ACCOUNTS OF GRN
HON DE WAAL**

currently being undertaken by the Government to resolve the most important issues raised by the Committee in its report. The commitment by the Honourable Minister to good, clean and orderly Government is highly appreciated. The measures that were spelled out by the Honourable Minister will certainly go a long way in ensuring that our Government finances are managed properly and in a disciplined way. We are all looking forward to the introduction of the new State Finance Act, which, together with the other measures spelled out by the Honourable Minister, will put an end to most of the problems that we are currently experiencing. The Committee also wishes to thank the Honourable Minister for her kind recognition of the work done by the Committee.

Honourable Nora Schimming-Chase, the Committee thanks you for your support of the recommendations contained in the Report.

Lastly, Honourable Speaker, the Committee wants to thank the *Right Honourable Prime Minister* and assure him that his words of encouragement will serve to inspire not only the members of the Committee, but also all those staff members associated with the Committee to work even harder in the future in order to make a proper contribution towards the well-being of our Nation.

With these few words, Honourable Speaker, we now humbly request that this Report be adopted by the House. I thank you, Sir.

HON SPEAKER: I thank Honourable De Waal for his reply and I put the Question, that this Report now be adopted. Any objections? So agreed. Therefore, this Report is unanimously adopted. The Secretary will now read the Third Order of the Day.

15 March 2005

**REPORT ON VISITS TO HARDSHIP MISSIONS
HON B AMATHILA**

**CONSIDERATION: REPORT ON CHILDREN'S
STATUS BILL**

SECRETARY: Consideration of the Report of the Standing Committee on Human Resources, Social and Community Development on the Children's Status Bill.

HON DINYANDO: I ask that the Debate on this Report be adjourned until tomorrow.

HON SPEAKER: The Report stands over until tomorrow. The Secretary will read the Fourth Order of the Day.

**CONSIDERATION: REPORT ON VISITS TO
HARDSHIP MISSIONS**

HON SPEAKER: Does Honourable Amathila Move that this Report be now considered?

HON B AMATHILA: I do Move that the Report be considered. Honourable Speaker, Honourable Members, I am presenting to this House a Report on the Visits to the Hardship Missions. Let me just quickly try to define what Hardship Missions are.

At the time of Independence some of our Foreign Missions established,

15 March 2005

**REPORT ON VISITS TO HARDSHIP MISSIONS
HON B AMATHILA**

operated under conditions which were regarded to be abnormal in comparison to other Missions established by the Republic of Namibia and in some of the Missions there were no proper banking facilities, they had problems with currency conversion, problems of lack of communication with their home-base, a constant disruption of power supply, lack of shopping centres and lack of security guarantees, among others. These Hardship Missions are obviously to be found in Asia, Europe, Africa and Latin America.

The Report of the Committee on Foreign Affairs, Defence and Security covers the period from the 8th to the 18th August 2004. The Committee visited Namibian Diplomatic Missions in the Russian Federation and the Peoples Republic of China and also paid a reciprocal visit to the Socialist Republic of Vietnam.

As the Honourable Members may recall, the duties of the Committee on Foreign Affairs, Defence and Security is to monitor, examine, investigate, enquire into and make recommendations relating to any aspect of the legislative programme, functioning, policy formulation or any other matter it may consider relevant to the Offices, Ministries and Agencies falling within the category of affairs assigned to the Committee which, *inter alia*, include the following Ministries: The Ministry of Defence, the Ministry of Home Affairs, the Police, the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Prisons and Correctional Services and Namibia Central Intelligence Agency.

The purpose of the visit was to afford the Honourable Members of the Committee an opportunity to familiarise themselves with the prevailing conditions at those Missions and to recommend whether those Missions should still be regarded as Hardship Missions. I have already defined what a Hardship Mission is.

Most of the observations of the Committee are contained in the Report, among other things that the Committee observed, after visiting these Missions, that is the Russian Federation and the Peoples Republic of China that the general conditions at these Missions had greatly improved.

15 March 2005

**REPORT ON VISITS TO HARDSHIP MISSIONS
RT HON DR T-B GURIRAB**

Basic commodities are now available, though expensive. There is now constant supply of water and electricity at those Missions, the accommodation is in good condition, the security situation has also improved and the communication with Namibia has equally improved.

Therefore, the Committee recommends the following: That in view of the improvement in the socio-economic conditions and security situation at both Missions visited, they should no longer be regarded as Hardship Missions. This is a recommendation to the Minister of Foreign Affairs to look into this possibility, not only of these Missions but all those Missions which are regarded to be Hardship Missions, because we found in these two Missions that the conditions have improved so much that they can no longer be regarded as Hardship Missions. Other recommendations are contained in the Report and I hope Honourable Members had a chance to look at them.

Honourable Speaker, let me in conclusion thank all my Colleagues and staff of the Committee for the work they have done and it would also be amiss on my part if I do not thank the Heads of the Missions we visited and their staff for the cooperation they have hitherto rendered to the Committee to make this Report available to this House. I recommend, therefore, the adoption of this Report by the House. I thank you.

HON SPEAKER: I thank Honourable Amathila. Any further discussions? Right Honourable Prime Minister.

RT HON PRIME MINISTER: Thank you very much, Mr Speaker, I just want support the Report introduced by the Chief Whip, Honourable Amathila, and to recall the fact that it was while I was Foreign Minister that we set up these Missions. Initially it was Angola, Cuba and Nigeria and only later Ethiopia and DRC. However, this is not a permanent state of affairs and, therefore, the Ministry has the responsibility to make an assessment from time to time on these places.

15 March 2005

REPORT ON VISITS TO HARDSHIP MISSIONS
HON NYAMU

I also want to say that from the United Nations perspective they are called Hardship Posts when peacekeeping forces are deployed in areas and people manage to make a lot of money out of that. Believe it or not, UNTAG's deployment in Namibia was considered as a Hardship Post, whereas the people were having a wonderful time in our country. When we set up our Missions in those countries that we have short-listed, at that particular time, they definitely were Hardship Missions for the reasons that Honourable Amathila explained.

I only wanted to support the Report, but also to join in urging the Ministry to review the status of these Missions on a regular basis. Thank you.

HON SPEAKER: I thank the Right Honourable Prime Minister for his contribution. Honourable Minister Nyamu.

HON MINISTER OF TRADE AND INDUSTRY: Thank you, Comrade Speaker. I too would like to extend congratulations to the Chief Whip and his team for having taken this very essential Mission to these Hardship Posts, especially Beijing and Moscow, but I am little bit confused about the findings. The findings suggest that since Moscow and Beijing have improved, the change in status applies to all Hardship Missions, which means in respect of countries, which are either Hardship or suspected to be hardship, such as Angola, Nigeria, DRC, even Zimbabwe.

The way I read the conclusion is that since Beijing and Moscow have improved and they should be declassified as Hardship Missions, the rest should follow. I do not see the connection between Asia and Africa or even the Caribbean and Cuba, which were considered as Hardship Missions at one time. It suggests what may be true with Moscow and Beijing may not be true with Lagos.

In my view, there is still a need for the Standing Committee to undertake

15 March 2005

REPORT ON MILITARY INSTALLATIONS
HON B AMATHILA

Missions to those stations, study conditions on the spot, and draw a conclusion based on local conditions. They should not infer that since there has been a change in Moscow and Beijing, the same might have happened in other places. They may still be hardship places if not even worse in certain respects. My appeal is that they cover the entire area. Thank you.

HON SPEAKER: I thank the Honourable Minister Nyamu for his contribution. I now call on the Honourable Deputy Minister of Foreign Affairs, Honourable Lucas.

HON DEPUTY MINISTER OF FOREIGN AFFAIRS: Honourable Speaker, I Move that the Debate be adjourned until tomorrow.

HON SPEAKER: Any objections? Agreed. The Debate is adjourned until tomorrow. The Secretary will now read the Fifth Order of the Day.

CONSIDERATION: REPORT ON VISITS TO
MILITARY INSTALLATIONS

HON SPEAKER: Does the Honourable Member Mr Amathila move that this Report be now considered?

HON B AMATHILA: I so Move, Honourable Speaker. Honourable Speaker, Honourable Members, this Report by the Standing Committee on

15 March 2005

REPORT ON MILITARY INSTALLATIONS
HON B AMATHILA

Foreign Affairs, Defence and Security covers the period of 19 to 20 August 2004. The Committee visited the four military installations near and around Windhoek, which are Suiderhof, Luiperdsvallei, Oamites and also the training centre at Osona, Okahandja.

As the Honourable Members may recall, the duties of the Committee on Foreign Affairs is to monitor, examine, investigate, enquire into and make recommendations relating to any aspects of the legislative programme and the Committee has the oversight responsibility over the Ministry of Defence, the Ministry of Home Affairs, the Ministry of Justice, the Ministry of Foreign Affairs and the Ministry of Prisons and Correctional Services and also the Namibia Intelligence Agency.

The Committee operates within the powers conferred to the National Assembly and its Committees under Article 59 of the Constitution. The purpose of the visit was to enable to Honourable Members to acquaint themselves with the conditions at some of these military installations and to make some recommendations. I should possibly also highlight that the responsibilities of the Ministry of Defence are contained in Article 118 of our Constitution and I would like to refresh the memories of the Members as to importance of this particular Ministry.

Article 118(1) reads *“There shall be established by Act of Parliament a Namibian Defence Force with prescribed composition, powers, duties and procedures in order to defend the territory and national interest of Namibia”*. The national territory of Namibia is spelled out in Article 1(4) of our Constitution, which reads: *“That the national territory of Namibia shall consist of the whole of the territory recognised by the international community through the organs of the United Nations as Namibia, including the enclaves, harbour and port of Walvis Bay as well as the offshore islands of Namibia and its southern boundary shall extend to the middle of the Orange River.”*

Comrade Speaker, Honourable Members, this is indeed a tall order for our Defence Force to provide that security that has been prescribed in the Constitution. The Committee, after visiting some of the military installations, details of which are highlighted in the Report, made the

15 March 2005

**REPORT ON MILITARY INSTALLATIONS
HON B AMATHILA**

following observation:

It was observed that at most of the bases visited there was a general problem of overcrowding in the living quarters and shortage of vehicles, which hampers the implementation of activities of the Defence Force and its constitutional obligation. The situation is exacerbated by the budgetary constraints. The Committee, therefore, in addition to what is contained in the Report, recommends the following:

That the conditions of service of the NDF members be improved. We feel that the improvement in the conditions of service will have an effect on improvement of the services by the Force members in order for it to meet its constitutional obligation.

We also recommend that in order to avert overcrowding at the bases new infrastructure needs to be built.

That the Ministry of Defence looks into the possibility of relocating the base at Oamites to a more suitable place, because the conditions under which the members live at Oamites is definitely not the best for the purpose of the Defence Force, especially the accommodation which was originally created for the mining community that operated at Oamites at that time.

We further recommend that the Ministry of Defence consults the Ministry of Lands, Resettlement and Rehabilitation to give priority to communal farmers who graze their livestock on the shooting range, especially those at Osona Military School, to avert the danger to life and property, because the condition of some of the ammunition is such that some of these devices do not explode on impact and there is a danger that people and children may possibly be harmed by this. Therefore, the recommendation is that the people who camp on this training site be given the first priority of resettlement.

Fourthly, that an adequate parking area for the heavy vehicles at Luiperdsvallei is provided for protection against weather-related wear and tear, because quite a number of the vehicles we saw there were just baking

15 March 2005

**REPORT ON MILITARY INSTALLATIONS
HON B AMATHILA**

in the sun and its lifespan will certainly be shorted.

Fifthly, that officers' living quarters and all structures at all installations visited be renovated. We found that infrastructures built almost three years ago are full of cracks and the situation seen there, is deplorable.

Those electricity backup systems, such as generators, should be provided in the event of power failures. At the three bases visited, there is no fallback position and we feel that this should be considered.

It is also recommended that the Ministry of Defence submit to the Cabinet Committee on Defence and Security its comprehensive structural developmental project so that this can be submitted to the National Planning Commission for possible funding.

The Committee finally recommends that the qualifications of NDF members obtained through different courses should be assessed by the Namibian Qualifications Board for possible recognition, because most of the officers who have gone on training in different countries complain that there is no recognition given to their qualifications obtained.

We as a Committee do realise that money is not always available. The members of the Defence Force were reminded that due to the lack of funds, the Ministry of Defence should give priority to those factors that promote unity among the Namibian people. Namibia cannot compete and get all the military hardware that we need because of the lack of funds, but we believe that if the people of Namibia are united, they will also be united in the defence of their country to prevent the country being occupied by foreign forces. That is the suggestion we made to the officers and on that note I would like to thank you Honourable Speaker and also the military officers for their cooperation. I would also like to thank the Members of the Committee who made themselves available to visit these military installations.

Honourable Speaker, I thank the Honourable House and I propose that they consider and adopt this Report. I thank you.

15 March 2005

**REPORT ON MILITARY INSTALLATIONS
HON DR KAWANA**

HON SPEAKER: I thank Honourable Ben Amathila for his contribution. Any further discussions at this stage? Honourable Kawana.

HON MINISTER OF JUSTICE: Thank you very much, Comrade Speaker. I rise to register my support for the Report and to congratulate the Committee chaired by Honourable Amathila.

I only want to say that certainly the time has arrived to improve the conditions and service of our Defence personnel. I am one of those Colleagues on this side of the House who have repeatedly complained about the inadequate budget of the Ministry of Defence and I hope that the Members of the Opposition appreciate the difficulties our Defence Force is faced with.

I am not so sure, whether it is feasible to make certain aspects of the Report public and I am saying so for security reasons. I do not know how we are going to handle this in future, especially aspects relating to equipment and the strength of personnel at each base. I feel this is very sensitive information and I appeal to the Committee that maybe next time they will find a formula to preserve Defence security, because as a person with some experience in Defence matters I have read some very sensitive information in this Report.

Once again, I call on the Members of the Opposition to support the Defence budget next time. Had it not been for the SWAPO Party that has equipped our Defence Force, the situation would have been much worse than it is presently. Therefore, the Members of the Opposition must thank the SWAPO Party because most of the equipment and transport were contributed by the SWAPO Party to our Defence Force. I thank you.

HON SPEAKER: We want to restrict the comments to the contents of the Report and not opinions. We are at the level where the Committees are beginning to show effectiveness in their investigating abilities and we

15 March 2005

**REPORT ON MILITARY INSTALLATIONS
RT HON DR T-B GURIRAB**

want to encourage them. Honourable Minister of Environment and Tourism, Honourable Malima.

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you, Comrade Speaker, Honourable Members. I would like to extend my thanks to the Committee on Foreign Affairs, Defence and Security. I must say, this Committee has neglected its work. It has been in existence since time immemorial, but it waited fifteen years and therefore, our defence and security institutions have become dilapidated to the level where it is now. I have realised that this information is just a drop in the ocean because you are talking about infrastructure in the vicinity of our capital.

Defence is an issue of patriotism, we have to find a way to strengthen our defence capabilities in terms of infrastructure development. A Defence Force without modern infrastructure will affect the morale and efficiency of the men and women in the national defence system.

Therefore, while taking note of what Honourable Dr Kawana has cautioned, while the Committee is undertaking these patriotic inspections and activities, one should not forget that these are the most sensitive institutions a Nation could have and therefore, we have to keep whatever we have noted in our hearts as Members of the National Assembly. I am of the opinion that the next Parliament should consider that this Committee sits together with the Cabinet Committee on Defence and Security in order to brief them and share ideas and to agree on what should be brought to the attention of the public through this august House. Otherwise, the Report is very clear. It is commendable and based on this information. Let us try to improve our Defence infrastructure. I support the Report.

HON SPEAKER: Right Honourable Prime Minister.

15 March 2005

**REPORT ON MILITARY INSTALLATIONS
RT HON DR T-B GURIRAB**

RT HON PRIME MINISTER: Two aspects mentioned by the two preceding speakers prompted me to react. One is the caution struck by the Minister of Justice on the matter of security and secrecy of these installations and other activities of our Defence Force. The other is the aspect of patriotism as stressed by the former Minister of Defence, Honourable Malima. These issues relate to some of the concerns of democracy on the one hand and security and intelligence, on the other.

Speaking for the Government, we feel that there should be a way in which we promote democracy and transparency and in doing so, there must be a way in which we as Namibians subscribe to same ideals and principles. It is in consideration of these issues that the Government felt that the Director-General of NCIS should be a Member of Parliament. NCIS is the equivalent CIA. We wanted this person to be visible, to be seen, to be heard as a Member of Parliament like all of us and on a couple of occasions in the past I said he is here as a Member of Parliament, very experienced, intelligent, a well-exposed man. If the questions are raised from the floor he would answer them, but I would have preferred that there would be an opportunity for him at any time at the pleasure of the House, particularly the relevant Parliamentary Standing Committees, to appear before them and to engage the Honourable Members, to inform them, to answer questions. There must be trust, there must be confidence and that when he does so, he is not going to be surprised tomorrow, because if we do that, then we are shooting our democracy and the efforts aimed at transparency in the foot. By regular engagement, regular exchange of views we will be able to arrive together at a point that we would agree that maybe these things you handle as the Executive, perhaps these things we can help you to enrich and to publicise and when we go on missions, we would be informed when we interact with our counterparts at conferences.

Honourable Speaker, you have over the years run this shop with a sense of business so that we drive and achieve the objectives, that we debate, take all the times necessary to debate Bills, consider reports, debate Motions, answer questions and so on, but through these reports that come back from the Standing Committees, we are giving life and substance to our deliberations.

15 March 2005

**REPORT ON MILITARY INSTALLATIONS
HON MOONGO**

Honourable Kawana's point is very much in order, but there is still a question mark as to whether we have arrived at that point – that I hope will sooner rather than later – where there is trust and confidence, that as Honourable Members we are entitled to know what the Government is doing in the spirit of transparency and accountability, that the Ministers can openly and freely talk and collectively we can decide some things which should perhaps stay under lock and key and those that can be shared and that we can trust the Honourable Members to deal with them.

Equally, the point about defence being a matter of patriotism is also true. We must survive collectively and we will survive collectively if we trust one another and if it is our common commitment that we maintain peace, stability and good governance in our country.

Once again, I thank the Honourable Member and all the Members of the Committee for the wonderful work that you are doing and I hope that you will continue to do more to enrich the work of this Honourable House. I thank you.

HON SPEAKER: I thank the Right Honourable Prime Minister for his contribution. Honourable Moongo.

HON MOONGO: Thank you, Honourable Speaker. I would like to ask the Honourable Chairperson of the Committee whether the stipulation in Resolution 435 was implemented of 50% SWATF members and 50% PLAN members. (Intervention)

RT HON PRIME MINISTER: On a Point of Information. I know Resolution 435 word-by-word and there is no such a thing in Resolution 435. Resolution 435 was adopted before the creation of SWATF.

15 March 2005

**REPORT ON MILITARY INSTALLATIONS
HON MOONGO**

HON MOONGO: I would like to see a balanced restructuring. During the time of UNTAG it was stipulated that it should be 50% SWATF and 50% PLAN. (Intervention)

HON SPEAKER: Honourable Moongo, I hope you are not going to insist on that, because the Right Honourable Prime Minister could be seen as an integral part of that process leading to Resolution 435 and its implementation and I am sure at that point he also represented your views. He is saying there was no such stipulation in Resolution 435, but you can still submit independently that you want a balance. Do not make reference to the body of knowledge that is not supporting your thesis.

HON REV KONJORE: Comrade Speaker, on a Point of Order. I am of the opinion that the Honourable Member is missing the point. This Parliamentary Committee is not responsible for the composition of the Defence Force, whether it is 50-50 or 40-60. This question needs to be directed to the relevant Ministry responsible for the composition of the Defence Force.

HON SPEAKER: That is correct, but you are still free to express your opinion.

HON MOONGO: They are responding on behalf of the Chairman of the Committee, but it a balanced restructuring of the Force was mentioned that time when UNTAG was here. Therefore, I want information whether it was fully implemented.

HON SPEAKER: Thank you. Honourable Minister Kaapanda.

15 March 2005

**REPORT ON MILITARY INSTALLATIONS
HON KAAPANDA**

HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING: Thank you, Comrade Speaker. Comrade Speaker, since you cautioned that we should not express opinions on the Report, but rather confine ourselves to the content of the Report, hence I wish to reserve my opinion, go back to the Report, and make my contribution later. I thank you.

HON SPEAKER: Honourable Minister Kaapanda, I know you are an outstanding combatant and diplomat, but by doing that you have forfeited your chance because, you can only participate on a Motion once. Be careful. If you are not ready, that is fine, you can participate when you feel ready.

HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING: Let me make my short contribution now. I would like to thank the Committee on Foreign Affairs, Defence and Security for tabling this important Report. I share the opinions expressed by many speakers, particularly by the Right Honourable Prime Minister on the issue of defence and security for the country and the question of patriotism.

More often than not, the Honourable Members of the Opposition oppose when it comes to issues relating to the Army or the Police Force. To them the Army is an institution of oppression and not an institution, which protects the territorial integrity of this country. Therefore, I feel the Honourable Members need to change their attitudes towards the Army, because when it comes to security and stability of this country, we all need to feel secure because of the men and women in uniform.

Most of the Honourable Members seem to be true Americans, but they do not learn from the good examples of the Americans. When it comes to security, all the Americans are together, defending their country, praising their men in uniform and I feel we need to have the same sentiments in

15 March 2005

**REPORT ON MILITARY INSTALLATIONS
HON KAAPANDA**

this country, a sense of patriotism and being proud of our country. Tell your children to be proud of the National Anthem and the flag and when it

comes to the security of our country, we must stand together, no bi-partisan politics.

The Prime Minister and the Minister of Justice cautioned that it has become difficult for us to discuss the equipment of the Army in the presence of the Opposition, because they are criticising and not realising that security is an important aspect of our livelihood.

In addition, I want to mention the conditions of service of our men and women in uniform. We have a situation where our Army personnel are accommodated in *kambashus*. (Intervention)

HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING AND EMPLOYMENT CREATION: May I ask a question? Comrade Minister, you are talking about the Opposition who always oppose anything to do with national security and patriotism. I just want to ask as to whether an organisation, if there is no patriotic background, could be able to be patriotic.

HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING: You put it rightly. The Army personnel not accommodated in the military bases have to put up their own shacks and I feel all of us should support the next Defence Budget, so that the Minister of Defence would be able to build military barracks and houses, so that the Army personnel could be housed decently and also that they would be available when called up for emergency missions. I hope the Committee has also looked into this and I hope with this Report we will be able to see improvements in the conditions of service of our men and women in uniform. I thank you, Comrade Speaker.

15 March 2005

REPORT ON MILITARY INSTALLATIONS
HON DR A IYAMBO

HON SPEAKER: I thank Honourable Minister Kaapanda for his contribution. I now call on Honourable Dr Abraham Iyambo.

HON MINISTER OF FISHERIES AND MARINE RESOURCES:
Thank you, Comrade Speaker. I will not be that long since the previous speakers have touched on the point that I would like to raise.

Comrade Speaker, while I am commending the Colleagues who worked on this Report, I want to raise the point that each year we table hundreds of these fact-finding reports and then wonderful recommendations are made. I am saying that because looking at the point raised by Honourable Dr Kawana as well as Honourable Kaapanda on the issue of the improvement of the conditions of service of the Namibian Defence Force, considering that they do not have a body to negotiate their conditions of service, I want to find out what is the concrete recommendations by the Committee. Is it in the format as it was with WASCOM, is it for the Minister of Defence, is it for a certain institution to conduct this? My concern is that this very important recommendation may not be followed up and I want to find out what exactly is recommended. Is it to do with accommodation, the salaries, the danger allowance or what is it exactly and what timeframe are we talking about? Otherwise, I support the principle of the Report. I thank you.

HON SPEAKER: I take it that those Honourable Members who wanted to comment have done so. I will now call on the Honourable Deputy Minister of Defence to make his contribution. Honourable Simunja.

HON DEPUTY MINISTER OF DEFENCE: I Move that the Debate be adjourned until tomorrow.

15 March 2005

RATIFICATION: STOCKHOLM CONVENTION

HON SPEAKER: Any objection? The Debate on this item stands over until tomorrow afternoon. The Secretary will read the Sixth Order of the Day.

**CONSIDERATION: REPORT ON
PAN-AFRICAN PARLIAMENT**

HON SPEAKER: Does Honourable Ben Amathila move that this Report be now considered?

HON B AMATHILA: Honourable Speaker, with your permission I would like to shift the discussion to tomorrow afternoon.

HON SPEAKER: Any objection? So agreed. Therefore, the discussion on this item stands adjourned until tomorrow afternoon. The Secretary will read the Seventh Order of the Day.

**RATIFICATION: STOCKHOLM CONVENTION ON
PERSISTENT ORGANIC POLLUTANTS**

HON SPEAKER: When this Debate was adjourned on Tuesday, the 8th of March 2005, the Question before the Assembly was a Motion by the Honourable Minister of Agriculture, Water and Rural Development. This Debate was adjourned by Honourable Moongo who now has the Floor.

15 March 2005

**RATIFICATION: STOCKHOLM CONVENTION
HON MOONGO**

HON MOONGO: Mr Speaker, Honourable Members, it was a good move that Namibians participated in international legally binding instruments and international action in order to prevent the further effects of POP's and DDT. Namibians were only afraid of malaria, which is a killer disease and did not consider other effects.

Mr Speaker, Namibians used DDT for decades while it was regarded as a dangerous chemical, harmful to humans, wildlife and the environment. It has already affected communities and workers in the Ministry. The Ministry was supposed to introduce non-lethal chemicals to replace DDT. What will happen to those who have been affected? Will they be compensated?

Mr Speaker, the Convention seeks to eliminate or reduce the POPs, including DDT, to protect human life. To be late is better than never. (Intervention)

HON DEPUTY MINISTER OF ENVIRONMENT AND TOURISM: May I ask the Honourable Member a question? Honourable Moongo, does the sign of the DTA mean 11 ethnic groups or does it mean victory?

HON MOONGO: I am happy that the Honourable Deputy Minister is showing the DTA sign.

It was a shock to learn that POPs, including DDT, can compromise the immune system, leading to greater vulnerability to both infections and diseases such as HIV/AIDS and malaria. It was also a shock to learn that the greatest damage caused by POPs and DDT is to infants while still in the womb, while a pregnant woman contaminated with POPs or DDT faces the risk of miscarriage or birth to an underweight child. What plans does the Minister have to prevent further effects and damage? What action will the Minister take to prevent individual companies using many types of chemicals to kill insects, which can harm human life? What control did the Minister put in place on the use of dangerous chemicals by

15 March 2005

**RATIFICATION: STOCKHOLM CONVENTION
HON DR AMATHILA**

individual companies?

Mr Speaker, Honourable Members, at this point in time there are locusts in Ekoka in the Ohangwena Region, which will destroy the harvests, and I appeal to the Ministry to spray those insects. I support the Convention.

HON SPEAKER: Are there any further discussions? Honourable Minister of Health.

HON MINISTER OF HEALTH AND SOCIAL SERVICES: Since my Deputy Minister is tasked with malaria in the Ministry, I will just say one or two things.

Honourable Speaker, Honourable Members, for many years now the World Health Assembly has been seized with the matter of using DDT in malaria spraying. There is always a campaign by the Nordic countries and the rich countries, which do not experience malaria in their countries. The agricultural use of DDT has a higher dose than what we use for house spraying.

At the time when I was the President of the Assembly that issue came up very strongly and India, Pakistan and Africa decided that rather than thousands of our people being killed, in the absence of affordable, effective spraying methods, the developing countries suffering from malaria and high death incidents will continue to use DDT for house spraying until alternatives are found. If we do not do that, the alternative is so many deaths. The doses we use are minimal compared to the spraying for agricultural purposes. Therefore, the poor countries should always listen to other people and research has been done in South Africa that the DDT we are using for house spraying does not cause all this. Let us not follow rich countries who want to sell their new drugs, which are five times more expensive and unsustainable. The developing countries decided that until further notice we will use DDT for house spraying and

15 March 2005

RATIFICATION: STOCKHOLM CONVENTION
HON SMIT

that position stands up to this day. We are working very closely with the World Health Organisation. We are not doing irresponsible things. We are guided. Thank you very much.

HON SPEAKER: I thank the Honourable Minister for her contribution. Any further discussions on this item? There being no further discussions, I call on the Honourable Minister to reply.

HON MINISTER OF AGRICULTURE, WATER AND RURAL DEVELOPMENT: Honourable Speaker, I thank the Honourable Minister of Health for the explanation. If I can add to that, when it comes to these dangerous chemicals, for instance DDT, we only make it available to the Government and it is only being applied under strict control measures to minimise the risk to human and animal health. These chemicals are not available in the normal trade in the country, only to Government for specific use.

The second issue was the control of locusts and I believe this is not the issue we are currently discussing. If the Member would like to have an answer on that, he is welcome to put that question under Question Time.

Honourable Speaker, thank you very much for the support and I believe it is an important measure to ensure human, animal and environmental health in our Nation. Thank you very much.

HON SPEAKER: I thank Honourable Minister Smit for his reply and I now put the Question, that this Motion be now adopted. Any objection? So agreed. The Motion is unanimously adopted. The Secretary will now read the Eighth Order of the Day.

15 March 2005

**RATIFICATION: ROTTERDAM CONVENTION
HON MOONGO / HON SMIT**

**RATIFICATION: ROTTERDAM CONVENTION:
HAZARDOUS CHEMICALS AND PESTICIDES**

HON SPEAKER: This Debate was adjourned by Honourable Moongo who now has the Floor.

HON MOONGO: Thank you, Mr Speaker. The two Conventions deal with similar matters and I appeal to the Minister concerned to find ways and means to develop better methods to use these chemicals, rather than using DDT which is prohibited by this Convention. Namibia should find new methods to eliminate the malaria mosquitoes and other insects. I support the Convention.

HON SPEAKER: I thank Honourable Moongo for his contribution. Any further discussions on this item? None. I call on the Honourable Minister to reply.

HON MINISTER OF AGRICULTURE, WATER AND RURAL DEVELOPMENT: Honourable Speaker, thank you very much again. The Rotterdam Convention is a tool to assist us to manage the use of chemicals and to ensure that hazardous chemicals are not used in our country and also to follow the developments in the world to improve on the chemicals we are using to limit the negative effects to our Nation to the minimum. That is what it is all about and that is the focus all the time, to reduce the risk to the minimum and to ensure safety to our Nation.

With that, Honourable Speaker, once again thank you very much for the support to this Convention.

15 March 2005

**CONVENTION ON ZAMBEZI WATERCOURSE
HON MUCHILA**

HON SPEAKER: I thank the Honourable Minister of Agriculture, Water and Rural Development, Honourable Smit, for his reply to this Debate and I now put the Question, that this Convention be now adopted. Any objection? Agreed to. Therefore, this Convention is unanimously adopted. The Secretary will read the Ninth Order of the Day.

**RATIFICATION: AGREEMENT ON ESTABLISHMENT
OF THE ZAMBEZI WATERCOURSE COMMISSION**

HON SPEAKER: When this Debate was adjourned on Tuesday, the 8th of March, the Question before the Assembly was a Motion by the Honourable Minister of Agriculture, Water and Rural Development. This Debate was adjourned by Honourable Muchila who now has the Floor.

HON MUCHILA: Honourable Speaker, Honourable Members, it is a great pleasure for me to contribute to this Debate. Being born and bred along the Zambezi watercourse, I have known how significant this resource is to the population that shares it. It has provided a livelihood to thousands, if not millions, of people, including Namibians in the Caprivi Region in the Southern African Region since time immemorial.

The Zambezi River is the fourth longest on the continent and is about 3,540 kilometres long, draining an area of some 1,300,000 square kilometres. As we know, it rises in north-west Zambia and flows in a double-S curve south into the Indian Ocean. From its source, it flows through eastern Angola, criss-crosses western Zambia and forms the border between Zambia and our country and Botswana in the northeast. It forms the boundary between Zambia and Zimbabwe.

Many, if not all, of the Members here certainly know about the Victoria Falls or Musi-O-Tunya in Zimbabwe, which is undoubtedly one of the

15 March 2005

**CONVENTION ON ZAMBEZI WATERCOURSE
HON MUCHILA**

greatest attractions in southern Africa created by the great Zambezi. From there it flows through Lake Kariba, created by the hydro-electric Kariba Dam, it crosses central Mozambique, then flows into the Mozambican Channel, ending its course into the Indian Ocean.

Along its course, the Zambezi has, as I said earlier, for as long as it has existed sustained the livelihood of millions of people in the Southern African Region, including myself who for a greater part of my life survived on the fish from the Zambezi River.

Honourable Speaker, Honourable Members, today the importance of this watercourse to the populations of the riparian States is much greater. If the growth in population rises, there is an increase in agricultural and industrial activities, in turn leading to the increase in the demand for water.

Honourable Speaker, Honourable Members, this could be very true for the Caprivi Region where major irrigation projects are envisaged. Caprivi, as the Head of State, Dr Sam Nujoma, has repeatedly said, has great potential to become Namibia's breadbasket. I believe the President has been saying this mainly in reference to the abundance of water resources of the great Zambezi and the fertile plains there. However, being a shared resource, Namibia cannot make use of this river for large projects at this stage, such as the envisaged one, without the agreement of other riparian States. Therefore, I see this Agreement as a key that will open the way for the speedy implementation of the envisaged Green Scheme for Caprivi.

Honourable Speaker, Honourable Members the increase in demand for water is a reality, especially for drier countries like ours. It obviously, also creates the possibility of disputes. In fact, it has been estimated that water use in the world is increasing by up to 80% per year. Of this, it is estimated that approximately 69% is for agriculture, 23% for industry and 8% for domestic use. Another threat is that the more the industrial and agricultural activities, the greater the risk of water pollution, resulting in declining water quality. Future threats include climate change, resulting in advanced weather conditions like drought, which is a worsening phenomenon in our case.

15 March 2005

**CONVENTION ON ZAMBEZI WATERCOURSE
HON MUCHILA**

Honourable Speaker, Honourable Members, these are real threats and challenges requiring new and robust management strategies, such as the Agreement Establishing the Zambezi Watercourse Commission. This is recognition by riparian States of the importance of the Zambezi watercourse as a major water source in the region as well as the need to conserve, protect and sustainable utilisation of the resources of the Zambezi watercourse.

Honourable Speaker, Honourable Members, however, I would like to make a few observations: If I am not mistaken, a greater portion of the Zambezi River watercourse runs through the Republic of Zambia, meaning that Zambia enjoys the biggest share of the resource. If this is so, why has Zambia not signed the agreement? Will it ever ratify it and if not, what effect will it have on this agreement? Among the principles of this agreement are promotion of sustainable development, reasonable utilisation and prevention of harm to this watercourse. This to my understanding requires that people understand the Agreement, and how it could influence their usage of the river resources.

In this regard, therefore, I would like to know whether those Namibians who could be directly affected have been consulted and know anything about this Agreement.

Article 9.1 of the Agreement states: *“The Technical Committee shall comprise of delegations from each Member State, consisting of no more than three members and such number of advisors as each Member State may determine.”*

The Agreement states further in Article 13: *“The rules applicable to the equitable and reasonable utilisation of the Zambezi watercourse shall be determined by the Technical Committee.”* I believe this also calls for direct and active involvement of the ordinary people in the activities of the Technical Committee, especially in its advisory role. The question I would, therefore like to ask is whether Namibia will include in its delegation to the Committee members from the public as advisors.

On this note, Honourable Speaker, Honourable Members, I support the

15 March 2005

**CONVENTION ON ZAMBEZI WATERCOURSE
HON MOONGO / HON MBUMBA**

speedy ratification of the Agreement to Establish the Zambezi Watercourse Commission. I thank you.

HON SPEAKER: I thank Honourable Muchila for his contribution. I recognise Honourable Moongo.

HON MOONGO: Honourable Speaker, I only have a tiny question. The floods in the Caprivi Region are a threat to the lives of humans and animals and no economic development can take place in such a situation. Therefore, I would like to ask whether there is a marshal plan, where the water can be diverted to other Regions rather than destroying lives in the Caprivi Region. I rest my case.

HON SPEAKER: I thank Honourable Moongo. Honourable Minister Mbumba.

HON MINISTER OF INFORMATION AND BROADCASTING:

Honourable Speaker, I was honoured to represent Namibia and to sign on behalf of Honourable Helmut Angula who could not attend that ceremony. The one question I would like to clear up is why Zambia did not sign.

Each country has administrative, legal and constitutional procedures that they follow before they sign issues. In some countries, the constitution mandates the President to negotiate, which means also his Ministers to negotiate and sign, but for that agreement to come into force, it has to be approved by Parliament, which is our way of doing things. In Zambia, they have to go through all kinds of procedures before they can sign and it does not mean that Zambia was not interested and I am sure by now it has been done.

15 March 2005

CONVENTION ON ZAMBEZI WATERCOURSE
HON SMIT

In the case of Botswana, their President, His Excellency Festus Mogae, presides over the signing. The Ministers sign under his observation, so to speak.

Zimbabwe was represented by their Minister Mujuru who is now the Vice-President of their party. I just wanted to say that the purpose of this is proper coordination and cooperation to utilise the water equitably, to share and to know who is using how much water, so that nobody is using too much water and also to protect the water source. On our side, we should keep our side clean, no tins, no bottles, no chemicals, no DDT in the water, because we need the water to be clean and no country is forbidden by others to use a reasonable amount. Therefore, cooperation among the States is encouraged as is done worldwide in order to avoid conflicts and wars over water. Thank you very much, Honourable Speaker.

HON SPEAKER: I shall now call on the Honourable Minister of Agriculture, Water and Rural Development, Honourable Speaker Smit, to reply.

HON MINISTER OF AGRICULTURE, WATER AND RURAL DEVELOPMENT: Thank you very much, Honourable Speaker. I thank the Honourable Minister of Information for the information he has provided on the signing of the Agreement.

Honourable Speaker, one misperception that has to be corrected is that we are not prohibited to utilise the water of our rivers if we do not have an agreement. We have access to that water and we can use that water for development. The importance of establishing a Commission is to ensure that we utilise the water on a sustainable basis for generations to come. Many factors influence sustainability. To ensure that there will always be water in the river is the basis, but pollution is also another important part.

15 March 2005

**CONVENTION ON ZAMBEZI WATERCOURSE
HON SMIT**

However, the most important is to control the flow of the water and to make optimal use of the water within these basins.

The Honourable Minister of Information explained why Zambia has not yet signed. We had a SADC Water Meeting last Thursday where I discussed this issue with the Minister of Zambia and he told me that the obstacles have been sorted out and that they will sign the Agreement in the near future. Hopefully within a month the Agreement will be signed by Zambia.

Honourable Speaker, there is no need to involve the local people when you sign the Agreement. The moment you start to manage the basin, then it is important to get all the people involved. The management of the water then becomes very important and their involvement in the management of the basin.

On the question on floods, I think we must not make the mistake to think that we can go against nature. We have to live with nature and within nature. I had a meeting with the representative of the FAO two weeks ago and I have requested that technical experts do a survey to see how we can channel the water in the flood plains in the Zambezi and what kind of products can be produced in those flood plains to utilise this resource, which lies idle now. The two most obvious opportunities are rice and prawns, but there may also be other opportunities and the idea is first to do a geographical survey to see whether we can channel the water and how effectively we can do that and then secondly, what kind of products can be produced.

Honourable Speaker, with those few comments, I thank the House for their support.

HON SPEAKER: I thank the Honourable Minister for his reply and I now put the Question, that this Motion be adopted. Any objections? So agreed. Therefore, this Motion is unanimously adopted. The Secretary

15 March 2005

**SECOND READING
NATIONAL YOUTH SERVICE BILL
HON MUTORWA**

will now read the Tenth Order of the Day.

**RESUMPTION OF SECOND READING :
NATIONAL YOUTH SERVICE BILL**

HON SPEAKER: When this Debate was adjourned on Thursday, the 10th of March 2005, this House adjourned in terms of Rule 17, which means lack of quorum. However, the Debate was adjourned by Honourable Mr De Waal. Any further discussions? Maybe before we start, it should be clear to both sides of the aisle that when an item is moved under Rule 98, it presupposes that there had indeed been exchange of views and negotiations. It is only on that basis and on that agreement that the House has the consensus to go through all three stages in one day. It appears that if that is not there, then we run into what we ran into last week and obviously, there has to be a whole lot of persuasive power coming from the Minister and his colleagues so that we do not look bad at the eleventh hour. This House has been very responsible, we have done the work that we are expected to do very responsibly and I hope we will continue on the basis of that spirit. I call on Honourable Mutorwa.

HON MINISTER OF BASIC EDUCATION, SPORT AND CULTURE: Thank you, Comrade Speaker, Sir, Honourable Members of the National Assembly. I rise in full support of this very important Bill. This Bill is intended to significantly address and in a way alleviate the plight of a very vibrant, energetic and active constituency of our Nation, the youth.

“Youth” is defined in this Bill as, *“an individual aged between 16 and 30 years”*. This category of people constitutes quite a substantial high number of Namibian citizens, including at least one youthful Member of

15 March 2005

**SECOND READING
NATIONAL YOUTH SERVICE BILL
HON MUTORWA**

the Opposition we thought graduated from the group of youth, just to be proved wrong by the old guards of his own Political Party over the past weekend.

The high degree of political bankruptcy, hypocrisy and shortsightedness, in my view, was demonstrated by the Opposition Political Parties' boycott and walkout on the 10th of March 2005. These Honourable Members walked out ostensibly because the Bill is intended to further strengthen the revered, respected, current President of the Republic of Namibia's grip on political power. President Sam Nujoma, it must be recorded by historians, has a very long, brave, illustrious political career, characterised by selfless service and dedicated duty. He is retiring gracefully as the Founding President of the Republic of Namibia.

May I now venture, Comrade Speaker, to make a few comments on the so-called surprised discovery of the Honourable Members of the Opposition that the Youth Service activities will be placed in the President's Office. The idea is to uplift the profile and plight of the youth by placing them in that highest office of our land. You will remember that the National Planning Commission, as we speak, is placed in the Office of the President. Do we still remember that once upon a time the issues affecting women were coordinated and executed from the Office of the President? The same applies to Water Affairs. Do we remember that in 1992/1993 when we were faced with drought, the President took the responsibility of placing Water Affairs in his office? Do we remember that. What is the fuss about this Bill now?

Namibia is not the first country, Comrade Speaker that is establishing a National Youth Service. In the United States of America, President Franklin Delano Roosevelt established what he called the Civilian Conservation Corps in 1933. Millions of young people served in that organisation for a term of six to eighteen months to help restore the Nation's parks, revitalise the economy and support their families and themselves after the Great Depression. The Civilian Conservation Corps was revitalised in 1966 and renamed Youth Service America. That organisation creates voluntary opportunities for young people in America,

15 March 2005

**SECOND READING
NATIONAL YOUTH SERVICE BILL
HON MUTORWA**

aged 5 to 25, to serve locally, nationally and globally. China has currently around 900,000 participants in its Youth Service programme. Nearer home, *Thirelo Setshaba* National Service was inaugurated in Botswana as a pilot project in 1980. The participants in the programme ranged from 16 to 20 years. The programme has had a major impact on education in Botswana. In the early years, participants took the places of untrained teachers and enabled the latter to go for training. In recent years, participants in the service have served as teachers' aides through that particular Youth Service in Botswana and we stand up and praise Botswana.

In South Africa, the National Youth Service has its origin in the human resource development component of the Reconstruction and Development Programme (RDP) and we will remember that RDP in South Africa was placed in the Office of the President. The National Youth Service is viewed as a programme to give the youth structured work experience while they continue their education and training. The National Youth Service programme was officially launched in South Africa last year in August. Its target is to eventually have 30,000 young people accessing the programme per year.

Namibia's National Youth Service, I believe and all of us should believe, including those that walked out, is also aimed at achieving the same noble objectives. We cry about youth unemployment, we cry about lack of skills for our youth. The same Opposition stands up, accusing Government of not doing much for the youth and that the youth are on the street. Through this particular Bill we want to raise the objectives of at least providing some opportunities and hope for the youth. We only need to look at Clause 4(1)(a) to (e) of the Bill to confirm what I am saying.

Furthermore, if one looks at Clause 23(2)(a), the President is compelled to submit annual reports and financial statements of the Youth Service to the National Assembly. What more transparency do you need? Where is the secrecy the people are talking about, including some newspapers?

Comrade Speaker, in conclusion, may I appeal to the Honourable

15 March 2005

**SECOND READING
NATIONAL YOUTH SERVICE BILL
HON KAMWI**

Members of Parliament of the SWAPO Party that we pass this Bill without any guilty conscience whatsoever and let the SWAPO Party Government practically implement the law with the intention to benefit the youth of this country positively. To those who have boycotted this Bill I would like to say the following: The very same youth will politically punish you during the 2009 elections. Mark my words, they will punish you and they will deprive you of your votes and you will not be here. Thank you.

HON SPEAKER: I thank Honourable Minister Mutorwa. Honourable Deputy Minister Kamwi.

HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES: Honourable Speaker, Sir, Honourable Members, I rise to wholeheartedly support the National Youth Service Bill.

First of all, I wish to congratulate the Honourable Minister of Higher Education, Training and Employment Creation together with his efficient team for having tabled this very important piece of legislation for the good of this Nation. Equally, I would like to thank Comrade Mutorwa for having eloquently contributed to this Bill.

The contributions made by my seniors during the Debate on the military installations in relation to patriotism are closer to the importance of this Bill. Honourable Speaker, Sir, in Botswana there is saying, “*Lore lo ojwa lo sa le metsi*”, literally meaning, you bent a tree when it is still young. This Bill is about shaping the well-being of the youth in relation to discipline, patriotism, hard work, and love of their country more than the love of money. There is no so-called hidden agenda. It is just straightforward.

Government is hard at work, we are training nurses, training doctors,

15 March 2005

**SECOND READING
NATIONAL YOUTH SERVICE BILL
HON MOONGO / HON N ANGULA**

pilots, scientists, teachers, and you name it. All this is about the future development of this country. Unless they are taught about the love of their country, they will end up getting into the private sector. Thus, this Bill cannot be held hostage by members of the Opposition who do not have a single alternative programme in place related to nation building.

Comrade Speaker, Sir, I have only one tiny question to the Minister of Higher Education, Training and Employment Creation in Part 3. The Bill there proposes the Board members to consist of not fewer than seven and not more than nine members to be appointed by the President. I am of the understanding that it would be at least five, but if there is a reason for that, I have no problem. I support the National Youth Service Bill 2005 without reservations.

HON SPEAKER: I thank the Honourable Deputy Minister. Honourable Moongo.

HON MOONGO: I would only like to explain the stand we took on Thursday. Our objection was stated very well here the other day and we object on that ground. We do not support the Bill.

HON SPEAKER: Does the Minister want to reply?

HON MINISTER OF HIGHER EDUCATION, TRAINING AND EMPLOYMENT CREATION: Honourable Speaker, let me start by paraphrasing the preamble to the UNESCO Constitution which says that “*war starts in the minds of men and I want to say that evil starts from the minds of men*”. The Opposition is objecting to this Bill because they are

15 March 2005

**SECOND READING
NATIONAL YOUTH SERVICE BILL
HON N ANGULA**

ascribing evil motives to the Bill, not to the Bill as it stands. It is their own minds, which are reading all sorts of things in this Bill and it is true, they hate the youth. This Bill has been demonised by the Opposition. The Bill is a straightforward one. The idea is to regulate the activities relating to the National Youth Service.

We know that you do not want to hear anything good for the youth. Anything we do which is good for the youth is condemned by you. You condemned NAMCOL because it is catering for the youth and you condemn the National Youth Service and the National Youth Council. Anything for the youth you condemn because you want the youth to be roaming around, cause trouble, and turn the country into an ungovernable one. That is not going to happen.

Therefore, this Bill is a straightforward one, it is not a Bill about the President, it is a Bill about regulating the administration of the Service and there are mechanisms put in place by this Bill. First of all, there will be a Board and it is true, the Board is going to be appointed by the President, but the President also appoints a Board called the Cabinet. What is wrong for the President to appoint the Board?

Besides the Board, there will be a Commissioner, the Chief Executive. The Board can also establish Sub-Committees to make sure that the Service is working and the functions and objectives of the Service are stated there. If you find that the youth are being misused, you have recourse to the Bill. It is worse if there is no law, then you cannot control it because you have no reference point. Now you have a reference point if you find that the youth are being misused. The Youth Service will also be required to issue annual reports and you can satisfy yourself whether the activities stated there are according to the law. This is your yardstick, this is your textbook to make sure that the Youth Service is running according to the law.

Having said that, I am not going to reply to individual conjecture. *Honourable Pretorius* said a lot of things. I regard him to be a burnt-out politician and a burnt-out politician is normally cynical. Therefore, he

15 March 2005

**SECOND READING
NATIONAL YOUTH SERVICE BILL
HON PRETORIUS**

approached this Bill with a measure of cynicism. (Intervention)

HON SPEAKER: Honourable Minister, whatever happens, let us not be personal.

HON MINISTER OF HIGHER EDUCATION, TRAINING AND EMPLOYMENT CREATION: I withdraw that. I thank all the Comrades who supported the Bill and I ask this House to pass the Bill. Thank you.

HON SPEAKER: I would like to thank the Minister for his reply and I shall now put the Question, that this Bill be read a Second Time. Any objections?

HON PRETORIUS: Mr Speaker, actually I do not want to object, but I want my Vote to be recorded as against the Bill.

HON SPEAKER: That is in accordance with our Rules and we shall proceed. I call on the Secretary to read the Bill a Second Time.

NATIONAL YOUTH SERVICE BILL

COMMITTEE STAGE: NATIONAL YOUTH SERVICE BILL

15 March 2005

**COMMITTEE STAGE
NATIONAL YOUTH SERVICE BILL
HON N ANGULA / HON PRETORIUS**

HON SPEAKER: Does the Honourable Minister of Higher Education, Training and Employment Creation move that this Assembly now goes into the Whole House Committee?

HON MINISTER OF HIGHER EDUCATION, TRAINING AND EMPLOYMENT CREATION: I so Move.

HON SPEAKER: It is therefore moved that I leave the Chair. Are there any objections? Who seconds the Motion? So agreed. I shall now call on the Honourable Chairperson of the Whole House Committee to take the Chair. Honourable Willem Konjore.

ASSEMBLY IN COMMITTEE:

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: The Committee has to consider the National Youth Service Bill.

Clauses 1 and 2 put.

HON PRETORIUS: Mr Chairman, I do not want to discuss because if I am in principle against the Bill, there is no sense talking about the detail, but I want my opposition to be recorded against every Clause.

Clauses 1 and 2 agreed to.

Clauses 3 and 4 put and agreed to.

Clause 5 put.

15 March 2005

**COMMITTEE STAGE
NATIONAL YOUTH SERVICE BILL**

HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES: I only want to know whether the Board Members should be seven to ten. It is so huge.

HON MINISTER OF HIGHER EDUCATION, TRAINING AND EMPLOYMENT CREATION: The idea here is to give the appointing authority leeway to bring in expertise and people who can represent the views of the youth, women, people with disability and the likes.

Clause 5 agreed to.

Clauses 6 to 10 put and agreed to.

CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: I shall report progress and ask leave to sit again.

ASSEMBLY RESUMED:

Progress reported and leave granted to sit again.

HON SPEAKER: This House now stands adjourned in terms of Rule 90 of the Standing Rules and Orders until tomorrow afternoon at 14:30.

HOUSE ADJOURNS AT 17:45 UNTIL 2005.03.16 AT 14:30

NO TYPED OR RECORDED DEBATE AVAILABLE

Wednesday 16 March 2005]

-32-

No. 14 – 2005]

=====

**MINUTES OF PROCEEDINGS
OF THE
NATIONAL ASSEMBLY**

=====

WEDNESDAY 16 MARCH 2005

The Assembly met pursuant to the adjournment.

1. The Speaker took the Chair and read the Prayers and Affirmation.
2. The Speaker requested the Honourable Members to remove all their personal belongings and the Back Bench Members to vacate their offices.

Business as scheduled will be taken care of and then Leaders of Parties will be allowed to make statements as this is the last day of the Session.

FIRST ORDER READ:

3. Resumption of Committee Stage – *National Youth Service Bill* – [B.1 – 2005]

The Minister of Higher Education, Training and Employment Creation moved, seconded by Ms Sioka that the Assembly now goes into Committee.

ASSEMBLY IN COMMITTEE

Clauses 11 to 31 put and agreed to.
The Title put and agreed to.

ASSEMBLY RESUMES

Bill reported without Amendments.

Honourables Mr Pretorius and Moongo requested that their objections to the principle of the Bill be registered in terms of Rule 69 of the Standing rules and Orders.

The Minister of Higher Education, Training and Employment Creation moved, seconded by Mr Amathila that the Bill be now read a Third time.

Agreed to.

Bill read a Third Time.

SECOND ORDER READ:

4. Resumption Debate on the Motion that this Assembly seriously discusses and offers solutions on the escalating violence against women and children, which has assumed horrific nature and proportions in our country.

Question before the Assembly as moved by the Honourable Ms Namises on 2 March 2005 (Page 7)

Question Put:

That the Motion be adopted.

Agreed to unanimously.

THIRD ORDER READ:

5. Consideration of the Report of the Standing Committee on Human Resources, social and Community Development on the Children Status Bill.

Question before the Assembly as moved by Mr Kaiyamo on 24 February 2005.

On the Motion of Mr Kaiyamo, seconded by Mr Dinyando, the Report is withdrawn for further consultations.

FOURTH ORDER READ:

6. Consideration of Report on the visit to Hardship Missions by the Standing committee on Foreign Affairs, Defence and Security.

Question before the Assembly as moved by Mr Amathila on Tuesday 15 March 2005 (Page 29).

Question Put.

That the Report be now adopted.

Report Adopted unanimously.

FIFTH ORDER READ:

7. Report on the Visit to Military Installations by the Standing Committee on foreign Affairs, Defence and Security.

Question before the Assembly as moved by Mr Amathila on Tuesday 15 March 2005 (Page 29).

Question Put.

That the Report be now adopted.

Report adopted unanimously.

SIXTH ORDER READ:

8. Consideration of the Report of the Namibian Delegation of the Pan African Parliament 2nd Session - 16 September – 1 October 2004, Midrand – South Africa.

Question before the Assembly as moved by Mr Amathila on 15 March 2005 (Page 29)

On the Motion of Mr Amathila, seconded by Ms Katjita, the Report is withdrawn.

9. Official business ended at 15h40.

10. After several farewell speeches by Party Leaders, the Prime Minister, seconded by Mr Amathila adjourned the Assembly at 17h35.

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
19 MARCH 2005
WINDHOEK**

The Assembly met pursuant to the adjournment.

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

WELCOMING SPEECH

HON SPEAKER: Today being a very special day in our history of fifteen years, the Order of the Business is by resolution of this House. The House has resolved that on this day at this hour, His Excellency the President will deliver his Valedictory Speech in this Chamber. That, indeed, is the resolution that we all unanimously agreed to.

In terms of that resolution, therefore, the business of this Chamber will be suspended to allow the space for His Excellency, the President to deliver his Valedictory Speech. I will now proceed to go and escort the President into the Chamber. You are expected to rise and remain standing until I return.

Welcome to the House, Your Excellency, Founding President and Father of the Nation of this Republic, President Dr Sam Shafishuna Nujoma.

Your Excellency and President of this Republic, Honourable Chairman of the National Council, Your Lordship Chief Justice Shivute and Judges from the Supreme and High Court of Namibia, Honourable Members of Parliament from both Houses, please allow me to do something very special and unique in honour of this historic occasion that brings all of us together this morning and that is to introduce a group of children from Tobias Hainyeko to light a candle as a ceremony of our continuous celebration of peace and political stability under your leadership.

19 March 2005

**VALEDICTORY SPEECH
HIS EXCELLENCY, PRESIDENT NUJOMA**

Comrade President, this is in your honour. May I invite the children, one of the Clerks of the House will escort them.

Candle lighting and theme reading Ceremony

The fifteen children who will be lighting the candles there are signifying the fifteen years of peace and tranquillity we have enjoyed and these fifteen children were all born on the 21st of March 1990.

I would like to thank these youngsters for a very hopeful symbol that they are leaving in this Chamber on behalf of all of us in this Republic.

Honourable Chairman of the National Council, Your Lordship Chief Justice Shivute and all the Judges from the Supreme and High Courts of the Republic of Namibia, Honourable Members of Parliament of the Republic of Namibia, the moment you have all waiting for has just arrived and caught me by surprise. I have the pleasure to introduce His Excellency the President of this Republic, Comrade President Sam Shafishuna Nujoma to address this august Assembly and the significance is that the President is addressing this august Assembly and the Nation from this podium for the last time – not last time in terms of life, but last time in terms of his national responsibility. May I take this opportunity without further wasting time, Your Excellency, to invite you to address your people and the people of this Region, Africa and the world. Your Excellency, President Sam Nujoma.

VALEDICTORY SPEECH

HIS EXCELLENCY, PRESIDENT NUJOMA: Thank you very much, Honourable Speaker of the National Assembly, Honourable Chairman of the National Council, Honourable Members of Parliament, Your Honour Chief Justice and Judges from the Supreme Court and High Court of the Republic of Namibia.

19 March 2005

**VALEDICTORY SPEECH
HIS EXCELLENCY, PRESIDENT NUJOMA**

Today, the 19th March 2005, would go down in our history as the date on which the Special Session of the Third Parliament of the Republic of Namibia sat for the last time. This Session precedes an equally memorable occasion in the history of our country, namely the peaceful transition of power and the swearing in of a new President. I am, therefore, deeply honoured and privileged to stand here at this Joint Sitting and last gathering of our Third Parliament.

As Head of State, I have over the years stood in this Chamber to speak to the Namibian people through you, our elected lawmakers and representatives of our people. You will all agree with me that our Parliament represents the deepest aspirations and hopes of our people who have given their collective mandate to the Parliamentarians to articulate their needs and promote the well-being of the Nation by enacting laws that are responsive to their needs. For this reason, it occupies a central and unique position in the structures of our democracy.

You will recall that it was the Constituent Assembly, the forerunner of our Parliament, which not only gave life to our institutions of state and governance as the author of our Supreme Law for the land, the Constitution of the Republic of Namibia, but also elected me as the first President of the Republic of Namibia on behalf of the citizens of our country. This is an honour I will always cherish. Thus, we can rightly say that our Parliament was born out of the Constituent Assembly, a body that brought together the founding fathers and mothers of our Republic from different political backgrounds for the first time. It demonstrated the resolve of our Nation to leave behind the painful past of apartheid oppression and chart a new course towards a more democratic and peaceful society, a society where all citizens enjoy fundamental human rights and have freedom to shape the destiny of our motherland.

At this juncture, therefore, I would like to pay homage to those Namibian men and women who served as Members of the Constituent Assembly as they are indeed the founding fathers and mothers of our Republic. We can only be thankful that they were endowed with the wisdom and vision to bequeath to the people of Namibia a sound Constitution which now serves and will in the future continue to serve as the foundation on which our

19 March 2005

**VALEDICTORY SPEECH
HIS EXCELLENCY, PRESIDENT NUJOMA**

country is founded and governed. Because of their foresightedness, we now have a vibrant democratic society, guided by the spirit and principle of a sound Constitution.

I can still recall that it was on the 15th May 1990 that I was invited to officially open the deliberations of the National Assembly for the first time. On that same occasion, I addressed the Nation through Parliament on the State of the Nation in accordance with Article 32(2) of our Constitution. For the following fourteen consecutive years, I have delivered my Annual State of the Nation Address in this Chamber to the Nation after consideration of the Budget. On many of those occasions, I have emphasised the significance of the presence of all three organs of the State in the Chamber as they are represented here today. This is particularly true because such presence is most rare, while at the same time it signifies the unity and vitality of the Namibian State within the framework of the separation of powers among the three organs as provided for by the Constitution.

Today we walk tall and proud, because we have built and consolidated the mechanisms, which have solidified the separation of powers between the Executive, Legislature and the Judiciary.

We have strengthened the independence of the Judiciary and the administration of justice through independent and competent Courts. In the same vein, our Parliament has the freedom to legislate and pass laws in the interest of all our people.

It is, therefore, with a sense of honour and gratitude that I am standing here today to give my Valedictory Statement after fifteen years of hard work and commitment to the service of our country and her people.

When Namibia became Independent fifteen years ago, we faced an unfamiliar and uncharted road. However, we were filled with hope, optimism and courage to succeed, because after defeating the apartheid repressive regime, we were determined to overcome all challenges, even those that appear insurmountable.

19 March 2005

**VALEDICTORY SPEECH
HIS EXCELLENCY, PRESIDENT NUJOMA**

Indeed, the national tasks at hand were not easy or few in number. Our lawmakers were faced with the mammoth task of repealing volumes of discriminatory laws and regulations that were enacted and gazetted by the oppressive white apartheid regime of South Africa. This was necessary so that the free people of Namibia could legislate and pass their own laws in line with the democratic and non-racial dispensation. Our whole Nation must be proud that many landmark and historic legislations have been passed by our Parliament over the years. These include the Labour Act, the Education Act, the University of Namibia Act, Combating of Domestic Violence Act, Maintenance Act and many others.

It was not only new laws that had to be enacted and implemented in order to undo the injustices of the past, but this august Assembly also had to review existing legislation of the past dispensation to ensure that the unjust and discriminatory laws, which were forced on our people, are repealed and new laws are introduced.

Altogether 462 laws were passed in this House since 1990, the first being the National Coat of Arms Bill and the last the National Youth Service Bill. I pay tribute to all our lawmakers who have worked tirelessly over the years to give our citizens of their own, laws that reflect the aspirations and the needs of our people, indeed laws that promote the protection of human rights and the building of a just society where all our people can live in peace and security.

Honourable Speaker of the National Assembly, Honourable Chairman of the National Council, Honourable Members of Parliament, Your Honour Chief Justice, it is a source of satisfaction for me that together we have dedicated our energies and worked hard to rescue our motherland and our destiny from the claws of apartheid and oppression. In the period of fifteen years, we have built institutions and put in place democratic mechanisms of good governance. Moreover, we have worked hard to improve the overall standard of living of all our people by providing them with social amenities as well as expanding and improving our physical and communication infrastructures. Progress is visible in the provision of potable water, housing, health, education and in the expansion of our roads, harbours, telephone networks, cell telephone networks, railway

19 March 2005

**VALEDICTORY SPEECH
HIS EXCELLENCY, PRESIDENT NUJOMA**

networks, electricity networks and other infrastructures that make it possible for the Government to deliver services to all our people. These infrastructures have also improved the channels of communication among our citizens, traders and service providers, particularly to those in the rural areas.

As a result of our policy initiatives, we have made Namibia an attractive destination for investors and tourists. This has resulted in new major ventures being established in different sectors of the economy in order to add value to our natural resources. These include mining, textiles, agriculture, manufacturing, fishing, aquaculture, tourism and several other areas.

Above all, we have established an unbroken record of democratic and constitutional governance, which has ensured peace, stability and social harmony. Although our country was scarred by decades of racism and apartheid, we have unified our people through the policy of national reconciliation and have made it possible for our citizens to fully participate in matters of governance through our policy of decentralisation.

Honourable Speaker of the National Assembly, Honourable Chairman of the National Council, Honourable Members of Parliament, Your Honour the Chief Justice, the struggle for National Liberation, which culminated in the attainment of our Independence on the 21st of March 1990, was long and bitter. Many sons and daughters of Namibian soil shed their precious blood and sacrificed their lives so that we can live in peace and stability as free citizens, liberated from the yoke of racial oppression and foreign occupation. On this occasion, I pay tribute to their bravery, their courage and their patriotism, because as we sing in our National Anthem, “*their blood waters our freedom.*” In their thousands, young and old Namibian men and women made the ultimate sacrifice for the love of their motherland. In so doing, they walked down the path pioneered by our heroes and heroines, such as Hendrik Witbooi, Jacob Marengo, Kahimemua Nguvauva, Samuel Maharero, Nehale Iya Mpingana, Mandume Ndemufayo, Ipumbu Ya Tshirongo and other heroes and heroines who fought against the forces of colonialism and foreign

19 March 2005

**VALEDICTORY SPEECH
HIS EXCELLENCY, PRESIDENT NUJOMA**

occupation. We remember them together with the other fearless Namibians who dedicated their entire lives to the freedom of the Land of the Brave, including Kakurukaze Mungunda, Brendon Simbwaye, Tobias Hainyeko, Peter Nanyemba and others contemporary heroes and heroines of the Namibian revolution. It is because of their sacrifice that today we are a free and sovereign Nation.

I am proud to say that since their very first sitting on the 21st March 1990, our Members of Parliament have executed their national duties with dedication and commitment. As the term of office of this Parliament ends, we wish those who are not returning as lawmakers, success in all their future endeavours and commend them for a job well done in the service of their country.

Those who are returning as lawmakers, we wish them renewed strength so that they can continue to serve the Namibian people and lead them in the process of Nation-building.

I have been honoured to interact with our lawmakers from different Political Parties over the years. I will always cherish the unforgettable memories of the positive and patriotic spirit in which our lawmakers have asked me constructive and at times, humorous questions after delivering the State of the Nation Address. I, therefore, believe it is in the Parliament where our democracy has been strengthened, as legislators from different parties engaged in lively and vigorous Debates in the spirit of mutual respect, tolerance and common purpose. Even during those times when Debates got heated and intense, the Members of Parliament demonstrated their dedication to duty and came together as compatriots committed to a common and higher goal of nation building.

Our Parliament has also done the Nation proud through its participation in regional, continental and international fora, such as the SADC Parliamentary Forum, the Pan-African Parliament, the International Parliamentary Union and the Commonwealth Parliamentary Association. In recognition of the contributions, the Namibian Parliament has been honoured to host and chair the conferences of the IPU, Commonwealth Parliamentary Association and the SADC Parliament Forum on various

19 March 2005

**VALEDICTORY SPEECH
HIS EXCELLENCY, PRESIDENT NUJOMA**

occasions. We are also honoured that the Headquarters of the SADC Parliamentary Forum is based in our capital city of Windhoek. This recognition has further increased Namibia's stature in the world as a valued member of the international community and a reliable partner in the pursuit of world peace and security.

Moreover, the National Assembly has ratified several bilateral and multi-lateral treaties, protocols and conventions, which have increased our country's active participation at the international arena. Amongst these are the United Nations Convention on the Rights of the Child, the United Nations Convention on Transitional Organised Crime, the Kyoto Protocol and the African Charter on the Rights of the Child.

As a product of international solidarity and a member of the United Nations, Namibia should continue to advocate peaceful resolution of all conflicts in line with the United Nations Charter, our Constitution and our foreign policy. It is along this path that the future Parliament should continue in order to secure our national interest and foster mutually beneficial cooperation between Namibia and other countries.

As a young democracy, Namibia still faces many challenges. The incoming Parliament must continue where the old Parliament left off, addressing to challenges of corruption, poverty and the provision of social amenities to all our people. They must put shoulder to the wheel to ensure good governance and find solutions to the youth unemployment and to curb the spread of HIV/AIDS and address the issues of crime and violence against women and children.

Honourable Speaker of the National Assembly, Honourable Chairman of the National Council, Honourable Members of Parliament, Your Honour the Chief Justice, this is a memorable year in the history of our country. We will not only celebrate fifteen years of freedom, Independence, peace, stability and prosperity, but we will also witness a smooth, transitional power and the inauguration of the new President of the Republic of Namibia, Comrade Hifikepunye Pohamba on the 21st of March. Tomorrow we will also witness the swearing-in ceremony of Members of

19 March 2005

**VALEDICTORY SPEECH
HIS EXCELLENCY, PRESIDENT NUJOMA**

the Fourth Parliament of the Republic of Namibia. Thus, these are historic days indeed.

I would like to take this opportunity to once again express my sincere gratitude to the Honourable Members who have served as representatives of our people in our Parliament with dedication and commitment. In the same vein, I wish to thank the Secretariat and other staff members who have served our Parliamentarians with loyalty over the last fifteen years. I would also like to commend the Speaker of the National Assembly, Dr Mosé Tjitendero for his able leadership. For fifteen years, he did not only keep order in the House, but together with his Deputy facilitated healthy Debates of important matters for the strengthening and the continued existence of our young democracy. We salute you on what you have achieved in the years that you presided over this House and wish you the best in the future.

As we embark upon the second phase of the struggle for economic independence, I am proud that together we have laid a strong foundation for the future generation of Namibians to build on. It is our common responsibility to continue promoting the welfare of all Namibians. Thus, our citizens should continue to work in unity of purpose and action in order to realise our development goals and programmes in line with our Second National Development Plan (NDP2) and Vision 2030.

Finally, I would like to express my gratitude for the opportunity afforded to me to address our Joint Session of Parliament for the last time as serving Head of State. This is an occasion I will always remember and cherish. I am confident that our Parliamentary multi-party democracy will continue to grow from strength to strength. As demonstrated by the youth who are a part of this event today, Namibia can look forward to a bright future with hope. I believe that a united people striving for the common good of all members of the society, we will always emerge victorious.

Long live the Republic of Namibia, and I thank you.

19 March 2005

**VOTE OF THANKS
RT HON DR T-B GURIRAB**

HON SPEAKER: Your Excellency, President of the Republic of Namibia, Comrade Sam Nujoma, it is not my task to express gratitude on behalf of this Chamber. I would think they say *action speaks louder than words* and you have just noticed how electrified the whole Chamber was just a few minutes ago. However, on this I would like to thank you very much for your inspiring and encouraging words that you have left us with. It is my task to call on the Right Honourable Prime Minister, both in his capacity as the Prime Minister and his capacity as the Leader of the Government Business in this Chamber to move a Vote of Thanks on behalf of all of us. Right Honourable Prime Minister.

RT HON PRIME MINISTER: Honourable Speaker of the National Assembly, Honourable Chairman of the National Council, Excellency President of the Republic of Namibia, Dr Sam Nujoma, Honourable Members of Parliament representing both Houses, esteemed members of the Judiciary, respected staff members, compatriots and friends.

Your Excellency, I echo and support your wonderful tributes to Dr Mosé Tjitendero and Honourable Hifikepunye Pohamba, President-elect, respectively, and I assure them of our gratitude to them for their dedicated service in the past and now to our Nation and our people more will follow.

History repeats itself. When it does it takes into account the inevitability of change, but it also responds to emerging perspectives. Human history speaks to both written and oral contributions of generations. History making continues. The lighting of candles by our children was making of history. Earlier a young boy read a poem, a moving poem to our President on the steps of the entrance to this building, a poem that I believe everyone should hear and I hope there will be opportunity, as part of our celebrations, for that to happen.

The people of Namibia remember history's heavy toll on their lives, on their traditions and on their systems of values and norms, but we have not run away from challenges. Namibians are proud to call Namibia the Land

19 March 2005

**VOTE OF THANKS
RT HON DR T-B GURIRAB**

of the Brave. Many of our people had to have endured a blood and protracted struggle for generations to achieve freedom, justice and Independence.

Your Excellency, you have led the way to the foundation of our Republic, liberty and sovereignty. Comrade President, you are the embodiment of our national character, our pride as citizens and you continue to demonstrate the essential elements of our people's resilience in adversity. Your personal sacrifices and at the same time, your devotion to your family are things that integrity and compassion are made of. Because of your own heroic deeds of courage and unwavering love for our country, the present and the future young people of Namibia will always think of you as their trusted mentor and protector and yet you have never relented from keeping yourself in motion by working hard on social development issues of the country and letting friends and foes alike know where you stand on the crucial issues of peace, unity, stability, reconciliation and development.

This is the august House of deliberation for the purpose of doing what is right to the people and for the pursuit of lawmaking in line with the expectations of the voters. According to the Constitution and the laws of the Republic as well as the Parliamentary Standing Rules and Orders, we serve collectively in Parliament as Members to promote public interest and ensure that the delivery of social services to the people is carried out promptly, professionally and efficiently. However, today our noble House is convened on this special occasion to bid farewell to our beloved and founding Head of State and Government, President Sam Nujoma. You have made us believe that Namibia's present, future promises are achievable, and that the stability that we enjoy today will be complemented by sustainable growth and prosperity. We are implementing Vision 2030 and NDP2. Comrade President, you are fond of saying that you have done all the good things that are often acknowledged because of collective leadership and consultative process over the years. That I can attest to, but we keep following you because of your steadfastness in duty and unbreakable principles that insist that we must live up to our duties towards the people. You are still walking tall and you remain undaunted.

19 March 2005

**VOTE OF THANKS
RT HON DR T-B GURIRAB**

Your high sense of vision and mission carried us across many a Rubicon over a wide space of combat and across perilous rivers to reach the moment of ceasefire and celebration of Independence on 21 March 1990, fifteen years ago. The SWAPO Party emerged victorious and has since governed our country.

Your Excellency, you said this in your Inauguration Speech in 1990 and I quote: *“Our achievement of Independence imposes upon us a heavy responsibility, not only to defend our hard-won liberty, but also to set for ourselves higher standards of equality, justice and opportunity for all without regard to race, creed or colour.”*

Then you told the last Cabinet on the 15th of March 2005: *“Success is your success and I salute your hard work, dedication and common purpose. In the same vein, I would like to thank the Members of the Cabinet and Secretariat who have served this Chamber with commitment and dedication over the years. I am pleased that we have laid a strong foundation for the democratic governance of our country.”*

You said the following about this kind of a setting: *“Our Judiciary is independent in protecting the rights of our people and in ensuring the administration of justice through a system of independent and competent laws and courts. Our lawmakers have the liberty to debate legislation and reshape it so that it can better serve our people in a manner that is most responsive to their needs. This is the core value of our democracy.”*

Today your last words are to the representatives of the three branches of the State sitting under the same roof of our Parliament. In your comprehensive and inspiring Valedictory Address, you reiterated your untiring commitment to deep-rooted change, social progress and dedication by stating and I want to repeat it for the record: *“I have been honoured to interact with our lawmakers from different Political Parties over the years. I will always cherish the unforgettable memories of the positive and patriotic spirit in which our lawmakers have asked me constructive and at times, humorous questions after delivering the State of the Nation Address. I, therefore, believe that it is in Parliament where our*

19 March 2005

**VOTE OF THANKS
RT HON DR T-B GURIRAB**

democracy has been strengthened, as legislators from different Parties engage in lively and vigorous Debates in the spirit of mutual respect, tolerance and common purpose. Even during those times when Debates got heated and intense, the Members of Parliament demonstrated their dedication to duty and came together as compatriots committed to a common and high goal of nation-building.”

We dare not betray your trust in us, succumb to despondency or fail to heed the people’s call for service delivery, human dignity and social justice.

In concluding, I would like, on behalf of all fellow Members of Parliament, to thank you, our President and leader, for your unwavering faith in us Namibians and for devoting your entire adult life to serve our collective well-being. May God bless you with good health, happiness and more productive life, including extended time in the company of family and friends. Long live the Republic of Namibia. I thank you, Honourable Speaker.

HON SPEAKER: I would like to thank the Right Honourable Prime Minister for his Vote of Thanks to His Excellency, the President of this Republic. I would like to ask the Right Honourable Prime Minister, on behalf of the Parliament of the Republic of Namibia, to demonstrate in concrete deeds his words by presenting something that is more tangible on behalf of all of us to His Excellency the President. (Laughter). Chief of Staff, can you open the gift for the Members to see? I hope it is a cow. Can you open it and bring it for the Members also to see what they have given to His Excellency. Take it to the President. The stones are shining to reflect the shining example and the legacy that you are leaving in this Republic and this region. The background of it characterises you as solid as a rock, because it is a rock. We took liberty, Your Excellency, to link this symbol to your future career as a geologist. We thank you very much.

I now have the honour to escort His Excellency, the President.

19 March 2005

ADJOURNMENT

BUSINESS SUSPENDED:

The Sergeant-at-Arms will lead us. Since it is also coming to my last time to exercise my authority from this Chair and there are only people in this Chamber I can command, I am therefore asking the Honourable Deputy Speaker and the Honourable Deputy Chairperson to join me in escorting the President. No questions asked, orders are to be followed and please remain standing until I return.

BUSINESS RESUMED:

HON SPEAKER: Before I go to the Announcement, I want to acknowledge that there is indeed one of our Members of Parliament who was born on the 19th of March many years ago, I shall not mention the year. Therefore, his birthday has now coincided with this historic occasion and that is no other than Honourable Member Gaseb who has been in this House for a very long time. Happy birthday, Honourable Gaseb.

The following announcements so that we proceed: The official business here has come to an end. We shall take a group photo in front of the Chamber on the staircase facing west. This will include the first President. May I just remind the Members that tomorrow will also be a business day, the day on which the new Members will be sworn in to commence the Sessions of the Fourth Parliament? Please exit through this door, in the foyer there is a small gift just to say thank you for the service that you have rendered to the people of Namibia with such dedication and commitment over the fifteen years period and those who have not served for fifteen years, may not stretch their hand to take that. It is only for those Members who have been here for fifteen years. However, since fair rules do not make that kind of distinction, everybody is entitled to it.

It is now my distinct and historic honour to adjourn *sine die* this last session of the Third Parliament of the Republic of Namibia and I wish

19 March 2005

ADJOURNMENT

each and every one of you God's blessing. Thank you very much. The House is adjourned *sine die*.