

# **LIST OF MEMBERS OF THE NATIONAL ASSEMBLY**

## **SPEAKER**

Dr T-B Gurirab (Mr)

## **DEPUTY SPEAKER AND CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE**

Ms D Sioka

## **THE CABINET**

## **MINISTERS**

*(21 March 2005 – Elected in terms of Article 133 of the Constitution)*

Mr N Angula	<i>(Prime Minister)</i>
Dr L Amathila (Ms)	<i>(Deputy Prime Minister)</i>
Dr N Tjiriange (Mr)	<i>(Minister without Portfolio)</i>
Dr A Kawana (Mr)	<i>(Presidential)</i>
Mr P Tsheehama	<i>(Safety and Security)</i>
Mr J Mutorwa	<i>(Youth, National Service, Sport and Culture)</i>
Dr N Iyambo (Mr)	<i>(Agriculture, Water and Forestry)</i>
Mr J Kaapanda	<i>(Works, Transport and Communication)</i>
Rev W Konjore (Mr)	<i>(Environment and Tourism)</i>
Ms S Kuugongelwa-Amadhila	<i>(Finance)</i>
Dr A Iyambo (Mr)	<i>(Fisheries and Marine Resources)</i>
Mr M Hausiku	<i>(Foreign Affairs)</i>
Mr R Kamwi	<i>(Health and Social Services)</i>
Ms R Nghidinwa	<i>(Home Affairs and Immigration)</i>
Mr N Mbumba	<i>(Education)</i>
Mr C Namoloh	<i>(Defence)</i>
Ms N Nandi-Ndaitwah	<i>(Information and Broadcasting)</i>
Ms P Ivula-Ithana	<i>(Justice and Attorney General)</i>
Mr A !Naruseb	<i>(Labour and Social Welfare)</i>
Mr J Ekandjo	<i>(Lands and Resettlement)</i>
Mr E Nghimtina	<i>(Mines and Energy)</i>
Mr J Pandeni	<i>(Regional and Local Government, Housing and Rural Development)</i>
Mr I Ngatjizeko	<i>(Trade and Industry)</i>
Ms M Mungunda	<i>(Gender Equality and Child Welfare)</i>

## **DEPUTY MINISTERS**

*(21 March 2005 – Elected in terms of Article 133 of the Constitution)*

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

## **SECRETARY**

Ms I Welman

## **DEPUTY SECRETARY**

Mr F S Harker

## **LIST OF MEMBERS AND PARTIES WHICH THEY REPRESENT**

### CONGRESS OF DEMOCRATS (COD)

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

### DTA OF NAMIBIA

Mr J De Waal	<i>(Chief Whip)</i>
Mr K Kaura	<i>(Party Leader)</i>
Mr P Moongo	

Mr M Venaani *(Deputy Whip)*

MONITOR ACTION GROUP

Mr J Viljoen *(Chief Whip)*

NATIONAL UNITY DEMOCRATIC ORGANISATION OF NAMIBIA (NUDO)

Mr A Mbai

Mr K Riruako *(Party Leader)*

Mr A Tjihuiko *(Chief Whip)*

REPUBLICAN PARTY

Mr H Mudge *(Chief Whip and Party Leader)*

SWAPO OF NAMIBIA

Mr B Amathila *(Government Chief Whip)*

Dr L Amathila (Ms) *(Deputy Prime Minister)*

Dr M Amweelo (Mr)

Mr N Angula *(Prime Minister)*

Dr S C Ankama (Mr)

Ms L Basson

Mr H Boois *(Deputy Chairperson of the Whole House Committee)*

Ms H Christiaan

Mr Dinyando *(Deputy Minister)*

Mr J Ekandjo *(Minister)*

Mr B Esau *(Deputy Minister)*

Dr H Geingob (Mr)

Dr T-B Gurirab (Mr) *(Speaker)*

Ms P Haingura *(Deputy Minister)*

Mr H Hamutenya

Mr M Hausiku *(Minister)*

Mr P Iilonga *(Deputy Minister)*

Ms P Ivula-Ithana *(Minister)*

Dr A Iyambo (Mr) *(Minister)*

Dr N Iyambo (Mr) *(Minister)*

Mr L Jooste *(Deputy Minister)*

Mr J Kaapanda *(Minister)*

Mr Kaiyamo

Mr R Kamwi *(Minister)*

Ms L Kasingo

Mr I Katali	<i>(Deputy Minister)</i>
Dr A Kawana (Mr)	<i>(Minister)</i>
Mr K Kazenambo	<i>(Deputy Minister)</i>
Rev W Konjore (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>
Ms M Mungunda	<i>(Minister)</i>
Mr P Mushelenga	<i>(Assistant Whip)</i>
Ms T Mushelenga	<i>(Deputy Minister)</i>
Mr J Mutorwa	<i>(Minister)</i>
Mr T Nambahu	
Mr J Nambinga	
Mr A !Naruseb	<i>(Minister)</i>
Ms E !Nawases	
Mr I Ngatjizeko	<i>(Minister)</i>
Ms N Nandi-Ndaitwah	<i>(Minister)</i>
Ms R Nghidinwa	<i>(Minister)</i>
Mr E Nghimtina	<i>(Minister)</i>
Mr U Nujoma	<i>(Deputy Minister)</i>
Mr J Pandeni	<i>(Minister)</i>
Mr P Shifeta	<i>(Deputy Minister)</i>
Mr G Shihepo	<i>(Deputy Minister)</i>
Mr V Simunja	<i>(Deputy Minister)</i>
Ms D Sioka	<i>(Deputy Speaker)</i>
Dr N Tjiriane (Mr)	<i>(Minister)</i>
Mr P Tsheehama	<i>(Minister)</i>
Mr T Tweya	<i>(Deputy Minister)</i>
Mr R /Ui/o/oo	

#### UNITED DEMOCRATIC FRONT (UDF)

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

#### APPOINTED BY THE PRESIDENT IN TERMS OF ARTICLE 32(5)(c) OF THE CONSTITUTION

Mr R Diergaardt  
 Ms I Hoffmann  
 Ms A Manombe-Ncube

Mr C Namoloh	<i>(Minister)</i>
Dr R Ndjoze-Ojo (Ms)	<i>(Deputy Minister)</i>
Mr P Smit	<i>(Deputy Minister)</i>

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBER  
WINDHOEK  
16 NOVEMBER 2005**

The Assembly met pursuant to the adjournment

**HON DEPUTY SPEAKER:** Took the Chair and read the Prayers and the Affirmation.

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**ANNOUNCEMENT BY THE DEPUTY SPEAKER**

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**HON DEPUTY SPEAKER:** Honourable Members, I have two Announcements. The first one is for Honourable Members of Parliament of Namibia who are required to elect five Members to serve on the Pan-African Parliament. The following Members have been nominated by the respective Political Parties to serve in the Continental Parliament as follows:

Honourable Ben Amathila  
Honourable Loide Kasingo  
Honourable Eveline !Nawases  
Honourable Tsudao Gurirab

Those are from the National Assembly. The one who is from the National Council is Honourable Jhonny Hakaye.

The Second Announcement is just a reminder to the Honourable Members, that the continuation of the Parliament Luncheon series that has been organised jointly by the National Assembly and UNICEF since 2003, will be hosted in the Parliament Restaurant tomorrow, 17 November at 12:00 under the theme, Leaders as Parents. Honourable Members of the National Assembly are all invited to the occasion, and the names should be submitted to the Office of the Acting Secretary. I think this announcement was already done here, this is just a reminder.

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**HON DEPUTY SPEAKER:** Any Petitions? Reports of Standing or Select Committees, other Reports and Papers? Honourable Minister of Mines and Energy?

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16 November 2005

## **TABLING OF REPORTS**

**HON MINISTER OF MINES AND ENERGY:** Honourable Deputy Speaker, I lay upon the Table the Annual Report 2005 from NAMCOR.

I so move, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Will the Honourable Member, table the Report? Notices of Questions? Other Reports or Papers? Yes, Honourable Abraham Iyambo?

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** Honourable Deputy Speaker, I lay upon the Table the Annual Report 2004 of the Ministry of Fisheries and Marine Resources.

I so move, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Will the Honourable Minister table the Report? Further Reports and Papers? Yes, Honourable Minister Kaapanda?

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**HON MINISTER OF WORKS, TRANSPORT AND COMMUNICATION:** Madam Deputy Speaker, I lay upon the Table the Annual Report 2003/2004 of Namibia Post and Telecom Holdings Limited.

I so move, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Will the Honourable Minister table the Report? Further Reports and Papers? Notices of Questions? Notices of Motions? Message from the Head of State? Ministerial Statements? Thank you very much.

The First Notice of Motion is the one of the Right Honourable Prime Minister. Does the Right Honourable Prime Minister move that the Bill be now introduced?

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**RT HON PRIME MINISTER:** I happily do so, Madam Chair.

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16 November 2005

**STATE-OWNED ENTERPRISES BILL**  
**HON ANGULA**

**HON DEPUTY SPEAKER:** Thank you. Who seconds? Objection? Agreed to. Will the Right Honourable Prime Minister please table the Bill? The Secretary will read the Bill a First Time.

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**STATE-OWNED ENTERPRISES BILL**

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**HON DEPUTY SPEAKER:** Does the Right Honourable Prime Minister move that the Bill be now read a Second Time?

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**RT HON PRIME MINISTER:** I so move.

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**HON DEPUTY SPEAKER:** Who seconds? Any objection? None. The Right Honourable Prime Minister has the floor.

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**RT HON PRIME MINISTER:** Thank you, Deputy Speaker of our beautiful National Assembly. Honourable Members, I have the honour to introduce in this august House the State-Owned Enterprises Governance Bill.

The purpose of the Bill is to provide for the efficient governance of State-Owned Enterprises, the monitoring of their performance and for the restructuring of such enterprises. The Bill furthermore provides for the establishment of the State-Owned Enterprises Governance Council as a Committee of Cabinet Ministers and defines the Council's powers, duties and functions.

In terms of the State-Owned Enterprises Governance Bill the main functions of the Council will be as follows:

1. To establish generally accepted common principles of corporate governance and good practice governing State-Owned Enterprises;



2. To develop common policy frameworks for the operations of State-Owned Enterprises, including but not limited to, general policies on human resources, assets and finance;
3. To determine criteria for the performance measurement and evaluation of State-Owned Enterprises and develop appropriate means for monitoring their performance;
4. To lay down directives -
  - (a) in relation to governance agreements to be entered into by a Portfolio Minister with the Board of State-Owned Enterprises;
  - (b) in relation to performance agreements to be entered into between a Portfolio Minister and the Board of a State-Owned Enterprise and between such a Board and its Chief Executive Officer and other Senior Management staff;
  - (c) in relation to the remuneration levels of Board Members, Chief Executive Officers and other Senior Management staff of State-Owned Enterprises;
  - (d) in relation to the benefits for employees of State-Owned Enterprises generally;
  - (e) to make determinations in relation to the number of Members to be appointed to the Boards of State-Owned Enterprises and advise the Portfolio Ministers on the appointment of such Members;
  - (f) to furnish a Portfolio Minister with any comments it may wish to make in relation to an annual budget of a State-Owned Enterprise submitted to such Minister for approval and provided to the Council for its information and comment;
  - (g) to facilitate the provision of programmes for the training and development of Members of the Boards and management staff of State-Owned Enterprises on corporate governance and efficient management practices
  - (h) to receive and consider for approval submissions made by State-Owned Enterprises on the annual distribution of profits and the declaration of dividends;
  - (i) to submit to Cabinet for decision any proposed restructuring plan prepared and

16 November 2005

**STATE-OWNED ENTERPRISES BILL**  
**HON ANGULA**

approved by the Council in relation to any State-Owned Enterprise identified by Cabinet for restructuring.

The Council also has the power to establish Committees to advise the Council or to exercise any of the powers or perform any of the duties of the Council.

The work incidental to the performance of the functions of the Council, will be performed by a Secretariat that is to consist of staff members, or if the Council thus decides, to persons other than staff members.

In addition, the Council may engage, under contract of service consultants with appropriate experience to render professional or technical or other assistance to the Council.

Improved corporate governance arrangements with State-Owned Enterprises are much needed. Effective and efficient governance of State-Owned Enterprises will not be realised unless qualified Board Members are appointed and inexperienced Board Members are provided with ongoing training, to ensure that they become skilful and knowledgeable Board Members. Such Board Members would then in turn be able to pull the State-Owned Enterprises in the same upward direction.

The current unsustainable financial trends at some of the State-Owned Enterprises must be reversed into effective and efficient governance that is in the best economic interest of all the people of Namibia. It is necessary to ensure that those State-Owned Enterprises that are in the business of making money, declare dividends to the Government, and can be used to provide adequate and improved quality service and facilities to the people of Namibia.

With regard to the State-Owned Enterprises, performance criteria must be put into place. This will be done through State-Owned Enterprises Boards.

For corporate governance to evolve in Namibia, it is crucial that there must be a mind shift from the old ways of conducting business in the State-Owned Enterprises to the new ways with a culture of hard work, innovation, competitiveness and skills development.

This new mind shift will only come about with the direct involvement of the essential stakeholders such as the State as shareholders of the State-Owned Enterprises, the Board of the State-Owned Enterprises, Senior Management and staff and the Trade Unions.

16 November 2005

**STATE-OWNED ENTERPRISES BILL  
HON ANGULA**

The new mind shift will require clear corporate governance guidelines to direct the Boards of the State-Owned Enterprises who are then in turn expected to direct operations at the State-Owned Enterprises.

The advantage, if this new mind shift in corporate governance is adopted would be that corruption and mal-administration so frequently seen at State-Owned Enterprises would be put to a stop.

Corporate governance in Namibia must contribute to the national productivity in respect of Vision 2030. This will by no means be easy to achieve, but we must succeed if we as a nation are to prosper.

On this note, Honourable Deputy Speaker, I request all the Honourable Members of this august Assembly to support the necessary enabling legislation, the State-Owned Enterprises Governance Bill.

I thank you.

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**HON DEPUTY SPEAKER:** Thank you. Now I am inviting any further discussions. First of all before I call on you, I think our screen is fine today, you can just press your button if you would like to contribute. Yes, Honourable Tsudao Gurirab?

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**HON TSUDAO GURIRAB:** Honourable Deputy Speaker, unless there are other Members who wish to speak now, I would like to adjourn the Debate to tomorrow. I so move.

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**HON DEPUTY SPEAKER:** Thank you very much. The Debate is adjourned till tomorrow 17 November. We revert to our Order of the Day. The Secretary will read the First Order of the Day.

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**RESUMPTION OF DEBATE ON APPOINTMENTS IN THE CIVIL SERVICE**

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16 November 2005

**MOTION - APPOINTMENTS IN THE CIVIL SERVICE  
HON P MUSHELENGA**

**HON DEPUTY SPEAKER:** When this Debate was deferred on Thursday, 10 November 2005 the Question before the Assembly was the Motion by Honourable Mr Mudge. The Honourable Mr Mushelenga adjourned the Debate and he now has the floor.

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**HON P MUSHELENGA:** Honourable Deputy Speaker, Honourable Members. When Honourable Mudge was motivating his Motion, I noticed from the gestures of Honourable Members in this House that they were astounded and dumbfounded to hear the speech of the Honourable Member.

Having listened to previous speeches of the Honourable Member and having observed his behaviour in this august House and other meetings of Parliamentary Committees, the content of his motivation speech did not come to me as a surprise.

As if he was guilty of what was to follow in his speech, Honourable Mudge, sarcastically remarked:

*"I want to say at the beginning that anyone who thinks that this Motion is an attempt to promote the interests of any particular group or groups, particularly the white community, will be disappointed."*

I am saying that these remarks are sarcastic, because when I listened to his speech, it turned out to be serving the interests of one obvious group. The speech further turned out to be economical with the truth; it was full of innuendos and confusions. Parliamentary speeches are important presentations, which are read widely around the globe. They are also preserved to be read by future generations. Scholars and researchers refer to Parliamentary speeches from the HANSARDS, in their quest for solutions to academic dilemmas. It is therefore important that the content of Parliamentary speeches should carry substance and precise information.

Honourable Deputy Speaker, Honourable Mudge stated that he does not know the criteria used to appoint Board Members of institutions like Nampower, Namwater, TransNamib, Air Namibia and the Electoral Commission, apart from being black and being a Member of SWAPO Party. The SWAPO Party views these allegations in a serious light. Accordingly, I would like to refute such serious allegations with facts. I will concentrate on the five institutions, which the Honourable Member referred to specifically. Naturally, I should start with my previous employer, Nampower. Of the six non-Executive Board Members of Nampower, four are blacks and two are whites. Of the black Directors, one has a Masters Degree in Economics; one has a

16 November 2005

**MOTION - APPOINTMENTS IN THE CIVIL SERVICE  
HON P MUSHELENGA**

Bachelors Degree in Law and is a Legal Practitioner, one has a Masters Degree in Engineering; and one has two Masters Degrees, a Masters in International Studies and a Masters in Business Administration. Of the white Board Members, one is an Electrical Engineer and another is a Chartered Accountant. Information available indicates that not all Board Members of Nampower are Members of the Ruling Party.

With regard to TransNamib, the Board have five non-Executive Directors of which four are blacks and one is white. Of the black Board Members, one is an Electrical Engineer; one has a Masters Degree in Business Administration; one has a Bachelors Degree in Law and is an admitted attorney of the High Court, who is about to complete a Masters Degree in Law. One has a Bachelors Degree in Economics and is currently busy with a Masters Degree in Business Administration. The white Board Member has a Bachelors Degree in Finance. Honourable Deputy Speaker, again the information available indicates that not all Board Members of TransNamib are Members of the Ruling Party.

Last week, Thursday, 10 November 2005, the Honourable Minister of Finance, elucidated on the criteria used to appoint Board Members and Management at Air Namibia. It does not warrant repetition from me at this stage. Suffice to mention that the criteria used to appoint Board Members of that company are competence and expertise.

Honourable Deputy Speaker, before I continue with information on the other two institutions that Honourable Mudge has referred to, I would like to extend to the Honourable Member a generous courtesy of sharing with him the wisdom from the saying:

*“Thirty minutes are long enough for any man to tell what he knows, but he does not become interesting until after that, when he tells what he does not know.”*

Honourable Members in this august House would recall the speech of Honourable Mudge last Thursday, which was longer than 30 minutes and which he delivered for two days. Indeed, it became an interesting speech due to the fact that he talked of things that he does not know. What I have stated earlier regarding the academic qualifications and political affiliations of the Board Members of Nampower and Transnamib attests to this. Allow me, Honourable Deputy Speaker, to continue exposing ignorance and lack of knowledge on the part of the Honourable Member.

Let me turn to Namwater. Of the five non-Executive Board Members, four are blacks and one is white. Of the black Board Members, one has a Masters Degree in

16 November 2005

**MOTION - APPOINTMENTS IN THE CIVIL SERVICE  
HON P MUSHELENGA**

Business Administration and is a Mechanical Engineer by profession. One has a Masters Degree in Water and Environmental Studies. One has a Bachelors Degree in Commerce. One is a Teacher by profession who, in addition to that profession, has the following certificates: A Certificate in Primary Water Supply, a Certificate in Water Treatment and a Certificate in Business Administration. The white Board Member is a Chartered Accountant. Information available indicates that not all Board Members of Namwater are Members of the Ruling Party.

Coming to the Electoral Commission, I would like to state that in line with principles of transparency, the SWAPO Party Government advertises vacancies for Electoral Commissioners. Interested people, blacks and whites are at liberty to apply and like with any other job, successful candidates are appointed on merit. The current Electoral Commission has five Commissioners, out of which four are blacks and one is white. When vacancies occurred, interested people applied and a panel was selected to interview candidates.

Information available reveals that the panel, which interviewed candidates for the Electoral Commission consisted of three whites only, who are not linked to the ruling party. It was these Members of the panel who recommended to His Excellency the President suitable candidates to be appointed as Electoral Commissioners. The Commissioners' qualifications are as follows: Of the black Commissioners, one has a Masters Degree in Public Administration and is currently busy with a PhD. One has a Masters Degree in Political Studies. One has a Masters Degree in Law and is an Advocate of the High Court. One has a Masters Degree in Quantitative Economics. The white Commissioner has two Bachelors Degrees, one in Law and another in Psychology and Philosophy. Again information available indicates that not all Commissioners are Members of the Ruling Party.

Honourable Deputy Speaker, it is baffling to note that Honourable Mudge came up with unfounded allegations in this Honourable House. From the look of things, Honourable Mudge has a way of doing things in his party and he wants the same to happen within the broader Namibian socio-political spectrum. If I was allowed by the Rules of this Honourable House, I would have said that the Honourable Member has behaved like a spoiled child. Be that as it may, I understand the reasons why he sponsored the Motion that we are currently discussing. I appreciate his background. Indeed, it is common sense that blood will always be red and snow always white. Further, it is particularly true that one cannot change some lifestyles. We were taught at school that flies buzz, chickens peep, frogs croak and dogs bark. One does not expect a different sound from these animals. I will therefore not take the wind out of Honourable Mudge's sails, if he thinks it is in order to take this august House for

granted.

To sum up his Motion, permit me, Honourable Deputy Speaker to quote from the speech of the Honourable Speaker, which he delivered more than ten years ago at the independence celebrations in Windhoek in 1994, when he was Minister of Foreign Affairs. If that is granted, I would like to say that Honourable Mudge has portrayed an image of *“a drummer of a sad song, of self-defeat and doom”*. May God have mercy upon the Honourable Member?

Honourable Deputy Speaker, during this diatribe against the Public Service, Honourable Mudge stated that there is a need to restructure the Civil Service Act and other relevant legislation to ensure a clean, responsible, effective and transparent Civil Service. As if he was missing and fantasizing about good old days, Honourable Mudge made vilifications that through the process of restructuring; the Public Service has now become unbalanced the other way around. Before I dwell on this aspect, allow me to inform the Honourable Member that the correct title is Public Service Act and not Civil Service Act. Again, with regard to the Public Service, I would like to refute the Honourable Member's self-styled assumptions with facts.

Honourable Deputy Speaker, Honourable Members, information available reveals that the Public Service had a total of 540 employees in the Management Cadre, during the Financial Year 2004/05. Of these employees, 363 belonged to the previously disadvantaged group, while 177 belonged to the previously advantaged group. Information further reveals that out of 43 promotions in the Public Service in the category of management cadre, 39 were persons from the previously disadvantaged group, and 4 were from the previously advantaged group. In the non-management cadre category, there were 494 promotions, of which persons from the previously disadvantaged group were 480 and from the previously advantaged group were 14. In total, promotions for the previously advantaged persons during the 2004/05 Financial Year, was 18 out of 537 and the total promotion for the previously disadvantaged persons was 519. And I would like to inform the Honourable Member that when we refer to the previously advantaged group, we are referring to white males only. But when we refer to previously disadvantaged group we refer to black females, white females and black males. So the fact of the matter is that the total figure of white compatriots who were promoted in the public service last Financial Year will be more than 18 out of 537, when a number of white females is added to this figure.

It is a known fact that white compatriots make up 5% of the Namibian population. I would like to express the promotion figures in percentage as well. The promotions of the previously advantaged group that is white males alone, in the management cadre

of the Public Service during the 2004/2005 Financial Year, constitute 9.4% while all whites are just 5%. In the management cadre of the entire Public Service, the previously advantaged group constitutes 32.78%. In the light of this, there is no truth in the assertion made by Honourable Mudge that the process of balanced structuring has resulted in an unbalanced Public Service the other way round. Actually, great strides have been made in redressing the imbalances of the past in the Public Service.

The figures looked ugly in 1990. From the information available, it becomes clear that the Honourable Member is beating around the bush. In reality, he seems to be disturbed by the progress made in the balancing restructuring of the Public Service, in the interest of public fairness. The Honourable Member behaved like someone who has nightmares, caused by the fact that previously disadvantaged groups are now enjoying the benefits, which were exclusively enjoyed by a privileged few.

Honourable Deputy Speaker, Honourable Mudge has made an allegation against a person who is not a Member of this August House. Although that person was not referred to by name, people know who is being referred to by virtue of the information that was stated. Since the allegations are not true and the person concerned does not have an opportunity to refute such allegations in this House, it is only proper that I do it. In this respect, I refer to when Honourable Mudge stated that the current CEO of NHE was fired at the City of Windhoek. Information reveals that his contract came to an end as the CEO of the City of Windhoek and such contract was not renewed. This is different from having been fired and if misinformation goes unchallenged, it can cause damage to the reputation of the person concerned. I, however, understand why the Honourable Member is obsessed with the word “firing”. He just fired someone from a very strategic position in his Party a few months ago. My heart goes out to Honourable Mudge, as he walks in the thick jungle of the Namibian political landscape.

Honourable Deputy Speaker, in his motivation Honourable Mudge stated that:

*“Article 23 goes even further and provides that racial discrimination shall be prohibited by an Act of Parliament, to make it criminally punishable. Do the Honourable Members know whether there is such a law and what the content of that law is?”*

Indeed, I want to assure Honourable Mudge that the Honourable Members in this House are aware of the content of the Racial Discrimination Prohibition Act, Act 26 of 1991 and the Racial Discrimination Prohibition Amendment Act, Act 26 of 1998. In fact, one wonders whether Honourable Mudge himself is aware of the contents of



such laws? If he was aware, he would not have tabled the Motion that we are currently discussing and motivated it in the manner that he did. I extend to him a friendly word of advice, that he should not make speeches of such nature outside Parliament where he does not enjoy immunity. Otherwise, the Acts of Parliament, which I just mentioned, will take care of him in a manner that he shall live to regret.

Honourable Mudge further questioned whether Parliament has enacted a law under which the balanced structuring of the Public Service should be done, as provided by the Constitution. At the same time he sarcastically remarked that he is not implying that Cabinet did anything unconstitutional. Indeed, I would like to inform the Honourable Member that Cabinet has not done anything unconstitutional. The Affirmative Action Act, Act 29 of 1998 and Public Service Act, Act 13 of 1995, indeed address his concerns. I recommend that the Honourable Member reads the texts of these Acts of Parliament in full, for not only do they address his concern, but he will gain valuable information to enrich his knowledge on issues.

Honourable Deputy Speaker, I have some sympathy for Honourable Mudge. I sincerely believe that he did not know what he was doing when he tabled the Motion before the House. Firstly, the Motion does not have a name, although it is put on the Order Paper as the Motion on the appointments in the Civil Service. Even when I requested the copy of the Honourable Mudge's motivation speech, the title simply says "*Motion by Honourable Henk Mudge, President of the Republican Party*".

It appears that the Honourable Member had difficulties in finding the appropriate name for his own Motion. Secondly, the Motion talks about the restructuring of the Public Service, the appointment of Board Members of semi-State Organisations, Committees and Commissions etcetera. In its original form, before the Honourable Speaker ruled it out, the Motion also referred to corruption. The Motion itself, as it appears on the Order Paper, looks like a speech. My heart goes out to the advisor who advises Honourable Mudge on Parliamentary issues. "*May God deliver the advisor?*"

Given the sympathy that I have for the Honourable Member, I would like to share with him something that will keep him cool and calm. He does not need to blame himself too much. He can find consolation from the following three sayings:

1. "*Be thankful when you do not know something, for it gives you the opportunity to learn.*"
2. "*Be thankful for your limitations, because they give you opportunities for*

*improvement.”*

3. *“Be thankful for your mistakes, for they will teach you valuable lessons.”*

Honourable Deputy Speaker, my sympathy for Honourable Mudge should not be misunderstood to mean that I now support his Motion. His Motion is both ill-advised and ill-timed. The innuendos he made are piercing the healing wounds, especially at the time when we read about the mass graves that have been discovered in Eenhana. The Motion upset the spirit of National reconciliation in this country. Nevertheless, I have confidence in the Namibian people, including Honourable Members from other Opposition Parties rather than the Republican Party, that they are mature enough to safeguard harmony in our society. The Namibian people will not stoop to the level of Honourable Mudge. They will stand solid in the fight against divisive trends inherited from the era of Apartheid. They will condemn any drive towards protecting the interest of any group.

Honourable Deputy Speaker, Honourable Members with the information available, I find no truth in the allegations made by Honourable Mudge in his Motion. In fact, his speech is tantamount to rumour mongering in Parliament, at the expense of Parliamentary immunity. It is full of hypocrisy and it fuels the ugly faces of racism in our country. Therefore I cannot support his Motion.

I thank you.

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**HON DEPUTY SPEAKER:** Thank you very much. I now have three more names on the same Motion. I have Honourable Minister Abraham Iyambo, followed by Honourable Ankama and Honourable Nambinga.

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** Honourable Deputy Speaker, I will be brief. When I read the alleged Motion and what was to be a speech of Motion, I became quite worried that the speech did not have an end, or a beginning. It is completely “*n potjiekos*” type of speech.

Honourable Deputy Speaker, we are just guessing what the Honourable Member intended to convey to us. We can only read that he wanted to talk about the activities of Civil Servants. Maybe he thought about efficient and effective delivery of service by Civil Servants, maybe he did not. Maybe he was thinking about the efficacy of

16 November 2005

**MOTION- APPOINTMENTS IN THE CIVIL SERVICE  
HON P MUSHELENGA**

Civil Service delivery. But looking at what he says, one would just say that if your speech had intestines, then it was quite poisonous, as the intentions are very poisonous and he has told a lot of untruths. I know that Honourable Ilonga will not call that word untruth, he will use another word, I am using a euphemism by saying untruth.

Honourable Deputy Speaker, the speech on the pronouncements of Honourable De Waal. I did not know that one of the two is a Comrade.

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**HON DE WAAL:** Honourable Deputy Speaker, I will request that the Honourable Minister withdraw that statement, because it is an insult to me. Thank you.

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**HON DEPUTY SPEAKER:** The Comrade one?

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** With pleasure I withdraw the word Comrade and replace it with enemy.

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**HON DEPUTY SPEAKER:** That is worse now.

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** Honourable Deputy Speaker, the pronouncements of Honourable Mudge can only be described at this time as retrogressive and uncalled for. I am rather as astonished as Honourable Mushelenga, about the incessant innuendos, insinuations and untruths that were told.

The heart as well as the face of the speech of Honourable Mudge, if it has one is based on the archaic thinking of artificial issues, cosmetic issues and division in terms of white and black. That is somebody stuck in the past. The speech refers to the violation of the Namibian Constitution by the policy makers especially by the SWAPO Party, which is an untruth. I therefore, Honourable Deputy Speaker, have no other option, but to recommend dismissal of Honourable Mudge's Motion.

The Motion by Honourable Henk Mudge, I do not know what Henk means, does not meet the requirements of this noble House, in terms of the way it is presented. That is point number one. It is supposed to have been thrown out of the window of somewhere else, before he could have continued. That is number one, he does not meet those requirements.

The Motion is rather racist in tone in the beginning if it has one, the end if it has one and the stomach, which is what it is supposed to have. It is against reconciliation, it is against Nation building in all contexts. It tramples on our Nation's dignity, and our wish to have a united Namibia where all of us live together, bonded together as Namibians. It is rather a divisive Motion and a danger to this young Nation, our Namibia. The Motion, as I mentioned, tells untruth. Our country, which for decades has bled from wounds, should progress towards healing, rather than ticking off issues of the past.

Honourable Deputy Speaker, it is easy to destroy a Nation, but it is difficult to build a Nation. Honourable Deputy Speaker, our National Assembly, from what I have been observing for some time, particularly these sessions, has shied away from debating real issues, particularly those dealing with economic rejuvenation and economic development. The meaning and the merit of Motions emanating from our Colleagues from the Opposition parties are in most cases are a mere regurgitation of old issues that are in most cases muddled up in emotions. I therefore think that the Opposition parties should redirect their Motions in order for us to discuss the engineering of economic development, to discuss issues of revenue generation, to discuss the imperatives of productivity and competitiveness of our country.

The Motions we have had so far do not qualify and I am sure the public is asking, what we are doing about the economic development, except the one on banking and nothing else.

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**HON DEPUTY SPEAKER:** Point of Order. Honourable Minister. Yes, Honourable?

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**HON GURIRAB:** Honourable Deputy Speaker. I was just looking at our Rules. It would appear, Honourable Deputy Speaker that in terms of these Rules any Member of this House who talks on a Debate could table a Motion. I encourage the Honourable Minister to table Motions on those issues he would wish us to debate.

16 November 2005

**MOTION- APPOINTMENTS IN THE CIVIL SERVICE  
HON A IYAMBO**

**HON DEPUTY SPEAKER:** Proceed, Honourable Minister.

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** Honourable Deputy Speaker, I will have a lot to say about Honourable Tsudao, wait for your turn, I will take you on. I think that there is too much made of these Motions and I appeal to my Honourable Colleagues that I am worried about the trajectory and the orbit of our economic development. I therefore think that we must preserve our national energy in meaningful debates in this House. If Namibia is to escape its current lethargic economic growth then we have to think and do things differently, including our Motions.

We should also have a mindset, including Honourable Mudge, maybe not a modification of your mind or alternation but a complete overall of your thinking. Honourable Mudge, I want to appeal to you as my Colleague Mushelenga said, do not feel guilty of anything, we have forgiven you. When you deal with issues of national interest, do not feel guilty. Do not remind us too much of the past, we want to move on.

Honourable Deputy Speaker, I would like to move on as follows. That is considering that this Motion is racist, it is against national reconciliation it tokens our dignity and divisive as a danger to our country and therefore in order to uphold the values of our Constitution, I move that the discussions on this ill-advised Motion be discontinued and I move that the House be divided.

I so move, Honourable Deputy Speaker.

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**HON VENAANI:** Honourable Speaker, when a Motion is tabled, the Chair rules (microphone off). There is no way that the Motion can be tabled and then we can allow other people to speak and then the Motion lapses automatically. So, I think it is incumbent upon the Chair to rule either in favour of or against the Motion. Rule 65.

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**HON DEPUTY SPEAKER:** We follow the procedure, Rule 71. I now put the question that the Motion be adopted. Who supports the Motion? I need at least three for the division of the House. The House is now divided. Any objections? Yes, the Honourable Member is objecting. The House

16 November 2005

**MOTION - APPOINTMENTS IN THE CIVIL SERVICE**  
**HON A IYAMBO**

is now divided. I call on the Secretary to ring the bell for two minutes to invite those who are outside. I will then ask the people responsible to close the doors. Yes, Honourable Minister of Tourism?

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Honourable Deputy Speaker, in terms of our Rules, whether the presiding officer is applying Rule 70(d) as well, for our records, please. Rule 70(d).

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**HON DEPUTY SPEAKER:** Yes, it will be applied. The Secretary will record the names. The other thing that I would like, maybe for Rule 71(b) also to apply. We have our senior Member of the National Council. I think once we are on division, according to the procedure, the Honourable Member should at least excuse us and come back later. Those Members in favour of the Motion, the Minister's Motion, rise please. Those Members against the Motion of the Minister, rise. Will those Members abstaining please rise? None.

In favour	-	63
Against	-	1
Abstention	-	0

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**HON VENAANI:** Honourable Deputy Speaker, I just want to explain in terms of some Rules here why we voted the way we did, and it is perhaps very important if a Member of the Opposition says this.

It is because when one is trying to compare an Affirmative Action process in this country that has taken less than sixteen years, and compare it with colonialism that has taken over one hundred years in this country, when you start making those comparisons, you agitate people, you touch on the very sense of people. There is one thing that I want to say for the record.

We do not want this country to be divided along white and black lines. We want those who have subscribed to the Constitution of this Republic to build this country in a harmonious way and build bridges that would reconcile our people. But even today Namibia has the worst economic imbalances in the whole world. It is the country with the worst economic imbalance and this imbalance is between white and black.

16 November 2005

**MOTION - APPOINTMENTS IN THE CIVIL SERVICE**  
**HON VENAANI**

If you start talking about more blacks getting jobs, who controls the economy of this country? Who controls the money of this country? But yet we do not go to the extent of pointing fingers, we are legislating in the interest of National Reconciliation. So, it is far-fetched for Members to come into this House, saying that they are previously advantaged, portraying themselves in parties that protect the interest of the advantaged and I think the notion of having tribal political parties in this country is a serious problem. That is why we will never support ...

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**HON NAMBINGA:** On a Point of Order. I am just looking for guidance. Perhaps some of us who also wanted to speak can still be given a chance?

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**HON DEPUTY SPEAKER:** No, he should conclude quickly because he is taking long.

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**HON VENAANI:** I think the wrong starts with when you want to portray yourself as a leader of an advantaged group. Let us be leaders that would represent the interests of all Namibians, irrespective of their race, creed and colour. That is the reason why we voted against the Motion and I think it is not in the interest of this country. I thank you.

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**HON DEPUTY SPEAKER:** The Motion is not for discussion anymore. Yes, Honourable Viljoen?

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**HON VILJOEN:** Honourable Deputy Speaker, I do not want a discussion, may I also explain my vote? My intention was to adjourn this Debate until tomorrow, but then the Honourable Minister threw a spanner into the works. So, I am inexperienced ... (Interjection). May I explain the Motion on corruption and I agree with what Honourable Mudge said about Affirmative Action. But our approach, Monitor's approach is different. We wrote a letter last month to the President on this issue, to the Right Honourable Prime Minister on this issue of Affirmative Action. So, I think it is not that we reject the Motion *in toto*, but our approach is different.

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16 November 2005

**FOREST AMENDMENT BILL**

**HON DEPUTY SPEAKER:** On that note the House rise for refreshments.

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**HOUSE ADJOURNS AT 15:45**  
**HOUSE RESUMES PURSUANT TO ADJOURNMENT AT 16:10**

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**HON DEPUTY SPEAKER:** The Secretary will read the Second Order of the Day.

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**RESUMPTION OF DEBATE ON SECOND READING:**  
**FOREST AMENDMENT [B.15-2005]**

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**HON DEPUTY SPEAKER:** When this Debate was adjourned on Wednesday, 9 of November 2005, the Question before the House was a Motion by the Honourable Deputy Minister of Agriculture, Water and Forestry that the Bill be now read a Second Time. The Honourable Mr De Waal adjourned the Debate and he now has the floor. Honourable De Waal.

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**HON DE WAAL:** Thank you, Honourable Deputy Speaker, Honourable Members. We went through the Amendment Bill and we believe that it is necessary for good governance that it goes through. So, we fully support the Amendment Bill. I thank you, Madam.

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**HON DEPUTY SPEAKER:** Thank you very much. Any further discussions? Does the Honourable Minister or Deputy Minister wish to reply?

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**HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:** Honourable Deputy Speaker, I would like to thank Honourable De Waal and Honourable Members who supported this technical Amendment Bill. Thank you.

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16 November 2005

**MOTION TO REVIEW THE EDUCATION SYSTEM  
HON //GAROËB**

**HON DEPUTY SPEAKER:** Thank you very much. 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.

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**FOREST AMENDMENT BILL**

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**HON DEPUTY SPEAKER:** The Secretary will read the Third Order of the Day.

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**RESUMPTION OF DEBATE TO REVIEW OUR  
EDUCATION SYSTEM**

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**HON DEPUTY SPEAKER:** When this Debate was adjourned on Tuesday, 25 October 2005, the Question before the Assembly was a Motion by Honourable Mr. Kaura. The Honourable Mr Garoëb adjourned the Debate and he now has the floor. Honourable //Garoëb.

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**HON //GAROËB:** Honourable Deputy Speaker, Honourable Members of this August House, in 1993 the Government implemented our Education System designed for Namibia by Cambridge University. A new examination board, the University of Cambridge Local Examination System was introduced to administer the Senior Secondary School Curriculum and to issue school-leaving certificates, which are categorised into Higher International General Certificate for Secondary Education (HIGCSE) and International General Certificate for Secondary Education (IGCSE).

We all hoped, Honourable Members and believed that it would address the country's needs, since the goals of the Education System are access to schools, democracy, quality and equity in education.

We hoped it would be better than the Bantu Education System that was designed to entrench the privileged position of whites in an effort to maintain social, economic and academic segregation by the architects of apartheid and fragmented Namibia into eleven Education Authorities, based upon ethnicity and to supply semi-literate, subservient farm- and house labourers.

Since 1990 every year the largest piece of the national budget was directed towards the Education Sector and considerable planning and resources were directed towards Science Education at both secondary and tertiary level – but results were worse and unfavourable.

Science development was in the forefront of the curriculum development, but we are still lacking mathematicians, technically skilled people and engineers.

It has been said that the Nation may develop its own national identity only if it can absorb its own cultural values enriched with foreign values. But in Namibia it is not the case. We have adopted the opposite phenomenon: the Nation ignores its own cultural values and adopts the foreign values instead.

The people are not themselves anymore and they are influenced by the cultural values of others. Parents do not understand what is happening in schools. Children do not pass or complete their education.

This has led to the increase of disturbances in our society and is destined to create serious internal conflicts, with potential risks, like growing crime, poverty and unemployment.

It is true, Honourable Deputy Speaker, that many relevant and high quality Education Systems have been established elsewhere, but many constraints are apparent in their operation. Many related factors influence the success of Education Systems, and these are both internal and external factors.

Theoretically, the Cambridge Education System seems to have succeeded, but practically it is unable to help people solve their problems of becoming self-sufficient.

Distance education is an important policy option for the Education System, but a look at Distance Education since Independence suggests that its early promise has not been fulfilled.

We must also remember that many of our teachers are students from the Bantu Education System and have been prepared only for passive role-learning and teacher-centred instruction.

In the old system, under the oppressors, everything was designed to divide the Namibian people – and we still see that in some ways it worked. As for the schools, nothing was given out in an equal manner. Now, according to the ideas of new pedagogues, teachers are told to consider the individual learner, but often old teachings and beliefs run deep, it is not so easy to change them. *Bad habits die hard.*

This often leads to the fact that students are not provided with opportunities to redefine problems, initiate topics or offer alternative explanations.

We must help to also encourage and provide our teachers with teacher education and be able to support them better economically. Collaboration, mentoring and engaging in critical and liberating dialogue is possible with modern technology, but for example, NIED gave a promise of teacher training in ICT already in 1995 and again in 1999, but practically nothing has happened. How is this possible? There has been enough money, but to my mind, too little will.

Therefore, it is imperative that new goals, curricula, technology directives and tools for educational reform be supplemented with opportunities for teachers and students to engage in critical dialogue within a mutually supportive environment. We must go quickly to new technologies and use the new opportunities in education. This is not a question of resources, it is a question of using them correctly.

My point is, Deputy Speaker: What must be done must be done by our people, based on our society's needs. The time of Cambridge colonialism is over. The time for Namibian-based development curricula and exams is now here.

Our tradition of man as community member and our way to share things are now in high fashion. African tradition fits the theory of an Information and Knowledge Society.

Parents are their children's first and principal educators. But the system does not work as it should. Family life in Namibia is rapidly changing. The extended families are not as strong as earlier. Too many families are supported by only one parent and the number of orphans grows because of HIV/AIDS.

Most Namibians live in the middle of the present huge changes that are ongoing. Some parents are forced to work away from home; hence they are unable to provide basic education at home. Children do not have the basic support network, and we can see the results. This is also the reason why distance learning is not working as hoped, because learners are too alone at all levels of education.

Therefore, it is imperative that both the teachers and students have access to the supportive environment of collaboration and new technologies in the institutions, strengthened at local level as part of their communities, with less regulation from the centre.

We must accept that the problems of access and drop-outs and the question of unemployed primary and junior secondary school-leavers are of the greatest social and political significance.

Since independence a number of efforts have been made to improve the quality of education, *inter alia*, curriculum development, instructional reform, strategies to improve administration and supervision, and thorough staff training.

But there are serious criticisms to be made, for example, the continuing use of untrained teachers or the reflective quality of the pupils' English, which is today the language of instruction, the collapse of academic standards accompanied by the economic problems in running schools and paying of teachers.

The problem is that standards set seem to be wrong. They are UK standards, not our African standards. The exam standards of British origin and Namibian needs and realities do not match and meet.

In Africa and elsewhere people very early in the advancement of civilisation realised that education is important.

Educating the young for survival and independence was carried out first around the home fires, for example manhood tests, then in tribal or community settings, and only thereafter through missionaries and churches.

In European countries along this path of change it was decided that learning had become too complicated for a family or community to manage alone, and education as a specialised service was created.

Here it meant that the traditional education was made impossible by colonialism, destroying the African traditional heritage and then systematically closing the doors

16 November 2005

**MOTION TO REVIEW THE EDUCATION SYSTEM  
HON //GAROËB**

by providing the poorest possible education, so that only slavish skills were allowed for Africans. My understanding is that we cannot continue like this. It is time to understand this now.

We must start to trust our own skills and start to develop our own intellectual capital, not only import it from other cultures, which for so long were here just to destroy our culture and traditional knowledge.

The choices and information are now available, thanks to the Internet and other digital services. We can start using these unlimited resources, but then the point is that we must do it from our own national and African perspective. This is the only way to improve our own knowledge. Outsiders cannot do it. We must do it by ourselves.

Networking and our traditional will and skill of sharing is our strength. The existing system is making the community an outsider of education, because of the language of the foreign imported systems and curricula.

How can we ever expect that there will be high quality educational scientists, own capacity-building, own traditions, etcetera, if we do not believe in ourselves and invest in ourselves and in our educators as educational content providers, but import everything mostly from our old rulers?

I am not saying that international co-operation is not needed on the way to a knowledge-based society. I am saying that we should spend all possible development money to improve our own skills and our needs, our own contents from our own needs and tradition to build our own future. The information is available, if only we can use it to the utmost to serve our needs.

Honourable Deputy Speaker, the Education System needs financial support and other rewarding or motivational techniques adequate enough to attract, hold and provide training for the best possible teachers and administrators.

Without continued professional excellence and educators committed to making educational institutions an integral part of the community, all other attempts may well be futile.

It was against these premises that I was always outspoken against the current Cambridge System as nothing less than the British Bantu Education System.

What used to be the higher learning facilities for whites and coloureds are today the

16 November 2005

**MOTION TO REVIEW THE EDUCATION SYSTEM  
HON //GAROËB**

HIGCSE and the former Bantu facilities became the IGCSE. There is, for instance, no single HIGCSE facility in the former homelands, only IGCSE. (Intervention)

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**HON VILJOEN:** May I ask the Honourable Member a question? Honourable Member, I hope you do not see it as a mean question, but we are discussing an Education System and we suggest that it should be changed. But do you not think that we as parliamentarians also have a responsibility to change the attitude of the learners towards the Education System? And then the mean part of my question: I assume that your constituency is the Khorixas Region. At Braunfels, for instance, there is something wrong with the attitude of the learners. They tried three times to burn down the school, and at Cornelius Goreseb, there are many reports that the learners are not serious, not even in the classroom. Petrus Ganeb, half of the school was burnt down. There is another Junior Secondary School, I cannot recall the name, on the way to Spitzkoppe, half of the school was burnt down. I ask this question with respect to you. My question is; can we play a greater role as parliamentarians to change the attitude of the learners instead of the Education System?

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**HON //GAROËB:** Thank you, Honourable Deputy Speaker. To answer the questions, firstly, the attitude of the learners to burn down the school facilities. Honourable Members, this was done during the liberation struggle. (Interjection)

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**HON MEMBERS:** No! No!

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**HON //GAROËB:** Then you do not know your country. It was done during the liberation struggle. (Intervention)

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**HON DEPUTY SPEAKER:** No, I do not understand now.

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16 November 2005

**MOTION TO REVIEW THE EDUCATION SYSTEM  
HON //GAROEËB**

**HON //GAROEËB:** You can check your diaries. (Intervention)

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**RT HON PRIME MINISTER:** On a Point of Information. A school called Dibasen was burned down after Independence two or three times, burned down by children. It is in that town where you have your headquarters, Okombahe. Right near your headquarters that school has burned down three times after Independence.

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**HON //GAROEËB:** It is true that the Okombahe school burned down after Independence, but it was proved that it was an electrical failure. (Interjections). But those other schools were burned down during the struggle for Independence. (Intervention)

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**HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** On a Point of Order. May I ask my Chief from the Kunene Region a question? Honourable Chief, you told this House that the schools were burned during the struggle and during the said struggle you were a leader in the then government. What did you do at that time about education?

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**HON //GAROEËB:** It is very, very clear that the Honourable Member of Parliament does not fully realise what the liberation struggle was all about. It was not only about the burning down of the buildings, but there were deep-rooted reasons why certain actions had to be taken.

Now, coming back to my neighbour's question, about changing the attitude of the learners; it would be much better to change the attitude of the Honourable Members of Parliament and secondly, the mindset of the Namibian people, before we come to the children, because children usually follow the trend of their parents and it is very obvious that even today Honourable Members of this august House need a complete change of heart. They are still clinging to the past and before we as Members of Parliament set the example, we cannot expect from the children.....(Intervention)

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**HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** On a Point of Order. Honourable Deputy Speaker, is it allowed for a founding member of this august House to resign from this august House and come back again and today tell us that we must change our attitude? What attitude do we have to change? He must come with the correct point, not tell us to change our hearts. Do you want us to resign or what?

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**HON //GAROËB:** As I said before, the burning down of the school facilities was not the only issue which leaders in the past dealt with. If the Honourable Member can recall, the Honourable Member and her husband were evicted from Kaokoland just for being members of SWAPO and we went an extra mile to accommodate them, give them a farm and all the relevant things. Those were some of the things, which went along with the liberation struggle. (Interjections). We are going to evict you.

Honourable Members, it is against the aforesaid background that a total change is needed in our Education System. I thank you.

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**HON DEPUTY SPEAKER:** Thank you very much. Any further discussions? Honourable Members, you should know that our Order Paper is very long, we should try by all means to dispose of some of these things, because we have only five days to go. I recognise Honourable Venaani.

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**HON VENAANI:** Thank you very much, Honourable Deputy Speaker, I will be very brief on this Motion.

Honourable Members, I think this Motion before us is very important in the quest for Namibia as a country to become what we want it to become by the year 2030. We have set some great visionary objectives as a country and as a people, that we want to achieve by 2030, which is translated as Vision 2030.

It is true that as a country we have some loopholes in our Education System, but I believe that we as a country cannot solely put the blame for the non-functioning of the Education System on the governing party. I think Education is a very broad subject that needs the involvement of society, civil organisations, civic society, private



institutions, government, parents, learners, and as a country it will not help us to pass the blame only on the ruling party as having failed the Education System of this country.

I believe that there is an existence of political will to improve the Education System, because we are giving more money to education than any other budget allocation. Education is receiving the highest and has been receiving the highest for some years now.

There is also a very true element, even if you do not want to agree with it all the time, that there have been some achievements within the Education System in this country. One achievement was to put more learners in school. That is an achievement in its own right and as a country we have achieved that.

Honourable Members, we cannot say as a country we have failed completely and totally, and we spoke of the past we are coming from. We know in some areas schools were deliberately not built, just to advance the apartheid agenda that was in this country, and we are seeing new schools that are being built and that is a positive sign in a country such as Namibia.

But, we have also some continuous complexities that do exist which hamper the Education System and I think as a country we must rise above our political differences to try to attempt to solve these complexities.

The question of Grade 10s not repeating is a serious problem in this country, whether you are a member of the Ruling Party or the Opposition. The fact that we are sending 20 000 Namibians to the “*kapena ilonga*” street every year is a matter of concern to all of us, and it should be a matter of concern to each and every Namibian in this country.

The question of teachers’ training, teachers’ salaries that need to be improved are serious questions that hamper the Education System in this country. The issue of discipline in school is one issue that needs the attention of young politicians in this House to address it. (Interjection). No, I am not the only one, we are in the majority in the House. Be careful.

During our days before Independence when we used to go to school we felt that we were forced to go to school. (Intervention)

**HON DEPUTY MINISTER OF LANDS AND RESETTLEMENT:** May I ask Honourable Venaani a question? Honourable Venaani, you are doing very well so far, but you said something on which I would like to pose a question. The Nation is actually seeking for the improvement of the Education System and now you are talking about the repetition of Grade 10 learners. Do you really think that if the government or the schools allow Grade 10 learners to repeat, that it is part of the improvement of the System?

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**HON VENAANI:** Honourable Katali, you as a teacher being a very experienced person on this subject, yes, it is an improvement when you allow a learner to repeat. All of us went to universities, you know that you also have repetition courses in degree programmes, in Master's programmes, in PhD programmes. The question is affordability - we cannot afford for the children to repeat.

If we have an affordability problem in this country, should we not address it as a country? (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** May I ask my cousin a question? Honourable Venaani, you are talking about repetition at university. What counts at university is money, not study. If you have money you can even repeat ten years, ten times, as long as you have money, unlike the issue of the Grade 10 learners. But the Grade 10s must have a chance. The problem is what the Honourable Viljoen said, what you can do to encourage the learners to study through NAMCOL. That is the reality of the Nation. Are you not aware of that? I want to repeat in the NAMCOL language, are you not aware of that, because you are the one who cannot hear.

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**HON VENAANI:** Honourable senior cousin, Honourable Member, it is not true that if you have money you can repeat all the time at university. You are only allowed to repeat certain subjects twice and if you fail, you fail. You do not go and pay and start again. So that is not true.

But the question that I was trying to address, the bottleneck of the Grade 10's is that the country cannot afford these 21 000 children to go back to school.

We cannot shy away from the question of affordability. If we cannot afford it, we must devise means and strategies to make sure that we allow these people to go to vocational training centres, to be absorbed in the job market or even address NAMCOL (Interjection). Honourable Katali, on this one you will not have a lot of votes. He is my senior cousin, Honourable Katali. So, Honourable Deputy Speaker, the point I am trying to make is that all these problems that we are experiencing within our Education System are not insurmountable. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On a point of information, Comrade Deputy Speaker. What the opposition member needs to know is that during the colonial time, at the time of Honourable Mudge, people were not allowed to enter the South. Therefore, if you were in Oshakati you were just in Oshakati; if you were in Damaraland only a few were coming to Windhoek. Now that Namibia is Independent people move about, therefore there is no option to keep our learners and this is what they always fail to understand. It was not true that the people repeated because there were enough places. There were Bantustans, you could not come to Damaraland or if you were in Okakarara, you were just in Okakarara. That was the reality. That is the information, Comrade Deputy Speaker, I want to put across.

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**HON VENAANI:** Honourable Deputy Speaker, on that score, I cannot tolerate a Member to compare an Independent Namibia with a system that we were fighting against. You wanted Independence so that we could improve. Now how do you compare? Why do you want to take us back to the days that we fought against? The reason why we have a new Education System is to address all those injustices. Honourable Member, go and read the Constitution of this country. (Intervention)

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**HON P MUSHELENGA:** On a Point of Information. The Honourable Member made a statement, he said the System before Independence was the system we were fighting against. The DTA never fought against the system of colonialism. Thank you.

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16 November 2005

**MOTION TO REVIEW THE EDUCATION SYSTEM  
HON VENAANI**

**HON VENAANI:** Honourable Member, that is your Party's political propaganda and you believe in it.

We agreed on the principles of 435, the adoption of Resolution 435, that elections must take place in this country and this country must move towards Independence. We participated in democratic elections to free this country. You defeated us democratically. How can you say we fought against Independence? (Intervention)

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**HON DEPUTY MINISTER OF JUSTICE:** On a Point of Order, Honourable Deputy Speaker, may I ask the Honourable Member a question? Thank you very much, Honourable Deputy Speaker, I just want to ask the Honourable Member a question. Is it true that during the formation of the DTA its main object was to fight for the preservation of the apartheid system in Namibia? Is it true?

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**HON DE WAAL:** He is too young to know.

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**HON DEPUTY MINISTER OF JUSTICE:** Mr De Waal and the others' strategies. Do you know about it? The main object was to counter the revolution, so you impeded the revolution. That is the true spirit of the formation of the DTA. Thank you.

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**HON VENAANI:** Your Royal Highness Nujoma, when you were fighting in the bushes of Angola and Zambia there was an engagement going on in this country. (Interjections)

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**HON MEMBER:** You were too young to know.

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**HON VENAANI:** Yes, do you not know the history of Jesus? There was an

16 November 2005

**MOTION TO REVIEW THE EDUCATION SYSTEM**  
**HON VENAANI**

engagement going on in this country to fight apartheid. Some laws were even abolished. The Pass Law was abolished. (Interjection)

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**HON MEMBER:** Because of the struggle!

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**HON VENAANI:** Not because of the struggle, because of the interim government that was here. Yes, there was an interim government in this country..... (Intervention)

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**RT HON PRIME MINISTER:** May I humbly ask Comrade Venaani a question? In 1981 there was something called the Geneva Conference. How old were you then? Do you know what happened at that Geneva Conference?

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**HON VENAANI:** Right Honourable Prime Minister, in fact I have the tapes of the Geneva Conference, so I know exactly what happened there. The United Nations paraded you as the sole and authentic representative of the Namibian people. (Intervention)

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**HON DE WAAL:** Yes, which you have never been.

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**HON VENAANI:** You have never been the sole and authentic representative of the Namibian people. Of course, you are the majority party, but they were portraying you as the only people that represent the interests of the Namibian people. (Interjection)

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**HON MEMBER:** We were.

16 November 2005

**MOTION TO REVIEW THE EDUCATION SYSTEM  
HON VENAANI**

**HON VENAANI:** No, you were not. This is why we are sitting in this House people's representatives in this country, collective representatives of this country. On the education matter, Honourable Vice-President. (Intervention)

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**HON MOONGO:** May I ask the Honourable Member a question? I would like to know whether the Honourable Member is aware that SWAPO was hesitant to accept 435 during that time, because SWAPO wanted a welfare system, government-in-exile. You were hesitant to accept it. Are you aware of it?

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**HON DEPUTY SPEAKER:** Honourable Venaani, come back to the Motion on the Table.

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**HON VENAANI:** They even talked with Fidel Castro and had talks with the Prime Minister of Britain and so forth. (Intervention)

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**RT HON PRIME MINISTER:** You must put history correctly for yourself and also for our children. At Geneva SWAPO made a categorical statement that SWAPO is ready to sign a ceasefire and to start the implementation of Resolution 435. The DTA refused or was ordered to refuse. That is why we are saying that the DTA was fighting for the preservation of apartheid. There in Geneva you demonstrated to the whole world that you wanted apartheid to stay. You said apartheid should not die in your lifetime. So, it is quite correct that you definitely were fighting to maintain the *status quo*. The authentic and whatever never died. Even in 1989 when we came back we were still authentic and we continue to be authentic and we will continue to be authentic. We can operate in this House without you. (Laughter).

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**HON VENAANI:** In a quest of putting the history of this country correctly, you know the President dodged Kapuuo when he went and addressed the Fourth Committee of the United Nations, and Kapuuo in his interview with the BBC said that he was ready to speak with SWAPO.

**HON MINISTER OF LANDS AND RESETTLEMENT:** On a Point of Order, Comrade Deputy Speaker. May I ask the Honourable Member a small question?

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**HON DEPUTY SPEAKER:** Question declined.

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**HON MINISTER OF LANDS AND RESETTLEMENT:** On a Point of Order. Comrade Deputy Speaker, I think in 1986 the Honourable Member's father was as young as he when we had a meeting there. So, he was a small boy. So, it is better for a person, when the DTA was formed in 1975 and up 1978 he was still a baby. So, it is not good for him, a person who up to 1990 to 1992 was still a student, he does not know what happened up to 1990 and now he lectures this House and tells of 1981 when he was maybe still an infant that time. So he should rather stop. I am saying this because he is praising the Interim Government, the one you say abolished whatever. I do not know whether he is talking about the one of 1978 when they started the Turnhalle talks or the 1983 Ministers' Council or the 1985 one, the so-called Interim Government which was denounced by the Namibian people. If it comes to all those, his Vice-President was fighting against those. Moongo claimed that he was fighting against apartheid. Now you are praising the Interim Government that it abolished apartheid, etcetera. This is what you said here and at the same time Moongo said he was fighting. Now who is who? On the one hand you support apartheid and your Vice-President was fighting, he claims that he was a freedom fighter.

If you do not know about the history, because up to 1996 you were still a student, it is better not to talk about something you do not know. You know nothing about the Geneva talks in 1981, so do not come here and tell us that that is what happened. Do not come and teach here. Maybe it is better that Honourable De Waal, Honourable Riruako tell us what happened, although I know that they were in the delegation of South Africa, led by Honourable Mudge – not you, you were still a young boy – when they went to Geneva. There they were paraded, I am what-what because I am from the island. SWAPO also wanted people from the island to go there. It was the late Kahumba Kandola, Toivo Ya Toivo, myself and late Kaleb Shipanga and Andreas Gurirab in Otjiwarongo and South Africa refused to release us to go and attend there. So, it is only Comrades Marco and Asser and Kambangu in the prison at Gobabis who were allowed to go to Geneva. You were still a small baby. So, do not come and teach us here. Thank you.

16 November 2005

**MOTION TO REVIEW THE EDUCATION SYSTEM  
HON VENAANI**

**HON VENAANI:** I will teach you.

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**HON DEPUTY SPEAKER:** Honourable Venaani, let us not take things into history, let us now come back to the topic.

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**HON VENAANI:** If the Honourable Member is insisting that I am too young on that score, history is known by people. You know about the history of Jesus and Napoleon Bonaparte and you were not even born, your parents were not even born, but you are able to narrate that history. History is the past and the past can always be known through oral evidence. (Interjection). No, do not tell me, you are teaching children in school about history. (Intervention)

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**HON MINISTER OF LANDS AND RESETTLEMENT:** You are talking about history we made ourselves. Do not come and distort it. We made that history you are relating to here.

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**HON VENAANI:** The history that some of you are distorting. You are distorting. Honourable Members, on an educational note, I was addressing the question of discipline in schools before I was derailed into the history of this country.

The issue of discipline in schools, our students sometimes are not really serious and it is one issue that we cannot run away from. Go to some of our high schools today...(Intervention)

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**HON MINISTER OF HOME AFFAIRS:** On a Point of Order. I would like to ask the Honourable Member a very small question. Can the Honourable Member tell us why the late Honourable Kapuuu and the late Honourable Ndjoba fought at the round table and who was defeated?

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**HON VENAANI:** Some of those people were very respected elders and that is also some of your Zambian propaganda. There was no fight. That is a lie that you fabricated in your Voice of Namibia or Namibia Today. So there was nothing like that. (Interjections). *Bly stil, laat jy luister. Luister bietjie.* (Keep quiet, so that you can listen for a change).

Honourable Members, when you go to some of the high schools at 10:00, you find senior students that are supposed to write Grade 10 and Grade 12 outside the classrooms, smoking, doing their thing, listening to a tape, having these CD-players and playing them. (Intervention)

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**HON GEINGOB:** On a Point of Information. The Honourable Member is saying that we should not distort history, but there are two facts on which history is being distorted. One is that SWAPO wanted to form a government-in-exile. I can tell you that issue never arose. It was proposed, but we refused. So, I want to put it on record, there was no time that SWAPO wanted to form a government-in-exile. Close that chapter.

Secondly, when Honourable Kapuuo came to New York, I went to the airport to meet him. I drove him in my car and put him up in a hotel. President Nujoma was nowhere there. So that is a fact, get it clear.

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**HON VENAANI:** It took you 29 years to refute that.

Honourable Deputy Speaker, on the discipline issue, the seriousness of our students should be addressed. (Intervention)

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**HON MINISTER OF LANDS AND RESETTLEMENT:** On a Point of Information. When the UN declared SWAPO as the sole representative, it was the early 1970s, if my mind serves me correctly, and by that time the Honourable Member was born maybe in 1976, years after SWAPO was declared the sole and authentic representative. So, he should not come and talk of things that happened before he was born. Thank you very much.

16 November 2005

**MOTION TO REVIEW THE EDUCATION SYSTEM  
HON VENAANI**

**HON VENAANI:** I never knew that the Honourable Minister is suffering from amnesia. You said that already, now you are saying it again. You think you never said it, but you said it.

So, I would not say the students are not guilty in the process of also messing up our Education System because of a lack of seriousness within the Education System. Learners are not really serious. For some three years the points were even brought down from 27 to 19 and people were still failing. And when you ask a person from your homestead “why did you fail”, he says; “oh, these points are too high.” I mean from 27 down to 19 and they are still failing. As parents, as leaders of this country we must really address the learner population in our country. (Intervention)

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**RT HON PRIME MINISTER:** On a Point of Information. Honourable Venaani, are you aware that the most ungraded students in the whole country are from Katutura and Khomasdal? Are you aware of that?

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**HON VENAANI:** Not true. I agree with you that students in Katutura and Khomasdal are supposed to do better because they have facilities that other children do not have, facilities such as libraries, electricity... (Interjection).

He came only recently, he did not know. (Interjections). *Sy ken nie hierdie goed nie. Duineveld het nou die elektrisiteit gekry, verlede maand.* (She does not know these things. Duineveld only got electricity the other day, last month).

Honourable Deputy Speaker, one reality exists in this country and no one can run away from it. (Intervention)

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**HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** On a Point of Order. Comrade Deputy Speaker, in this House only English is supposed to be spoken. Like Muharukua is supposed to speak Otjihimba and I am not speaking Otjihimba. Why is he speaking Afrikaans here?

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**HON DEPUTY SPEAKER:** Honourable Member, you know the procedures.

**HON VENAANI:** The Honourable Member should be educated that she is at liberty to come and speak Otjhimba in this House. Do not force yourself to speak English if you do not want to speak it. You are the people's representative and represent the people in the vernacular that you are best suited in. I would have loved to speak Otjiherero in this House, it is just that I am trying to ...(Intervention)

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**HON DEPUTY SPEAKER:** Honourable Member, can you conclude? There are others who want to contribute. You should consider the time you have taken. You are a senior Member, you know the Rules of this House. Teach the newcomers how to speak.

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**HON VENAANI:** Honourable Deputy Speaker, the one reality that exists in this country that no one can run away from, is that our Education System does not create the much needed jobs to transform and turn around our development objectives. How many jobs did the Employment Creation Commission create?

Honourable Deputy Speaker, in conclusion, even if we had a situation where we have a 99% pass rate in our schools and in our university, even if everything was perfect, the qualified people that we are currently producing are not enough for the needed development objectives that we have set ourselves. So, there is a continuous importance of checking and double checking, evaluating, re-evaluating our education system so that it addresses our needs and objectives, and even states such as the United States, Norway, Australia that have had independence hundreds of years are also battling with the question of a perfect Education System. Currently in this world there is nothing like a perfect Education System, but there must be an Education System that answers to the needs of developing the economy of this country.

In conclusion, Honourable Deputy Speaker, we need to get an education score card, Right Honourable Prime Minister, Honourable Mutorwa. Every year we want to see how many students have become engineers or welders. There must be a score card, because you can only judge your Education System by the number of jobs that you are creating, the needed jobs that we are creating, and we must correlate the needs that we have and the products we are getting out of the Education System.

I would lobby for the Honourable Mover of this Motion to ask the relevant Standing Committee to investigate further and come up with recommendations. I am lobbying and I think there is a need for a national conference on education in this country, for

16 November 2005

**MOTION TO REVIEW THE EDUCATION SYSTEM  
HON RIRUAKO**

us to debate.

Honourable Members, thank you very much for your attention and I support the Motion.

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**HON DEPUTY SPEAKER:** Thank you very much. I now recognise Honourable Gertze.

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**HON GERTZE:** Honourable Deputy Speaker, I would propose that we adjourn this Debate until Tuesday, 22 November if there are no further contributions.

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**HON RIRUAKO:** I am sorry about the argument that arose here. We have education here but we cannot be proud of what we have done here, because in Keetmanshoop those people came up with something tangible, a first class education. Not in Windhoek, Keetmanshoop. You have to understand, if you are serious you get what you want. If you are not serious you cannot get what you want – simple.

I am not here to play cards, I am here to say what I think what must be said, and I agree with my Colleague next to me here, Mr. Viljoen, when he said that we have to teach our students to be serious, and while we are just playing cards with them without any compelled positions for them to do what they are supposed to do, we are going to end up throwing arguments at one another without remedy.

Honourable Speaker, we are here to educate ourselves. We do not have to go back to history, the history is there, but the time is too short for that. We ought to be finished by next week and if you launch an argument, this is not a playground. It is a dignified place where everyone of us has to contribute, but not to play as if we are here on the playground. That is out. Let us discipline ourselves in order to do what we know is right. I thank you.

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**HON DEPUTY SPEAKER:** Thank you very much, it was very brief. Now I recognise Honourable Gurirab.

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**HON GURIRAB:** Honourable Deputy Speaker, I will follow the example of the Chief and be brief.

The Motion, Honourable Deputy Speaker, in front of this House is seeking for a Debate to review our Education System. I cannot think of any Member in this Honourable House who can have a problem with a Debate of this nature. I think only through debating, only through reviewing can we continue to perfect and improve our education system.

It is true, Honourable Deputy Speaker, as we all are aware that the bulk of our resources goes to education annually when we consider the budget here. But despite the resources, which go to education, our system also is known for high wastage.

Education is such a serious area that if we cut on education, if we cut corners in education, we are cutting our prosperity and our development.

Honourable Speaker, as others have already pointed out, Post-Independence we have had, I would like to say, phenomenal access to education and we need to address the relevance of education. What we have at the moment is an illusion that our children will go through the Education System to the end of the process and for most of them, for the great majority the end of education is Grade 10 and basically what the education does at the moment is that our children sit with an illusion of achievement, because they go through this system with automatic promotion and they stay there for ten years and a great number of them do not achieve the three R's which are the basics of education. So a great many of them at the end of the ten years of education have not achieved the basics in numeracy and this is the case for so many of them in so many grades. I think this is an area which needs our collective attention as a Nation so that we do not create for our children an illusion of achievement, because we keep them for ten years at school, they think they are learning something, which they do not for the greater part of it, and at the end of ten years most of them are out of school.

Honourable Deputy Speaker, as a Nation we also need to address this question of NAMCOL. Deputy Speaker, NAMCOL is a good institution, it is a good thing that we have NAMCOL, but it is an exception to the rule. The rule must be that we must have the young people sitting at school desks. NAMCOL is an exception, it should be there to cater for those who are thrown out of the system, but the greater part of our children must sit at school desks.

In any case, because of its distribution, NAMCOL cannot be found in every place.

16 November 2005

**MOTION TO REVIEW THE EDUCATION SYSTEM  
HON GURIRAB**

So, if we have a child in Oshakati who fails, then he must go to a NAMCOL set-up in Walvis Bay. There are costs associated with that. (Interjections). To illustrate: If you understand the sense of what I am saying. The sense of what I am saying is that we do not have NAMCOL unlike conventional schools. We do not have NAMCOL at all places. Those who are affected by this are again those who are at the bottom of society, because you do not find the facilities at all the places and there are costs of translocation.

First you have to find a place, you have to find an aunt, so there are costs associated with this and the ideal situation is to keep our children at school and not create this illusion of achievement.

Honourable Deputy Speaker, for the minority of our children who go through the school and achieve Grade 12, which is a tiny minority of Namibian children, we need to look post-school at the relevance of our education, to teach our children post-school the skills they require after school for development and things we want to do to our country. That is, I suppose, that we want to develop our country, that we want to impart skills that will help us to move forward. It seems at the moment, of course, that is not what our education system does.

So, I believe the spirit of the Motion says to us that we must as a Nation continue to talk about the education of our children, review it. I agree with what Honourable Venaani says, there is no country, there is no system that people do not, so we do not invent a system in 1993 and go to sleep. We constantly review and see whether indeed what we are teaching to our children makes sense, if they are learning anything at all and to constantly adjust, of course compare, see whether it is relevant in terms of the skills that our young people are acquiring, whether it is relevant in terms of what people acquire elsewhere.

Because of all these things, and as I said already, because of the manner in which the Motion is couched, I believe we all support the review on a constant basis of the System of Education in our country.

In that spirit we support the Motion.

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**HON DEPUTY SPEAKER:** Thank you very much, I now revert the floor to Honourable Gertze to adjourn the Debate.

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16 November 2005

**MOTION-ACTIVITIES NATIONAL YOUTH COUNCIL  
HON MUTORWA**

**HON GERTZE:** Thank you, Honourable Deputy Speaker, I then propose that we adjourn this Debate until 22 November, next Tuesday.

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**HON DEPUTY SPEAKER:** The Secretary will read the Fourth Order of the Day.

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**RESUMPTION OF DEBATE TO DISCUSS THE PROGRAMMES,  
ACTIVITIES AND PERFORMANCES OF THE NATIONAL  
YOUTH COUNCIL**

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**HON DEPUTY SPEAKER:** When this Debate was deferred on Thursday, 10 November 2005, the Question before the Assembly was a Motion by Honourable Ms. Dienda. The Honourable Minister of Youth, National Service, Sport and Culture adjourned the Debate and he now has the floor. Hon. Mutorwa.

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**HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE:** Thank you, Comrade Deputy Speaker, Honourable Members of the National Assembly. I rise to make a humble but factual contribution to the Debate, dealing with the National Youth Council, as tabled and motivated by the Honourable Elma Dienda of the Congress of Democrats. I would like to thank Honourable Dienda for her Motion. This Motion will enable the National Youth Council to further publicly explain, through me, its mandate, aims, objectives and also its activities.

On page 21 of the 1989 SWAPO Election Manifesto, with the subheading, "Toward an Independent and Democratic Namibia: SWAPO's Policy Positions", the following is, *inter alia*, stated: "A SWAPO Government will pursue a policy of comprehensive programmes of education and training, to better prepare the Namibian youth for a productive and fulfilling role in adulthood. It will also guarantee the right and freedom to the Namibian youth and students to mobilise and organise themselves into

16 November 2005

**MOTION-ACTIVITIES NATIONAL YOUTH COUNCIL  
HON MUTORWA**

independent organisations. Such organisations will be free to establish fraternal relations with other youth and student organisations regionally and internationally. There will be a Ministry of Youth Affairs.”

Once the then Namibian Head of State, His Excellency Dr. Sam Nujoma, created a Ministry of Youth and Sport in 1992, the then political leadership of that Ministry, in the names of Honourable Pendukeni Iivula-Ithana (as Minister) and Honourable Reggie Diergaardt (as Deputy Minister), joined later by the not so youthful speaker who is speaking to you, me, we did not waste time in giving practical meaning to the Election Manifesto’s promise.

The urgent need to establish a national umbrella organisation for the different youth organisations in the country was realised. By 1994 consensus was reached and hence the birth of the National Youth Council at a National Conference held at the University of Namibia from 25 to 27 March 1994. I must also point out here that the coming into being of the National Youth Council of Namibia was preceded by the adoption and implementation of the National Youth Policy in 1993, which policy is now undergoing revision for the fourth time – and I am sure that is the policy the Honourable Member was referring to, as if the policy is now being conceptualised. It was there already.

May I now, Comrade Deputy Speaker, comment on the specific issues that the Honourable Dienda raised? First the issue of N\$8,3 million on page 2 of Honourable Dienda’s speech.

It is true that page 365 of the Medium Term Expenditure Framework document for 2005/06-2007/08, which document was approved by the Members of this House here, tabulates the figure of N\$8,384 million for the National Youth Council over that period of time. But whether the whole figure will eventually, in real terms, be allocated to the National Youth Council remains to be seen, because needs and priorities keep on changing and it is the needs and priorities that determine the allocation. Since the approval of the 2005/06 budget, the Ministry of Youth, National Service, Sport and Culture, through the Directorate of Youth transferred N\$2 million to the National Youth Council as budgeted for and approved.

The National Youth Council – this is very important and I hope the Honourable Dienda is here – has had audited financial statements every year since its inception, and just to prove the point, I have a bunch of all these financial statements here, audited financial statements by reputable auditing firms.



16 November 2005

**MOTION-ACTIVITIES NATIONAL YOUTH COUNCIL  
HON MUTORWA**

The financial statements are presented on an annual basis first to the National Youth Council's Executive Committee, the National Youth Council's Representative Council and every four years to the National Youth Council's General Assembly. It is like their congress.

The Ministry of Youth, National Service, Sport and Culture, as the line Ministry, necessarily and most definitely has demanded and continues to demand that such financial reports, like the ones that I pointed out to you, must also be tabled in the National Assembly. It is important to point out here that the National Youth Council also endeavours to obtain funding for their activities from other sources, in addition to what Government allocates to that body. In other words, that body, inasmuch the Government is the largest player in terms of allocating the funds, is not the only source of funding for the activities of the National Youth Council.

The National Youth Council is not, as yet, a parastatal. The idea is to legally transform it into a statutory body, a legal entity or an agency of Government. Currently, the Ministry and all the relevant stakeholders, chief among them of course the National Youth Council itself, are working on a layperson's draft Bill. The fact is, the National Youth Council over the eleven years of its existence has grown to the extent that its operations and activities must be regulated by an appropriate law and not only the policy guidelines and its constitution. At an appropriate time such a Bill will definitely come to this House.

Honourable Dienda talked about "reckless spending" on page 2 of her statement.

Surely, in the absence of any concrete evidence, the Honourable Dienda's statement itself is reckless. Otherwise, if evidence does exist, the Ministry of Youth, National Service, Sport and Culture and the National Youth Council's leadership, who are here in the gallery, will be happy to receive such information from Honourable Dienda and we promise to act firmly and fairly if any wrong-doing is suspected. Again, the burden to provide the evidence and concrete information is thrown back to the Honourable Dienda of the CoD in her absence through Honourable Tsudao Gurirab and Honourable Gertze.

Then in her motivation statement, Honourable Dienda referred to the medical aid scheme of the Youth Council.

Upon enquiry, the National Youth Council leadership responded as follows:

*"The National Youth Council has contracted Prosperity Health to provide medical*

*aid services*” to nine full-time staff members of the organisation.

Prosperity Health provided the above-mentioned services since the National Youth Council establishment in 1994. However, in 1997 there was a review to look for possible other medical aid schemes, which have to be affordable and reliable in terms of service delivery. Prosperity Health emerged as the best alternative.

On the issue of persons with no blood relation to staff members, listed as children – and now the young people were so direct here – is a “total lie.” But because of the decorum of this particular House I am saying it is not true. “We do not have such things on our scheme. What we have are the staff. The main member, his/her spouse and biological children. And I challenge the Honourable Member to explain what she means by the scheme being misused.

Some comments on the issue of party politics, the seven groups that were invited and the Venezuela trip. Before I respond to her I must also point out that we know as Parliamentarians we represent constituencies, but sometimes we must be careful about the information that is brought to us. It is important first to verify that information before you jump on the bandwagon.

The National Youth Council is a national umbrella organisation for different youth organisations in the country. Currently, there are approximately 40 youth organisations affiliated to the National Youth Council. Some are religious and cultural, while some are political organisations that are members of the National Youth Council. The National Youth Council is not a platform for party politics. This must be explained. Like the Parliament here we are political parties, different political parties, but when we come here we debate national issues in accordance with the Rules and Regulations of the Chamber and we do not come to use this platform to preach our own party politics. That is the same with the National Youth Council.

The National Youth Council, Honourable Dienda, wherever you are, cannot invite seven groups only to their General Assembly. I have just said, Honourable Members that the affiliate members of the National Youth Council are in the region of 40. So, all affiliate *bona fide* members of the National Youth Council are invited, they must be invited, to the National Youth Council’s General Assembly or Congress, if you wish, which General Assembly is scheduled to take place here in Windhoek from 8 – 11 December. In case the Honourable Dienda has misread Article 5.1 of the National Youth Council Constitution, here is the correct version: “*The General Assembly comprises seven delegates each from member national organisation*” – 7 times 40, you can already get the figure – and seven delegates from Regional Youth Forums –

16 November 2005

**MOTION-ACTIVITIES NATIONAL YOUTH COUNCIL  
HON MUTORWA**

and we have 13 regions with a Regional Youth Forum -13 times 7 gives you a figure already – and then all the members of the Executive Committee of the National Youth Council.” If you put all those delegates together, it is more than 300 people who come to the General Assembly of the National Youth Council. I am sure that figure is much, much bigger than some of the political parties’ congresses that are represented here. So, seven groups are completely out of order.

Something on the Venezuela trip.

It is a total fabrication and a distortion of the truth to allege, that, “*only certain youth from one political party were sent on what appears to be an all expenses paid holiday.*” The composition of the delegation to Venezuela was balanced. The delegates were selected through the National Youth Council’s 13 Regional Youth Forum structures and then a few officials of the Ministry dealing with Youth matters. I do not know whether the Honourable Dienda is saying that of all these 51 young people from the 13 regions there is no single member who belongs to the Congress of Democrats. If that is the case, if all of them are members of SWAPO from the 13 regions who are serving in the Regional Youth Forums, then we must just congratulate the SWAPO activists and leadership in the regions that they are working very hard in terms of recruitment of members. But the point is, they are from all political parties.

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**HON DEPUTY SPEAKER:** On that point, I think the Honourable Minister will continue tomorrow or another day. In terms of Rule 90, automatic adjournment, the House stands adjourned until tomorrow 14:30.

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**THE HOUSE IS ADJOURNED AT 17:46 UNTIL 2005.11.17 AT 14:30**

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBER  
WINDHOEK  
17 NOVEMBER 2005**

The Assembly met pursuant to the adjournment

**HON DEPUTY SPEAKER:** Took the Chair and read the Prayers and the Affirmation.

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**HON DEPUTY SPEAKER:** Any Petitions, Reports of Standing and Select Committees, other Reports and Papers? Honourable Minister of Foreign Affairs?

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**HON MINISTER OF FOREIGN AFFAIRS:** Comrade Deputy Speaker, I lay upon the Table a document entitled The 2005 World Summit Outcome.

I so move, Comrade Deputy Speaker.

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**HON DEPUTY SPEAKER:** Will the Honourable Minister please table the Report? Further Reports and Papers? Notices of Questions? Yes, Honourable De Waal?

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**NOTICES OF QUESTIONS**

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**QUESTION 57:**

**HON DE WAAL:** Thank you, Honourable Deputy Speaker. I give Notice that on Thursday 24 November 2005, I shall ask the Honourable Minister of Mines and Energy the following.

1. During the period June 2004 to November 2005 the electricity tariffs charged by ErongoRed to certain consumers in the Municipality area of Walvis Bay changed as follows:

The basic tariff for the supply of electricity changed from N\$71-50 to N\$120-00 and then back to N\$80-80. In the same period the tariff per unit changed as

follows: From 0.0045 to 0.4516 and then to 0.4968.

Can the Honourable Minister inform this House whether these tariffs were approved by the Electricity Control Board according to Article 25 of the Electricity Act of 2000?

2. According to Article 34 of the Electricity Act 2000, any 10 consumers of ErongoRed or any other licensed supplier “*may appeal against any decision of the Electricity Control Board to the Minister.*” The Act, however, does not require ErongoRed or any other supplier to publish any changes in tariffs in the Official Gazette, which makes it impossible for consumers to appeal to the Minister. Will the Honourable Minister agree that this situation is totally unacceptable, and will the Honourable Minister undertake to immediately make a regulation according to Article 39 of the Electricity Act of 2000, to force all suppliers of electricity to publish any changes in tariffs in the Official Gazette, after obtaining approval for such changes from the Electricity Control Board?

**QUESTION 58:**

**HON DE WAAL:** Honourable Deputy Speaker, I also give Notice that on the same day, Thursday 24, I shall ask the Honourable Minister of Local Government and Housing the following:

1. About two months ago the Chief Executive Officer of the Municipality of Walvis Bay paid an amount of N\$83 000-00 to settle the cost of a Court case against the inhabitants of mobile homes at Lang Strand. Can the Honourable Minister please give us a copy of the minutes of the Council Meeting where this expense was approved?
2. What was the outstanding debt owed to the Municipality of Walvis Bay by the inhabitants of that town for the financial years 2002, 2003 and 2004?
3. What was the total debt owed by the Municipality of Walvis Bay for the financial years 2002, 2003 and 2004 respectively?

**QUESTION 59:**

**HON DE WAAL:** Honourable Deputy Speaker, I also give Notice that on the same day, 24 November, I shall ask the Honourable Minister of Defence the

17 November 2005

**NOTICES OF QUESTIONS  
HON DE WAAL**

following:

During the last year we have seen two cases where money belonging to workers either disappeared or was lost due to poor management decisions. In the light of the scandals in the Social Security Commission and GIPF, it is understandable that workers and in this case our soldiers, are very nervous about money that is subtracted from their salaries and invested on their behalf.

1. In the light of the above can the Honourable Minister inform this House and through this House our soldiers, about the Company or Entity called “Financial Institutional Services or FIS?”

Although this Company or entity does have a telephone number it does not appear in the telephone directory, at least not under the name Financial Institutional Services and like in the other two cases the people working there are also driving very expensive cars.

2. Can the Honourable Minister give us the total amount of money that was subtracted from the salaries of soldiers and invested in or through the above Company or entity, and also give an indication of the total current value of the investment of the soldiers?

I thank you, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Will the Honourable Member table the Question? Any further Notices of Questions? Notices of Motions? Yes, Honourable Minister of Labour?

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**HON MINISTER OF LABOUR AND SOCIAL WELFARE:** Thank you, Honourable Deputy Speaker. I would like to give Notice that on Tuesday 22 November 2005, this Assembly will be asked to approve the appointment of Members of the Employment Equity Commission.

I so move, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Will the Honourable Minister table the Motion? Message from the Head of State? Ministerial Statements? Honourable Minister of Foreign Affairs?

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**2005 WORLD SUMMIT WHICH TOOK PLACE IN NEW YORK FROM 14 –  
16 SEPTEMBER 2005**

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**HON MINISTER OF FOREIGN AFFAIRS:** Thank you, Comrade Deputy Speaker. Comrade Deputy Speaker, Honourable Members of the National Assembly, I am taking the floor to give you a very short summary of the 2005 World Summit, which formed part of the 60th Session of the United Nations General Assembly at the UN Headquarters in New York from 14 – 16 September 2005. The Namibian Delegation, Comrade Deputy Speaker was led by His Excellency, President Comrade Hifikepunye Pohamba, and included senior Government Officials.

The aim of this meeting, Comrade Deputy Speaker was to review the implementation of the internationally agreed development goals, including the Millennium Development Goals. Member States came to report on what have been achieved at national, regional and global levels and to decide how to proceed, thereby bringing consistency to the full implementation of the Millennium Development Goals.

His Excellency, Comrade President Hifikepunye Pohamba, in his statement presented the current status of Namibia's implementation on lessons learned and the challenges that face the country to move forward towards the target date of 2015. It was emphasized that implementation of the Millennium Development Goals is severely hampered by lack of adequate resources, compounded by other challenges such as poverty, the HIV/AIDS pandemic, malaria and tuberculosis.

The meeting concluded with the adoption of a Resolution of the General Assembly entitled '2005 World Summit Outcome', in which Heads of State and Government reaffirmed their faith in the United Nations, their commitment to the purposes and principles of the Charter and International law as indispensable foundations of a more peaceful, prosperous and just world, and reiterated their determination to foster strict respect for them.

The Outcome Document, Comrade Deputy Speaker, stated that concrete measures should be taken to continue implementing the outcome of the Millennium Summit and the other major United Nations Conferences and Summits so as to provide multi-lateral solutions to problems in the following vital areas:

1. Development
2. Peace and Collective Security
3. Human Rights and the Rule of Law
4. Strengthening the United Nations.

In the Chapter on “***Development***”, attention is given to the special needs of Africa. Some of the objectives outlined included the strengthening cooperation with NEPAD, compulsory primary education and basic health care, external debt problems, integration of Africa in the international trade system and increased agricultural productivity. Also emphasized is the support to the initiatives of the African Union and the sub-regional organizations and an HIV/AIDS, malaria and tuberculosis free generation in Africa.

The issue of the reform of the United Nations was one of the major topics during the Summit. Namibia, of course supports the common African position on the proposed reform of the United Nations as it is contained in “*The Ezulwini Consensus*”. This process, Comrade Deputy Speaker, is ongoing and negotiations are taking place in and between various interested groups. In the Outcome Document, Heads of State reiterated a commitment to a strengthened United Nations, with a view to enhance its authority and efficiency, as well as its capacity to address effectively and in accordance with the purposes and principles of its Charter, the full range of challenges of our time. They further stated their determination to reinvigorate the other Organs of the United Nations, and to adapt them to the needs of the 21<sup>st</sup> Century.

Although, Comrade Deputy Speaker, the Outcome Document contains quite ambitious objectives, it is disappointing, especially to developing countries, as it fails to address in greater depth, crucial issues such as development and disarmament. The document also fails to define terrorism and to make a distinction between terrorism and the fight for self-determination.

Ministerial meetings of the Non-Aligned Movement (NAM) and the Group of 77 (G-77) and China took place in the margins of the General Assembly. The following conclusions were reached in these meetings:

1. That unity in the NAM should be strengthened and that diversity should not be an impediment to progress;
2. That both NAM and the Group of 77 should take collective and decisive action on issues of common interest in order to influence the implementation of the Outcome Document of the Summit;



17 November 2005

**MINISTERIAL STATEMENT  
HON HAUSIKU**

3. That NAM and the Group of 77 must focus on their strength given their overwhelming majority in the General Assembly; and
4. That both NAM and the Group of 77 should identify issues of common interest for immediate implementation.

Namibia's participation in this event was important and useful. Apart from the multi-lateral issues discussed, the opportunity was utilised to involve the delegations in a number of important bi-lateral meetings. Comrade Deputy Speaker, I want to conclude by saying that Namibia remains committed to national development in keeping with the Millennium Development Goals.

I thank you for your attention.

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**HON DEPUTY SPEAKER:** Thank you very much. Any further Ministerial Statements? None. As the saying goes, the day is initiated by the Opposition. I put now Question 50. Does the Honourable Member put the Question? Does the Minister of Justice and Attorney-General wish to reply?

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**RESPONSES TO QUESTIONS**

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**QUESTION 50:**

**HON DEPUTY MINISTER OF JUSTICE:** Honourable Deputy Speaker, Honourable Members, I would like to respond as follows to the Honourable Dienda's question.

It is not clear whether the Honourable Member is referring to the Magistrate's Courts or Regional or High Courts.

If the Honourable Member is referring to the Magistrate's Courts, then I would like to point out that it is true that we have a backlog of cases at the Magistrate's Courts all over the country as well as in Windhoek. One thing, which the Honourable Member should know is that the Magistrate's Courts do not try serious cases such as rape, murder, robbery etcetera. These cases are tried either in the Regional Courts or the High Court depending on the circumstances of each case.

However, Magistrate's Courts serve as court of first instance in serious cases such as murder, rape and robberies until investigations are completed. After completion of the investigation, then the Prosecutor General can decide to which Court the case should be transferred and for what offence the accused should be tried.

Now on the question on the prioritisation of sexual offences, the Regional Court Prosecutors who deal with those cases do attempt to prioritise cases of a sexual nature where children and women are involved. They are not always successful in their attempts and as a result, such cases do take a long time to finalise in some instances.

Honourable Deputy Speaker, Honourable Members, the prioritisation of cases is hampered by the following:

1. Poor Police investigations, matters have to be referred back for further investigations owing to new evidence surfacing during consultations and/or testimony in Court, which should have been covered during the initial investigations;
2. Dockets referred back to the Police by the Prosecutor-General for further investigations to be carried out;
3. Time delays in Police investigations, delays in forensic examinations and investigations, time delays to await the outcome of Legal Aid Applications before a Section 119 of the Criminal Procedure Act plea is taken. In many cases the Prosecutor-General's decisions are finalised without a Section 119 of the Criminal Procedure Act plea in order to cut time delays;
4. Time delays to await the outcome of Legal Aid Applications before the trial can start in the Regional Court;
5. Availability of legal practitioners for trial: This is a major cause for lengthy postponements, rape matters have now been postponed, as I am speaking now to 2006, because that is the first available dates for legal practitioners. A legal practitioner determines the date of trial according to when it suits him or her and not the State and this is the biggest problem, which leads to delays;
6. Delays caused by legal practitioners. Sometimes they inform the Prosecutor on the morning of the trial they are not available when the date

- trial they ask for a postponement because they did not have discovery. This problem is forcing our Courts to be lenient with legal practitioners, and sometimes our Courts comply and agree to a postponement. Sometimes if the Court refuses and the trial proceeds, the conviction and sentence are normally set aside on Appeal in the High Court, on the ground that the accused did not get a fair trial, this is one of the serious problems.
7. Non-service of witnesses' subpoenas by the Police. Subpoenas are forwarded in time but fail to be served by the Police in most cases;
  8. Witnesses do not attend Court. Sometimes the complainant and accused discuss and agree not to proceed with the case, and then such a complainant just fails to attend the Court causing the matter to be postponed because the State is not aware of the agreement;
  9. Absence of the accused and where warrants for their arrest are issued. After the accused is rearrested, then the case is put on the roll again, but the case number remains the same implying that the case has been on the roll for a long period.

I believe that is the reason why the Honourable Member is saying that there are old cases on the Court roll from 2000. These cases are not more as the Honourable Member seems to suggest.

As I explained, the real problem is that sometimes the legal practitioners, who causes the delay, because sometimes they have a full Court programme on their schedule and as a result they request the postponement of the case on the trial date. And then another trial date has to be agreed upon and these are some of the major problems. Sometimes the private sector contributes to the backlog of cases.

I thank you, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Thank you very much. Any further Supplementary Questions from Honourable Dienda? None? Question no. 51 is the one posed by the same Honourable Member to the Prime Minister. Does the Honourable Member put the Question? Does the Right Honourable Prime Minister wish to reply?

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17 November 2005

**RESPONSE TO QUESTIONS PUT BY HON DIENDA  
HON ANGULA**

**RT HON PRIME MINISTER:** Honourable Deputy Speaker, I want to be advised because the other day I thought we agreed that if somebody poses a question and he is not in the House, the question should be ignored. Yes, it was ruled here. It is a common sense rule.

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**HON DEPUTY SPEAKER:** Anyway, the question was posed to me.

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**RT HON PRIME MINISTER:** It is a common sense rule.

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**HON DEPUTY SPEAKER:** The advice is for me. I think the Prime Minister should ignore that statement of last week and proceed to answer the question.

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**QUESTION 51:**

**RT HON PRIME MINISTER:** On your order I will answer the question, but I wanted Honourable Dienda to be here. First of all, I do not need to postpone this, it is not my concern. Honourable Dienda, your question is full of contradictions. Firstly you say that the Ministries have a shortage of staff. When a Ministry has a shortage of staff it means that there are positions in that Ministry which are budgeted for but not filled. That is the implication. But you say in your question that we should recruit volunteers who should be put in permanent positions. Now that is a contradiction if that is to happen, which means that perhaps there is no shortage of staff.

What you want to do is to recruit young people as volunteers in the Public Service. I think that is the intention of the question. Let me explain to you, that as much as we want to encourage young people to volunteer for duty, advise them to volunteer to be in the Public Service is not the right thing to do, because it can easily be abused and I have seen it being abused.

We had a programme in the Ministry of Higher Education of accepting young people to come and do vacation volunteer work in the Ministry. And what happened was that these young people hung around there and when the period was over they came to me to cry that, 'we are poor, give us jobs, we have nowhere to go' and everyday

they were standing in front of my office there, wanting to jaywalk into positions. That can create a serious embarrassment in the Public Service. Because what happens is, personnel officers go and invite their relatives, saying, '*Oh, there is an opening here for volunteers come, come*', because the information it is not known by everybody. It is only known by these personnel officers. Then people come from villages under the programme of volunteering, but they refuse to leave once the period is over.

I am talking from true experience. Then we decided on no more volunteers, because they were taking shortcuts to employment in the Public Service. Certainly that is not fair to other young people. If there is a position in the Public Service let that position be advertised, and those who want to apply can apply. Then you compete fairly. Don't come in through a backdoor. That is not the best thing to do, but if you want to volunteer to be an AIDS Counsellor fine, go to the Non-Governmental Organisations and volunteer there. If you want to volunteer to be a fire fighter, to put out veld fires, fine. Go to Volunteer Organisations which do this and volunteer there. But for recruitment in the Public Service, procedures should be followed to the letter, lest corruption comes in through the backdoor, and the backdoor is Honourable Dienda. That is not acceptable.

Thank you.

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**HON DEPUTY SPEAKER:** Any further Supplementary Questions, Honourable Dienda? Thank you. Question number 52 is the one by the same Honourable Member, Honourable Dienda. Does the Honourable Member put the Question? Yes. Does the Ministry of Health and Social Services wish to reply?

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**QUESTION 52:**

**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** Thank you, Honourable Deputy Speaker. Honourable Members, I will answer this question so that Namibians may benefit from it. The question is relevant to questions that I heard being asked on the Open Line and other Chat Shows:

**Is the Minister aware that patients visiting the Katutura Hospital do not receive treatment?**

I am not aware of this.

**And what about if they do not have money to pay for the service irrespective of their social status?**

We have a policy in place for elders who visit our health facilities. We have criteria for exemption from paying Hospital fees whether it be a Health Centre or a Clinic.

One thing that I wish to make clear here is that the Katutura State Hospital is a referral Hospital and should therefore only deal with patients that have attended a Clinic or Health Centre or patients that can only receive attention at the Hospital, in other words specialised cases or emergencies.

Payment of fees for service provision is governed by law and is well known to patients. However, the system is still being abused which results in the Hospital being overcrowded as well as missing out on revenue at a very high rate. To adhere to the law and maintain the referral system only the only following patients can be exempted from paying the prescribed fees:€

1. All emergencies attended to at Casualty Department and who have no money to pay then. The emphasis is to pay then.
2. Namibian patients that require preventative services, for example anti-natal care, family planning, immunisation and TB treatment and malaria prophylaxis.
3. Patients in the advanced stage of AIDS - not anybody who is positive for HIV, but AIDS at an advanced stage.
4. Patients for counselling services.
5. People living with disability and who are receiving disability pension and pensioners who have no money to pay.
6. Patients at the terminal stage of cancer.

**The second question is, what must these people do to get treatment if they have no money?**

17 November 2005

**RESPONSE TO QUESTIONS PUT BY HON VILJOEN  
HON KAMWI**

They must consult with the office of the Senior Superintendent for whichever Hospital. If it is here in Katutura, Windhoek Central they must visit the Senior Superintendent's Office. If he or she is not there is the office of the Nursing Manager or the Office of the Customer Care officer.

And just to illustrate that we do treat patients who visit our health facilities without funds, I have an example: for 2003/2004 outstanding fees amounts to N\$6 745 801.65. And out of that Windhoek alone amounts to N\$4 405 723.65. That amounts to 65% of this total amount. So it is not true to say we have patients who come there and are rejected.

Thank you.

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**HON DEPUTY SPEAKER:** Thank you very much. Any Supplementary Questions? None. Question number 53 is one of Honourable Viljoen. Does the Honourable Member put the Question?

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**HON VILJOEN:** I put the Question.

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**HON DEPUTY SPEAKER:** Yes. Does the Minister of Health and Social Services wish to reply?

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**QUESTION 53:**

**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** Yes, Madame Deputy Chair, I wish to reply. First of all I would like to thank the Honourable Member for asking this question. It is a good question and like the first question this too features in our Chat Shows.

**Why is it necessary for Namibia to recruit approximately 100 nurses from Kenya for service in our country?**

The answer is very simple: we are experiencing a shortage of nursing staff in this country - qualified enrolled nurses and registered nurses. Examples: as I speak we

17 November 2005

**RESPONSE TO QUESTIONS PUT BY HON VILJOEN  
HON KAMWI**

have approved posts for enrolled nurses totalling 2 480. Out of that total posts filled are only 1 505, vacant post 975. Registered nurses, approved posts 2 071 and out of that only 1 547 are filled.

Honourable Deputy Speaker, the shortage is huge. Enrolled nurses 975, registered nurses 525 and as a result of this, at many times our nurses are simply overworked. They work around the clock. You will find some situations where a nurse would work during the night and for other reasons during the course of the day there is a shortage. You will find a nurse who worked during the night, night duty serving day duty. So these are realities. For these reasons we decided to consult with our Colleagues in countries like in this case Kenya, who have a surplus of professional nurses and these are only a 100 registered nurses as compared to 525 or 975. Now, what are we doing? Who is going to pay? (Interjections) I am answering questions.

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**HON DEPUTY SPEAKER:** Proceed. If you want to assist the Minister, let him finish and then you can pose a question to him.

---

**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** I said, what are we doing? We are training. We decided to expand our own training institutions, Rundu, Keetmanshoop, Otjiwarongo, Oshakati and here in Windhoek.

For this year alone we enrolled 566 nurses and then for registered nurses we have 462 with the University of Namibia. But that still means we are expecting in the coming year 2006, only 207 enrolled nurses if they pass, and 56 registered nurses. That is still not enough.

And then we have put ourselves a goal, that we will be training enrolled nurses 420 in 2006, 220 in 2007, 200 in 2008 and then 200 the following the year and then in 2010 hopefully we would have trained 1190. And that goes for registered nurses, 170 to start with and hopefully by 2010 we will have up to 920. That is the way we are addressing these issues.

**Who is going to pay the salaries of these nurses after deployment in Namibia?**



17 November 2005

**RESPONSE TO QUESTIONS PUT BY HON VILJOEN  
HON KAMWI**

Again, this Honourable House, Honourable Deputy Speaker, approved the budget of the Ministry of Health and Social Services and that included the salaries. So the nurses, the 100 that we are recruiting from Kenya will benefit from that lot.

**Are there any serious problems with our own training institutions as far as facilities and training standards are concerned?**

Not at all. I have just elaborated on that.

Thank you very much indeed.

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**HON DEPUTY SPEAKER:** Thank you. Any Supplementary Questions, Honourable Viljoen?

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**HON VILJOEN:** Honourable Deputy Speaker, I wish to thank the Minister for the clear answer.

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**HON DEPUTY SPEAKER:** Thank you very much. Question number 54 is one of the same Honourable Member Viljoen. Does the Honourable Member put the Question?

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**HON VILJOEN:** I put the Question, Honourable.

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**HON DEPUTY SPEAKER:** Does the Minister of Agriculture, Water and Forestry wish to reply or the Deputy Minister? Anyone instructed? None. The question stands over. Question number 54 is the one of the Honourable, are you instructed? Yes. Answer the question, Honourable Minister.

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17 November 2005

**RESPONSE TO QUESTIONS PUT BY HON VILJOEN  
HON KAMWI**

**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** Honourable Deputy Speaker, it is the colleagues behind here. I have been requested by the Senior Minister for Agriculture, Water and Forestry I must stand for him on this question.

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**HON DEPUTY SPEAKER:** You are ready to respond?

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** Yes.

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**HON DEPUTY SPEAKER:** Okay. Proceed then to respond.

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** The Honourable Minister for Agriculture, Water and Forestry informed me that he has nothing to add on this other than to thank this August House for the support to this Bill.

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**HON DEPUTY SPEAKER:** No, it is questions. It is question time. The question stands over. Question number 55 of the same Honourable Member. Does the Honourable Member put the Question?

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**HON VILJOEN:** I put the Question.

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**HON DEPUTY SPEAKER:** Does the same Minister of Agriculture, Water and Forestry wish to reply? Anyone instructed? None. The question stands over again. Question no. 56 put by the same Honourable Member, Viljoen. Does the Honourable Member put the Question?

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**HON VILJOEN:** Deputy Speaker, I put the Question.

17 November 2005

**COMMITTEE STAGE: FOREST AMENDMENT BILL**

**HON DEPUTY SPEAKER:** Does the Minister of Safety and Security wish to reply on this question?

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**HON MINISTER OF SAFETY AND SECURITY:** Deputy Speaker, because of the importance of the two questions asked by the Honourable Member of this august House, and because the question will not only benefit the Honourable Member who has asked the questions but the whole House and the public out there as well, I would like to ask your indulgence to postpone the important answers that I will give to this House, to 24 November which is next Thursday. So I beg you.

Thank you.

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**HON DEPUTY SPEAKER:** Thank you very much, the question stands over to next week Thursday. Now the Secretary will read the First Order of the Day.

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**COMMITTEE STAGE FOREST AMENDMENT BILL**

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**HON DEPUTY SPEAKER:** Does the Honourable Minister of Agriculture, Water and Forestry move that the Assembly now goes into Committee Stage? Minister of Agriculture?

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** Yes, I so move.

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**HON DEPUTY SPEAKER:** It is moved that I leave the Chair. Any objection? Agreed to. I now call on the Deputy Chairperson of the Whole House Committee to take the Chair. Honourable Hans Booys.

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**DEPUTY CHAIRPERSON OF COMMITTEES:** The Whole House Committee is called to Order. Honourable Members, we have to consider the Forest Amendment Bill. I put Clause 1? Any discussion? Any objection? Agreed to. I put Clause 2. Any discussion? Agreed to. Any objection. I put Clause 3. Any discussion? Any objection? Agreed to. I put the short title Clause 4. Any discussion? Any objection?

17 November 2005

**MOTION-ACTIVITIES NATIONAL YOUTH COUNCIL  
HON MUTORWA**

Agreed to. Now I put the title. Any discussion? Any objection? Agreed to. I shall report the Bill without amendment. Honourable Deputy Speaker, the Committee has gone through the Bill as set forth in the accompanying copy and agreed to it without amendment. I shall ask leave to sit again.

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**ASSEMBLY RESUMES**

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**HON DEPUTY SPEAKER:** Does the Honourable Minister of Agriculture, Water and Forestry move that the Bill be now read a third time?

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** I so move, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Who seconds? Any objections? None. Any further discussions? Does the Honourable Minister wish to reply?

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** Yes. Honourable Deputy Speaker, I wish to use this opportunity to thank the Honourable Members for having approved this Bill speedily.

Thank you.

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**HON DEPUTY SPEAKER:** Thank you very much. I now put the Question that the Bill be now read a Third Time. Any objections? Agreed to. The Secretary will read the Bill a Third Time.

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17 November 2005

**MOTION-ACTIVITIES NATIONAL YOUTH COUNCIL  
HON MUTORWA**

**FOREST AMENDMENT BILL**

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**HON DEPUTY SPEAKER:** Thank you. The Secretary will read the Second Order of the Day.

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**RESUMPTION OF DEBATE ON THE PROGRAMMES, ACTIVITIES AND  
PERFORMANCE OF THE NATIONAL YOUTH COUNCIL**

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**HON DEPUTY SPEAKER:** When the Assembly adjourned yesterday, 16 November 2005, in terms of Rule 90 of the Standing Rules and Orders, the Question before the Assembly was a Motion by Honourable Dienda. The Honourable Minister of Youth, National Services, Sport and Culture had the floor. I now call on the Honourable Minister to continue.

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**HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE:** Thank you, Comrade Speaker, you are right, yesterday I did manage to provide a factual response to the issues raised by Honourable Dienda and I was just about to conclude.

In conclusion, the Government of the Republic of Namibia remains committed to the national task of providing an opportunity and a conducive environment for our young people to grow and to develop into mature and responsible leaders of not only tomorrow, but today as well.

Our young people cannot be expected to become functional, effective, articulate, principled, accountable and responsible leaders of tomorrow, if we as the current leaders do not ensure that all possible assistance and guidance are provided to them now, meaning in the present.

Apart from Schools and other educational and training institutions, the National Youth Council and the National Youth Service are and must be supported, especially by us as elected leaders and must be guided as the two most important vehicles for

17 November 2005

**MOTION-ACTIVITIES NATIONAL YOUTH COUNCIL  
HON MUTORWA**

growth and development of our youth, to ensure that the objectives and ideals of Vision 2030, as clearly articulated on pages 111 to 116 of the Vision document, are practically realised.

The Honourable Dienda, at the end of the motivation statement, recommends that:

1. A forensic audit be carried out into the finances of the National Youth Council from 1994 to 2005 February; and
2. In view of the absence of a policy or Act of Parliament (as she was alleging here) the Standing Committee on Human Resources, Social and Community Development examines the activities and programmes of the Namibia Youth Employment network and report back to this House.

We would like to respond as follows:

While we do not have any problem with a forensic audit of the National Youth Council finances, I must reiterate, as I did yesterday, that the National Youth Council's financial audited reports are available for inspection by anybody and the copies of the reports are here.

Today the National Youth Council leadership had a press conference, where they invited everybody to go there, so if a forensic audit is called for, maybe a starting point will be to look into these already audited financial reports that are available.

And on the last recommendation, I would like to state the following:

The request of Honourable Dienda is totally misplaced. The National Youth Policy is in place. Furthermore, the National Youth Council has its specific policies in place, regulating specific aspects of its administrative operations.

Thirdly, the Bill to further strengthen the National Youth Council is being worked on, as I said yesterday. It will thus be premature to request this Honourable House's Standing Committee to examine the activities of the National Youth Council as far as those matters are concerned.

Finally, the highest decision-making structure of the National Youth Council, namely its General Assembly - in our terminology we talk about the congress - that body is convening within a matter of weeks. That body is constitutionally responsible for examining the activities and programmes of the National Youth Council. If at all

17 November 2005

**MOTION-ACTIVITIES NATIONAL YOUTH COUNCIL  
HON MUTORWA**

after the General Assembly the members of the National Youth Council, or even the line Ministry realise that there are certain things that need to be further investigated, it can be done. But so far there is no cause to call for a Standing Committee or for a forensic audit.

Comrade Deputy Speaker, I thank you.

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**HON DEPUTY SPEAKER:** Thank you very much. On that note the House rises for refreshments, and will return at 16:00.

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**HOUSE ADJOURNS AT 15:40  
HOUSE RESUMES PURSUANT TO ADJOURNMENT AT 16:10**

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**HON DEPUTY SPEAKER:** The House resumes. When we left for refreshments, the Honourable Minister of Youth, National Service, Sport and Culture had completed his contribution. I now invite more discussion. Honourable Mushelenga.

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**HON P MUSHELENGA:** Honourable Deputy Speaker, I seek your indulgence, if there are no further discussions, to adjourn the Debate until next Tuesday.

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**HON DEPUTY SPEAKER:** The Debate is adjourned until next week, Tuesday. The Secretary will read the Third Order of the Day.

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**RESUMPTION OF DEBATE ON THE STATE OF CORRUPTION AND  
ABUSE OF PUBLIC FUNDS AND ASSETS.**

17 November 2005

**MOTION ON CORRUPTION  
HON MUDGE**

**HON DEPUTY SPEAKER:** When this Debate was adjourned on Tuesday, 8 November 2005, the Question before the Assembly was a Motion by Honourable Mr Ulenga. The Honourable Mr Mudge adjourned the Debate and he now has the floor. Honourable Mudge.

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**HON MUDGE:** Honourable Deputy Speaker, when the Debate was adjourned, I was talking about the land issue and I was saying that despite the fact that it is physically impossible for everybody to own land in this country, the SWAPO Party Government keeps on making promises to the landless. All that these people have seen is that some officials of AgriBank and their families, as well as senior Government officials and Ministers, were the ones to benefit from the Affirmative Action Loans, while occupying well-paid positions.

The landless are also aware of a number of cases where land that was bought by the Government for resettlement purposes, was awarded to persons with connections in Government, as well as a number of persons whom the Government wanted to reward for their contribution in the struggle. While all this was going on, the poor and unemployed were, and are still waiting and hoping to share in the fruits of an Independent Namibia as was promised to them in exchange for their support in the elections.

We heard from the Right Honourable Prime Minister the names of these people who were granted unsecured loans...(Intervention)

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**HON GEINGOB:** I am very sorry to interrupt the Honourable Member, it is not my intention, but could I just ask him a tiny question in view of what he is saying? Thank you very much, Mr. Mudge. You talked about those who are privileged, benefiting. I would like to know what happened to what was known as Cultura 2000?

It is a plot outside Windhoek, belonging to white people and today I am told it is an Apartheid paradise for rich whites. It is a colony where those who do not want to mix with others have gone, rich people, and they have that colony. What do you say about that? That is one.

The second one is an ethical question. I went to a funeral in Tsumeb last weekend - they have a new cemetery there near the Airport. When we were there, people were



saying whites are not buried here. I said, "*they do not die?*" They said no, apparently one white person gave his farm 10 kilometres away from Tsumeb, so all the whites are buried there. What do you think of that in view of our policy of National reconciliation?

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**HON MUDGE:** Honourable Deputy Speaker, as far as the Cultura issue is concerned, I have little knowledge of that except to say that the people who were busy with that were the former National Party members. I think the Honourable Viljoen will probably be able to explain that.

As far as the cemetery is concerned, there is no question in my mind that it is wrong. Just to connect to that question of yours, last weekend I was driving past our cemetery in Windhoek and for the first time, most probably because I have not noticed it, for the first time I saw previously disadvantaged people being buried there and I was very happy about that. There were a lot of people standing there. (Interjection). Not because they were buried, but because they were buried there. So, I fully agree with you.

Honourable Deputy Speaker, we heard from the Right Honourable Prime Minister the names of those people who were granted unsecured loans for projects that were never completed, but the money is gone. Pension money from the GIPF, money from the former Development Fund and one can mention quite a number more. Interesting, the names that were mentioned. The Nation would like to know how such a lot of money was lost with, for instance, the Uri Khubis project...(Intervention)

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**HON ANKAMA:** On a Point of Order. May I ask the Honourable Member a very simple question? Honourable Mudge has just mentioned that he saw black people being buried in one of the cemeteries where they have never been buried before. My question is: Do you think now that they have been buried there, they are in Heaven?

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**HON MUDGE:** Honourable Deputy Speaker, I sincerely hope so. I mentioned those names that were mentioned by the Right Honourable Prime Minister and I said I think the Nation would like to know how it is possible that such a lot of money could have been wasted on a project like Uri Khubis when the shareholder was a very

wealthy person. We know and you have heard the names. How is it possible that a loan can be unsecured, when such a person is a shareholder and then the money is lost and nobody is held accountable for that?

Then the previous scandal at the Social Security Commission, when the then CEO was dismissed and the Board of Directors found an employee of Namport, no names mentioned, to be the most suitable candidate for the position of CEO and they appointed him, only to be told that somebody "*higher up*" had vetoed the recommendation of the Board. Maybe the "*higher up*" person knew that corruption would not be possible anymore if this person from Namport was appointed, and I think the Nation should know who this person is, because he should be held accountable for all the losses at the Social Security Commission. I am of the opinion that the N\$30 million is just the tip of the iceberg.

Honourable Deputy Speaker, I can carry on and on, but what is incomprehensible, what I do not understand is that while all this corruption was going on and everybody knew about corruption, the former President said to us we need not worry, corruption is not really a serious problem in this country. This attitude infuriated me as well as thousands of other Namibians, because any normal person does not like to be regarded as an imbecile. (Intervention)

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT  
AND HOUSING AND REHABILITATION:**

On a Point of Information on the former President vis-à-vis the issue of corruption. It is on record that the former President of the Republic of Namibia, His Excellency Dr Sam Nujoma, under his collective leadership, which some of the Members sitting in this House and in this Government were the collective leaders in that Government that instituted a number of Commissions. Under his leadership they did all that could be done to try to curb corruption. It is not true, that the former President could be portrayed in any way as a leader whose leadership was condoning corruption. It is not true. And more so if it comes to the people who alienated, who engineered, who loyally and faithfully implemented one of the most corrupt systems on earth, called Apartheid, the former National Assembly Member in South Africa, Dirk Mudge, the former President of the Republican Party was a loyal member of the Apartheid regime. So, the gentleman is not qualified to talk of corruption on the basis of past leaders. Thank you.

17 November 2005

**MOTION ON CORRUPTION**  
**HON MUDGE**

**HON DEPUTY SPEAKER:** Let me call the attention of the Honourable Member to the fact that if you talk of something you should have proof, like what you said now that corruption was not a problem, which was said by the President. Do you have that proof? So, be careful when you are talking, that you should not lead yourself into trouble. Proceed, Honourable Member.

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**HON MUDGE:** Honourable Deputy Speaker, the Nation knows about the corruption that was going on. Even today the Namibian people know about many more things that have happened. But being a patient people...(Intervention)

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**HON MINISTER OF FINANCE:** On a Point of Order, Honourable Deputy Speaker. I just want to say to the Honourable Member, in regard to his remark that the Founding President had said that there was no problem of corruption in Namibia, that in addition to the point that was raised by Honourable Kazenambo, the Anti-Corruption Bill that was tabled in this Parliament and has since been passed into law, was presented by the Cabinet headed by the Founding President. It would be a contradiction for a Cabinet headed by President Nujoma, to present a Bill to fight corruption, if the President thought there was no corruption to fight. So, I think the Honourable Member would not have too much difficulty realising that contradiction.

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**HON MUDGE:** I said that the Nation knows about the corrupt practices going on...(Intervention)

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**HON AMWEELO:** On a Point of Order. Comrade Deputy Speaker, the Honourable Member must withdraw those words.

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**HON DEPUTY SPEAKER:** Yes, Honourable Member, withdraw the word "*corruption*" which was said by the President, that it was not a problem in this country.

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17 November 2005

**MOTION ON CORRUPTION  
HON MUDGE**

**HON MUDGE:** Honourable Deputy Speaker, this is an opinion and this is what has been said, so what should I withdraw?

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**HON DEPUTY SPEAKER:** You said that you are still insisting that it was said. Do you have any proof of that? Honourable Member, withdraw the words, the sentence you have said for the sake of progress.

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**HON MUDGE:** I would like to make progress, so only for that sake I withdraw it.

Honourable Deputy Speaker, I want to say that the Nation knows more about the corruption that was going on and even today the people know about many more things that have happened. But being a patient people, we know and we knew that the day will come that the chickens will come home to roost and I am of the opinion that that day has now arrived.

The Nation cannot wait for the Anti-Corruption Commission to start with its work and I personally feel sorry for those who were involved in corruption, because I have a feeling that they are going to pay for it. They did not hurt me, people like me, but they hurt those who could least afford it, namely the poor and the unemployed, whom they promised a better life once they had voted for you and put you into power. They are even poorer today and the unemployment rate is increasing while the Prados, Mercedes Benzes, the BMW X5's and the Volvos are increasing.

I trust that the Anti-Corruption Agency will start to clean up this mess, and I would suggest that they begin right at the top. I would also suggest that they start even before Independence. In fact, I would appreciate that.

I trust that every single corrupt official, whether he or she was or still is in any official position, will be brought to justice and if found guilty, sentenced to jail for a long, long time to think about how they squandered money and other resources that were stolen and corrupted - money and resources that were supposed to be used to eradicate poverty and create employment.

I would like to say to the Members in this House that the Namibian Nation was made to believe that the Liberation Struggle was all about improving the living conditions

17 November 2005

**MOTION ON CORRUPTION  
HON MUDGE**

of the poor and the unemployed. Let me tell you today...(Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On a Point of Order. I do not want to ask the Honourable Member a question, I just rise on a Point of Order. You are right in saying the liberation struggle was for improvement of the conditions, but the first before that, it was for liberating the land. You said that every official who committed a crime must be charged. We will start with you, because you stole the Namibian land and we are going to charge you first and take that land, the same as those who are guilty of corruption who will also be charged, but we are going to start with you. Do you agree with me?

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**HON MUDGE:** You are free to start with me. I would like to say on this, and this is the problem, Honourable Deputy Speaker, when I am being interrupted, then I have to repeat certain parts just to make sense.

The Namibian Nation was made to believe that the struggle was all about improving the living conditions of the poor and the unemployed. Let me tell you today that either you have lied to the Nation, or you have failed to honour this promise, or both.

It is a disgrace that the Government, under the former President failed to address all the issues pertaining to poverty and unemployment. Do you honestly want us to believe that it was not possible for the Government, with all the natural resources of this country at its disposal, as well as the millions, if not billions, received in donor aid during the past 16 years, not to have been able to improve ... (Intervention)

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**HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** On a Point of Order, Honourable Deputy Speaker. I agree with Honourable Henk Mudge, because the Founding President even failed to chase people like Henk Mudge away to where he came from, Kakamas! He failed to do that. I thank you.

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**HON MUDGE:** Honourable Deputy Speaker, I said it is a disgrace that the Government, under the former President failed to fully address the poverty and unemployment issues. Do you honestly want us to believe that it was not possible for

17 November 2005

**MOTION ON CORRUPTION  
HON MUDGE**

the previous Government, with all the natural resources of this country at its disposal, as well as the millions, if not billions, received as donor aid during the past 16 years, not to have been able to improve the living conditions of every single member of the Namibian population which is only 1,8 million people? (Intervention)

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT  
AND HOUSING AND REHABILITATION:**

On a Point of Information. We are being pushed to a level where we do not intend to go, but if we are being told that the previous Government has failed to address the issue of poverty, some of us have lived in this country since 1990 and we have been observing with mixed feelings, especially those of us who live in Katutura, those of us who live in the rural areas, that your Government's civilised approach of doing things according to the rule and according to the law is perhaps not a method known to those who only know how to rob, how to kill, those who are talking about the privileged who came to exist in this country, through systematic killing, through systematic genocide, through systematic robbery, through systematic rape and I am proud that this Government has not employed that method. So, the previous leaders have not failed in any way, because the example of those who robbed, those who employed segregating laws, those who murdered, those who divided this country, was not the correct method. I thank you.

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**HON MUDGE:** Honourable Deputy Speaker, I am confident that His Excellency, President Pohamba will fulfil the total aspirations of all the people of Namibia, but especially the poor and unemployed and I include here the pensioners.

In conclusion, Honourable Deputy Speaker, allow me to deal with another important issue and that is corruption of the minds of the people. Honourable Tjiriange was accused of quite a number of issues and then he used that opportunity just to clarify one or two issues. What I would like to say to this House, I am not a racist and I do not have to defend it, because I depend on my track record to prove that.

I am also not here to defend the interests of the previously advantaged, I am not representing whites only as was said here. (Intervention)

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**HON DEPUTY SPEAKER:** Honourable Members, let us not try to put this

17 November 2005

**MOTION ON CORRUPTION  
HON MUDGE**

House into difficulties. I think the speech of the Honourable Member has taken two days. This is the second day. Others want to contribute to this and we should think of the others who want to contribute. The other thing which I would like to warn the Honourable Members, a point of order should not be turned into a speech. Just give a brief point and then sit down, not a long, long speech. But also, the person who is contributing should think about others, and do not try to invite more interventions to your speech. The more you are hurting people, the more your speech will be dirtied. Proceed, Honourable Minister.

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**HON MINISTER OF FINANCE:** On a Point of Order, Honourable Deputy Speaker, you are right by saying that the Honourable Member should not attract interventions. The Honourable Member is on record when the Republican Party broke away from the DTA, that he said they are breaking away from the DTA, because they feel DTA is not catering for the interests of whites in this country. So, he cannot stand in this House and say his party does not represent the interests of whites only.

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**HON MUDGE:** I said "*amongst others*". Go and read it, Honourable Minister.

What I am saying is, I am not a racist and I am not corrupt and anybody who wants to claim that I am corrupt and/or a racist ...(Intervention)

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**HON DE WAAL:** Deputy Speaker, may I ask the Honourable Member a question please? On a point of information. Honourable Deputy Speaker, I am very happy to hear, before the Member ends his speech, that he wants the Anti-Corruption Commission to go back until before Independence. Will the Honourable Member also allow that the bank accounts of SWAMEX Trust be opened by the Commission? I thank you.

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**HON MUDGE:** I said anything. Honourable Deputy Speaker, if they thought, that they had a case, then why did they not go to Court? They had a chance to go to Court.

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17 November 2005

**MOTION ON CORRUPTION  
HON MUDGE**

**HON DEPUTY SPEAKER:** A Point of Order again. Yes, you are inviting interventions

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**HON VENAANI:** On a Point of Information. When Venaani challenged the SWAMEX Trust issue in public, why did you not take me to Court, if you had a case to prove? On the Executive of the party you said that Venaani would see the end of his career and you are going to clear the name that I challenged. Why did you not take me to Court?

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**HON MUDGE:** Deputy Speaker, I said I am not corrupt and anybody who wants to claim that I am and/or a racist must please have the guts and say it outside this House in front of witnesses and I promise you, you will find yourself in Court before you know what is going on. Some good advice, if you are standing behind the door, do not look for somebody else there.....(Intervention)

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**MINISTER OF FISHERIES AND MARINE RESOURCES:** On a Point of Order. On that challenge, can I be allowed to meet the Honourable Member outside?

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**HON DEPUTY SPEAKER:** I do not allow people, but it is their own desire. Proceed, Honourable Mudge.

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**HON MUDGE:** Honourable Deputy Speaker, I want to conclude by saying that I have been trying for the last eight months to make a positive contribution in this House and also in the Standing Committees. I never thought that I was necessarily better than anybody else here. If anybody thinks that, it is not true. Reconciliation for me is a serious problem and it was never better demonstrated than in this House. (Intervention)

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**HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** On a Point of Order. Honourable Henk Mudge is going to spoil our beautiful Motion, because he is corrupt. That is why you were new in the system and took the SWAPO Party to Court about the election results, so you are corrupt.

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**HON MUDGE:** I said reconciliation is a serious problem and it was never better illustrated than in this, House that we should do something about it and work very hard on that. It was never my intention to insult anybody and maybe I should have rephrased the Motion, but it is now done.

I would like to say, not for Members who will not appreciate it, but for those who do appreciate it, that if I have said anything, anything that has offended anybody, then I would like to apologise for that, because it was never my intention. (Interjections). But I also want to say, they cannot expect me to keep quiet and even if I am the last one, I will keep on speaking ...(Intervention)

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**HON MINISTER OF SAFETY AND SECURITY:** I have a little question to ask the Honourable Member before he concludes his speech. I want the Honourable Member to tell this August House and to tell the public at large, because he has been talking about the poor people, the unemployed people and he added the pensioners. These people who are the majority of the blacks, actually, I want to know, when did the Honourable Member become a sympathiser of the black people who are the majority of the poor people, who are the majority of the unemployed people, who are the majority as far as pensioners are concerned? Please tell us. Thank you.

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**HON MUDGE:** I conclude by saying, since 1977. I have a lot of people working for me, you are welcome to talk to them and find out for yourself.

But I want to conclude by saying, never, ever expect from me, even being intimidated this way over the past three or four days, I will not keep quiet if I think things are wrong, I will speak up for the sake of the poor and the unemployed of this country. Thank you.

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17 November 2005

**MOTION ON CORRUPTION  
HON GEINGOB**

**HON DEPUTY SPEAKER:** Thank you very much. Any further discussions?  
I recognise Honourable Geingob, the first Prime Minister.

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**HON GEINGOB:** Comrade Deputy Speaker, it was not my intention whatsoever to take the floor, but when Honourable Mudge makes the allegations he is making and refers to the former Government of which I was a member, I think I have to stand up to say something.

Firstly, I have seen many of our white Colleagues trying to make a distinction between the former President and the current President, forgetting they are both from the same party, with the same background. It is a shameful way of trying to ingratiate themselves with a new President.

I recall when we started to come back to this country to meet the white compatriots, to try to reassure them about their future under President Nujoma, they were praising him like hell. They were saying they did not expect he would be such a great leader. Shame that the same person is now being castigated indirectly. I am reminded of some diplomat at the UN who was under Kwame Nkrumah. That person after every paragraph, called Kwame Nkrumah "*Osagefo*", quoting him every paragraph "*as Osagefo said*" and so forth. When Kwame Nkrumah was overthrown, that same person stood up and said, "*that corrupt government of Kwame Nkrumah.*" The same person. That is what I see as hypocrisy, that today "*former President, former President*". It is the same policies, the same party. So, do not think you are fooling anyone to think that by condemning the one, you are going to ingratiate yourself to a new one. It is a SWAPO Government, the same policies.

It is shameful for those who had a say in the past, whether they were in government or not, they were part of the ruling class by virtue of the Apartheid system. They had the upper hand, they were those who were oppressing the blacks, denying them all their rights. Today they say that blacks are worse off. *Shame on you, Mr. Mudge.* Definitely, they cannot be worse off today, they cannot be. You are seeing the cars they are driving today and it annoys you. Many white people see black people driving a Mercedes Benz and they do not like it. When they see a white person driving a car like that, he is entitled, he ought to have it, because he is white. You are pulling us down to that level of Debate now. We had 15 years to try to reconcile and you are going back to basics now. (Intervention)

17 November 2005

**MOTION ON CORRUPTION**  
**HON GEINGOB**

**HON VENAANI:** Honourable Deputy Speaker, it was not my intention to disturb the Member, but I am really disturbed by the statement saying that when a black person drives a Mercedes Benz it is corruption. I mean, really. That is what you are saying now. (Interjections). That is what you said now. It is a shame for a political leader, somebody that portrays himself as a leader in this country, to claim that when I drive a Land Rover like yourself, I got it through corruption. I worked for it, I have earned it. All those things that we have in this country, we earned them. When Kaura had a farm it was said by some of you in your quarters, Kaura will never be able to pay his farm off because he is black.

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**HON DEPUTY SPEAKER:** Not a speech, Honourable Member, careful.

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**HON VENAANI:** In conclusion (laughter). Please make a distinction between corrupt activities, when somebody is alleged or proven by a Court of law. But do not insinuate when a black person is driving a Mercedes or a Volvo next to you, he is corrupt. He has worked for it, just as you worked for it. We never got it from our fathers.

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**HON GEINGOB:** It is racist behaviour that a person says, unless you can prove, that car that person is driving is because of a corrupt acquisition. But when white people see a black person like that, we are not making progress, Mr Mudge.

Let us go back to the beginning, when we took over this country, when we got Independence, the GDP growth in this country after the first five years grew. The economy was stagnant. If you go to schools, what the blacks were getting for education, what the whites and coloureds were getting, there were differentiations. Can you deny that? If there was segregation, how could they have been better off that time than now? I have a basis here to compare. (Interjection). You just said in 15, that is the past. (Intervention)

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**RT HON PRIME MINISTER:** I am sorry to disturb my senior Comrade. May I ask you a question? Is Dr Fourie a “*blanke*” (white), Professor Fourie? Mr Theart, is he a black person?

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17 November 2005

**MOTION ON CORRUPTION  
HON GEINGOB**

**HON GEINGOB:** Well, you and I would not like to go to that level and talk about the colour of a person. We worked very hard to try to establish reconciliation here. Whereas we knew we were oppressed by white people, we said, let us close the chapter and not look at the skin colour. But somebody comes in today as a young person, younger than some of us, who wants to be more progressive, even worse than his uncle. (Interjection). Father? Worse than his father. We heard his father here, he did not talk like that. It is really disappointing that we go down a hundred years back.

Let us just go a little bit to what he said: Blacks are now worse off today than before. You are wrong there.

What is happening is that when you do not have any hope, you do not make demands, you do not cry. Honourable Hamutenya was telling us once at Lincoln during the Black Power Struggle, the blacks were now angry, they were making a noise now, so one professor apparently said, telling people, were blacks better off 20 years ago than now and they could not answer as students. The professor said, you see, when you are hopeless, you just sit there and suffer peacefully, you cannot demand anything, but when there is a light at the end of the tunnel, you want to reach that light quicker, therefore you demand, you talk, you cry.

Maybe it is true that there are more demands by blacks today than during your time when they were hopeless and they could not demand anything, they could not get anything. But today they see hope and light at the end of the tunnel and they want to go faster. I will give you an example.

When we were travelling in the country to look at water, potable water, some of them were walking during your time up to 20 or 10 kilometres to get potable water in Warmbad. After we embarked on that road to get water to the people, today the furthest they have to walk is about half a kilometre. That is a big progress for blacks, but you are saying they are worse off today.

Rural electrification that they never saw during your time. Today they receive that. Improvement, they switch on, they even watch television. You cannot just make a blanket statement like that.

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**HON MEMBER:** Telephones.

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**HON GEINGOB:** Oh, telephones, I was calling some of you and you answered me

17 November 2005

**MOTION ON CORRUPTION  
HON GEINGOB**

in the rural areas. That is what came about. So, let us not try to put one against the other, no one is going to win, it is not going to score. Let us not do that, it is not fair, that you were praising President Nujoma yesterday, but today you want to come and castigate him - why? To get what? No, it is not fair. It is the same party, same policies, both President Pohamba and Honourable Nahas Angula were in that Government. They did not come from Mars, so do not make that distinction.

I will talk more about that, I did not prepare.

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**HON DEPUTY SPEAKER:** Thank you very much. I think, Honourable Members, we should learn something, that this House is very cool, but once you invite heat, you will find the heat. That is the advice I would like to give. Let us be leaders. But I think we are with seniors here who can cool the situation once it is hot. I rely on them. I now recognise Honourable Mbai. It is a maiden speech and you want to give respect to that.

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**HON MBAI:** Honourable Deputy Speaker, respected Members of Parliament, I am rising to make a brief contribution to the issue under discussion.

Since this is my first opportunity to address this august House, let me in the first instance express my profound pleasure to be sitting among you.

I would like, on behalf of myself to thank the NUDO Party President in his absence, Dr Kuaima Riruako, the party leadership and the entire Namibian people for their trust and confidence in me to represent them at this level of Government.  
(Interjections)

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**HON DEPUTY SPEAKER:** Order! It is a maiden speech, Honourable Members.

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**HON MBAI:** Honourable Deputy Speaker, Honourable Members, I will fail in my duty if I omit to extend my profound gratitude and honour number one, the founding

17 November 2005

**MAIDEN SPEECH  
HON MBAI**

President of this Republic, Dr. Sam Nujoma, for his successful three terms in office. I would also like to congratulate His Excellency, Hifikepunye Pohamba on his election victory as the second President of our Republic.

To the first Speaker, Honourable Dr Mose Tjitendero, for the foundation he laid on which Parliamentary activities are based.

I would like also to congratulate the Honourable Speaker of the National Assembly, Dr. Theo-Ben Gurirab and the Deputy Speaker, Honourable Doreen Sioka, the Right Honourable Prime Minister, Nahas Angula and his Deputy, Dr Amathila on their appointments to their respective extremely important positions.

Honourable Deputy Speaker, Honourable Members, my gratitude also goes to all of you, Members of this august House, starting from the Members of the first up to the present Members of Parliament. If it was not for your characteristic and exemplary leadership, we could hardly enjoy the peace and stability prevailing in our country. Therefore, together I wish you to be calm, free of emotion, to be focused and after all, to be successful in our deliberations to add value to the living standard of all our people.

Honourable Deputy Speaker, I recently attended my first induction course and I realised that I had entered the official forum where national laws are initiated, debated and affirmed, which means my role, your role, which is collectively our role in this Parliament, is among many things to provide good governance and to represent Government and citizens. Accordingly, we have an enormous responsibility to live up to as custodians of public trust and interest.

I therefore, wish to fulfil my duties in this august House with dignity, honesty, dedication and total submission to the Almighty, which shall ensure that the entire Namibian people will benefit from our leadership.

Honourable Deputy Speaker, Honourable Members, I will not only deal with the issue at hand, namely the state of corruption and abuse of public funds. Much has been deliberated upon in this august House. Let us rather set good examples of being custodians of public interest and see to it, that public funds and other resources be utilised sparingly and constructively to the betterment of the quality of life of our people.

Therefore, we shall have to intensify support for the adoption and implementation of effective measures, to combat corruption, bribery and embezzlement. Let us work hard:

17 November 2005

**MAIDEN SPEECH  
HON MBAI**

- to secure the early establishment of the Anti-Corruption Commission;
- to strengthen, assist and monitor the operations of the Commission whilst it is in place, in order for the Commission to be operational and functional to the letter and spirit of its functions and obligation;
- to create and support voluntary anti-corruption and anti-bribery programmes.

Honourable Deputy Speaker, Honourable Members, it is a well-known fact that 60% of our people are living below the breadline, it borders closely on poverty. The key to poverty alleviation is job creation. Let us speed up the process. Our efforts should be devoted to creating, promoting and financing innovative efforts, one aim of which is to boost agricultural activities.

Although some progress has been achieved in this regard, a lot still needs to be done to see the advancement of a number of emerging farmers who acquired land through the Affirmative Action Loan Scheme and resettlement programmes. The Agricultural Bank needs to be assisted, in order to empower the emerging farmers.

The overwhelming majority of our population is rural. Agriculture is, therefore, central not only to the quality of life of most of our citizens, but also to the national economy. A clear legal framework must be put in place to develop and address both the small and medium enterprises and Black Economic Empowerment programmes.

In conclusion, Honourable Deputy Speaker, Honourable Members, let us make no exceptions whenever it is time to take action against culprits, those whose intention is to enrich themselves at the expense of the already marginalized majority. I thank you.

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**HON DEPUTY SPEAKER:** Thank you very much for your maiden speech. I now recognise the Honourable Minister of Home Affairs.

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**HON MINISTER OF HOME AFFAIRS:** Honourable Deputy Speaker, Honourable Members, it was also not my intention to contribute on the said Motion which has been discussed in length for almost a month now. But I, however, was provoked by some Honourable Members, like the one who kept us the day before

17 November 2005

**MOTION ON CORRUPTION  
HON NGHIDINWA**

yesterday and today for almost three hours, listening to “*uncooked propaganda*” against the Government of the Republic of Namibia, without comparing what happened during the apartheid regime.

In my own opinion, I can define apartheid as the creation of corruption by the discriminators, who denied education for all, health for all and employment for all, which led to a high unemployment rate and poverty, the problems inherited by the current Government.

Honourable Deputy Speaker, Honourable Members, in my own opinion corruption is as old as this world. It started when the white snake tempted Eve and Adam to eat the fruit of life and death in the Garden of Eden. It is where all temptation and sin, which was mentioned by former Comrade Honourable Moongo began.

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**HON ULENGA:** On a Point of Order, Honourable Deputy Speaker. May I pose a question to my dear sister? Briefly on the issue of this snake, is it still there or is it now extinct? Is it extinct or does it still exist?

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**HON MINISTER OF HOME AFFAIRS:** It still exists. I will tell you later. It is where the human being began with dual inner feelings. (Intervention)

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**HON MUDGE:** I just need some clarity from the Chair. Regarding what was discussed the other day regarding black and white, is it only me that is not supposed to use it or is it for the whole House? Using black and white in a derogatory way, was it only for me or was it also for the whole House?

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**HON DEPUTY SPEAKER:** For the whole House. Please do not use the words “*black and white*” to discriminate. Proceed, Honourable Minister.

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17 November 2005

**MOTION ON CORRUPTION  
HON NGHIDINWA**

**HON MINISTER OF HOME AFFAIRS:** It is where the human being began with dual inner feelings, the good and the bad ones.

When I listened to the contribution of previous speakers, I concluded that corruption is not welcomed in our society, because many speakers defined it as a cancer, some of them defined it as HIV, etcetera. The other way around, I believe that corruption is within all of us. Corruption is like HIV/AIDS and unexpected natural disasters. You cannot prepare for it, but we can prevent it as it affects all of us. If not your child, Honourable Mudge, then it is your father or your friend. Thus it is difficult to judge, I am now talking to Honourable Mudge, to judge corruption today, while yesterday and tomorrow you will be the next victim. However, you need to fight against it.

In response to what Honourable Mudge emphasised the day before yesterday and today, I would like to enlighten you, Honourable Members, through you, Honourable Deputy Speaker, on what the Namibian people experienced shortly after Independence, which could also have led to the new waves of corruption in Namibia.

Before the Independence of Namibia, there were not many privatised government institutions like today. But what happened? Many senior officials from the former regime initiated the privatisation of some institutions and hid them under the name of black empowerment. They started with companies providing catering services to hospitals and schools, etcetera. Some medical doctors started with private clinics, pharmacies, double charging their clients in order to claim from the Medical Aid Schemes. It is how it started. Supplying equipment through tenders through dubious means against public assets.

The mushrooming of some new churches in Namibia for commercial purposes, unlike churches we knew in the past, are also part of this corruption. They are misleading our decent youth spiritually and psychologically, changing their original religion, like some Honourable Members in this august House, who are changing political parties like clothes, including Honourable Mudge. I think this is also part of corruption.

The very sad one is the private garages rendering services and repairs to government vehicles, charging government vehicles at a very high rate, sometimes five times the normal price. Most of the owners resigned from their positions and established their private entities to benefit from government money.

Even most of the former Koevoets started with security companies, instead of joining the Namibian Police Force. Such companies are gaining a lot of money from the

17 November 2005

**MOTION ON CORRUPTION  
HON NGHIDINWA**

Government and other private companies, but they pay their security employees peanuts. Most of the government cars and houses were taken over by individuals up to now, including Honourable Mudge. This is what we call corruption.

Honourable Deputy Speaker, some of the minority groups think that corruption is only within black society, while corruption is a global phenomenon. That is why the Global Forum against Corruption was established to fight against corruption worldwide. The Fourth Global Forum was held in Brasilia, Brazil in June this year to discuss strategies on how the world can fight against corruption. Namibia attended this forum, titled *“From Words to Deeds”*. Therefore, Namibia should not fight alone in this battle, as some of the culprits are from outside Namibia.

When we look at the preamble of the UN Convention against corruption, it says:  
*“Convinced that corruption is no longer a local matter but a trans-national phenomenon that affects all societies and economies, making international co-operation to prevent and control it essential.”*

Honourable Deputy Speaker, Honourable Members, the effect of corruption on the economy, will not lead Namibia to reach the goal of Vision 2030. Therefore, measures should be taken to tackle these problems, starting within ourselves as responsible citizens, to implement legislation and laws to prevent money laundering, waste and abuse of public assets and fraudulent procurement processes, leading to significant losses of public assets. Extending powers for recovering criminal assets and a co-operation network between law enforcement agencies, prosecutors’ offices and the public at large should be considered seriously.

Namibian people need to be better equipped with an Anti-Corruption Act in order to avoid bribes, kickbacks and all forms of corruption. Tools and best practices in preventing and resolving conflicts of interest should be put into operation at all levels in any given entity.

Training and education on business ethics should be given to public and private officials, as this will be essential for behaviour changes. The Ministry of Finance should set up strict measures to compel all business companies and financial institutions to bank their money inside the country, to avoid money laundering and black or white market economy in order to contribute to the economic growth of the country, as stipulated in the UN Convention against Corruption, ratified by this August House.

Honourable Deputy Speaker, Honourable Members, since corruption is defined by

17 November 2005

**MOTION ON CORRUPTION**  
**HON SHIFETA**

many speakers as a cancer and condemned by the Founding President, the Father of the Nation, Dr Sam Nujoma, through establishing different Presidential Commissions of Enquiry and strongly supported by His Excellency President of the Republic of Namibia, Comrade Hifikepunye Pohamba, during his inauguration speech should be regarded as a serious crime that needs a mass campaign. To overcome this crime, we must join hands to fight as a team to start at schools to educate our youth who are the future leaders about the danger of corruption. Stakeholders, such as Churches, youth groups, women groups and other private organisations must also join hands in this battle.

In conclusion, Namibia, being one of the countries that ratified the Anti-Corruption Convention and established an Anti-Corruption Commission should stand up and fight together as a Nation and should stop pointing fingers at each other. Therefore, it is essential that all people should join forces in this battle in order to preserve the values that underlie the dignity of a human person and democracy in furtherance of political pluralization and the universal co-existence of all people.

With these few words, I rest my case.

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**HON DEPUTY MINISTER OF YOUTH NATIONAL SERVICE, SPORT AND CULTURE:** Honourable Deputy Speaker, Honourable Members, I rise to contribute to the Motion, and like others it was not my intention to do so.

Many speakers who spoke before me on this Motion, eloquently pointed out the dangers of corruption, especially if it becomes institutionalised in any society. What corruption can do is to erode the moral fabric of a Nation. If it becomes deep-rooted, the consequent result will be an unjust society. Such injustice is very serious and if it has emerged and is allowed to perpetuate, it could equally give rise to disintegration of society itself. If such a situation arises, the first thing to happen is to experience public disengagement from government businesses.

It will happen in this way, because the public starts losing faith in government businesses, when they see no prospect of the restoration of a normal society. The criteria of a normal society are derivatives by nature and have a set of values found in care and social justice. It is a society with a value system and quality-defined appliances. Hence, it is society itself that sets and applies those values and constantly maintains their existence. We, therefore, have to create conditions or give rise to the creation of such conditions, conducive to a normal society.

17 November 2005

**MOTION ON CORRUPTION  
HON SHIFETA**

Obviously, if we deviate from this principle, then we are prone to sink deeper and never rise again to a shining level where we are proudly renowned to be today among other nations.

The turbulence of admissible and inadmissible evidence of serious corruption is an indication and warning to us that corruption is real and could be a serious blow, not only to our growing economy, but also to our justice system.

During the Debate on this Motion, inferences were made, finger pointing and name-calling that triggered the Debate to culminate into an “*I am better this side, you are worse that side*” show, a show which I believe not to be a healthy Debate on this very important Motion.

I am of the opinion that it is advisable for us, as Members of this august House, to first admit that corruption is real and living with us. I believe we can do better service to ourselves and to this very important Motion, if this can be our point of departure. With this we are able to form a consortium in confronting this disease called corruption, irrespective of our political persuasions and backgrounds.

To win this war, we need to have a stable convergence, we need each other and we need to be in concert. Finger-pointing and name-calling will only divide us more, because we expect some Honourable Members to be on the offensive and some to be defensive.

Thus, we will lose focus and start politicising this very important Debate. I believe no one will rise in this Honourable House to refer to this Debate as a futile exercise. The problem in debating this important issue will be when Members start on a wrong footing, and by so doing attempting to capitalise on it in order to make political gains for their individual political parties. This will make us lose focus and would probably not achieve what we ought to achieve in this House.

Honourable Deputy Speaker, Honourable Members, it has been proven with a degree of precision that like in any other societies Namibia is no exception, we have corrupt elements too, but I believe that our aim here is not to concentrate on corrupt elements or corrupt individuals by pointing fingers, as this will trigger irresistible reciprocity. This formula will not serve our objectivity of fighting corruption in concert. Let us keep elements separate in our Debate and remain focused with just cause on this Motion.

17 November 2005

**MOTION ON CORRUPTION  
HON SHIFETA**

No political party should feel it owns this Motion, because it is important to all of us. It is important to the public and it is in the public interest, regardless how it reached us in this House.

We have to concentrate on the consolidation of steps taken hitherto, for instance the executive and the legislative intervention to have the Anti-Corruption Commission Act, which is one of the efforts made to restore hope for our shining Namibia.

To consolidate our efforts on this, I therefore submit to this august House that in our Debate we should concentrate on the following principles:

1. How to support various institutions in fighting corruption;
2. How to create public awareness and rally the Nation behind this Commission in order to render full support to the Anti-Corruption Commission; and
3. Most importantly, how to ensure that all three organs of state are in concert in fighting corruption and unreservedly support the Anti-Corruption Commission.

Lastly, I plead with all Honourable Members to apply the rule of unity in this august House. Let us fairly exhaust the Debate on this Motion without discarding it, because any attempt to discard this Motion could also send a very negative signal to the public out there and it will be left open to misinterpretation that we are paying lip-service to the fight against corruption.

Honourable Deputy Speaker, Honourable Members, I thank you for your attention.

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**HON DEPUTY SPEAKER:** Thank you very much. I now recognise Honourable Amathila.

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**HON B AMATHILA:** Honourable Deputy Speaker, I rise only to make a small appeal. I think hitherto we have been shifting, postponing or adjourning discussing some of the issues to next week. I think we did not realise that we have only five effective days to go before the House rises. It is just an appeal to the Members to be aware of the fact that we have only five effective days to go and that in their interventions also to create enough time to finish in time or otherwise we may have to

17 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER**

extend the time from the 30 November to some time in December, which will cause us a lot of problems, because I think a lot of Members have already planned their activities as from 1 December to do some other things. It is just an appeal to all the Members, that we have only five effective days to go. Thank you.

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**HON DEPUTY SPEAKER:** Thank you very much; I think the appeal has landed on the right ears. I now revert the floor to Honourable Iilonga.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Comrade Deputy Speaker, I move to postpone the Debate to 22 November, next week Tuesday.

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**HON DEPUTY SPEAKER:** The Debate is deferred to next week, Tuesday. The Secretary will read the Fourth Order of the Day.

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**RESUMPTION OF DEBATE ON SECOND READING – CONFERMENT OF  
STATUS OF FOUNDING FATHER OF THE NAMIBIAN NATION BILL  
[B.14-2005]**

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**HON DEPUTY SPEAKER:** When this Debate was adjourned on Tuesday 15 November 2005, the Question before the Assembly was a Motion by the Right Honourable Prime Minister that the Bill be now read a Second Time. The Honourable Mr Ulenga adjourned the Debate and he now has the floor.

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**HON ULENGA:** Honourable Deputy Speaker, when I look at the time I am actually tempted to appeal for the indulgence of the Chair to allow me to postpone. INTERJECTIONS. I was talking about the indulgence of the Deputy Speaker.

Honourable Deputy Speaker, can I speak on this on Tuesday?

17 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON T MUSHELENGA**

**HON DEPUTY SPEAKER:** Yes, it is your right. Then we could proceed to another Debate or maybe somebody would like to contribute. Honourable Deputy Minister of Home Affairs.

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**HON DEPUTY MINISTER OF HOME AFFAIRS:** Thank you, Honourable Deputy Speaker, Honourable Members. I rise to support the Conferment of Status of Founding Father of the Namibian Nation Bill, [B.14-2005].

At the beginning, allow me, Honourable Deputy Speaker to register my congratulatory remarks to the Right Honourable Prime Minister, Nahas Angula, his Deputy Prime Minister, Dr Libertine Amathila, the Accounting Officer and the entire staff of the Office of the Prime Minister, for the preparation and indeed, the tabling of this very important, historic and symbolic Bill.

The Conferment of the Status of Founding Father of the Namibian Nation on His Excellency, the First President of the Republic of Namibia in the name of Comrade Sam Shafiishuna Nujoma, is a sign of pride for all Namibians, in my view. I believe, Honourable Deputy Speaker, that the majority of Namibians, if not all, see Comrade Nujoma as a symbol of inspiration, a successful negotiator, a brave commander and a son of the Namibian soil, a true nationalist and Pan Africanist.

Honourable Deputy Speaker, Honourable Members, in his motivation statement the Right Honourable Prime Minister indicated to this august House that: The conferment of the title of Founding Father of the Namibian Nation is in recognition of:

- (a) *the historic contribution Comrade Nujoma made to the liberation of our people and country;*
- (b) *recognition of his contribution to nation-building, especially the policy of National Reconciliation; and*
- (c) *his contribution to fostering of the well-being of all our people through socio-economic development programmes."*

With reference to the above, Comrade Deputy Speaker, one could not agree more, particularly about the policy of National Reconciliation, which performs the historic role of a cornerstone of peace, stability, tranquillity and thus, development of our

17 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON T MUSHELENGA**

country.

The Right Honourable Prime Minister further reminded this House and the Nation at large that the waging of the Liberation Struggle required commitment, courage, perseverance, patience and, above all, leadership.

Honourable Deputy Speaker, there is no doubt that Comrade Sam Shafiishuna Nujoma possesses all these qualities, plus. It is because of his leadership that he provided before and after Independence, that our Nation is where it is today in terms of development and international recognition.

It is through his leadership, particularly in the SWAPO Party that our generation, that of our young ones, starting from my age onwards, was able to know and understand our past, as the leadership of the SWAPO Party never forgot to refer to our forefathers who fought against our colonisers as early as 1884.

May I at this point use this opportunity to remind this Honourable House and the Nation at large, that the fact that our forefathers, is the Witbooi's, the Mandume's, Nehale's, Ipumbu's and many others, could not succeed in the war against colonialism during their time is because of, amongst others, lack of unity.

This miraculous word, "unity", helped us a lot. It strengthened the leadership and membership of the SWAPO Party, in particular and the Namibian Nation in general under the leadership of Comrade Sam Shafiishuna Nujoma. Comrade Nujoma is a symbol of the unity of our Nation.

Honourable Deputy Speaker, Honourable Members, in conclusion I would like to once again support the Conferment of Status of Founding Father of the Namibian Nation Bill, that will give honour, dignity and respect to one of our heroes and the only First President of the Republic of Namibia, because in doing so, Honourable Deputy Speaker, Honourable Members, we will honour, dignify and respect all our heroes and heroines through him.

Further, I would also like to wish Comrade Nujoma a well-deserved rest, and at the same time congratulate him, once again, because I did that before, for taking up the challenge of studying Geology and wish him all the best success in his studies.

I support the Bill.

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17 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON VILJOEN**

**HON DEPUTY SPEAKER:** Thank you very much. I now recognise Honourable Viljoen.

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**HON VILJOEN:** Honourable Deputy Speaker...

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**HON GURIRAB:** On a Point of Order. Honourable Deputy Speaker, I am looking forward to listening to the Honourable Member's contribution, but I am rising in terms of Rule 17, that with three non-voting Members present, the House has no quorum.

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**HON DEPUTY SPEAKER:** We will follow the procedures, we will ring the bell and the Whips should run quickly and call their Members. Maybe they are just around here. Thank you very much, we now have a quorum. I now call on Honourable Viljoen to continue.

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**HON VILJOEN:** Honourable Deputy Speaker, I respect the proposed Bill taking the sentiments of some Members into account. We must, however...

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**HON MINISTER OF LANDS RESSETLEMENT AND REHABILITATION:**  
May I just ask the Honourable Member a small question?

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**HON VILJOEN:** I will accept the question if it is a clever question.

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**HON MINISTER OF LANDS RESSETLEMENT AND REHABILITATION:**  
Thank you very much. I am just asking the Honourable Member, why is MAG the only party that is hundred percent present in the House?

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17 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON VILJOEN**

**HON VILJOEN:** Honourable Deputy Speaker, thank you very much, it will always be the case.

I just want to repeat, I respect the proposed Bill, taking the sentiments of some Members into account. We must, however be very careful and learn from the mistakes of other countries. I wish to mention the following example:

The Herzog Tower for broadcasting in South Africa was named after one of its Prime Ministers, General J B M Herzog. Later on the name of the tower was changed after Prime Minister Dr Herzog made a coalition with one of the opposition parties. It was an embarrassment.

I am further not aware of any world leader or political icon, whose good name and legacy was captured and honoured through a Bill. People honour a leader for his leadership and contributions he made during his life by respect and remembrance. If he was a good leader, they will remember him for all time. If not, he will soon be forgotten. It is not out of disrespect, but because I am convinced that legislation is not necessary to honour a person. I thank you.

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**HON ULENGA:** Honourable Deputy Speaker, I think we have had enough warm moments for today. I would prefer to speak on Tuesday when people are a little cooler. This is a very important issue that we have before the House, so I would like to ask for the adjournment of the Debate on this Bill until Tuesday, 22 November 2005.

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**HON DEPUTY SPEAKER:** Thank you. The Bill is deferred to Tuesday, next week. The Secretary will read the Fifth Order of the Day.

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**RESUMPTION OF DEBATE ON SECOND READING: STATE-OWNED  
ENTERPRISES BILL**

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**HON DEPUTY SPEAKER:** When this Debate was adjourned yesterday, 16 November 2005, the Question before the Assembly was a Motion by the Right Honourable Prime Minister that the Bill be now read a second time. The Honourable

17 November 2005

**ESTATE AND SUCCESSION AMENDMENT BILL**  
**HON VILJOEN**

Mr Tsudao Gurirab adjourned the Debate and he now has the floor.

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**HON GURIRAB:** Honourable Deputy Speaker, I am happy to proceed if you insist, but in view of the lateness of the hour, I beg your indulgence to adjourn the Debate until Tuesday.

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**HON DEPUTY SPEAKER:** Any further discussion? Maybe somebody else is ready? None. Then the Debate is adjourned until next week. The Secretary will read the Sixth Order of the Day.

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**RESUMPTION OF DEBATE ON SECOND READING: ESTATE AND  
SUCCESSION AMENDMENT BILL**

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**HON DEPUTY SPEAKER:** When this Debate was adjourned on Tuesday, 15 November 2005, the Question before the Assembly was a Motion by the Honourable Deputy Minister of Justice and Attorney-General, that the Bill be now read a Second Time. The Honourable Mr Viljoen adjourned the Debate and he now has the floor.

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**HON VILJOEN:** Honourable Deputy Speaker, very briefly. I need clarity on some issues as far as the Estates and Succession Bill is concerned. I will appreciate it if the Honourable Deputy Minister can clear up the following issue:

According to point 1, subsection (2) and point 2, subsection (2), Customary Law, as far as intestate succession is concerned, is still applicable to some Namibians. Other Namibians fall under Common Law.

According to the first clause, an intestate succession is still in force, regarding those people to whom the relevant rules would have been applicable, had the said proclamation not been repealed. According to the second clause, people from the “*Rehoboth Gebiet*” also have their own succession laws. I think the main purpose of this Bill is to have a unified succession system for the whole of Namibia. My question is: Is customary law succession not unconstitutional and discriminatory by allowing different systems for different groups?

17 November 2005

**ESTATE AND SUCCESSION AMENDMENT BILL**  
**HON NUJOMA**

Honourable Deputy Speaker, I thank you.

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**HON DEPUTY SPEAKER:** Thank you very much. Any further discussions? None. Does the Honourable Deputy Minister wish to reply? Honourable Ulenga?

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**HON ULENGA:** Thank you very much. I also have a very brief question. Unfortunately I do not have a copy of the Bill here, Honourable Deputy Speaker. Of course, I do not dispute the fact that this Bill we are amending now has been unconstitutional all the time, but groups or the division of groups themselves, is that not unconstitutional, and where do we have the recognition of such groups anyhow?

Those Bills which refer to so-called groups and so on, are they not already invalid by their very nature, seeing that they refer to non-existent criteria? I thank you.

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**HON DEPUTY SPEAKER:** Any further discussions? Does the Deputy Minister wish to reply?

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**HON DEPUTY MINISTER OF JUSTICE:** Thank you, Honourable Deputy Speaker. Because I could not get the gist of the question, I request it in writing. Then I will be able to respond. But I should say that the Constitution recognises both Customary and Common Law and that is why we want a unified system and I would like to thank Honourable Gurirab and Honourable Riruako for their positive comments. If they do not insist, we can proceed with the Committee Stage of the Bill. I thank you, Comrade Deputy Speaker.

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**HON DEPUTY SPEAKER:** In terms of Rule 90 of our Standing Rules and Orders, automatic adjournment, the House stands adjourned until next week Tuesday at 14:30.

**THE HOUSE IS ADJOURNED AT 17:45 UNTIL 2005.11.22 AT 14:30**

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBER  
WINDHOEK  
22 November 2005**

The Assembly met pursuant to the Adjournment.

**HON SPEAKER:** Took the Chair and read Prayers and the Affirmation.

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**HON SPEAKER:** Any petitions? Any Reports of Standing or Select Committees? Reports of Select Committees? Any other Reports and Papers? The Minister of Finance.

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**HON MINISTER OF FINANCE:** I would like to table the Report for 2004 for The Development Bank of Namibia.

I so move, Honourable Speaker.

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**HON SPEAKER:** Will the Honourable Minister table the Report? Any further Reports and Papers? Any Notices of Questions? Any Notices of Motions? Rt Hon Prime Minister.

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**NOTICES OF MOTIONS**

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**RT HON PRIME MINISTER:** Thank you, Honourable Speaker and welcome back. Honourable Members, I give Notice that tomorrow, the 23<sup>rd</sup> of November 2005, I shall move to this Assembly, that in terms of Article 112(3) of the Constitution, the 'Public Service Commission' shall consist of a Chairperson, no fewer than 3 and no more than 6 other Members, nominated by the President and approved by the National Assembly by resolution.

Therefore, in keeping with the above-mentioned provisions, His Excellency the President has nominated Mr Eddie Amkongo, to take over as the new Chairperson of the Public Service Commission in the place of Mr J. Ithana, who has recently resigned.

22 November 2005

## NOTICES OF MOTIONS

Additionally, Mrs Mabella Cupido's term of office will expire on 6 January 2006, while this august House is in recess. In this regard His Excellency, the President, has nominated her for re-appointment.

I therefore will be requesting the august House to appoint Mr Eddie Amkongo as the Chairperson of the Public Service Commission, and to re-appoint Ms Mabella Cupido as a Member of the Public Service Commission by resolution.

I so move, Honourable Speaker.

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**HON BOOYS:** Mr Speaker, I move an unopposed Motion that, pursuant to the Rule 26(a) of The Standing Rules and Orders, the second Reading on the Committee Stage and the third Reading of the Estate and Succession Amendment Bill of 18/02/2005 be disposed of today. I so move, Mr Speaker.

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**HON SPEAKER:** Will the Honourable Member table the Motion? Any further Notices of Motions? None. Any Ministerial Statements? None. The Notice of a Motion is the one by the Honourable Minister of Labour and Social Welfare. Does the Honourable Minister move the Motion?

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**HON MINISTER OF LABOUR AND SOCIAL SERVICES:** I do so, Honourable Speaker.

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**HON SPEAKER:** Who seconds the Motion? Any objections? Agreed to. The Honourable Minister has the floor.

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**HON MINISTER OF LABOUR AND SOCIAL SERVICES:** Thank you, Honourable Speaker. Honourable Members, Section 6 of the Affirmative Action, that is the Employment Act No 29 of 1998, provides for the appointment of the members of the Employment Equity Commission by The Minister of Labour and Social Welfare, with the approval of The National Assembly. To report: it is against this

background that I am taking the floor to seek the support of the Honourable Members for the appointment of the members of the Third Employment Equity Commission after the term of office of the Second Commission has come to an end. It is now just over 6 years since the appointment of the First Employment Equity Commission and the consequent commencement of the implementation of 'cracks' in employment practices.

The objectives of the Commission, amongst other things, are:

1. To enquire into whether the relevant employer has adopted and is implementing an Affirmative Action Plan and whether any particular Affirmative Action Plan or Affirmative Action measure meets the objects of this Act and to take the actions prescribed by, or under this Act, in regard thereto.
2. To collect and compile information for the purposes of the administration of the provisions of the said Act.
3. To advise any person, company, organisation or interest group on matters pertaining to the objects of this Act, including whether an existing or proposed Affirmative Action measure or employment practice is consistent with the objects of the Act so that advice can be given to the Minister on making regulations in order to achieve the objects of this Act or on any other matter which the Minister may so refer to the Commission.

Honourable Speaker, Honourable Members, as you may be well aware, the fundamental objective of the Employment Equity Commission is essentially to guide the designated or relevant employers in their efforts to redress, through appropriate Affirmative Action Plans, conditions of those disadvantaged in employment, experienced by persons in designated groups, arising from past discriminatory laws and practices and to institute procedures to contribute towards the elimination of discrimination in employment, the ultimate object being the total transformation and reform of employment policies and practices at every workplace, inspired by a vision of people-centred and people-driven employment, characterised by the values of equity, transparency, demography, higher ethical standards, productivity and professionalism.

It was not long ago when I tabled the Report in this August House on the Findings of the Affirmative Action Impact Assessment Study. The Study revealed that 5 years down the road very little progress has been made towards the desired level of equitable representation of persons in designated groups, especially where

management and supervisory levels are concerned. The Study has also revealed some positive trends in some sectors that should be commended and encouraged. However, there are also disturbing reports of some relevant employers who are not giving their full co-operation or who merely pay lip service to the provisions of the Affirmative Action Laws. It is obvious, therefore, that unless there is a total change of behaviour and mindset towards Affirmative Action and unless there is a balanced approach from all quarters - both public and private, that is – the desired goals of our National Programme of Affirmative Action would remain a distant pipe dream.

It is against this background of formidable challenges that I am proposing for your approval as Members of the Employment Equity Commission, women and men who have been duly nominated, in terms of Section 6 of the Affirmative Action Employment Act. I am fully confident that they are sufficiently qualified and experienced – and have the necessary experience to rise to these challenges. Allow me then, therefore, through these few remarks, to move for the approval of the following members of the Third Employment Equity Commission for a period of 3 years. The members are as follows:

1. Ms M. Mushimba – Representing the State with Mr. !Naruseb (*no relation*)
2. Ms Mariane Shalumbu – State
3. Mr Simeon Kandjii – State
4. Mrs Elize Fahl – Representing the employers
5. Mr Gerson A. B. Uirab – Representing the employers
6. Mr Special Eiseb – Trade Union
7. Ms Yolande Cupido – Trade Union
8. Ms J. M. Coerecius – Designated group (women)
9. Ms Rosalia Ndakola – Designated group (women)
10. Mr Frederick Matongo – Designated group (racially disadvantaged)
11. Ms Nelago Kontombolo – Designated group (racially disadvantaged)
12. Mr. Haukambe Meliherius – Designated group (people with disabilities)
13. Mrs. Beata S. Armas – Designated group (people with disabilities)

In the event of some people's being unable to attend a meeting of the Commission, the following will act as Alternate Members:

1. Ms Albertina Heita – State
2. Mr A. J. Tjipura – State
3. Mr Victor Shipoh – State
4. Mrs Rosemary Kashululu – State
5. Mr Mike Hill – Representing the employer



22 November 2005

**NOTICES OF MOTIONS  
HON !NARUSEB**

6. Mr Moses Shiikwa – Trade Unions
7. Mr Gabes Andumba – Trade Unions
8. Ms J. Diedericks – Designated group (women)
9. Ms J. Goagoses – Designated group (women)
10. Mr Albin. K.O.S. Ilovu – Designated group (racially disadvantaged)
11. Mr Stephanus S. Swartbooi – Designated group (racially disadvantaged)
12. Mrs Leoni Hango – Designated group (people with disabilities)
13. Mr H. van der Westhuizen – Designated group (people with disabilities).

Let me take the liberty of counting on your support and thank you for endorsing the people that I have just made known for your attention without any further ado.

I thank you.

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**HON SPEAKER:** I thank the Honourable Minister. Any further discussion? All agreed? Honourable Ulenga.

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**HON ULENGA:** Honourable Speaker, if there are no further discussions, I would like to move that this Motion be postponed until tomorrow.

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**HON SPEAKER:** The Debate on this Motion stands adjourned until tomorrow at 14h30. The Secretary will read the First Order of the Day.

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**RESUMPTION OF THE DEBATE ON SECOND READING OF THE ESTATE  
AND SUCCESSION AMENDMENT BILL**

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**HON SPEAKER:** The Honourable Deputy Minister of Justice and Attorney-General made his reply on the Second Reading of the Bill on Thursday 17 November 2005. Before the Assembly adjourns, in terms of Rule 90(a) of the Standing Rules and Orders, I put the Question that the Bill be now read a second time. Any objection? Agreed to. The Secretary will now read the Bill a second time.

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22 November 2005

**COMMITTEE STAGE- ESTATE AND SUCCESSION  
AMENDMENT BILL**

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**THE ESTATE AND SUCCESSION AMENDMENT BILL**

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**HON SPEAKER:** Does the Honourable Deputy Minister of Justice now move that the Assembly goes into Committee?

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**HON DEPUTY MINISTER OF JUSTICE:** Thank you, Honourable Speaker. I so move.

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**HON SPEAKER:** It is moved that I leave the Chair. Any objection? Who seconds? Agreed to. I now call the Deputy Speaker and Chairperson of the Whole House Committee to take the Chair.

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**CHAIRPERSON OF COMMITTEES:** The Whole House Committee is called to Order. The Committee has to consider the Estates and Succession Amendment Bill. I put Clause 1. Any discussions? Any objections? Agreed to. I put Clause 2: any discussions? Any objections? Agreed to. I put Clause 3: any discussions? Any objections? Agreed to. I put Clause 4: any discussions? Any objections? Agreed to. I put Clause 5: any discussions? Any objections? Agreed to. I put the Title: any discussions? Any objections? Agreed to. I will report the Bill without Amendments.

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**HON SPEAKER:** Does the Honourable Deputy Minister move that the Bill be now read a third time?

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**HON DEPUTY MINISTER OF JUSTICE:** I so move. Thank you.

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22 November 2005

**ESTATE AND SUCCESSION AMENDMENT BILL**

**HON SPEAKER:** Any objections? Who seconds? Agreed to. Any further discussion? None. Does the Honourable Deputy Minister wish to reply?

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**HON DEPUTY MINISTER OF JUSTICE:** Honourable Speaker, Honourable Members, I am extremely grateful and I should like to express my sincere thanks to the Honourable Members who contributed positively to the Debate: I have in mind Chief Riruako, Honourable Tsudao Gurirab, and Honourable Viljoen for their positive comments and, in reaching the Bill, I thank you wholeheartedly for supporting this Estate Amendment Bill. I thank you.

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**HON SPEAKER:** I now put the Question that the Bill be now read a third time. Any objection? None. Agreed to. The Secretary will now read the Bill a third time.

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**ESTATE AND SUCCESSION AMENDMENT BILL**

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**HON SPEAKER:** The Secretary will now read the Second Order of the Day.

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**RESUMPTION OF DEBATE ON THE PLIGHT OF OUR SENIOR CITIZENS  
AND TO IMPROVE THE OLD AGE PENSION TO N\$500-00 PER MONTH.**

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**HON SPEAKER:** When this Debate was deferred on Wednesday 9 November 2005, the Question before the Assembly was a Motion by the Honourable Kaura. The Honourable Kaura adjourned the Debate for his reply and he now has the Floor.

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**HON KAURA:** Honourable Speaker, I would like to beg your indulgence for an adjournment only until tomorrow.

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**HON SPEAKER:** Any objection? None. The reply stands adjourned until tomorrow. The Secretary will read the Third Order of the Day.

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**RESUMPTION OF DEBATE ON THE CURRENT FINANCIAL BURDEN  
PLACED ON THE PUBLIC BY BANKS AND CREDITORS**

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**HON SPEAKER:** When this Debate was adjourned on Wednesday 9 November 2005, the Question before the Assembly was the Motion by the Honourable Gertze. The Honourable Gertze adjourned the Debate for his reply and he now has the opportunity to do so.

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**HON GERTZE:** Honourable Speaker, Members of this House, thank you very much for once again giving me the chance to, this time, reply to the Motion dealing with high bank charges.

I must probably start in his absence with *Honourable Tjiriange*. Thank you for adding your weight to the Public concern and to the Debate as well.

*Honourable Manombe-Ncube*, your contribution adds to the Debate in terms of financial services and the extent to which our Financial Institutions need to go, in terms of service provision.

*Honourable Mushelenga*, you have added to the details of service fees and charges, and have listed them effectively here. This paves the way for our argument of concealed service fees and service fee structures. *Honourable Shifeta*, thank you for contributing to the Debate, although I was not quite sure as to whether there was some kind of a critical insertion in terms of what the Motion seeks to raise. This Motion has only introduced the very basic trends of our Financial Sector operations and the resulting flaws thereof. We definitely need to cast a broader look at the functions of our entire Financial and Transactional system.

*Honourable Prime Minister Nahas Angula*: thank you for your emphasis on the need for an objective review of our Financial Sector and payment system. Your re-iteration that **we do not press for free services** from our Financial Institutions is very

noteworthy. Banks had always functioned efficiently without over-charging. Why can we not uphold and maintain that harmonious business relationship that used to exist?

**Honourable Kazenambo:** in your absence as well, your message was clear and has made a valuable addition to the Debate. One important aspect in your contribution that I should amplify in this case is that of the need for a business-like and enterprising conduct of our Business Sector. Friendliness and efficiency at front desks are *very* important.

**Honourable Venaani:** you have also rightly pointed out the further influence the high charges have on salaries and wages, for all labour intensive entities that have bent or that are required to bend to this pressure from our Financial Institutions.

**Honourable //Garoeb:** as in the case of other contributions (in your absence), thank you for your valuable additions to the imbalances in our Financial Institutions and their practices. Profit-making and conduct of business can only be done (and always should be done) in a dignified manner.

**Honourable Tweya:** also in your absence, I have taken note of your mention that the idea of the Motion was not news but I am happy that you have, in the second part of your contribution, arrived at making yourself heard - even more than I expected. The building of a common consensus around matters that trouble us in the lives we share is vital. We must realise that we daily share the sunlight and oxygen of this country so fairly. In this House, positive ideas must fuse at all cost.

**Deputy Prime Minister Honourable Amathila:** In your absence, I also express my appreciation for the open approach you have maintained in your contribution to the Debate. I am glad that this Motion can now go ahead with the weight you have added to it.

**Honourable Kamwi:** also in your absence, thank you for *thanking* the Opposition Parties for responding to the hint from the Finance Minister, and, throughout your contribution, you have really spoken as a Namibian. I thank you once more for that.

**Honourable Kuugongelwa-Amadhila.** Minister of Finance, thank you for your clear contribution to the Debate. Your discourse was characterised by an outlook in favour of harmonising, not only our payment system but the entire Financial Sector with its consumer. Your contribution has been about the idea and not so much about “*who said what when*”. You have added a dimension of self-regulation in business, and in

business conduct. This is an important aspect because we do not have to engage Parliament at all times for these kinds of issues. It is important, if not imperative, that we listen to what others say, and remain responsive to the challenges our people face.

To top it all, I want to thank you all for collectively taking a common stance, not against the banks, but against systems that are likely to cause social discord. The Motion and all the relevant contributions made in this House must not be seen as a one-way attack on the banks operating inside Namibia.

I also believe that the Financial Sector does not only refer to banks alone and payment systems alone in Namibia.

In my Motivation, I have made a mention of other sectors of business in areas of Estate Agencies/agents, legal firms and law practitioners, service providers, shops, *et cetera*.

It is, however, a pity in some ways that instant money-making is the order of the day in Namibia. Everyone tends to seek more than that which is deserved. We should stop teaching our children to try to get more than they deserve, because in the end no one will spare the other. Why should we make the world so difficult and make it a place for the survival of the fittest?

It is therefore necessary that we do not only react to the adjacent pressure point, but to the root causes of the malfunctions in our Financial, Business and Consumer Sectors. It is only so that when the core enterprise puts pressure, everyone along the string will pass the buck to the end-user who will bear the consequences.

**A synopsis of all contributions appears as below:**

\* That the matter be referred to the Parliamentary Standing Committee on Economics, Natural Resources, and Public Administration, to ensure an in-depth look into our Financial Sector and its operations.

\* That this House does not in any way condone fraudulent behaviour.

\* Also that a credible payment system is indispensable for a healthy economy and that all Stakeholders review themselves and honour their obligations and roles that they have to play.

\* A number of suggestions and alternatives have emerged from the Debate and are

thus forwarded as Recommendations to the Standing Committee on Economics:

1.     The establishment of a 'Self Regulatory Authority' to be owned and controlled by the participant Financial Sector itself.
2.     To encourage competition in the banking industry and to thereby lower banking charges and increase access to Financial Services. The possibility of foreign banks was also cited in this case.
3.     Strengthening of a Public Education Campaign on the subject.
4.     Banks to declare their charges and service fees structures, as required by the Bank of Namibia.
5.     To ascertain the role and function, mandate and status of ITC.
6.     To simplify our business language and to sell service products, which are viable and affordable to our people. This has specific reference to life and insurance policies and so on.

Economic matters are diverse, and I should, as I said earlier, request the Standing Committee on Economics to encompass a wide range of root causes pertaining to our economic situation.

I should further like to touch on a number of issues which I have expected this House to address and to recommend and further refer the charges levied by Estate Agents, Law Firms, Audit firms and practitioners and other service providers who charge exorbitant fees. This sector of business must definitely come under scrutiny.

Honourable Speaker, and Members of this House, our home loans need serious scrutiny too. If the economic theories behind home loans and repayment systems are explained to me, I certainly should understand them, but do we have to *accept* them as business theories, if they do not work for us? We need to challenge the business principles and ethics of our building societies. The housing sector is an attractive and indeed a lucrative one. The simple reason is that you can become rich overnight, and have a lifelong income. The legal profession is the same. I would like to remind our legal fraternity to look back and see the basis of their high income, basically also based on crime, fraud, conflict and that is a money-spinning market in this Country.

Our insurance firms also prey on fears and insecurity of the Public. Theft, crime and

insecurity force us to insure and burglar proof our properties with linkage to a security firm, and inundate our vehicles with electronic devices of all sort. I know that as a Government we need to step up our fight against crime. It is also vital that the terms of repossessions be reviewed.

I do not condone any fraudulent practices that aim at weakening the payment systems of our country - and indeed of our Financial Sector. I call for appropriate action in this regard. Fraudulent practices can occur anywhere, be you a seller or buyer, or lender or a borrower.

As a word of concern and advice, and I do this through this Honourable House, I should like to call upon our business and service sectors, to begin to foster a culture of humility, and a sense of enterprise. Poor public relations and conduct are one of the most pathetic occurrences in our service industry.

In many situations, friendliness seems not to be part of the remuneration packet in Namibia, but little do you know how it feels when you get home after having performed an act of kindness to someone who, in the end, has said 'Thank you'.

Finally, Honourable Speaker, thank you for your indulgence for constructing this Debate, to allow its culmination at this point. I am also happy to surrender therefore the tenure of this Motion to the Parliamentary Standing Committee on Natural Resources and Public Administration, through this August House.

While thanking this whole House, Honourable Speaker, allow me to therefore give Notice that Tuesday, 27<sup>th</sup> of November, I move that the subject of the Debate to discuss the current financial burden placed on the Public by banks and creditors be referred to the Standing Committee on Economics, Natural Resources and Public Administration, for further scrutiny and report back to this Honourable House.

I so move, Mr Speaker.

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**HON SPEAKER:** Please table, Honourable Member. Who seconds the Motion? It is decided that this Motion will be referred to The Standing Committee on Economics, Natural Resources and Public Administration. Any questions? So decided. Objection? Explanation?

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22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON ULENGA**

**HON GEINGOB:** I would just like to explain the constraints of the Committee. It will not work; there is no money. So I am starting really to look this side and we are going to come back. If we are coming back to Windhoek, as well as to work, we must be given something to work with: now it is already finished.

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**HON SPEAKER:** Can the Honourable Chairman at least proceed to the full mandate of the House to convene a new Committee Meeting, make the assessment, and report back? Thank you.

The Secretary will read the Fourth Order of the Day.

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**DEBATE ON SECOND READING: CONFERMENT OF STATUS OF  
'FOUNDING FATHER OF THE NAMIBIAN NATION' BILL**

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**HON SPEAKER:** When the Debate was adjourned on Thursday 17 November 2005, Honourable Gertze – I appreciate that you are celebrating but may the work of the House continue? – The Question before the Assembly was a Motion by the Right Honourable Prime Minister that the Bill be now read a second time. The Honourable Ulenka adjourned the Debate and is now given the floor.

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**HON ULENGA:** Thank you. Honourable Speaker, I should also like to start by welcoming you back in the House after a trip to colder regions of this planet, I understand. Welcome back to good, old, hot Namibia.

Mr Speaker, the Debates of the last few weeks in the House have seen a great deal of consensus and unanimity across party political lines, on a number of diverse Motions and Bills introduced by Members from all sides. It has been a joy to listen to Members as they discovered that there was a lot of common ground: on issues such as corruption, old age pensions (debated also recently in this House), the state of education in the country, and, as we saw only a minute ago, some customer-unfriendly practices by the banks.

Although I must say - it is not necessarily a good thing always to agree, especially

when it is just for the sake of agreeing. I must say that consensus, especially on matters of national importance, often does lead to positive synergies that may fuel the Nation's progress. Honourable Speaker, it is therefore regrettable that the Government has decided to place before us in this House, a Bill that may prove to be of great controversial potential. (Intervention) You like only to hear good things: you are a little spoilt and that should stop. It is a Bill of such dubious meaning and intent as to have the capacity of dividing not only the House but also the whole Nation.

Mr Speaker, the Bill before the House is about one individual: it deals with the person of Sam Nujoma, and I must say in this regard this is almost a revisit of 1998 when, again a Bill was tabled in this House, to deal with the fate of a particular individual and his relationship to the State. This Bill, it deals with the person of Sam Nujoma, Namibia's Former President, and, if I understand it well it attempts to seek to create a special relationship between this one individual and the Namibian State.

Honourable Speaker, Sam Nujoma is one of Namibia's most illustrious sons. He is the first President of the Republic of Namibia, as we all know, someone who deserves only respect and the most dignified treatment as our retired President. It goes without saying, therefore, that he ought to be kept out of controversial current political issues.

I must say, Honourable Speaker, I found it extremely poor taste, therefore, on the side of Government that the name, the person, and the character of a retired Former President are being forced into a Parliamentary Debate, through the Bill right now before the House. President Sam Nujoma should be allowed to retire from active political life with dignity.

To start off, Honourable Speaker, I have doubts about the constitutionality of the Bill on several grounds. The Bill calls upon Members of Parliament to confer, by Act of Parliament, a certain status on the person of an individual - exclusively.

Now if you look at our Constitution, nowhere in the Constitution of the Republic, and especially not anywhere under Chapter 7, which deals with the powers, functions, duties and tasks which are given to the National Assembly, nowhere - especially in that Chapter - could I discover the basis of this Bill. It is not for the National Assembly to confer any status, honour or rank or to modify the legal relationship between any individual and the State. Chapter 5 under Article 32(h) of the Constitution places such powers clearly in the President of the Republic, the only person himself whom the Constitution has conferred the status, or Offices of the Head of State, Head of Government, and Commander-in-Chief of the Armed Forces. It is therefore, Honourable Speaker, not for this House, in my opinion, to confer any rank

or status; it is the prerogative of the President. Had the Founding Fathers and Mothers of Namibia, those who turned the Constitution, had they wanted it otherwise, I am sure they would have put it otherwise.

For elucidation, Honourable Members, perhaps I should read to you, according to my Webster, the dictionary meaning of the term 'status'? The term 'status' is explained like this in my dictionary:

- (a) It is the condition of a person that determines the nature of his legal personality, his legal capacities and the nature of the legal relations to the State, or to other persons, into which he may enter.
- (b) It is the condition of a political entity, such as the State, determining its legal character in relationship with other political entities.
- (c) It is the position, or rank, in relation to others, as in a social order, or in a community, class or profession.
- (d) It is a superior rank and honour or high prestige.

That is why I was saying that such status, such redefinition of the legal position of a person with regard to (or in relation to) the State, or to other legal entities, as far as I could determine in our Constitution, such prerogatives rest only with the Office of the President.

Honourable Speaker, I should also like to draw the attention of the Honourable Members to the second last paragraph of the Preamble to our Constitution, which states that this Nation and this State and this Republic has been constituted by the people, and *not* by an individual. The paragraph in full states as follows:

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**HON SPEAKER:** Where are you reading from, Honourable Ulenga?

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**HON ULENGA:** The second last paragraph of the Preamble of the Constitution reads as follows: "*Whereas we, the people of Namibia, committed to these principles, have resolved to constitute the Republic of Namibia as a sovereign, secular, democratic and unitary State, securing to all our Citizens justice, liberty, equality and*

*fraternity.”*

Now, my understanding again of the dictionary meaning of the term ‘constitute’ and we can see here that the People of Namibia are stating that they have resolved to constitute the Republic as a sovereign, secular, democratic and unitary State. The term ‘constitute’ and the term ‘found’ have synonymous meanings. So it is indeed the People, as they have put it in the Constitution, who have constituted the Republic and therefore who are the Founding Fathers and Mothers of the Republic. The Republic and the Nation and State are more or less one and the same thing.

Honourable Speaker, I have already read to you my understanding of the meaning of the term ‘status’. Many Namibians acquainted with these issues, especially with the illegal implications and connotations of ‘status’, are already envisaging a follow-up that will be a logical conclusion to this Bill: namely, they are suspecting that there will be legal exemptions or special immunity of status in that direction, to be given to the person, our Former President Nujoma.

Mr Speaker, once again I can re-iterate that the role played by Sam Nujoma in the history of Namibia and, especially with regard to the history of national liberation, is beyond doubt. He is a leader and a freedom fighter; nobody can dispute that. He was not the first nor shall he be the last to play those roles in the annals of our History. We should not commit the indignity, therefore, Honourable Speaker of attempting to compare and contrast or even rank, these sons and daughters, let alone take one of them and legislate him as Founding Father of the Nation. That kind of comparison and contrast belongs to the History halls of UNAM and the colleges.

You know, including the Right Honourable Prime Minister, Nahas Angula, how a diamond is formed. It burns for eons, for centuries and centuries, billions of centuries perhaps, in the ovens of the earth.

When it finally emerges it is picked up, perhaps on the Namibian coast, and once it is picked up there, it does not require an Act of Parliament to declare it a diamond, to declare it a gem. It is a diamond by virtue of being a diamond.

You do not go to Parliament and say, “*Now we confer on it the status of a diamond.*” That is how I see the status and the nature and the recognition that goes to those Namibian sons and daughters who have played illustrious roles in our country’s history.

There is no need for any assistance from Members of Parliament on that. It indeed

takes away, Honourable Speaker, from the dignity of the former President, that a National Assembly, of which the majority, may I say, the majority of the Members were appointed by *nobody* else but himself, makes such a Law.

Looking at the Members of Cabinet today, everyone can see clearly that the majority of them have been appointed by Sam Nujoma in the previous administration, or have been nominated by him to the SWAPO Parliamentary List, under his special powers as per the SWAPO Constitution.

By tampering with the work of History, trying to take it into your own hands instead of leaving History to do its job, the Government risks accusations of corruption or, at least, of having conflicted interests.

I can therefore say, Honourable Speaker, we are dealing here with the issue of party-political allegiance perhaps, and not with a national issue.

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**HON SIOKA:** May I ask the Honourable Member a question? Honourable Ulenka, I think you are aware of what is going on right now in the CoD, about the young democratic youth who are calling upon you to resign from the Parliament, because of certain reasons I do not want to mention here. Do you not feel that the statements you are giving right now are the things to which the youth are referring, because they have no grooming leader? Thank you.

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**HON ULENGA:** Thank you. Honourable Speaker, should I answer that? I do not know: I am asking the Members on the other side. (Interjections) Honourable Speaker, the Honourable Member, as usual, has again started to blow hot air. It is not surprising; she does that kind of thing.

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**HON SIOKA:** On a Point of Order. I think the whole game started from his chair; he is the one who is blowing hot air. Not respecting the Founding Father, the Founding President of this country - this is why the youth are attacking you, because you do not have that heritage from the youth.

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22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON ULENGA**

**HOUSE ADJOURNS AT 15:40  
HOUSE RESUMES PURSUANT TO ADJOURNMENT AT 16:10**

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**HON ULENGA:** Honourable Speaker, as I said before the House adjourned for tea, everyone knows how a diamond is formed, and once that process is completed, there is no way one can change, the nature or even the quality, even the price of that stone, by bringing an Act to Parliament, to try to legislate a special name on that gem. It is a gem by virtue of having gone through what it has gone through, and not by virtue of a small group of people deciding that it is a diamond.

The very same thing can be said about those illustrious sons and daughters of Namibia, and among them ranks the person of Sam Nujoma. As Castro said famously: *"It is History that absolves; it is History that judges those who act in History."* It is not for Parliaments to make them heroes; it is not for Parliaments to rank them. It is History; it is nature that makes them. It is the events; it is the process that makes them. Indeed, as I said, it is actually taking away from the dignity of the person when we try to tamper with what he has achieved - together, of course, with thousands of others in the History of Namibia's liberation struggle and beyond.

Honourable Speaker, I then also referred to the nature of this House and the identity, because it gets very, very risky when we come to Legislation about persons. If you look at the Constitution, it deals with the Nation; it deals with the interests of this Nation only. It is very risky indeed when we come to try to make a Law about an individual, and when we try to do that, it is legitimate for people to say, *"Look who is doing it. What puts so and so first on the list and second up to number so and so?"* And do you want to blame the people that are saying so?

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**HON DEPUTY MINISTER OF JUSTICE:** Honourable Speaker, may I ask Honourable Ulenga a question?

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**HON SCHIMMING-CHASE:** Declare your interest and sit down!

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**HON DEPUTY MINISTER OF JUSTICE:** Honourable Ulenga, you are aware that the Young Turks in your movement, the CoD, led by Tjirera, have expressed a Vote of no-confidence in you, Nora Chase, Tsudao Gurirab, Gertze, because their

interests are not being taken care of, and secondly, is it true that the Young Turks have decided to wage a Jihad against your movement, to oust you and Tsudao and Nora Chase?

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**HON ULENGA:** Honourable Speaker, I do not want to mix family with politics, so I will not say anything on what my Honourable cousin there is saying. Suffice, Honourable Speaker, to say that whether you agree or not, and you know that politics is 99% perception. What if, in this case, the facts may also come close to that percentage: namely that many of those of you, of Members of this House who serve in the Cabinet, have in the past acted or after being appointed by the very person that, unfortunately, we really have to debate about? It is such an unfortunate thing that we have to sit here and we have to talk about a person, to debate about a person, because it brings in so many uncouth things. However, Honourable Speaker, looking at a number of examples in History and beyond our borders, we find that Rulers of dubious standing have reverted to the Legislature, to gain a special status, or members of Legislatures who feel they need to consolidate their standing with certain Rulers, have gone to the extent of trying to extend special favours or what they think to be special favours in order for them to ingratiate themselves, in their thinking, with those rulers. Yes, unfortunately, all of us may end up being combed with the comb. We are in the same House; these are things that are going to us all.

I want to relate to you the small little story of Julius Caesar as told by William Shakespeare.

‘In the forum there in Rome, the Populous came and he offered Caesar the crown to be king. He offered it once and Caesar refused; he pushed it away violently, and the people cheered and they cheered, but Caesar said, “*No, I will not be king.*” Then they came back again and they offered him to be king for the second time ..... (Intervention)

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**HON MINISTER OF EDUCATION:** On a Point of Order, Honourable Speaker. May I ask the Honourable Member a question?

Honourable Ulenka, your record shows that you left an ambassadorial post to come to contest an election, and compete with the same person you are today praising as worthy and we are the ones who are trying to tarnish his image.

22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON ULENGA**

Now you are lecturing about Caesar and was it not your aim to replace, in terms of the system, the same person you are so crying about?

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**HON ULENGA:** I cannot provide an honest answer to such a question without being seen as insulting to the Minister. The Minister will have to have a deeper understanding of Politics and History than that which he is displaying right now.

Anyhow, I was talking about the second time when Caesar was offered the crown. He refused it. However, as he was refusing it, Honourable Speaker, many discerned that his act of pushing it away was not as forceful as the first time when he pushed it away, and on the *third* time again that Populace came and they offered Julius Caesar the crown to be king, Caesar gently, very gently, pushed the crown aside.

Now, I was telling you that this kind of thing has happened in other places in history. Unfortunately, it was the likes of (Intervention)

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**HON MINISTER OF FINANCE:** On a Point of Order. I just want to inform the Honourable Member that if he went on to read further from the verses that he is quoting to us now, he would find that when Jesus was offered the cup that God decided he should drink, and that he would be killed in order for us to be saved, one of His disciples decided to stand in the way, and He said “*No, let it be, because that is what my Father has decided; I will accept the cup that my Father has ordered that I drink*”, and He did.

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**HON ULENGA:** You mean it is from the very same book I was quoting?  
(Interventions)

Honourable Speaker, unfortunately it was the likes of Francois Duvalier of Haiti who adopted legally – that was done legally, it was not just a by name; he had to find legal means to adopt the name of ‘*Papa Doc*’. Joseph

Desire Mobutu proclaimed himself, using the Instruments of State, “*Mobutu Sese Seko Kuku Ngbendu Wa Za Banga*”, which simply means, “*the cock that for ever remains on the crowing pole.*” (Intervention)

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22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON ULENGA**

**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Comrade Speaker, I rise on a Point of Order. Mobutu, as the Honourable Member said, promoted himself to whatever he mentioned there, but here Comrade Shafiishuna Sam Nujoma who was the President of the Republic of Namibia, never declared himself as Father of the Namibian Nation. It is this House and he never asked anybody.

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**HON MEMBER:** He is using you!

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** No! You must know that you bring something that is irrelevant to the House. So, Comrade Speaker, he must be called Out of Order.

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**HON SPEAKER:** Point of Order taken.

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**HON ULENGA:** Thank you, Honourable Speaker. So, it goes on, Benito Mussolini, the dictator from Italy, called himself '*Il Duce*', which simply means "the Leader". However, even just for that he had to seek ..... (Intervention)

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**HON DEPUTY MINISTER OF GENDER AND CHILD WELFARE:** On a Point of Order. Comrade Speaker, we are in Namibia; we are not in Zaire or wherever, or Italy. How is it that a son who was promoted by the Founding President, like Honourable Ulenga, has forgotten his promotion and he is talking about the promotion for others? What happened to him?

How are we going to accept you? Today you are speaking nice words; tomorrow you are speaking bad words, like today. Please, those words are not good, when we are talking of Sam Nujoma, our *Father*. Nujoma is our Father! We are here to speak about that; we are not here to speak about the things that Honourable Ulenga mentions. That is not allowed.

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22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON ULENGA**

**HON ULENGA:** Honourable Speaker, you know, my mother, one nice thing is that your *heart* is in the right place. That is okay; her heart is in the right place. (intervention)

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**HON KAURA:** On a Point of Order, Honourable Speaker. Former President Nujoma is my brother-in-law, not my father.

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**HON ULENGA:** As I was saying, Honourable Angelika really is a good person; her heart is in the right place. However, I must say clearly, you do not seem to pick up what all this is about. Listen carefully. (Interjections) Yes, that is my honest opinion. (Intervention)

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**HON DEPUTY MINISTER OF GENDER AND CHILD WELFARE:** On a Point of Order. As we know each other - you and me - that is why I am saying those words you are saying about Nujoma are not allowed in this House. That is why I am saying it.

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**HON ULENGA:** I was going to conclude, Honourable Speaker, with a quotation from this book that I have here. It is not the Bible. As you can see from the Chat Shows and from other comments from the Public, this is a matter that has divided the Namibians. Allow me to conclude.

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**HON DEPUTY MINISTER OF LANDS AND RESETTLEMENT:** On a Point of Order. Comrade Speaker, may I please, before the Honourable Member concludes, ask him a tiny question?

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**HON ULENGA:** That will be the last question.

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22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON ULENGA**

**HON DEPUTY MINISTER OF LANDS AND RESETTLEMENT:** Thank you, Honourable Ulenga. I was listening to you when you were making some references, as if you were going to make comparisons, and then at the end of your references, so-and-so called him so-and-so, so-and-so called him so-and-so. I was now actually listening and waiting for you to say: now there is also this one who is trying to call himself so and so. I do not really understand, when the people themselves are the ones trying to do something to another person, that I thought you would like to see. Now while it is happening, you are bringing a comparison that does not fit the situation on the ground. Why are you doing that?

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**HON ULENGA:** I did not complete that line of thought, because I was interrupted, and I felt you understand well enough; I do not actually need to pursue it to the end.

Suffice for me to say that clearly there is a division in the Nation. (Intervention)

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**HON MINISTER OF LANDS AND RESETTLEMENT:** On a Point of Order.

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**HON ULENGA:** Sit down!

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**HON MINISTER OF LANDS AND RESETTLEMENT:** Comrade Speaker, is it really allowed for someone, who contested the outcome of the last Parliamentary Elections, to come and speak in this House whereas the CoD has made a Court case? I think they should be outside and wait for the outcome of the Court before they can come and talk here. Next time I will move that we vote them out of here. This House can be divided because, first of all, they have no right to be in this House, nor do they have the right to partake in any deliberation in this House.

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**HON SCHIMMING-CHASE:** From which Constitution?

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**HON MINISTER OF LANDS AND RESETTLEMENT:** So, the Honourable Member must not be allowed to speak here, because he is contesting the outcome of the results, since he has only five people here in this House. Thank you.

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**HON ULENGA:** Honourable Speaker, commenting on a situation that is more or less like ours today, a character called Cassius said the following, talking about another great man: *“Why, man, he does stride this narrow world like a Colossus and we, petty men, walk under his huge legs, and creep about to find ourselves his honourable grace. Men at some time are masters of their fates. The fault, dear Brutus, is not in our stars but in ourselves, that we are underlings.”*

Honourable Speaker, we, as Namibians, are a great Nation of equals, and we should continue to be just that. We are not a Nation of ‘underlings’. Sam Nujoma, a great leader of the Namibian people, should be the first to acknowledge that fact. I rest my case, Honourable Speaker, and I thank you.

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**HON MANOMBE-NCUBE:** Honourable Speaker, Honourable Members, by virtue of the importance of this Bill, I thought it was not going to be controversial but I see now that it is a bit difficult. However, I am going to give my humble contribution to it.

I wholeheartedly support the Bill, because the proposed Bill speaks for itself. Therefore, Honourable Speaker, I should like to express my support of the Bill, by reciting a poem, *“Father of the Nation”*, from a poetry anthology on the life and times of our Founding Father, Comrade Sam Shafiishuna Nujoma.

This unique book pays a special tribute and homage to our Founding Father, and was published by Gamsberg McMillan Publishers in 2000, and officially launched by the founding President himself, on 17 June 2000, at the National Library.

Before I recite the poem, Honourable Speaker, Honourable Members, allow me to introduce the author of this special book. The author of the book entitled *“Profiles of a Hero”* is Petrus Haakskeen. He is a person with disability, left paralysed owing to a car accident in 1987, just after completing his matriculation, and he is now using a wheelchair.

Having worked together for a long time in the disability movement, I know him as a very courageous and a dynamic person, regardless of his circumstances, and I believe quite a number of Honourable Members in this august House know him very well.

Honourable Speaker, Honourable Members, the poem, 'Father of the Nation' by Petrus Haakskeen goes as follows:

*"Father of the Nation"*

*"Bravely our ancestral fathers fought; bravely the Witboois fought; bravely the Mahereros fought; bravely the Mandumes fought; bravely the Murengas fought; and so bravely many others fought. But it took Sam Nujoma a fight, the mother of all fights, to realise the vision and accomplish the mission, of the ancestral fighters.*

*"Bitterly our forefathers struggled; bitterly the Kutakos struggled; bitterly the Ipumbus struggled; bitterly the Garesebs struggled; bitterly the Stephanuses struggled. Yes, so bitterly many others struggled. But it took Sam Nujoma to harness all the struggles to take up arms, to mobilise the masses, and to endeavour to do battle for freedom and Independence. Vigorously our fathers opposed the system of apartheid, colonialism; vigorously the Maxuililis opposed; vigorously the Garoebs opposed; vigorously the Kozonguizis opposed; vigorously the Thlabanellos opposed; vigorously the Lubowskis opposed; vigorously the Tjongareros opposed; vigorously the Gobbs opposed; vigorously the Ghantis opposed; vigorously the Nanyembas opposed. Oh yes, very vigorously many others opposed. But most certainly it took Sam Nujoma to stand firm and spearhead: to never condone the manipulation by the suppressive system of the rotten regime.*

*"Now in unity and brotherhood, in peace and harmony, through reconciliation and nation-building, our free and Independent Namibia is led by the Founding Father of the Nation, Sam Shafiishuna Nujoma."*

With this, Honourable Speaker, Honourable Members, I will support this Bill and I will say, "Viva Nujoma and long live the Father of the Nation!"

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**HON SCHIMMING-CHASE:** Honourable Speaker, in all the five years I have been in Parliament, I have never felt as reluctant as I am feeling now to take the Floor on any Debate of a Bill. My reluctance, Honourable Speaker, stems from the fact that we are being put in a situation that whatever we say will be misconstrued in some quarters, as an attempt to

denigrate the contribution of the first President of the Republic, whereas nothing could be further from the truth. Reluctant further, because by its own nature, the Bill entitled 'Conferment of the Status of Founding Father of the Namibian Nation' *forces* us to discuss a person who is not in this House. That is, we are being forced to become personal. It is unfortunate, Mr Speaker, that the SWAPO Cabinet has chosen to force a discussion on the SWAPO President in this august House.

Mr Speaker, Sir, let me state from the onset that this Bill is untimely; it is divisive; it is undemocratic; and it is unfair.

Mr Speaker Sir, it is untimely, not only because its timing violates the Standing Orders of this House, as it was tabled, despite warnings to the contrary, after November 1<sup>st</sup>, the deadline for tabling new Legislation, but also, with undue haste, at a time when issues of *serious* national import should receive priority.

Mr Speaker, Sir, the Standing Rules and Orders, so to speak, the Constitution of this House, clearly stipulates, that new Bills tabled *after* the 1<sup>st</sup> of November shall only be allowed if it is a matter of urgency: in fact, a matter of national import. After you, Honourable Speaker, ruled that the Bill be tabled, we waited with great anticipation to hear the Motivation of the Bill by the Right Honourable Prime Minister. The least we expected to hear was an explanation regarding the urgency of the matter. In fact, we hoped that out of respect for this House, the Right Honourable Prime Minister would take us into his confidence, by motivating the urgency, indeed, the national import of this Bill. I was not here, as the Right Honourable Prime Minister said: I was not on holiday, I was working, but on my return I read and re-read and re-read the motivation to seek answers to these questions, but to no avail: not a *single* reference, not a minute attempt at explaining why this Bill is being tabled now.

Unfortunately, Mr Speaker, the motivational speech of the Right Honourable Prime Minister was nothing more than a repeat of History, as seen the by the SWAPO leadership. Whilst we may differ on whether all these accomplishments were the work of one individual or a collective (Intervention)

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**HON ANKAMA:** On a Point of Order. If the Honourable Member is trying to say that she does not understand the urgency of the Bill, I should like to tell her that now she has to understand that this Bill is very, very urgent, so urgent that we cannot wait at all. So, before the House adjourns, we should like to make sure that this Bill is passed. So, please understand the urgency of the matter.

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**HON SCHIMMING-CHASE:** Mr Speaker Sir, let the Honourable Member please be informed, that the Honourable Member who is speaking did not say that she did not understand the Bill. In fact, she said that the Right Honourable Prime Minister did not explain the importance of the Bill, and did not call upon the Honourable Member to explain what he could not explain. I thank you.

Mr Speaker Sir, whilst we may differ on whether all these accomplishments were the work of one individual or a collective, it is neither here nor there.....(Intervention)

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**HON DEPUTY MINISTER OF JUSTICE:** May I ask the Honourable Nora Schimming-Chase a question? Thank you, Honourable Speaker. I want to repeat my earlier question, which I posed to Honourable Ulenga, and I did not get an answer, and I should like to repeat the same question to the Honourable Member. The question is: is it true that the Young Turks in the CoD, led by Tjirera, have expressed a Vote of No-confidence in Honourable Ulenga, yourself, Tsudao Gurirab and Honourable Gertze? And the second question: is it true that the Young Turks, led by Tjirera, have declared a holy Jihad against the CoD because you have not been representing their interests, and they are going to oust you. Thank you very much, Honourable Speaker

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**HON SCHIMMING-CHASE:** I would like the honourable son of the proposed Father of the Nation to listen carefully. It is true that Tjirera made this statement because you insist that we should not quote newspapers, but I will quote it. It is also true that, to my knowledge, we do not have Muslims, so I do not know where the Jihad came from. It is further true, and for your information, that the Young Turks were so shocked that the SWAPO Young Turks are asking the Nation to name the President "Father of the Nation" that they wanted to do something to excite the Nation. They would not ask their fathers, because they have a vested interest, or their mothers, to be given that title. (Intervention)

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**MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING  
AND REHABILITATION:** Comrade Speaker, may I ask the Honourable Member a very tiny question, please? At the beginning of the establishment of CoD, the people were so excited that they were throwing the Namibia Dollars around, but apparently the CoD, after being established in that fashion, were not able to tell the

22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON SCHIMMING-CHASE**

Nation how many dollars were collected. Is that true?

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**HON SCHIMMING-CHASE:** Mr Speaker, within the last five years, it has become a disturbing habit of the Ruling Party that when they have nothing else to say, or they have not prepared a contribution to the Debate, they want to take away the attention of the Nation. I would ask the Honourable Minister to table a Motion in this House, to discuss the dollars that were carried by the CoD so that he can get his answers. Right now we are discussing a Bill, which wants to confer the status of '*Father of the Nation*', on the SWAPO President, and the SWAPO Members will be well advised to listen to what other people have to say. They have had their say, and at the end of the day they will even get their way by their numbers, but we will now have our say, and you can interrupt as much as you want: I will make my points.

Whilst we may differ on whether all these accomplishments were the work of one individual or a collective is neither here nor there, for the sake of those who are no longer with us, whose contribution is silent, like those sons and daughters whose last remains are being dug up today, whose identity, even after sixteen years, is still a mystery .....(Intervention)

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**HON MINISTER OF LANDS AND RESETTLEMENT:** May I ask my Honourable dear sister a small question or a big question, for that matter? Thank you. If one checks your CV, in how many political parties have you been, and also in the future, how many are you still going to join?

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**HON SCHIMMING-CHASE:** If you check my CV, it is just a few more than Sam Nujoma, but he also did it and he gave me the example. He was the 'founding father' of leaving political parties.

As I was saying, Mr Speaker, for the sake of those who are no longer with us, whose contribution is silent, like those sons and daughters whose last remains are being dug up today, whose identity even after sixteen years is still a mystery, whose dignity of a decent burial is still unfulfilled: we must be very careful in heaping accolades on individuals, whilst the majority are forgotten. To reduce their commitment and sacrifice, by stating as the Prime Minister stated .....(Intervention)



22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON SCHIMMING-CHASE**

**HON DEPUTY MINISTER OF HOME AFFAIRS:** On a Point of Information, Comrade Speaker. I should just like to give information which my senior sister is trying to hide from the Nation, although it is very clear in the Motivation of the Right Honourable Prime Minister, and I should like to quote:

*“In the then South West Africa, nationalism started with sending protest petitions to the United Nations. Chief Katjukururume Hosea Kutako, Kaptein Samuel Witbooi, Reverend Michael Scott, Reverend Theofelus Hamutumbangela and Comrade Andimba Toivo Ya Toivo were the earlier petitioners to the United Nations. Comrade Nujoma followed this strategy.”*

So, saying that others’ contributions are not recognised, is not true.

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**HON SCHIMMING-CHASE:** I have read the speech, as I said. Therefore, Mr. Speaker, to reduce their commitment and sacrifice, by stating as the Prime Minister stated: *“By honouring him, we are honouring all those who struggled for freedom and independence”* is reducing their commitment and sacrifice to a banality.

We today have people who languished in Robben Island, and are languishing in an Independent Namibia. We have Namibians who died in the liberation struggle, and their children are on the streets. They are not going to ‘eat’ this honour.

Mr Speaker, Sir, far be it for me to belittle the contributions of the first President of the Republic, but the inference made by the Right Honourable Prime Minister... (Interjection) What did you say? - the first President of the Republic who was also a member of SWANU when I joined SWANU. However, the inference made by the Right Honourable Prime Minister, that we *“as a society which does not honour its heroes is doomed to stagnation and decay”* implying very clearly that by not supporting the Bill, that is what we would be seen to be doing. Such a statement cannot go unchallenged.

Mr Speaker, this Nation and its representatives have honoured the first President of this Country, in countless ways. Allow me to mention but a few.

This Nation and its representatives, as represented in the Constituent Assembly, unanimously elected Dr Sam Shafiishuna Nujoma as the First President of this Country, a great honour bestowed upon him for what he did. He was honoured when the Constitution was changed to accord him a third term of office. It was an honour

22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON SCHIMMING-CHASE**

that was bestowed upon him for what he has done.

A further honour was bestowed upon him with a pension package that is the envy of many a Nation: in fact, a package that enables him to lead SWAPO actively, without financial constraints. He was honoured further when this House authorised millions of Namibia Dollars to tell his story in the film, "*Where Others Wavered*."

Mr Speaker, the honours continue:

For fifteen years street names, stadiums and other public places were named and are still being named after him, and we are not complaining: it is an honour deservedly bestowed.

The President: Mr Speaker, for fifteen years as Head of State was the Chancellor of the University of Namibia. That honour today has been conferred on the Founding President, not the Head of State.

For fifteen years, the Founding President's picture adorned the walls of all buildings. Cabinet honours him once again by deciding that his picture should remain: so much so, that some buildings today still display only his picture and *not* that of our present Head of State. (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On a Point of Order, Comrade Speaker. I want to ask my mother-in-law a question. Honourable Member.

Honourable Member, you mentioned the photo of the Founding President, on whom we are going to confer the title of 'Father of the Namibian Nation', which is still being found in offices. Have you anything to say about the photos of those who were in the Constituent Assembly? You find them there. When are you going to propose that those photos be removed?

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**HON SCHIMMING-CHASE:** In the first place, I did not propose that the photos should go. I am not proposing that they should go; I am saying it is an honour deservedly bestowed upon him. What are you complaining about? You cannot understand? What I am saying, Mr Speaker, which does not seem to be understood,

22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON SCHIMMING-CHASE**

Cabinet honoured him, by having his picture there. I do not object to it. What I am objecting to, and what I am *saddened* about, is that, in some government offices, that is the *only* picture that is there - not the incumbent President. That is what I object to.

(Interjections) It is true: go to the Ministry of Fisheries. *Mannetjie*, did you check the Ministry of Fisheries, as at last Friday? Check it out. Only one picture! Oh man, you are not a *Mannetjie*; Paul Kalenga is the *Mannetjie* in the picture - you are too short for that, sit. (Intervention)

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** On a Point of Order. I want to contribute ...

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**HON SCHIMMING-CHASE:** Do not talk with food in your mouth: it is rude.

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** Can the Member tell me what she is talking about, just to assist?

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**HON SPEAKER:** I did not get the Point of Order.

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** What is she talking about Fisheries...? (Interjection)

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**HON SCHIMMING-CHASE:** About your eating in Parliament. I am asking, how many more honours must be bestowed on one person? What honours are to remain for the incumbent and all those to follow in the future?

The question that arises here, the question that begs a serious answer: was our participation in and contribution to the struggle, an honourable commitment, a sacred

22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON SCHIMMING-CHASE**

duty freely given, or was it a life insurance? That question begs an answer.

Mr Speaker Sir, what we are asked to do today is the following: we are asked to confer the honour of 'Father of the Nation' on a person who not only is the President of one single party, but an active politician to boot.

I do not know what others think, but to me, fortunate as I am to have a 97 year-old father, a father loves all his children and treats all of them as fairly as possible. Today we are asked... (Intervention)

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**HON VILJOEN:** May I ask the Honourable Member a question? a maiden question, a first for me? Honourable Speaker, we are discussing this Bill: may I ask the Honourable Member a question? It is two questions. Do you not think that this Bill is an insult to the name of the Former President by passing a Bill to remember him? The second one is: why was it not necessary to pass a Bill to place the former South African President, Nelson Mandela, through Legislation in the hearts of the Nation? (Interjections)

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**HON SCHIMMING-CHASE:** The question is put to me. May I answer it? I will not decide for the people of South Africa, but for the people of Namibia, I believe, fatherhood is not legislated. Biologically, there is a certain Act; politically there is a certain understanding. You do not legislate fatherhood. It *is* denigrating to the stature of the Founding President that we have to talk about this today. If the people felt as we felt when he was the President, that he was the Father of the Nation, so do we feel today that Uncle Luke is the Father of the Nation: President Lukas Hifikepunye Pohamba. We are asked - as I said - today we are asked to confer the status of a father on a person who, in a partisan election campaign, will state to this Nation vote for this child but do not vote for that child; don't vote for that child; don't vote for that child. What father does that? This is a father who says, "*Give this child a job but do not give that child a job.*" What father is that?... (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On a Point of Order, Comrade Speaker: I rise on Point of Order that, honestly speaking, the

22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON SCHIMMING-CHASE**

Honourable Member - comes out clearly now: that they are against only because Comrade President never said vote for CoD. That is what they are against. Oh, sorry for that my (Intervention)

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**HON SCHIMMING-CHASE:** Mr Speaker, if I knew I would need a translation, I would really have taken care of it. At *no* point did I say the SWAPO President did not say, vote for CoD. In fact what I am saying is, by the nature of things he *will* say, "*Do not vote for CoD*". If he is the *father* of CoD or DTA or UDF or NUDO and SWAPO why should he say vote for SWAPO and not for NUDO? What father makes that type of apartheid amongst his children?

Mr Speaker, we are asked to confer on a person who had all the evidence regarding the people who, through corruption, have *stolen* the heritage of his other children, by omission and not by not publishing the Reports of the Commissions of Enquiry has enabled the corruption to continue. (Intervention)

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**HON DEPUTY MINISTER OF LANDS AND RESETTLEMENT:** On a Point of Information, Comrade Speaker: before Independence there was no other President of this country of this Nation. We had leaders but these leaders had different either tribal or ethnic groups to lead, and therefore, in my own understanding, although they contributed immensely to this Nation, their efforts were not uniform; they did it separately and therefore after Independence - and the Honourable Member even said it clearly - that the Constituent Assembly pointed to that same man. *Why?*

It is because the Nation has now started after Independence as a Namibian Nation, then therefore it is thus to correct, with all the other honours that the Founding President received? What is so peculiar with this one, and that is the reason I thought the Honourable Member and all of us, understand the notion of '*Father of the Nation*', because that is where the true Namibian Nation started. Therefore, it is just fine. Thank you, Comrade Speaker.

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**HON SCHIMMING-CHASE:** Thank you, Honourable Speaker, as an aside, the Lord's Prayer then should be changed to read, "*Our Father, who art in the SWAPO Head Quarters, hallowed be thy party. May we win every other election; may you*

22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON SCHIMMING-CHASE**

*decide who becomes who...*” (Interventions) I am not prepared to write that prayer. As I am saying, we are asked to confer a title, ‘*Father of a Nation*’ on a person who, by being an active politician and the President of SWAPO, would justifiably and correctly attack his political opponents as imperialists, capitalists, sell-outs, spies. Would a father do that to his children?

It is unfair, Mr Speaker, as I said; it is unjust, as I said; it is untimely, as I said. If a Founding Father (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Comrade Speaker, I rise on a Point of Order. Honourable Member has just mentioned, and gave comparisons asking how a Father of a Nation can be accorded to somebody who says that? The reason is that she wanted *everybody* to love the Father of the Nation but the Honourable Member must know that even God is not wanted by all People, yet we say He is the Creator. You must not forget that you are never going to find that you love him, because you already hate him. You hate Comrade Sam Nujoma; it will never change anything, I am now going to use this red book to quote Rule 70 for this thing to (Intervention)

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**HON SCHIMMING-CHASE:** Comrade Speaker, it is knowing people like the Honourable brother-in-law - it is because of knowing them that I started my contribution by stating that my reluctance stems from the fact that we are put in a situation that whatever we say will be misconstrued by some quarters. I am answering the question. (Intervention)

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**HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Honourable Members, I do agree with Honourable Schimming-Chase that the Founding Father of the Nation is not good as the Founding Father of the Nation because he is pointing a finger to the other people - to the CoD. I think that pointing finger started a long time ago when he started the struggle and until now where is he leading us. What happened after going home? The reason I ask is that pointing finger pointed at South Africa first and it was a pointing finger to the enemy. When you are an enemy, the finger will be pointing to you.

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22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON SCHIMMING-CHASE**

**HON SCHIMMING-CHASE:** Honourable Member, when the struggle started you were not around; so you cannot teach your grandmother to suck eggs. When the Honourable First President and myself were in SWANU, he did not wave a finger; do not come now. If you own something it is your right but do not disturb History.

As I said, Mr Speaker, I said this is why I started *knowing* the Honourable Ilonga's of this House: that is why I started by saying that my reluctance stems from the fact that we are being put in a situation where disorder is made order.

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**HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** I know that even you, in that time you were not born during the Mandume's time; you were not born in (Intervention)

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**HON SCHIMMING-CHASE:** Can you translate?

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**HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Mandume, Hosea Kutako and Others you were not born by then; you were not born by then; you joined the party after (Intervention)

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**HON SCHIMMING CHASE:** I think the Honourable Member has to show that she deservedly sits where she sits. I sat at the feet of Hosea Kutako: do not teach your grandmother to suck eggs. My reluctance, as I said, was because we were being put in a situation where all we say will be misconstrued in some quarters as an attempt to denigrate the contribution of the First President. It is happening.

Mr Speaker Sir, I said it is unfair; it is unjust; it is untimely. If the Founding President would not be politically active today, if he was above party politics, one may look at it from another angle. We are asked today to confer the status of 'Father as a Nation' on a person who may, in less than five years from now, be chosen by his party, to be a Presidential candidate in an election. What an unfair advantage do we already want to give to him? Mr Speaker, SWAPO, and only SWAPO, knows why

22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON SCHIMMING-CHASE**

they want their President to be the '*Father of the Nation*'.

SWAPO and only SWAPO knows why all the others mentioned by the Right Honourable Prime Minister - the Kutako's, the Witbooi's, the Hamutumbangala's, the Toivo's do not deserve this honour. Why do they not deserve this honour? SWAPO and only SWAPO may feel that all the honours bestowed on the Founding President are not enough. SWAPO, and only SWAPO, has the numerical power to decide that two pictures must hang on the walls. Therefore Mr Speaker, let SWAPO and only SWAPO (Intervention)

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**HON DEPUTY MINISTER OF JUSTICE:** The Honourable Member has spoken for a long time, without making a point. When is the Honourable Member going to make a point?

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**HON SPEAKER:** We cannot hear one another; I did not hear what the Point of Order was.

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**HON DEPUTY MINISTER OF JUSTICE:** On a Point of Order, I wanted to ask the Honourable Member: the question is that the Honourable Member has been speaking for quite a long time now without making a point. I am asking when is the Honourable Member going to make a point? Thank you, Honourable Speaker.

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**HON SCHIMMING-CHASE:** Mr Speaker, I am waiting for the Honourable Member, as a Member of Parliament in a democracy, to get up, and publicly announce that he has a vested interest, and to stay out of the Debate because we are not discussing my father; we are discussing his father, or did you read what the people of Namibia are saying in the newspapers? They are saying Sam Nujoma is Uutoni's father, not mine. (Intervention)

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22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON SCHIMMING-CHASE**

**HON RIRUAKO:** Honourable Speaker, I am not the kind of man who supports what is not right. Never! It is unethical for my son to defend me in Parliament, what is that? It is a conflict of interest; I cannot defend my father in Parliament.

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**HON SCHIMMING-CHASE:** Mr Speaker, I say therefore that SWAPO, and only SWAPO, with all with the power at its disposal, decided to confer the Honour of Father of the Nation on its President. As for us, with great respect and honour to the first President of this country, as demonstrated during the past fifteen years, allow us (Intervention)

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**HON DEPUTY MINISTER OF LANDS AND RESETTLEMENT:** On a Point of Order, Honourable Speaker, I should like to correct the Honourable Member. Honourable Nora Schimming-Chase, this Bill is not because the person was the President of SWAPO: no, it is not. The honour is given because the person was the President of this country for the Namibian Nation not (as you have repeatedly referred) to the President of SWAPO. It is not because of that. Thank you, Comrade Speaker.

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**HON SCHIMMING-CHASE:** Honourable Speaker, I am waiting with bated breath for the contribution of the Honourable Member, so that he can make his case; right now, I am making mine. I am saying, Mr Speaker, as for us with great respect and honour to the first President of this country, as demonstrated during the past fifteen years, allow us to keep on doing so but allow us also to honour the current Head of State.

As the saying goes, the people shall share. Let us share the honours to the many that also deserve it. In the interest of democracy, let us keep party politics and honours where they belong. We, Mr Speaker, do not support this Bill. I thank you.

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**HON SPEAKER:** Thank you Honourable Member. Honourable Gurirab.

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**HON GURIRAB:** Honourable Speaker, the Colleagues who spoke before me have sufficiently covered the ground, allow me to go through my notes, albeit only briefly. Honourable Speaker, the Bill before this House is to confer a title on the person of the Former President of our country. In motivating the Bill, the Right Honourable Prime Minister told us lastly what we already knew - that is, the central role the Former President Nujoma played in our Country's liberation struggle. There was, Honourable Speaker, little we could disagree with this account, which confirms the fact that the facts are uncontested in that regard. It is the leap and the link between that History and the particular Bill, which is the heart of contestation.

Honourable Speaker, this is, as those who spoke before me have already said, not the first time that this Honourable House comes to these crossroads. We were already here in 1998. In that case this House moved. The Bill that has been tabled here is essentially the same in tone and very (Intervention)

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**HON P MUSHELENGA:** On a Point of Order, Honourable Speaker, may I ask the Honourable Member a tiny question? Is it allowed, Honourable Speaker, for a speechwriter of a particular political party to write two speeches typed on a computer and one written with notes and distributed among Members whereas such content could have been contained in one speech?

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**HON SPEAKER:** Is it the current speaker on the floor who would qualify as a speechwriter and has distributed parts of it to other Members? Can Honourable Gurirab clarify the situation if he can?

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**HON GURIRAB:** Honourable Speaker, in 1998 this House was asked in essentially the same tone, and for the very same reasons, to make the first Amendment of our Constitution to confer a third term for Former President Nujoma. The Motivation in this House, for that occasion then, was as eloquent as the one to which we listened last week from the Right Honourable Prime Minister in the arguments made for the conferment of the title of '*Father of the Nation*'.

Honourable Speaker the general consensus, however, is that the third term turned out to be for the reasons not of State or for the general Public good. It is almost (Intervention)

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**HON ANKAMA:** Honourable Speaker, may I ask the Honourable Member a very small question, Honourable Member, I think you should tell us why you are referring to the third term scenario. Currently we are talking about conferring the title the '*Father of a Nation*'. Are you right or you...?

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**HON GURIRAB:** I shall be helpful, Honourable Speaker. What I am saying is that the arguments then were like the ones now: the arguments then were as eloquent as the ones we listened to last week but they are for spurious reasons.

Honourable Speaker, it is a generally held tenet of good legislative practice that Legislation intended to promote self or an individual can demonstrably serve no noble cause in the law-making practice. Honourable Speaker, we do stand in a similar situation as we did in 1998. This House blinked in 1998, but it is our belief that in the hindsight of the first action, this time around the House will not blink but rise to the occasion. Honourable Speaker, a Nation has built a sociological and a geographical construct, for good or bad: for better or worse, a Nation state is largely born of the contrast set by the teachers of South Africa. Today, those who call themselves Namibians, as well as others who have been excluded by the bond of colonial boundaries, have honoured the courageous and inspiring leadership, after this call for our dignity, sovereignty, our Independence and our Nationhood. That battle of this leadership passed on to former President Sam Nujoma.

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**HON SPEAKER:** The caucus, the DTA caucus was interfering with the (Intervention)

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**HON GURIRAB:** Honourable Speaker, Sam Nujoma's leadership, in the leadership of those who have gone before us, and I am saying that the pattern of that leadership has passed on to former President Sam Nujoma for the final stage of the long anti-colonial struggle and he, indeed, found a broader race to the finish and

22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON GURIRAB**

delivered our Nation on the 21<sup>st</sup> of March in the year 1990, the Founding Day of our Republic. Honourable Speaker, as others have already said, honours and accolades, particularly of this nature, are occupying some space in the events of the past - of History - and cannot and must not be manipulated for personal glorification, personal exaltation or consumption.

We must be able to rise above ourselves and leave space for our children and future generations to accord these honours. President Nujoma's place is safe in history, and we should desist from petty accents, which can only reduce a statesman to a common politician, clamouring for limelight and centre stage and centimetres in our newspapers. Already, Honourable Speaker, there is the risk that his active role in politics and what appears to be mostly for public space instead of the Head of State.

The former President risks reducing himself from a venerable Statesman to a common politician. It is against this background, Honourable Speaker, that, on behalf of my colleagues, I beg to submit that this Bill and the Tabling of this Bill at this time is not appropriate and that we should not be asked to consider this Bill. With those observations we will have problems in supporting the action being sought from this House. (Intervention)

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**HON RIRUAKO:** Mr Speaker, I am here to tell the truth and nothing else but the truth, so help me, God. I can appear before you with honesty and clear vision. We are not here to bury anyone; we are here to save and to honour him. There is practice being served but not to anyone of his own vision.

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**HON SPEAKER:** What is the Point of Order?

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On 15 November, the Chief has spoken on this Bill already. I marked it; at the same time he spoke on the Estate and Succession Bill. So, actually, he can be excused. No mercy.

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**HON SPEAKER:** Actually, the Deputy Speaker who presided on that occasion seems to agree with you but the Table here in front of me disputes this claim. I am

22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON RIRUAKO**

inclined to side with the Deputy Speaker unless convinced otherwise. (Intervention)

I am advised that the Chief spoke on 15 November, but not on the subject – it was on education-related matters.

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**RT HON PRIME MINISTER:** The Chief did not speak on this particular topic. He did not speak on this Bill.

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**HON RIRUAKO:** Do not be afraid of my honesty; I am not part of the corruption. I am sorry to say that. We are here to save this country and the honour: the honour is not given by any individuals but by the Nation as a whole. (Intervention) This is not your court to command; she must tell you what and on what issue.

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**HON DEPUTY MINISTER OF GENDER AND CHILD WELFARE:** Point of Order. Comrade Speaker, the People talk about the Rule; tomorrow they forgot the Rule. The Chief has already spoken; he has spoken while (Intervention)

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**HON SPEAKER:** You are Out of Order. Sit down.

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**HON RIRUAKO:** I have to tell the truth. The President has our respectful but we are here to save the Nation, including himself. To come up with the words ‘Father of the Nation’ is another issue. Why? He is the Founding President of this Nation: yes that is correct. I do not want him to be taught that you hide because of humility: that is not fair. However, we don’t want to compare him to Mobuto or the President of Zaire; no, let the record that can save him, be correct. We are not the defender of the President alone; we are here. Where are you when you stop serving him without his presence? I have to say that. We do not need to have any tutor to tell us what to say and when to say it and how to say it. (Interventions) This is a time for us to return to our loyalty to our Nation.

**HON DEPUTY MINISTER OF GENDER AND CHILD WELFARE:** I am very sorry to interrupt my senior Honourable Member; however, as a member of the young generation I would want to understand the intruders who are being mentioned by the Chief because I was not there when he was defending the President and I also want to know why they are not on the same footing this time.

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**HON RIRUAKO:** I do not need to explain very much. The first objective is to discuss the President: we cannot erase that from our minds. What happened is a reality; what happened here is a kind of Law that we can lean on from now onwards but not something quite bad that can act as camouflage.

The fact remains that the Founding President - it is better for him to remain the Founding President and when he wants to come back also – this is right; even then we can continue to call him the Founding President.

Therefore it is not for you to tell him – or to tell us – how we are supposed to protect him. No, we have our right to protect our Law and our loyalty to our country. That is what we have to bear in mind.

No one individual has the right to protect him: he is our President, not just yours alone. He belongs to the country as a whole. Whatever happened in-between is alright: bear in mind that he is the President of the Nation - not the SWAPO President alone.

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**HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Honourable former Chief, which is a good name for you? The reason I ask is that you are the second Herero chief. What is a good name for you because I understand your colleagues who are seated there (Interventions) Which title are you using now?

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**HON RIRUAKO:** I am *not* a former Chief: I *am* a chief. I am not worried about what they are saying: they are still my subjects – that I know. We are talking about the President, not about other Members of Parliament and for you to stand in my road: well, there you are wrong and you are going to be quoted in History: that HANSARD

will just destroy you. It is not for the public; it is for the People who stand for their rights. It is not for an individual to say righteously (Interventions) precious in this House: this House belongs to all of us, not for a particular individual who is choosing events and not to the Nation. The President is our President – to protect him. No one can protect him if others say and therefore a fine call here is the Founder President of the Nation. I do not want him to hide, as he did not have people to protect him. That is an insult to us - and our presence here. That is the way it is supposed to be. For one to say we are wrong History will tell and you will have to correct yourself. By then it will be too late for you to correct in front of us. I thank you.

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**HON SPEAKER:** Honourable Minister Mungunda.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Thank you, Comrade Speaker. Let me, first of all, congratulate the Right Honourable Prime Minister, the Deputy Prime Minister, and their entire staff. This Bill is not about him but about us. To make my point clear, this Bill involves much more than bestowing another honour on our former President. It involves issues such as our collective self-esteem, respect for our history, as well as our understanding of Nationhood and Nation-building. Talking about collective self-esteem, I would say that we do not sufficiently appreciate our collective achievements, and the individuals who were the driving force behind them. Dr Sam Nujoma is one of those individuals. (Intervention)

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**HON RIRUAKO:** Point of Order: I have to repeat this. We have our own esteem, as we stood firmly behind him before SWAPO was formed, and even after that, too, out of this hand. And you? What kind of esteem do you have? I thank you.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Thank you, former Chief. However, his primary role must be acknowledged because we must learn to acknowledge achievements; without learning to acknowledge outstanding achievements, this Nation will never progress. I am talking about

22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON MUNGUNDA**

learning because we *still* do not know: if we do not respect those who did great things for us, we do not respect ourselves.

The proposed Bill is a means through which we can begin to learn to appreciate excellence - excellence without which there is no moving forward. Connected with the above issue of respect for our History, Africans are often seen as having a lack in history, not only because the lack of recorded history but also owing to the insufficient respect for their own past. We hope that we do not want to contribute further to such Motions. However, the fact is that today, more than fifteen years into Independence we still do not have a comprehensive history of the twentieth century in Namibia. Comrade Sam Nujoma is one of the makers of our History and it is good that we at least have his biography and the film project about his life. However, that is not enough. We also need an objective, well-documented history of Namibia as a result of sound scientific research methodology. Namibia is young nation, and the process of nation-building is still ongoing.

Actually, we are latecomers, as far as nationhood is concerned, since many other nations became aware of themselves as nations several hundred years ago and today they may be in the process of abandoning their national sovereignties in favour of broader associations, such as the European Union, for example. For us, a sense of belonging to a Nation is important at this time as a way of overcoming the narrow confines of tribe and race and of acquiring broader identification and consciousness. For the majority of Namibians, Comrade Sam Nujoma *is* the Father of the Nation, because his struggle made it possible for us to overcome divisions of the apartheid past. That is how our nationhood started - with him.

For the vast majority of inhabitants of this country - those that we usually refer to as the disadvantaged ones - Dr Sam Nujoma is the Father of the emerging Namibian Nation, the Nation that is open to all, and treats all equally.

To conclude, I support this Bill because it contributes to our collective self-esteem and the respect of our History and it also establishes another national symbol, which is necessary in the nation-building process.

God bless the Founding President!

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**HON SPEAKER:** I thank you, Honourable Minister. Honourable Deputy Minister Kazenambo.

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22 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON KAZENAMBO**

**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT  
AND HOUSING AND REHABILITATION:**

Yes, thank you very much. Honourable Speaker, since it was not my intention to rise on this Bill (and it still is not going to be my intention to talk a great deal about it) I shall move the minute which is there to contribute what I ought to say.

I adjourn this discussion until tomorrow. Thank you very much.

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**HON SPEAKER:** There must be a bad connection between the equipment and the Deputy Minister. Even when he does not answer the floor, the equipment invites him to take the floor and I am guided by what the machine dictates. Since you insist upon a preference for taking the floor tomorrow afternoon, Deputy Minister, I want to oblige and do reserve a special place for you tomorrow and on that happy note, the House stands adjourned until tomorrow 14h30.

**HOUSE ADJOURNS AT 17:45 UNTIL TUESDAY 2005.11.23**

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBER  
WINDHOEK  
23 NOVEMBER 2005**

The Assembly met pursuant to the adjournment.

**HON SPEAKER:** Took the Chair and read Prayers and the Affirmation.

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**ANNOUNCEMENT BY THE SPEAKER**

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**HON SPEAKER:** Honourable Members, in terms of Article 6 of the Constitution of the SADC Parliamentary Forum, the National Assembly is required to elect Members to serve on the Forum.

The SADC Parliamentary Forum shall consist of the Presiding Officers and four representatives elected by each National Parliament, provided that in the electing of four representatives each National Parliament shall:

1. Ensure equitable representation of women and political parties that are represented in Parliament; and
2. Include the Chairperson of the National Women's Parliamentary Caucus.

The Members who, therefore, shall serve on the Forum are –

1. Honourable Theo-Ben Gurirab, the Speaker of the National Assembly;
  2. Honourable Lucia Basson as Chairperson of the National Women's Parliamentary Caucus;
  3. Honourable Tommy Nambahu;
  4. Honourable Loide Kasingo;
  5. Honourable Nora Schimming-Chase.
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23 November 2005

## **TABLING OF REPORTS**

**HON SPEAKER:** Any objection? Any petitions? Any Reports of Standing or Select Committees? Other Reports and Papers? Minister of Health and Social Services?

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** Mr Speaker, Sir, I lay upon the Table the Report from the Ministry of Health and Social Services entitled, "*Commemoration of International Year of Families, 2004.*"  
I so move.

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**HON SPEAKER:** Will the Honourable Minister table the Report? Any further Reports and Papers? None. Any Notices of Questions? Any Notices of Motions? Any Ministerial Statements? Honourable Mbumba?

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**HON MINISTER OF EDUCATION:** Honourable Speaker, I lay upon the Table our Report called "*Education and Training Sector Improvement Programme*" (ETSIP), Programme Document Phase 1 from 2006 to 2011.

I so move, Honourable Speaker.

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**HON SPEAKER:** Will the Honourable Minister table the Report? Any further Reports and Papers? None. Any Notices of Questions? Any Notices of Motions? Any Ministerial Statements? Honourable Mbumba?

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**HON MINISTER OF EDUCATION:** Honourable Speaker, Honourable Members of the National Assembly, on many occasions in this August House Members rose to question various issues in, and aspects of, our education system. Today I want to address the concerns of those Members who are always talking about education in terms of the lack of facilities, problems of admitting learners to Grade 1, the results in Grade 10, space for Grade 11 learners, and the Grade 12 results.

We are all parents, some of us even grandparents, and therefore most of the country's

23 November 2005

**MINISTERIAL STATEMENT  
HON MBUMBA**

concerns, and ours as their representatives, are about our children. All our actions and discussions should focus on attaining positive results in the education system and in improving our society for the betterment of the future of our children and country.

Education is a developmental process. We must remember that the education system cannot move far ahead of the development in the society. Namibia is currently undergoing the dramatic reform of its overall national development strategies.

Vision 2030 - which we are all familiar with - sets a very ambitious target that by 2030 Namibia should join the ranks of high-income countries, and afford all their citizens, children included, the quality of life that is comparable to that of the developed world.

With emphasis on enhancing quality of life for all, Vision 2030 calls for the intended rapid economic growth to be accompanied by equitable social development.

These goals are to be pursued within a broader strategic framework of transforming the economy into a managed-based economy. In practical terms, it means that the country needs skilled labour; citizens who can create their own jobs, build and care for their own houses, and are in both the physical and financial position to improve their living conditions.

Honourable Speaker, Honourable Members, over the last few years the education sector embarked on the arduous task of addressing deficiencies in our education and training sector system. You will all remember the 1999 Presidential Commission Report on Education, Culture and Training, the first and second National and Regional Assessment conducted by the Southern African Consortium on Monitoring Education Quality (SACMEQ 1 and 2), and more recently the study that the Ministry of Education did with the assistance of the World Bank, namely, "*Namibia Human Capital Development for Economic Growth with Equity*." This study was initiated by the Right Honourable Nahas Angula, Prime Minister now, then Minister of Higher Education, Training and Employment Creation.

The study was conducted through a consultative and participatory process which included three national consultative forums. The findings of the study are one of the key building blocks in the design of our strategic plan, Vision 2030.

This road map, or strategic plan, was developed by a task force comprising representatives from the former Ministry of Higher Education, Training and Employment Creation, the former Ministry of Basic Education, Sport and Culture, the

23 November 2005

**MINISTERIAL STATEMENT  
HON MBUMBA**

Ministry of Gender Equality and Child Welfare, the National Planning Commission, the Ministry of Finance and the Ministry of Information and Broadcasting.

Honourable Speaker, Honourable Members, this strategic plan is known and it is called, "*The Education and Training Sector Improvement Programme*", (ETSIP).

In the words of my predecessor, the Right Honourable Prime Minister, Nahas Angula: "*ETSIP is the future of Namibia. Namibia's future will depend on the development of a cadre of knowledge workers. This is the best way to fight poverty, skewed income distribution and unemployment.*"

The activities in the Ministry over the last year to develop this strategic plan should be an indication to you all that we are tuned in to the needs of the sector and the country and that we are taking your concerns to heart. The strategic plan for the fifteen year's improvement programme in education was developed through a transparent and participative process, providing opportunities to development partners and various stakeholders to comment and contribute. It was presented to national and international development partners during a round table meeting in March this year.

The development of ETSIP is nearly completed. Working groups deliberated on the strategic plan and developed detailed sub-programmes which have been costed.

The programme document was produced and has been tabled. Currently, the five-year plans for the first phase of ETSIP are being finalized and the annual work plans for the first year are under development.

Also under development are the procurement plans and the implementation plans. This document details what should be done by whom and sets deadlines for achievements.

Never before did Namibia have such a detailed, complex and broad-based plan of action for our education and training sector system. That plan, therefore, deserves the support of all the leaders in this House.

Plans for the immediate future include;

- 1) a fundraising round table meeting, which will be organized in collaboration with UNDP and the World Bank;
- 2) a pre-appraisal and appraisal of the programme and the implementation

23 November 2005

**MINISTERIAL STATEMENT  
HON MBUMBA**

thereafter of ETSIP.

A National Conference on Education is planned for the first half of next year. This conference emanates from the recent Cabinet Retreat and is intended to involve participants from all sectors of society, including our national and international development partners, in order to ensure ownership and a shared vision and understanding of the programme.

I have mentioned that all of us are concerned with the issue of the results of Grade 10 and the places in Grade 11. I have the following information to provide:

In our calculations, there are regions that will not experience a large number of students who cannot find places in Grade 11, provided their marks are up to par. These are the Caprivi Region, the Hardap Region, the Karas Region, the Omaheke Region and Otjozondjupa Region.

The following regions need some support:

***Omusati Education Region:*** We are busy renovating and upgrading Ashipala Senior Secondary School. We are also expanding the following hostels at Etalaleko and David Tsheehama Secondary Schools.

Also, although Amulenge Junior Secondary School is a private religious school, we are helping each other to make sure that it also expands its facilities to accommodate the numbers. Once that is done, we hope we will be able to cope with Grade 11 learners.

***Khomas Education Region:*** Because all of us have the tendency to transfer our children from our regions to Khomas, which means to Windhoek, there we have to expand facilities at Tura Project School between Khomasdal and Katutura, and that will require a million dollars of your money to facilitate accommodating the Grade 11's.

Also, Groot Aub Junior Secondary School needs to be upgraded to a Senior Secondary School. That is the only way to ensure that all learners who pass Grade 10 will be accommodated in Grade 11.

***Ohangwena Education Region:*** There we need to upgrade the following Junior Secondary Schools:

23 November 2005

**MINISTERIAL STATEMENT  
HON MBUMBA**

Oshitua Junior Secondary School in Endola Circuit and Oshikunde Combined School in the Ohakushiya Circuit. They will need in total eight additional teachers, four for each school, and they need around N\$827 000 to make those improvements.

***Oshikoto Education Region:*** We have to expand or add classes to the following schools: Uukule Senior Secondary School; Nehale Senior Secondary School; Etosha Senior Secondary School; Oshikoto Senior Secondary School and Tsumeb Senior Secondary School. The requirement is N\$965 000 to accomplish that.

***Erongo Education Region:*** We will manage without additional facilities provided all schools accommodate learners from different districts within the Erongo Region.

***Kunene Education Region:*** We need to upgrade two combined schools and these are Ehas Amgab and Okanguati Combined School. Once we upgrade that, then we will be able to accommodate all the Grade 11 learners.

I already said that Otjozondjupa will manage.

***Oshana Education Region:*** We have to upgrade the Erundu Combined School to a full Senior Secondary School.

Those are the challenges. We continue to be prepared. However, we need your support as parents, grandparents and leaders of this Nation.

Honourable Speaker, ETSIP, once implemented as envisaged, will enable the education and training sector to meet the skilled labour and knowledge needs of the Namibian society and its economy. Equally, ETSIP is expected to make a significant contribution towards the redress of Namibia's lingering and intolerable social inequity. ETSIP is a comprehensive and fully integrated plan that addresses our obligations as a Nation to attain the Education for All goals and the Millennium Development Goals of the United Nations.

The Ministry of Education is proud to share a copy of the programme document with you, which is already tabled. As you read this document you will appreciate the sheer magnitude and diversity of the task ahead of us. We will be addressing many of your concerns raised over the last couple of months and we will be addressing many issues not raised in this August House. These involve, *inter alia*, the expansion of opportunities for high quality Senior Secondary Education, which include schools of excellence and expansion of opportunities for high quality and market responsive vocational education and training.

23 November 2005

**MINISTERIAL STATEMENT  
HON MBUMBA**

Honourable Speaker, Honourable Members, it should however be noted that for ETSIP to deliver on Namibia's expectation, Government would need to sustain, and even improve, on its already high investment in the education and training sector.

After costing of ETSIP was completed, it emerged that a substantial financial gap exists between Government and our existing development partners' current investment and the financial resources required to effectively implement this programme. As a Nation we should do everything possible, in our power, by knocking at every door of our old and new friends. All partners should generate the financial, technical and material resources needed to implement this plan. We shall need funds, expertise, technical support, equipment and books from individuals, from companies, from parastatals and even from multi-national corporations.

With this intervention, Honourable Speaker, I would like to use this opportunity to share the ETSIP Programme Document for 2006 – 2011 with the Honourable Members. This will enable us all during our holiday recess not only to talk about education, but to own it by sharing, reading and funding it, and to be united in the goal to educate our Nation as a whole, and to realize our plan for a learned Nation.

Honourable Members, with this strategic plan in your hands, we know that you will join us in the Ministry of Education on this journey and that your support will enable us to succeed in our endeavours. I thank you, Honourable Speaker.

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**HON SPEAKER:** I thank the Minister for the very important statement of public interest, I believe. We shall now turn to the Order Paper for the Day. The Notice of a Motion is the one by the Right Honourable Prime Minister. Does the Right Honourable Prime Minister move the Motion?

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**RT HON PRIME MINISTER:** I so move.

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

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**RT HON PRIME MINISTER:** Thank you, Honourable Comrade Speaker. In terms of Article 112(3) of the Constitution of the Republic of Namibia, the “*Public Service Commission shall consist of a Chairperson and no fewer than three and no more than six other members nominated by the President and appointed by the National Assembly by resolution.*”

At present the position of the Chairperson of the Commission is vacant. In that connection, His Excellency President Pohamba, following careful consideration, has decided to nominate Ambassador Eddie Shimwetheleni Amkongo as Chairperson of the Public Service Commission, in keeping with the provision of Article 112(3) of the Constitution.

In order to provide the Honourable Members of this August House with relevant background information on Mr Amkongo, I have distributed copies of the nominee’s curriculum vitae to all of you yesterday.

It is therefore my hope that all the Honourable Members have had a chance to go through his curriculum vitae. However, for the benefit of those who might not have had a chance to through these documents, I should mention that Ambassador Amkongo is a well-known, sober-minded and experienced public servant and diplomat, who will no doubt bring in very welcomed perspective to the Public Service Commission. He is currently serving as Ambassador of the Republic of Namibia to the Democratic Republic of Congo.

In addition, Ambassador Amkongo has had an illustrious Public Service career, first as Secretary to the President from 1990 to 1994, and as Secretary to Cabinet and Head of Public Service from 1994 to 1996. He is thus no stranger to the Public Service arena, and he will bring a wealth of experience and expertise to the work of the Commission.

Furthermore, in keeping with the provision of Article 112(3), His Excellency President Pohamba has nominated Mrs. Mabella Cupido for re-appointment as a Member of the Public Service Commission.

In the light of these brief comments, I have the honour to request this August House to appoint by resolution Mr Amkongo as Chairperson and to appoint Mrs Cupido as member of the Public Service Commission, respectively. I thank you for your attention.

23 November 2005

**HON SPEAKER:** I thank the Prime Minister. Any further discussion? Does the Right Honourable Prime Minister wish to say something? Silence is consent.

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**RT HON PRIME MINISTER:** I would like to thank the Honourable Members for the confidence they showed in the two candidates proposed by the President. Thank you.

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**HON SPEAKER:** I now put the Question that the Motion be adopted. Any objections? None. Then it is agreed to. The Secretary will read the first Order of the Day.

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**RESUMPTION OF DEBATE ON THE PLIGHT OF OUR SENIOR CITIZENS  
AND TO INCREASE THE OLD-AGE PENSION TO N\$500.00 PER MONTH**

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**HON SPEAKER:** When this Debate was adjourned Wednesday, 19 October 2005, the Question before the Assembly was a Motion by the Honourable Kaura. Honourable Kaura deferred the Debate to today and he now has the floor.

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**HON KAURA:** Thank you very much, Honourable Speaker, Honourable Members. I would like to thank all those Honourable Members who contributed to this Motion. That in itself is an illustration that we care about our senior citizens.

It is not a curse to be a senior citizen, it is a blessing. With the diminishing life expectancy going down to 38 for men, and 43 for women, there might not be any need to pay old-age pension in the future because the majority of our citizens will be below 60 years of age, unless a cure is found for HIV/AIDS in the near future.

Many of our young people who are in schools today might not need old-age pension, because by the time they reach 60 years of age they will have accumulated enough pension from their workplace, making the receiving of old-age pension from the State not necessary.

23 November 2005

**REPLY-INCREASE OF OLD-AGE PENSIONS  
HON KAURA**

Honourable Speaker, the people have finally spoken in their hundreds. They were listening carefully and I hope Honourable Minister Marlene Mungunda will apprise herself of Article 95(f) of the Namibian Constitution. *“The senior citizens are entitled to a pension, not a grant”*.

**Honourable Nora Schimming-Chase** did her best to educate Honourable Mungunda on the Namibian Constitution - fifteen years after Independence. It was clear on October 26, 2005, that the water of senior citizens is paid for by themselves and there is no exemption. Honourable Minister Mungunda was ill-informed about the benefits enjoyed by senior citizens and it is imperative that she informs herself before she embarrasses herself in public.

Honourable Speaker, based on the positive reaction of **Minister !Naruseb** on October 26, 2005, I am convinced that the plight of our senior citizens who are demanding N\$700 per month is in good hands and the Minister and Cabinet will come up with a positive decision on this issue.

I thank all the Colleagues who supported this Motion and I hope the Motion will enjoy the empathy of the whole House.

Honourable Speaker, I am tabling an amendment to this Motion and I start as follows:

I give Notice that, after broad consultation with the Right Honourable Prime Minister, I would like to amend the Motion to read as follows:

I shall ask this Honourable House to discuss as a matter of extreme urgency the plight of our senior citizens who are taking care of so many orphans due to the scourge of AIDS and urge the Government to constantly review old-age pension with the view to improve on it in the foreseeable future.

I thank you.

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**HON SPEAKER:** Thank you. Honourable Member, please table the Amendment. Any objection to the Amendment? I now put the Question that the Motion, as amended, be adopted. Are there any objections? Agreed to. The Secretary will read the Second Order of the Day.

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23 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON KAZENAMBO**

**RESUMPTION OF DEBATE ON SECOND READING – CONFERMENT OF  
STATUS OF ‘FOUNDING FATHER OF THE NAMIBIAN NATION’ BILL  
[B.14-2005]**

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**HON SPEAKER:** When this Debate was adjourned yesterday, 22<sup>nd</sup> November 2005, the Question before the Assembly was a Motion by the Right Honourable Prime Minister that the Bill be now read a Second Time. The Honourable Deputy Minister of Regional and Local Government, Housing and Rural Development adjourned the Debate and I now give him the floor.

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT:** Honourable Speaker, Honourable Members, it was initially not my intention to take part in this Debate concerning the Bill proposing conferment of the status of Founding ...(Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** On a Point of Order. We are making history and I just want to confirm what I said yesterday, that the Honourable Chief has spoken on the 15<sup>th</sup>.

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**HON SPEAKER:** We will get to that. There is no need to interrupt the Honourable fellow Comrade. Deputy Minister, continue.

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT,  
HOUSING AND RURAL DEVELOPMENT:** Thank you very much. It was initially not my intention to take part in this Debate concerning the Bill proposing conferment of the status of Founding Father of the Namibian Nation on the Founding President of the Republic of Namibia, Comrade Sam Nujoma, as I thought it was a straightforward issue which would not generate comments such as those ones made by some Honourable Members of this august House so far.

However, after listening to the various contributions made so far, both my political conscience and historical background compel me to share my understanding of this important Bill.

Honourable Speaker, Honourable Members, my perspective and understanding of this Bill are grounded on the interpretation of two words, “*father*” and “*nation*”, and as to how they relate to the Founding President, Sam Nujoma, on historical terms.

Firstly, the Little Oxford English Dictionary defines the word “father” as meaning “1. *a male parent*; 2. *an important figure in the early history of something*; 3. *literally a male ancestor*; and (4) *a priest*.” And, secondly, the word “nation” is defined by the Little Oxford English Dictionary again as meaning “*a large group of people sharing the same language, culture or history and inhabiting a particular territory*.”

Honourable Speaker, Honourable Members, it is clear that going by the above-mentioned definitions, it is correct for me to ground my arguments on the facts surrounding this Debate from my historical point of view or perspective.

I believe that in historical terms, the pivotal role which the Founding President, Dr. Sam Nujoma, had played in the formative stage of the founding of an independent Namibia, undoubtedly qualifies him to be conferred with the status of ‘*Father of the Nation*’, due to reasons which I am about to elaborate on and in addition to those stated by the Right Honourable Prime Minister, Nahas Angula, and other previous speakers who have eloquently spoken in support of this Bill before me.

As we may all recall, before the attainment of our Independence in 1990, Namibia was a Nation without a nation state, with no common national identity. By then, during that dark era, in the historical development of our national society, some of us were languishing in exile, either as refugees, guerrilla fighters, students, etcetera, given refuge by people of goodwill in foreign countries, under the spirit of international solidarity and humanitarianism. It was under that situation of statelessness, caused by having been forced into exile of which some of us, like me, were born in exile.

This shows that the historical situation with relation to the formation and existence of a free, normal nation state, such as the one we currently have in our country at the moment - as is also the case in many other free nations around the world - was non-existent before the birth of our Nation as a sovereign state in 1990 under the leadership of the Founding President, Dr. Sam Nujoma.

Honourable Speaker, Honourable Members, the truth and only truth is that before 1990 our Country was referred to with any type of references by our successive colonizers, who referred to our Country first as German South-West Africa, to South-West Africa, to South-West Africa/Namibia, amongst many other funny names. During that historical era, before the dawn of independence, our colonisers were referring to us as Bantus, kaffers, little kaffers, terrorists, and the majority of the citizens of this country were confined to live in what we referred to as Bantustans, which were then known as Damaraland, Hereroland, Bushmanland, Ovamboland, etc.

Fortunately, Namibia has made a transition from that past situation into the prevailing one which we now have, and it needs to be recognized that there was a torch-bearer who steered and drove the process which led to the birth of the current situation. However, with this I do not in any way suggest that there were, or there are, no other Namibians who played an important role during our liberation struggle or during the early formative stage of our nation state. Only the cynics may argue that way, as it is a historical fact that in any given generation of leaders there will be a torch-bearer who will carry the torch of freedom from one generation to the next.

In my view, Kaptein Hendrik Witbooi stands as a distinguishable torch-bearer of our struggle for freedom, and this does not suggest that his role negates the great contribution such as those made by our heroes and heroines of this generation, such as our first African guerrilla fighter, Jacob Morenga, and our other leaders, such as Mandume ya Ndemufayo, Nicodemus Kahimemua, Ipumbu ya Shilongo and Nehale ya Mpingana - just to mention but a few.

Again, in my view, Chief Hosea Katjukurume Kutako was another torch-bearer of our freedom from the generation of his time, and this does not in any way negate the important historical role which our traditional leaders and Church leaders, such as Chief Goraseb and Reverend Hamtumbangela have played during that time.

The tracing of the political history of Namibia tells me that Dr. Sam Nujoma was one of those young Namibians who were identified by our revered Chief Hosea Katjukurume Kutako to petition the United Nations in the search for Namibia's independence. From the books of history, story-telling or oral history, I was told that some of those youths who were identified and sent abroad to carry the liberation struggle for independence of our Country, wavered, returned home and did something in violation of the mission which was given by Kutako. Apparently they ran back home, after the death of the late Katjukurume and some are now sitting in this august House. The rest is history. I do not need to elaborate.

Moreover, be that as it may, the history books and oral history tell us that Nujoma remained abroad and carried the mission of the old man and the struggling Namibian people to its logical conclusion with the deliverance of Independence in 1990.

As I have already said, Nujoma was not alone in this mission; he was with others, some who came back and some who fought at various fronts, here at home and abroad. But the truth and only truth is that President Nujoma has emerged to be the President of the Republic of Namibia, and therefore the Founding Father of our free and independent Nation.

Nonetheless, here I am not referring to a biological father in the true sense of the word, but I am referring to the Founding Father of our independent Namibia as a free nation state among the free nation states of the world. I am referring to the Founding President Nujoma who politically and historically fathered a one Namibian Nation, with a nation state constituted of a people sharing a common national identity as a free people, belonging to one nation, and sharing a common destiny.

In conclusion, Honourable Speaker, Honourable Members, as we always like to compare ourselves to other nations or people, please allow me to state here that what we are doing here with this Bill is not peculiar only to Namibia, but it is also the case in relation to other nations. In conferring this status we are not negating history or the contribution of other brave sons and daughters of the soil, but in fact we are re-affirming that history for the current and the future generation.

To mention a few examples: The United States of America has invested considerable time and resources in exalting the person of George Washington. Likewise, the French have done the same for the personality of De Gaulle. The British are doing the same for Churchill, so, the Americans for Simon Bolivar, the Chinese for Mao Tse Tung, and countless many other examples.

Even the City Council of Singapore, in order to preserve their continuity, created a specific position of Senior Minister for their founding prime minister, Right Honourable Lee Lwa Nyung, to preserve their policy continuity, and as a way of honouring him. We did not choose to do that, but we chose our own Namibian way as everyone has a way of doing their things. Therefore, the way we are doing this does not say that we are right or wrong, because every country has a way in which it conducts their national business and preserve their history. Only those who lack self-confidence are unable to chart their independent path. As for those who now wish to reopen certain issues, like the third term and the hanging of photos, I only have to say,

23 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON KAWANA**

Ladies and Gentlemen, Honourable Members, wake up and smell the coffee. We have made a peaceful transition from the Founding President of the Republic of Namibia, Sam Nujoma, to the current leadership of Comrade Pohamba.

I thank you and I support the Bill.

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**HON SPEAKER:** Thank you, Deputy Minister, and I now give the floor to Honourable Kawana.

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**HON MINISTER OF PRESIDENTIAL AFFAIRS:** Thank you, Comrade Speaker. Honourable Comrade Speaker, I rise to support the conferment of 'Founding Father of the Namibian Nation Bill' that is before this august House.

Likewise it was not my intention to contribute to the Debate on the Bill, but after listening to the tone of the Debate, I have no choice but to add my voice.

First and foremost, allow me, Comrade Speaker, to congratulate the Right Honourable Prime Minister, Comrade Nahas Angula, for tabling this very important Bill. As a democrat I respect the views of the Honourable Members who have contrary opinions.

In the past our forefathers stood together during the struggle to overcome slavery and foreign occupation. We, the Namibian generation of today, fought together on various battle fronts in order to overthrow the evil system of apartheid colonialism which de-humanized, oppressed and exploited our people.

On issues of national interest we must remain united in claiming our right as a sovereign State in our search for a just world. We must continue to strive to do that to achieve sustainable economic and social development for all our people.  
(Interjection)

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**HON SPEAKER:** I was just about to call for the adjournment, but my dear friend, Honourable Schimming-Chase rose and is now wasting time. We should rise for refreshments.

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23 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON KAWANA**

**HOUSE ADJOURNS AT 15:45**

**HOUSE RESUMES PURSUANT TO ADJOURNMENT AT 16:00**

**HON SPEAKER:** Honourable Minister of Presidential Affairs, you may continue.

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**HON MINISTER OF PRESIDENTIAL AFFAIRS:** Comrade Speaker, I was saying that we must continue to strive together to achieve sustainable economic and social development for all of our people.

Honourable Comrade Speaker, Namibia deserves strong, caring and accountable leadership in order to overcome the daunting challenges of the 21<sup>st</sup> century. I believe that we have such leadership in our country. Having achieved political freedom, we should work hard to achieve our second liberation, namely, economic emancipation.

We must defend human rights and civil liberties and actively promote our citizens' social and economic development. In my view, these are some of the basic tenets of good governance that Namibia has achieved through the leadership of the Founding President. Therefore, according to my understanding, the Bill before this August House should not be regarded as honouring one individual. This Bill signifies the success story of Namibia and the collective leadership of the SWAPO Party. It signifies the success story of the leadership of all the political parties in our country.

It signifies the success story of all former Prime Ministers, namely, the founding Prime Minister, Comrade Dr Hage Geingob (MP), and you, Comrade Speaker Dr Theo-Ben Gurirab (MP), as well as all those who were, at one point or another, Members of our Cabinet, Members of our Legislature, Members of our Judiciary, Members of our Civil Service, the labour movement, and the private sector. It signifies the success story of all our traditional leaders, all our Church leaders and all our community leaders. Above all, it signifies the success story of the Namibian Nation, the citizens of Namibia, both black and white, men and women. It is for this reason that no single political party or individual should claim credit for or against the Bill. This Bill does not belong to a political party nor does it belong to an individual.

Honourable Speaker, the cooperation of other leaders, political parties, traditional leaders, Church leaders, community leaders, our elders, our youth, the labour movements, employers, in short, every citizen of this country contributed to the legacy that is referred to as the Sam Nujoma legacy. It is, therefore, our success that we are recognizing through this Bill - all of us.

23 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON KAURA**

It must be remembered that the Founding President received honours from all over the world, from virtually all the continents of the globe. When receiving the honours the Founding President always said that he accepted the honours on behalf of the Namibian Nation. It is not possible for a Head of State to succeed alone in a democracy without the support of the Nation.

Namibia's success story, in a continent that is replete with civil strife, mismanagement, corruption, starvation and disease, should be jealously guarded. This is the legacy, the success story that we should bequeath to the future generation of our country. I believe that we are the mirrors through which our country is perceived. We should therefore, all of us, regardless of political differences, work hard to maintain a positive image of Namibia, and indeed of Africa, in the eyes of the world.

The Founding President is a remarkable person, a hero who contributed so much to the success story of Namibia. He had a remarkable team. To all I say, I salute you. With these few words, I support the Bill, and I thank you.

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**HON SPEAKER:** I thank the Minister. And I give the floor to Honourable Kaura.

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**HON KAURA:** Thank you very much, Honourable Speaker. Honourable Speaker, fellow Parliamentarians, I fail to comprehend why it is necessary to confer this status by way of a Bill on Former President Nujoma. What will ever diminish the status and contributions of President Nujoma in the annals of Namibian history? President Nujoma is our George Washington, Kwame Nkrumah, Julius Nyerere, Jomo Kenyatta, and so on. History will never forget them as long as humanity continues to occupy this earth.

Honourable Speaker, Julius Caesar was killed 46 years before the birth of Christ, that is 2051 years ago, yet when Honourable Ulenga was quoting Shakespeare yesterday in relation to Julius Caesar one feels as if Julius Caesar died yesterday.

President Nujoma was not born with a silver spoon in his mouth. He hails from humble beginnings, yet he has carved his footprints indelibly into the rock of time. Let us not do anything to diminish that.

23 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON KAURA**

The conferment of the status of Father of the Nation, to me and my colleagues, is superfluous. It is an anomaly to name a street after someone who is still living because you do not know what kind of transgressions he can make in the future. Therefore, street names are normally given posthumously because you are absolutely certain that that individual will never commit any transgression.

It is abnormal and unethical to name streets after young people, such as Brave Tjizera, Kaire Mbuende and Frankie Fredericks. Can you imagine what will happen if, what happened to the South African Vice President, Jacob Zuma, happens to one of them? Those municipalities will be forced to tear those names down with a speed.

President Nujoma is a Namibian hero and nothing will take that away from him. Let us keep it that way. President Nujoma is still active politically as President of SWAPO. He can become a presidential candidate in 2009. Would it be fair to attack the Father of the Nation on a political platform and point out his shortcomings - which he has as a human being? The mere fact that he continues to be the SWAPO President, instead of surrendering that to his chosen successor, is a shortcoming that is pointing a finger at him. It is an anomaly for the President of the Republic to be subordinate to the President of his party. That in itself is divulging serious shortcomings in the character of our Former President Nujoma.

It declares a subterranean vote of no confidence in the President of the Republic, and that is not nice.

Fellow Parliamentarians in the Ruling party, please correct these abnormalities. These discernable abnormalities are the reasons why we in the opposition will remain hesitant to confer the requested status of Father of the Nation.

I would like the Right Honourable Prime Minister to tell us on who among the following such status was conferred on:

1. George Washington (USA)
2. Mao Tse Tung (CHINA)
3. Ben Bella (ALGERIA)
4. Julius Nyerere (TANZANIA)
5. Jomo Kenyatta (KENYA)
6. David Ben Gurion (ISRAEL)
7. Konrad Adenauer (FEDERAL REPUBLIC OF GERMANY)

23 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON KUUGONGELWA-AMADHILA**

Perhaps such examples can help if such status was conferred on them either alive or posthumously. In the meantime, we shall reserve our right not to support such conferment.

Thank you very much.

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**HON SPEAKER:** I thank the Honourable Member. Honourable Minister of Finance?

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**HON MINISTER OF FINANCE:** Thank you, Honourable Speaker. I will make a very short contribution to the Debate on the Table.

I must say, Honourable Speaker, that when this Bill was laid on the Table of this Honourable House by the Prime Minister, I, like my Colleague, Honourable Ncube, felt we would have unanimous approval with very little discussions, as the issue addressed in the Bill is straightforward and uncontroversial and the facts around it so undisputable. As it turned out, however, I was mistaken, for this Bill, like so many others before it, could not escape the partisan Debate that has unfortunately become a common feature of the discussions in this House.

Those Members who have voiced their opposition to the passage of the Bill have gone to all pains to try and convince the Nation that their opposition to the Bill does not arise out of a failure to recognize and acknowledge the tremendous contributions of Namibia's Founding President to the national liberation struggle and the building of our Nation.

Yet the Honourable Members went on to warn of possible serious divisions not only in the House, but also amongst the general public over the issue. But why should we be divided over the issue of honouring someone we all believe is deserving of such an honour? I listened very carefully to the arguments put forth to oppose the Bill. In one argument it came out clear that some Members, while finding themselves unable to refute the facts of the visionary leadership, bravery, persistence and personal sacrifices that characterized the life of Doctor Nujoma, they seem to have difficulties to formally recognize someone who is a Member of a Party that is not only different from theirs, but one that they have had to act in confrontation with in the past.

It is true that Doctor Nujoma is not only the President, but the Founding President of the SWAPO Party. But, it is important to recognise that even while serving as

23 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON KUUGONGELWA-AMADHILA**

President for SWAPO as a liberation movement Doctor Nujoma has never been short of being a national leader as his actions have always been aimed at promoting the interest of all Namibians. SWAPO itself was established to secure the freedom of all people across the entire country of Namibia and did not aim to promote the interest of only some of our citizens. That is why when freedom was secured, the protections under the laws were extended to all Namibians, even those who acted against the interest of other Namibians prior to independence. That is why SWAPO, of its own volition and without any pressure from anywhere, extended a hand of reconciliation to others from the opposing political parties so that Namibia could heal its wounds and proceed to consolidate its freedom and promote the welfare of its people in an environment of peace and tranquillity.

In addition this House needs to rise above partisanism and address important national issues in an objective manner. All of us in this House belong to one party or another as do our citizens out there, or so I hope. We should, however, not promote a situation where issues are considered on the basis of the political affiliation of a person concerned. That Doctor Nujoma is SWAPO's Party President cannot be a disqualification for his getting the conferment that is proposed in the Bill on the Table. In any case, SWAPO has played a role in our National liberation struggle that no one can deny; even the political adversaries of SWAPO cannot deny that. So why should a deserving citizen of this country be denied his due recognition because of his occupation of the position of SWAPO's President?

The fear that the SWAPO Party can gain political mileage cannot be an acceptable explanation. The SWAPO Party had won every election in this country since independence and with an overwhelming majority, for that matter. That was because the Party had been able to convince the electorate to renew its mandate and it had been able to do so by performing well as a government. We are very much aware of the fact that that is the only criteria by which the ability of a party to handle governmental affairs will be judged and the only basis upon which a mandate to manage the affairs of the government will be granted.

It is interesting that, while some of our colleagues have made great efforts to convince the public that they do not consider Doctor Nujoma to be undeserving of the honour of the Namibian Nation, they have attempted to direct negative remarks at him that no doubt seek to belittle his contribution to nation building and the consolidation of our young democracy.

I have no doubt that Doctor Nujoma has set a remarkable record that cannot be erased by any such negative references. It is because of such an impeccable record that

23 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON KUUGONGELWA-AMADHILA**

Namibians feel he deserves the honour to be conferred with the title of the Founding Father of the Namibian Nation. We in this House will, I am sure, not want to act in contradiction with such overwhelming desire of our people. The comparisons made between our respected leader and some leaders who assumed power through source of arms is in real bad taste.

In any case, we have titles of honour. We have bestowed titles of honour on many of our citizens before, including those who lay in rest at our heroes' acre. We did not have to enact a law to do that, but it is not practical to do so for each hero, nor does it mean others not buried at the hero's acre, are not heroes. So, conferring the Founding Father status to the Founding President does not mean that other Namibians who contributed to the struggle and nation building are not recognized.

So I support this Bill wholeheartedly and I will call on all of us to rally behind the Bill. "*Waapandula nojaka*", as they say in my language. Let us not be shy to acknowledge the contribution of others. And let us not turn the Debate on this Bill into another political Debate.

I thank you.

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**HON SPEAKER:** Before you sit, Honourable Minister. What is it that you said in your language?

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**HON MINISTER OF FINANCE:** If you do not appreciate the good deeds of other people, you may end up stealing. If you are ungrateful you end up stealing, actually.

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**RULING BY THE SPEAKER**

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**HON SPEAKER:** Yesterday, Honourable Peter Ilonga rose to inform the House that Chief Riruako had already spoken on the 15<sup>th</sup> of November 2005 on the Motion of Conferment of Status of Founding Father of the Namibian Nation Bill. I have now been advised by the Secretariat that upon the second scrutiny of the list of Members

23 November 2005

who participated in the discussion of this Bill on the said day, the Honourable Peter Lilonga was correct that the Honourable Riruako should thus not have taken the floor again on the same Bill yesterday. Accordingly, the comments made by the Honourable Riruako yesterday will be rectified to suit the session of this Ruling by the Speaker in the HANSARD. This was the same advice by the Deputy Speaker who presided over the deliberation on that day, was pointing out to the Speaker. The case is closed on that note. Any further discussion? None? Honourable Goreseb?

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**HON GORESEB:** Honourable Speaker, in the event of no further discussions, I would like to adjourn this Debate until tomorrow.

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**HON SPEAKER:** I cannot deny the Honourable Member to take the floor. Honourable Goreseb, do you want to adjourn now or do you want to take the floor now?

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**HON GORESEB:** Until tomorrow.

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**HON SPEAKER:** The Debate on this Motion stands adjourned. Right Honourable Prime Minister?

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**RT HON PRIME MINISTER:** This Motion has been on the Order Paper for some time. We know we have only one or two days to finish on the 30<sup>th</sup>.

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**HON SPEAKER:** We adjourn on Wednesday the 30<sup>th</sup>.

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**RT HON PRIME MINISTER:** I think the Honourable Member's intention is to get this Bill to lapse. You can ask the floor. Mr Goreseb is my good friend but

23 November 2005 **APPOINTMENT-MEMBERS OF EMPLOYMENT EQUITY  
COMMISSION  
HON ULENGA**

sometimes he stabs me in the back. But if it lapses he will be responsible.

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**HON SPEAKER:** The Debate on the Motion stands adjourned until tomorrow. The Secretary will read the Third Order of the Day.

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**RESUMPTION OF DEBATE TO APPROVE THE APPOINTMENT OF  
MEMBERS OF THE EMPLOYMENT EQUITY COMMISSION**

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**HON SPEAKER:** When this Debate was adjourned yesterday, 22<sup>nd</sup> November 2005, the Question before the Assembly was a Motion by the Honourable Minister of Labour and Social Welfare. The Honourable Ulenga adjourned the Debate and I now give him the floor. Honourable Ulenga?

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**HON ULENGA:** Thank you, Honourable Speaker. Honourable Speaker, the Motion that we have from the Minister of Labour and Social Welfare is to approve the new appointees to the Employment Equity Commission.

I have looked at the list and the other details provided or submitted by the Minister, and I want to assure him that from our side we have absolutely no objections, principle or otherwise, with regard to the names submitted. However, the reason why I postponed the Debate was that I wanted to bring it to the attention of the House. I was looking at one of the reports that came from people related to, or close to, the Equity Commission. I realized that apparently the work of the past five years in trying to correct the anomalies with regard to the employment situation in Namibia, with regard, especially, to the wrongs of the past, has been very ineffective. I was wondering what the use is of keeping on appointing new appointees on the Equity Commission if it does not seem to be working. I was looking at the reports that were submitted here and I was also looking at some documents - it seems not to be effective but, again talking to the Minister yesterday afternoon, I realized that it is late in the year, there is no Motion. I have not submitted the Motion to discuss the Report



23 November 2005 **APPOINTMENT-MEMBERS OF EMPLOYMENT EQUITY  
COMMISSION  
HON !NARUSEB**

that was submitted. So I do not really want to bring an unnecessary topic before the House. But what I undertake to do is, as early as possible next year, to bring to this House a Motion to discuss the situation and the effectiveness of the Affirmative Action Employment Act and the work of the Employment Equity Commission.

I thank you, Honourable Speaker.

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**HON SPEAKER:** I thank the Honourable Member. Any further discussion? None? Does the Honourable Minister wish to reply?

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**HON MINISTER OF LABOUR AND SOCIAL WELFARE:** I so wish, Honourable Speaker. Thank you, Honourable Speaker, Honourable Members and particularly Honourable Ulenga for his constructive comments.

I agree with you that the activities of the Employment Equity Commissioner, particularly the office, at the best of times had been hamstrung owing to the lack of the required cooperation from the relevant employers. Also in some instances, the responses that we do get from the Public Service Entities are not very encouraging. But suffice me to state here that the whole process, as it were - probably for a lack of a better word - is on a basis of trial and error. The enabling legal framework which we are in the process of amending because of what we have experienced so far, led us to realize that perhaps the legal framework is not keeping pace with the dynamics of the situation presently in Namibia. That is why we have progressed remarkably in terms of proposing amendments through the legislative framework.

But I would naturally welcome the issue to be opened up for a public Debate, because it is only through that process that we ultimately would be able to be driven by the needs of the people that we are expected to represent. It would broaden our scope in terms of including diverging views on the subject matter. On that score, I would welcome the anticipated Motion from the Official Opposition. On that note, I thank the Honourable Members for the level of understanding that they have portrayed in endorsing the names that I have proposed. I thank you, Honourable Speaker, Honourable Members.

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**HON SPEAKER:** I now put the Question that the Motion be adopted. Any objection? None. That is agreed to. The Secretary will read the Fourth Order of the Day?

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**RESUMPTION OF DEBATE ON SECOND READING – CHILDREN'S  
STATUS BILL**

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**HON SPEAKER:** When this Debate was adjourned on Tuesday, 15 November 2005, the Question before the Assembly was a Motion by the Honourable Minister of Gender Equality and Child Welfare that the Bill be now read a Second Time. The Honourable Deputy Minister of Gender Equality and Child Welfare adjourned the Debate and she now has the floor. I guess it was done on behalf of the Minister?

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Thank you, Honourable Speaker. Honourable Speaker, Honourable Members of this August House.

It is with a sense of relief and privilege that I undertook to respond to questions and comments raised during the Second Reading of the Children's Status Bill. I am greatly encouraged by the fact that all Honourable Members who took part in the Debate supported and commended the Bill while some Honourable Members made comments and demanded clarification here and there. No opposition to the Bill in its entirety, or its parts, has been registered this time. This augurs well for the Bill and I believe that we are closer to its passing than ever before.

The key issue in my opinion, is whether the Bill truly provides for equal status of children born inside and outside marriage? As the majority of the Honourable Members observed, it indeed ensures equal status to all children since it addresses issues of custody, guardianship, maintenance and inheritance, among others, in such a way that no child is discriminated against. Based on our experience with previous Acts passed by this Parliament, we are all aware that there may appear discrepancies between the law as such and its application because it takes time for a law to permeate the society and have palpable effects in real life. But this must not deter us from passing a law since we have to start from somewhere in our effort to bring justice to those who need it, and this Bill is a very solid foundation in that regard.

*Honourable Venaani* urged the House to pass the Bill without delay and drew our attention to the fact that we live in times of change and our laws need to go along with it. No specific questions were asked, so I thank Honourable Venaani for supporting the Bill.

*Honourable Netumbo Nandi-Ndaitwah*, Minister of Information and Broadcasting, also strongly supported the Bill indicating that it was inhumane and unacceptable to continue tolerating children's suffering due to their being born outside marriage. Because she is the one who gave birth to the child, I am the one who is the guardian. Sole custody.

The Honourable Minister also noted that the issue of registration of children at birth is not addressed in this Bill and pleaded with the House to give it adequate attention once the law on registration of births and deaths is up for debate in this House. She rightly pointed out that according to the law, children born inside and outside marriages are now being registered differently, which implies their inequality. I fully agree with Honourable Nandi-Ndaitwah, the Minister of Information and Broadcasting, and I will follow up on this matter and make its input guided by the principle of the best interest of the child.

Thank you very much, Honourable Minister, for your constant and unwavering support whenever the issues of children's well-being are on the agenda.

*Right Honourable Prime Minister Nahas Angula* made a very important point by reminding us that the concept of being born outside wedlock never existed in our traditional societies and as such it is an imposition. His observation that no child is, or should ever be considered, "illegitimate" is an appeal to our consciousness and an encouragement to the passing of this Bill as a means to bring things back to their origin. Your support, Comrade Prime Minister, is highly appreciated.

*Honourable Tsudao Gurirab*, thank you very much for the very constructive comments in support of the principle of the Bill, particularly your observation that this Bill should be seen as complementary to the Bills already in force, such as those governing maintenance, for example, together aimed at strengthening the regime which is put in place to protect children.

*Honourable Katali*, thank you for your support for the Bill and for reminding us that we had wasted time in the past discussing some "funny" issues. I can see that we are better focused now with our contributions touching upon really relevant issues.

I would also like to thank *Honourable Katali* for advising us on the issue of the poor quality of blankets being distributed to OVC. But these blankets, Comrade Deputy Minister, were donated and you do not say “no” for things that are given to you. But any how, we have taken note of that and shall do all in our power to avoid such embarrassing situations in the future.

*Honourable Peter Ilonga*, you have raised a concern that the Bill mainly focuses on urban areas, since in the context of custody and guardianship issues the Children's Court may not be practically accessible to some rural people. I thank you for your observation which relates to the application of the Bill once it becomes a law and not to the essence of the Bill as such. The Bill gives equal rights of custody to both parents, whether they live in rural or urban areas, since it equally applies to all citizens.

When it comes to Section 40(5) of the Bill; by excluding the rapist parent from inheritance intestate from the child born as a result of rape accords with the law, but it does not prevent the child, if he or she so wishes, to make a will benefiting the rapist parent. Therefore, I do not see “double punishment” of anybody under this Bill.

*Honourable Ncube*, thank you very much for supporting the Bill, including its principle that parents have a duty to maintain the child regardless of their marital status. It is always important to highlight this principle because it also contributes to a more responsible parenthood.

When it comes to the issue of registration - under whose name the child is registered - this matter is no longer under this Bill and there is no point in discussing it in this context. As I said in reply to Honourable Ndaitwah's comment, we shall discuss it in due course and under a different agenda.

I also thank you for drawing our attention to the plight of children with disabilities. Unfortunately it is a fact of life that some children with disabilities are treated in discriminatory ways and perhaps we need to think on how to alert and mobilize communities against such practices. As far as the law is concerned, including this Bill, all children are treated equally whether they have a disability or not.

Concerning your fear that some men might misuse provisions of Part 4(11) and (12) by applying for custody or guardianship of a child after the death of the one parent, while they had actually never cared for that child before, I think it is a legitimate concern, but the Bill does have mechanisms to protect the child's interest in such cases. When we look at Part 1 - the Section on Guidelines and Definitions - and

particularly point 3(g) as well as Part 5 in its entirety, there we do look into the protection of the child. So it is not an automatic right. When there is a problem, it must be taken care of.

**Honourable Tweya**, thank you for your contribution. When it comes to Section 11(1), the Honourable Member asked for clarity regarding the sentence starting ... "*but on application made it to*". This means that although both parents have equal rights to custody of a child born outside marriage, if one of the parents does not want equal custody, he or she can apply to the Court for sole custody and the Court may make an Order granting sole custody to that parent. And that will also be in the best interest of the child.

Concerning the suggestion that compromise should be made with the customary laws, I am very clear that the Bill is providing equal rights to all children irrespective of the marital status of their parents. There is no discrimination whatsoever, and therefore there is no need to mention Customary or Statutory Law, although the Bill is part of Statutory Law.

Clarity on Section 11(5), referring to a case when a Court may order one or both parents to pay the cost of such investigations. This does not automatically apply, except in cases when the Court is of the opinion that the parties involved are trying to abuse the system. Therefore it is up to the Court to decide whether to order the persons to pay or not. Every case must be treated on its own merit.

Clarity on Section 13(4)(a) to (d). The rationale behind the provision that the Court may order to restrict or deny access to the non-custodian parent is based on the protection of the best interest of the child, for example, if the Court establishes that a non-custodian parent, if allowed access, may cause harm to the child. The word **may** is used here. The non-custodian parent will be liable for maintenance and the Maintenance Act is very clear on that.

Section 13(7) - the answer is the same as regarding Section 11(5). I hope I have answered all issues raised by Honourable Tweya.

**Honourable Amweelo**, thank you for recognising that the Bill has been improved largely and for supporting it.

**Honourable Mushelenga** my son, thank you, for your contribution and support for the Bill. Honourable Mushelenga has faced us with some hypothetical situations, but we all know that life itself often arranges many

unpredictable situations. The Bill cannot envisage or predict and encompass all possible situations, including those when a child is born through artificial insemination and the father is excluded from the equation from the outset. I am afraid there is nothing we can do about it since the right to parenthood belongs to our fundamental human rights and science is able to perform miracles in enabling us to achieve it. Similarly, your second question regarding "*a little help from the neighbour*" is also one of those hypothetical, but at the same time easily imaginable situations. They cannot be prevented by law.

Concerning your observation that we must be careful that the Bill does not encourage people to go and make children outside marriage, I am prone to believe that the opposite is true. Now that people know that they will have to maintain all their children, whether they are born inside our outside marriage, I hope they will be more careful not just to make children without maintaining them.

I hope I have not omitted anything and all questions and comments have been addressed. Once again, I thank all the Honourable Members for their contributions and those who support the Bill in silence.

My special thanks go to the former Minister of Women Affairs and Child Welfare, Comrade Netumbo Nandi-Ndaitwah, for her hard work on the drafting of the Bill and navigating it through this stage. So she, as I said, gave birth to it and I am going to pass it and I really thank her very much. May God bless you all.

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**HON SPEAKER:** I thank the Minister. Any further discussion? Does the Minister wish to reply? Honourable Deputy Prime Minister?

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**HON DEPUTY PRIME MINISTER:** Honourable Speaker, I was just correcting the pregnancy part of the Bill. It was here and then when it went out, *Meme* Netumbo brought it up to walk, and then she is now a teenager.

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**HON SPEAKER:** So that part was in the House. Does the Honourable Minister wish to reply?

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**HON MINISTER OF GENDER AND CHILD WELFARE:** Comrade Speaker, my dear Honourable Members, all I have to say at this point is just to thank you for the support. Thank you very much and again, thank you.

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**HON SPEAKER:** I put the Question that the Bill be now read for the Second Time. Any objection? Agreed to. The Secretary will now read the Bill a Second Time.

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**CHILDREN'S STATUS BILL**

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**HON SPEAKER:** The Secretary will read the fifth order of the Day.

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**RESUMPTION OF DEBATE ON SECOND READING – STATE OWNED ENTERPRISES BILL**

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**HON SPEAKER:** When this Debate was adjourned on Thursday, 17 November 2005, the Question before the Assembly was a Motion by the Right Honourable Prime Minister that the Bill be now read a second time. The Honourable Tsudao Gurirab deferred the Debate and he now has the floor in whatever capacity - where he can do that.

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**HON GERTZE:** Honourable Speaker, I think if there is still anybody who wants to discuss the Bill perhaps we can postpone it. Honourable Tsudao Gurirab is with a Public Accounts Committee Mission out of the country.

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**HON SPEAKER:** Any further discussion? Honourable Mushelenga?

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23 November 2005

**MOTION ON STATE OWNED ENTERPRISES BILL**  
**HON P MUSHELENGA**

**HON P MUSHELENGA:** Thank you very much, Honourable Speaker. I have a very short intervention to make on the Bill. First and foremost, I would like to congratulate the Right Honourable Prime Minister for introducing this Bill in the House. He is surely going to ensure good governance within our public enterprises.

Honourable Speaker, I have a few questions to pose to the Right Honourable Prime Minister, especially when I read about Section 37. I should actually commend the Bill that the Council has forwarded to address issues of restructuring. The only question that I have on this issue is whether the Board, on its' own, can also initiate the restructuring process in a given public enterprise without necessarily having to wait for the Council to initiate such a process?

The other important issue I would like to raise is that some of the bigger corporations are moving towards putting on contract senior management members, that is general managers, strategy executive, and so on. But, what I see in our Public Institutions is that it is mostly Chief Executive Officers that are put on five-year contracts. I think it is high time that we also start thinking of putting all the top executives in our public enterprises on five-year contracts - that is from General Managers upwards.

With these few observations I support the Bill.

Thank you.

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**HON SPEAKER:** Honourable Tsheehama?

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**HON MINISTER OF SAFETY AND SECURITY:** Thank you very much. Honourable Speaker, Members of this august House, first and foremost, let me thank the Right Honourable Prime Minister for having tabled the State Owned Enterprises Bill at the opportune time to this august Assembly.

The Bill that is very important to the economy of this country is long overdue. The objective of the Bill is to ensure that there is good and effective corporate governance in the way State Owned Enterprises are being run or managed - which in many cases have been lacking in some while in others it is totally non existent.

Honourable Speaker, one of the areas being emphasised in this Bill is accountability.



Accountability is an important element of corporate governance. The Bill introduces and enforces accountability through a number of provisions, provisions such as a Government agreement between the Board and the Portfolio Minister; Performance Agreement between Board Members and the Portfolio Minister; Performance Agreement between the Staff and State Owned Enterprises and the Board; and the requirement to submit business and annual reports. This in itself is indeed a welcome move. The provisions of accountability ensure that there is a sense of accountability and honesty amongst those entrusted with the running of the State Owned Enterprises, and hence deter corrupt practices and fraudulent activities.

I am happy that the Bill puts great emphasis on the suitability of those to be appointed as Board Members of the State Owned Enterprises in terms of qualification, in terms of experience, and in terms of skills concerning relevant issues to the functions of these Government Entities. This is important indeed, given the fact that the poor performance of some State Owned Enterprises could be attributed to the lack of control, attributed to the lack of directing and could be attributed to the lack of guidance and oversight by the Board - because Board Members do not understand the functions and operations of these entities concerned. Therefore, they are unable to make any effective and meaningful contribution.

The current state of affairs regarding the suitability and qualifications of most of the Board Members in many of our State Owned Enterprises leaves much to be desired. In the first instance most of these Board Members are less qualified. Secondly, some of these Board Members have so many responsibilities and serve on many Boards. They are also full time engaged in their functional areas as well as running their own private businesses. The most worrying factor is that in many cases these are the same faces we always see being Board Members of this or that State Owned Enterprise.

There is therefore a need to diversify and to limit their membership to a certain number, for example, three to five. In many cases also, most of these Board Members do not know what their duties are and they do not know what is happening in their State Owned Enterprise, because if they had known they might have stopped quite a number of dubious activities within these Enterprises. In many instances, instead of providing quality leadership, they themselves are in disarray and leave the Chief Executive Officer to run the show - which is not supposed to be. This should not be allowed any longer with the passing of this Bill.

Honourable Speaker, I am delighted that the Bill makes provision under Regulation of Investment as this is so critical in the light of the recent financial scandals and the improper handling of investments by some State Owned Enterprises. What happened

in the Social Security Commission and in the Offshore Development Company is a big shame to the country. I think that has to be given the type of condemnation they deserve. These are really daylight robbery and must be put to an end once and for all and should never happen again.

I am delighted that the State Owned Enterprises will be obliged to seek approval from the Portfolio Minister and the Minister of Finance before making any investment decision. This will ensure that the public funds that are entrusted with the State Owned Enterprises are secured and not invested in bogus and fly-by-night entities or investors. I suggest that in order to effectively carry out the scrutiny of all the investments of the State Owned Enterprises there is a need to set up a proper mechanism for this Bill - which is currently lacking - that will ensure that the Minister of Finance and the Portfolio Minister are provided with accurate and updated information that confirms the reliability and integrity of investment companies.

Subsidies to State Owned Enterprises have become unaffordable and unsustainable and Government can no longer afford to support some of these State Owned Enterprises which are not performing well at all. These State Owned Enterprises have become gravy trains where thousands of dollars are being wasted on salaries for top management, while others are not making profit at all. Why should top management of these State Owned Enterprises continue milking the public's money, while they are not performing? Some State Owned Enterprises have become bottomless pits and it is high time that we close these holes so that public money can be put to better use where it is needed most.

Honourable Speaker, the fact that the Bill makes provision for the Council to put up mechanisms to monitor and evaluate the performance of these State Owned Enterprises, as well as to have general oversight on the way they are being run, will ensure that these entities deliver according to the expectations of the Government and the general public, and hence contribute positively to the development of the country, and particularly Vision 2030.

One of the major and urgent tasks of the Council is to put down directives in relation to the remuneration levels of Board Members, Chief Executive Officers and other Senior Managers so that these people are remunerated commensurate to the performance of their respective State Owned Enterprises. This will avoid a situation whereby people running State-Owned Enterprises that are performing poorly are being bailed out by the Government and hence draining the Government coffers and the general public.

23 November 2005

**MOTION ON STATE OWNED ENTERPRISES BILL**  
**HON AMWEELO**

I would like to conclude by thanking the Honourable Prime Minister for having tabled the State Owned Enterprises Bill, and also express my full support for the Bill.

I thank you.

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**HON SPEAKER:** I thank the Minister. And I now give the floor to the Honourable Amweelo.

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**HON AMWEELO:** Thank you very much, Comrade Speaker. I would also like to join others in thanking the Prime Minister for bringing this very important Bill - State Owned Enterprises Bill - to the House.

I have just three points to comment on or to mention with regard to clause 15: Procedure for the Appointment of Board Members and alternate Board Members of State Owned Enterprises. Comrade Speaker, with regard to this one, I would like to quote the Right Honourable Prime Minister's speech; which said:

*"Effective and efficient governance of State Owned Enterprises will not realize unless qualified Board Members are appointed and inexperienced Board Members are provided with ongoing training to ensure that they become skilful and knowledgeable Board Members."*

Honourable Speaker, this statement makes me very happy because one cannot succeed with unqualified people, meaning that on our Boards of Directors sometimes you will find some who do not have the necessary skills in order to run those particular enterprises. But now, this one, I am very happy (intervention)

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** On a Point of Order. May I ask the Honourable colleague a question? Honourable Speaker, the Honourable Member refers to the issue of skills – refers to the issue of appointing people who are there to be able to handle the institution with their skills. Is the Honourable Member emphatically saying that some of the people have handled issues a bit - I do not want to be misunderstood, what I am going to say is a c at the beginning not a k - that they have been cack-handed in terms of skills? He is saying that some people have been cack-handed - with a c, please, not a k.

23 November 2005

**MOTION ON STATE OWNED ENTERPRISES BILL**  
**HON AMWEELO**

**HON AMWEELO:** Thank you very much, Comrade Speaker. Comrade Speaker, as I said that (intervention)

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**HON SPEAKER:** If I may just explain the word ‘cack-handed’. It is a peculiar, ancient British – Australian, little bit Canadian, expression. It simply means inadequate and incompetent; not back stress enough to handle things; short of being able to do things. That is what the Minister is asking. Is that what the former Minister is implying about some of the people of the State Owned Enterprises?

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**HON AMWEELO:** What I am saying, Comrade Speaker, I am just saying that I allege that some of our Enterprises - some of the people who are directors are not able to handle it because of the nature of work. That is why I am saying that at this stage the Right Honourable Prime Minister makes me very happy, because now the people - those who do not have enough skills - are from time to time going to strengthen their skills in order to handle the Enterprises, because there will be no success if we do not have qualified people.

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**HON SPEAKER:** Because of that lack of skills they are cack-handed.

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**HON AMWEELO:** Thank you very much, Honourable Speaker. Honourable Speaker, another question, or maybe comment, is on 25, page 17 regarding dividends. I am also happy to hear that this Bill definitely covers that so that all the State Owned Enterprises should pay dividends. Some of them they do not give their dividends and those that are unable to pay dividends have to write a letter and state the reason why they cannot give their dividends to Government. So I think that is very good.

And the last one - I just want to ask the Right Honourable Prime Minister about clause 22, page 16, regarding the remuneration of the Board of Members, the Management and staff of the State Owned Enterprises. Here it says that the remuneration and allowance payable to a Member and the odd weight Members of the Board of a State Owned Enterprise must be determined by the Portfolio Minister, in conjunction with the Minister of Finance, and with due regard to any directives laid down by the Council under Section 12.

23 November 2005

**MOTION ON STATE OWNED ENTERPRISES BILL  
HON ESAU**

I am not quite sure whether there are any criteria. For example, any Portfolio Minister might like to determine the remuneration. My question is that if there are criteria, even if they are going to contact and consult with the Minister of Finance, are these criteria being used by the Portfolio Minister to determine the remuneration? Those are my few questions to the Right Honourable Prime Minister.

Otherwise, I fully support the Bill.

I thank you.

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**HON DEPUTY MINISTER OF TRADE AND INDUSTRY:** Thank you very much, Honourable Speaker. Honourable Members, having listened to the interventions of the previous speakers, I also want to register my wholehearted support to the principle of the Bill, which was introduced by the Right Honourable Prime Minister, Comrade Nahas Angula.

I do not have that much to say on the Bill because I am quite convinced of the fact that this Bill is a product of extensive consultations with all the stakeholders and thus reflects, in fact, the aspirations of all those stakeholders. I just have a tiny question to this specific piece of Bill and that is with reference to Schedule 1 of the Bill. I have perused page 26, Schedule 1, and page 27 up to 29. But I could not, in fact, see that anything is mentioned in the State Owned Enterprises Bill with reference to the Namibia Standards Bill, which was also introduced in this August House. Perhaps it might be an omission or an oversight, an omission by the printers or perhaps an oversight by the people who were consulted.

If the Right Honourable Prime Minister can look into that to see that the Namibia Standards Bill or Act is also accommodated in this specific schedule. With these few remarks I would like once more to register my wholehearted support for the Bill as introduced by the Right Honourable Prime Minister.

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**HON SPEAKER:** I thank the Deputy Minister. Honourable Iilonga?

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Thank you, Comrade Speaker. I rise to give my contribution to the Bill on State Owned

Enterprises.

I have to start by congratulating the Right Honourable Prime Minister, as others did, and to state that we are now on the way towards governing the responsibility and mandate we were given by the people of this country. Where we now under the constitution of the Council find the Right Honourable Prime Minister and the other Ministers who are to make out the Council - this is where we found that the Honourable De Waal is doing this to keep their private sector running and we say it is effective.

It is effective and efficient because the owner controls the sector and I see this Bill going in that right direction. Some of us, as long as we are just told that, *"You are a Prime Minister, you are a political office bearer, you cannot be an administrator."* I think this Bill has gone beyond that notion. I am thankful to note that Section 20 of the Bill is also looking at the fact that the State Owned Enterprises must have a budget and that budget must be approved - so that they know that they have to manage their operations within that budget. Whenever they succeed or encounter failure, they will see how they are going to improve in the next financial year. I am happy for those provisions.

The provision Section 22, on remuneration, Comrade Prime Minister, through you, Comrade Speaker, I have a similar question. The Portfolio Minister, in consultation with the Minister of Finance, will determine the remuneration of the Board Members. But, when we go to Subsection 3 of the same Section 22, you will find that remuneration and benefits - the service benefit of the Chief Executive Officer and the other Management Staff - are to be determined by the Board Members in concurrence with the Portfolio Minister.

Why is the Minister of Finance not involved also? How is the remuneration of other staff members at State Owned Enterprises going to be determined? The question emanates from the fact that their category has not been mentioned. The Bill only mentions the Chief Executive Officer, Senior Management and the Board's remuneration, but in the employment you have others who are not management. Then Section 24 is really also a good one which we have never had before; because the Chief Executive Officer in the current State Owned Enterprises, even if you want to get information, just tells you that under Company Law he is not obliged to give you information. Here the duty is there, and even if he or she fails to perform, there are even penalties. So, it is really something, which we see as going in the right direction.

Then the issues of efficiency and effectiveness and the way people always mention qualifications. I think we also need to go deep when we are talking about qualifications. What qualifications? Academic or experience? This is one of the tricks we always encounter when we are talking of qualifications. We are always talking of academic qualifications, but we have people without qualifications but practical qualifications. Practical qualifications through work, not through academic means; but we do not consider those. Where do we put them? Because if we are not careful and just say, "*no, you do not have a BA in Economy*", but the people with the BA in Economy are the ones who let us down. They are the ones mentioned by Comrade Tshirumbu here. So this is one thing we say, that whenever we come up with qualifications, we must not just be focused in one direction, we must think wider.

Then there is one thing which I really want to be careful about and that is Part 6 - the whole Part 6 from 36 to 41. It is dealing with the restructuring of State Owned Enterprises. To the Right Honourable Prime Minister, through you Speaker, I do not want this Section 36 of this Part 6 to be used as a scapegoat for the privatisation of State Owned Enterprises. It is exactly ... it is a tuned with the same people who know that Iilonga will counter it, so let us put it in such a way without mentioning any other thing but restructuring.

There is some good advice. But if you look at 37(2)(d), I do not think that section needs to be there. We just need to delete it. Because anything you always say either to begin or to be given away to the public, and whatever, that is already a trick. The people who are going to give advice do it deliberately to ensure that State Owned Enterprises are restructured and shares given away. And this is what we say whenever we talk about public money and public assets wasted, we must not take it out and also give it away. It is going to be tantamount to whatever we complain and argue about that this is not a good thing. So, I want us to be careful that this Part 6 be there to improve on the performance of the companies, but not to be put there as a wholesale. Also under 37; you will find that even that one give the mandate to the Members of Secretariat on the Council. And most of the members of the Secretariat will inform these people who already have business interests. If we are not careful the way they are going to give the proposal to the Council, they will be the ones saying, "*No, that company is not performing. It is better to be ..., because they are the one ...*" (Intervention)

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**HON SPEAKER:** I do not want to stop the Deputy Minister but if we could just stick to the issue because the Prime Minister would like to reply and the Minister of

23 November 2005

**MOTION ON STATE OWNED ENTERPRISES BILL  
HON KUUGONGELWA-AMADHILA**

Finance also.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** I just want to indicate that there is improvement, but my concern is about Part 6. Part 6 must not be used as a scapegoat to privatising State Owned Enterprises. And also money spent; anyone who is a businessperson here; many of the Honourable Member have farms, they spend money to improve their farms; they spend money to improve their business. Why can the State not do that, provided that there is control? That the money to improve is there to improve the company to benefit the Nation but not these privatisations and tomorrow the improvement benefits a family instead of the Nation.

With that I support the Bill and I just want us to take that concern.

Thank you very much.

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**HON SPEAKER:** Minister of Finance?

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**HON MINISTER OF FINANCE:** Thank you very much, Honourable Speaker. I also welcome the Tabling of the Bill in Parliament. I do hope that it will go a long way in strengthening the supervision of the State Owned Enterprises.

I specifically, am glad that the Bill provides for the formulation and presentation of business plans and for its approval by the Council on behalf of the shareholder by each of the State Owned Agencies. I think business plans are very important in ensuring that there is convergence between the programmes of the State Owned Enterprises and the priorities of Government, because sometimes you find that we, as Government, are emphasising certain areas as priorities but the State Owned Enterprises are actually prioritising for resource allocations other areas that are not necessarily the same areas that we emphasize. In addition they would also allow for accountability of institutions because we can now evaluate the performance of an institution based on a business plan in terms of how the institution has fared in executing the business plans that were adopted. The plans would also reinforce the performance agreements that are provided for in this Bill and that would also serve the purpose of holding the management of these institutions accountable to the shareholders. So we are actually able to measure their performance against specific



programmes that have been adopted.

And then lastly, it would allow proper targeting of public resources to the priority areas. It would also enable the State to target any subsidies that would then be provided to the State Owned Enterprises.

We will no longer be providing general subsidies that can be used for anything. We will be able to look at the programme and say that we support 1, 2, 3 and not 4, 5 and 6.

With regard to investments, I am also happy that there are some procedures there. As I was saying when I was addressing the managements of these institutions, I believe that these investments should not be used by the State Owned Enterprises necessarily to grow their funds. There is nothing wrong with trying to grow ones funds, but the investment should be made first and foremost to ensure that the funds that are not needed immediately, are kept safely somewhere until the programmes are implemented for which these resources have been secured. These investments should be made locally, because if we are going to require that private companies should also retain a portion of their proceeds here we should actually set the example by investing all of our proceeds here as State companies.

These arrangements would also allow for transparency. We would now know how much funds are available in each institution, where they are invested, in what kind of instruments and what returns are being generated - so I would not have to answer questions from Honourable Venaani in that regard in the future.

I am glad to see also that there is provision made for dividends. I am glad that the Council will now consider the issue of dividends for each of these institutions. But, I hope that there will be common benchmarks against which dividends can be determined. This is not to say that all institutions will be required to pay the same amounts as dividends, but that there should be equity in the manner in which these dividends will be determined, so that some institutions do not find themselves - because they work hard and they performed better - making a greater contribution while others just get away with actually contributing nothing.

Lastly, I am glad actually to see that *Meatco* is now on the list of State Owned Enterprises. When we passed the Amendment Act to the *Meatco* Act here, it was not quite clear as to who owned *Meatco*? In fact, I understood that there was a disagreement between the State and those who are managing *Meatco*. On the one hand they felt that it was a cooperative of some sort that was just established with

23 November 2005

**MOTION ON STATE OWNED ENTERPRISES BILL  
HON KUUGONGELWA-AMADHILA**

funding from the State; on the other hand we, at least some of us, felt that Meatco was a State Owned Enterprise.

And now we have it on the list that it is a State Owned Enterprise. I hope that that would now be binding and that the State would now actually be able to direct *Meatco* in terms of the business plan, what role *Meatco* should play in supporting the Agricultural Sector - especially the Communal Agricultural Sector - and how the income of *Meatco* is to be allocated towards that effect. I think that is important and that it should also be able to pay dividends.

Thank you very much.

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**HON SPEAKER:** Thank you very much, Minister. That being the last speaker on the list... Honourable De Waal?

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**HON DE WAAL:** Honourable Speaker, if there are no more people who want to contribute, I move that the Debate on this Motion be adjourned until tomorrow.

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**HON SPEAKER:** Any objection? If not, the Debate on this Motion stands adjourned until tomorrow. I shall ask the Secretary to read the Sixth Order of the day.

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**RESUMPTION OF DEBATE ON THE PROGRAMMES, ACTIVITIES AND  
PERFORMANCE OF THE NATIONAL YOUTH COUNCIL**

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**HON SPEAKER:** When the Debate was adjourned on Thursday, 17 November 2005, the Question before the Assembly was a Motion by the Honourable Dienda. The Honourable Mushelenga adjourned the Debate and Honourable Mushelenga now has the floor.

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23 November 2005

**HON P MUSHELENGA:** Thank you very much, Honourable Speaker. I welcome you back after being away for some days on an official mission. Given the importance that I attach to this very important Motion, I would rather wait for the Mover of the Motion to be around, so I adjourn it until the 29<sup>th</sup>, next Tuesday.

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**HON SPEAKER:** The Debate on this Motion stands adjourned until next week, 29, at 14:30. I want to give the Prime Minister the pleasure of adjourning the House until tomorrow. The Prime Minister is collecting his documents. The House stands adjourned under automatic adjournment until tomorrow at 14:30.

**THE HOUSE IS ADJOURNED AT 17:49 UNTIL THURSDAY 2005.11.24**

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBER  
WINDHOEK  
24 NOVEMBER 2005**

The Assembly met pursuant to the adjournment.

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

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**HON SPEAKER:** Any Petitions? Any Reports of Standing or Select Committees? Other Reports and Papers? Minister of Finance?

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**HON MINISTER OF FINANCE:** Honourable Speaker, I lay upon the Table Reports of the Auditor-General on the Accounts of:

- (a) Office of the President for the Financial Year ended March 31<sup>st</sup>, 2004;
- (b) Office of the Prime Minister for the Financial Year ended March 31<sup>st</sup>, 2004;
- (c) Office of the Auditor-General for the Financial Year ended March 31<sup>st</sup> 2004;
- (d) Office of the Attorney-General for the Financial Year ended March 31<sup>st</sup> 2004;
- (e) Southern African Customs Union for the Financial Year ended March 31<sup>st</sup> 2005;
- (f) Southern African Customs Union for the Financial Year ended March 31<sup>st</sup> 2004;
- (g) Minerals Development Fund for the Financial Year ended March 31<sup>st</sup> 2004.

I so move, Honourable Speaker.

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**HON SPEAKER:** Any further Reports and Papers? Any Notices of Questions? Honourable Venaani?

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**HON VENAANI:** Honourable Speaker, due to the lateness of the work of the

24 November 2005

**ORAL QUESTION  
HON VENAANI**

Assembly, I would like to pose an oral question to the Minister of Finance, a very straightforward question. It is Rule 82.

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**HON SPEAKER:** Rule 82: “*Oral questions are allowed.*” The Rule says the following: “*Oral questions are allowed under Rule 82. After answers to questions on notice, the Speaker shall allow time for oral questions to Ministers.*” After answers to questions on notice; quite obviously what the Honourable Member wants to do now is not contemplated. (Interjection) (b) “*Oral questions shall be asked without notice, short and to the point and answered immediately.*” Honourable Venaani, you have the floor.

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**HON VENAANI:** Thank you very much, Honourable Speaker, for your indulgence.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** On a Point of Order, for clarity. I do not know for what good reason my Colleague is jumping the provision under (a) which says, that “*after answers to questions on notice, the Speaker shall allow time for oral questions to Ministers.*” Why does he not want to make use of that provision which is still applicable even today, this is Thursday? Why does he invoke (b) and jump (a)? Just for clarity.

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**HON SPEAKER:** Thank you, Honourable Minister. Honourable Venaani, you have the floor.

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**HON VENAANI:** Thank you very much, Honourable Speaker. I want to ask the Honourable Minister of Finance about a problem that is experienced in your Ministry with regard to tax returns. We hear from officials that there has been a computer breakdown for a month now and people who should claim their tax cannot get their returns back because of a system that has a problem. When would the system be resumed? I thank you.

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24 November 2005

**ORAL QUESTION  
HON VENAANI**

**HON MINISTER OF FINANCE:** Honourable Speaker, thank you for the question from Honourable Venaani.

I am aware of the problem and I have been assured by my technical people that that problem will be resolved by the end of the month and today is the 24<sup>th</sup>. So, it should be addressed by the end of next week.

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**HON SPEAKER:** Any further Notices of Questions? None. Any Notices of Motions? None.

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**HON DE WAAL:** Honourable Speaker, on a Point of Order. I now have a very serious problem because I asked a very, very important question about the Henties Bay Municipality, together with the one on the Walvis Bay Municipality, and the Henties Bay question is simply not on the paper.

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**HON SPEAKER:** We will get to that. Any Notices of Motions? None. Any Ministerial Statements? None. Today being Thursday, the business of the Chamber is initiated by the opposition. Honourable De Waal, this was a Notice of Question relating to?

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**HON DE WAAL:** The Henties Bay Municipality and put to the Minister of Regional and Local Government and Housing.

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**HON SPEAKER:** It is not the fault of the Honourable Member, not the fault of the Speaker, but it is the fault of the officials assisting the Speaker and it should be recorded as incompetence on the part of the officials. They are here to assist the Speaker and they have simply neglected to do their work and we cannot protect them, we cannot excuse them and they should take the remarks I am making now as a very serious reprimand. I will not take the question now, but I will advise you as to how ...

**HON DE WAAL:** Honourable Speaker, I accept your ruling. Thank you very much for that. I am just pleading for one thing, if it is possible, because this was a legitimate question posed to a Minister. Could we not ask the Minister to bring us the answer - even if it is in the recess period; because it is a very serious question.

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**HON SPEAKER:** It was not the Minister's fault either.

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**HON DE WAAL:** But I am just requesting, if possible.

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**HON SPEAKER:** We will find a way to advise you. Question 54. Does Honourable Viljoen put the Question?

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**QUESTION 54:**

**HON VILJOEN:** Honourable Speaker, I put the Question.

**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:**  
Thank you very much, Honourable Speaker.

Honourable Speaker, Honourable Members, the Question of the Honourable Member is whether the Minister is satisfied that an effective policy is in place to protect Namibian farmers against competition by importers of agricultural products from countries outside its borders.

Honourable Speaker, Namibia is a country that cannot produce everything that it needs within its borders. Therefore, the Honourable Minister of Trade and Industry has followed a policy of regional and global trade integration under the rules of the World Trade Organisation. To engage in trade Namibia must also allow some goods to pass across its borders. However, I can assure the Honourable Member that everything is done to prevent trade that either damages Namibia's interest or is demonstratively unfair. I offer the following examples of how the Namibian agricultural sector is protected within the current international trade rules:

First of all, controlled crops – maize and maize flour.

From the 1<sup>st</sup> of May to the 15<sup>th</sup> of August every year our borders are closed for all imports of white maize in terms of Section 20 of the Agronomic Industry Act of 1992. This is to ensure that all white maize harvested during this period is guaranteed of a market. After this period borders are opened again for imports of white maize. However, should there still be domestic maize after the period has lapsed, the borders do not open until all this maize has been taken up by millers.

For the remainder of the period up to 30<sup>th</sup> April of the next year, the second maize harvest will enter the market. This is especially for irrigation farmers who have two harvests. Millers have an obligation to buy this maize. No flour is allowed into the country but only grain to be processed in the country.

As far as mahangu is concerned, as with white maize, mahangu has become a controlled crop by Cabinet decision 13<sup>th</sup>/05.07.05.2002. The borders will also be closed for the imports of *mahangu* on the 1<sup>st</sup> of May every year. Millers are registered and should buy as much *mahangu* from Namibian producers as possible. On or about the 15<sup>th</sup> September of every year, after the *mahangu* millers have bought their annual requirements and after a survey has determined how much Namibian *mahangu* is still available, the Namibia Agronomic Board issues an instruction, via the Tender Board, and the sponsoring Ministries specify what percentage of *mahangu* meal in relation to their normal turnover of maize meal should now be served instead. That is now to schools and hospitals and maybe other public entities. The affected institutional caterers will then procure such *mahangu* flour from the registered *mahangu* mills. This should ensure that all Namibian *mahangu* has a guaranteed market before the following marketing season, except for the possibility of unexpected bumper crop.

#### **Bumper harvests for maize and wheat:**

In cases where there is a bumper harvest of white maize, the Namibian Agronomic Board operates a maize pool. Under this system the Namibian Agronomic Board buys the surplus maize from the farmers and stores it until required by millers. The farmers receive an initial 75% for their maize and the rest later when the maize has been bought by the millers. The borders remain closed while there is still maize in the pool and only open once all maize has been taken up by the millers. The system is envisaged to be applied to *mahangu* as well.

#### **Wheat and wheat flour:**



Wheat and wheat flour are also protected by the Agronomic Industry Act. Further protection arrangements are provided under Article 29 of the Southern African Customs Union. Under this arrangement, *BLNS* countries, including Namibia, are currently allocated wheat rebate quotas which expired in September 2006. No wheat flour is allowed into the country. Only grain is allowed into the country.

Honourable Speaker, it is also important to mention that to protect the consumer on the other side, the Agronomic Board uses a five-year average price from AEX in South Africa - the Southern African price is also related to the Chicago Exchange - to determine the prices that millers have to pay for maize, and also grain in general. We use that to protect the farmers on the one side, but also to protect the consumers on the other side so that they do not pay too much for the flour at the end of the day.

When it comes to fruits and vegetables, it is a known fact that Namibia is a gross importer of fruits and vegetables. Statistics show that Namibians consume about 195 000 tons of fresh produce and of this figure 160 000 tons are imported, mainly from South Africa, and only 35 000 tons consumed are locally produced.

To take advantage of the legally favourable mechanisms in place under the WTO and SADC rules, the National Horticultural Development Initiative by the Ministry of Agriculture, Water and Forestry was able to implement further measures to systematically replace foreign horticultural products by the introduction of the Namibia Market Share Promotion.

This scheme requires all importers of horticultural products to buy a certain share of Namibian produce quarterly to be able to renew their trading permits. This was started at 2, 5% in the first quarter of this year.

Quarterly adjustments led to an increased percentage of Namibian produce share to 10% during this quarter.

These policies not only protect Namibian farmers from unfair outside competition, but are also aimed at ensuring that Namibian producers have guaranteed markets for their products. These policies also contribute to value-adding of Namibian products.

### **Infant Industry Protection:**

Namibia is a member of the World Trade Organization. In the World Trade Organization legal text, Article 5 gives protection in the form of special safeguards. This provision exists and can be used when Namibia should protect its infant industry

from foreign imports. However, it should be proved that Namibia has got an infant industry. Further protection is provided under the SADC trade protocol, Article 21, “Protection of Infant Industries”, which is the tool used to protect the industry. Under this Act Namibia will be able to put all necessary measures in place to develop its infant industries for a period of eight years, after which such industries should be competitive.

Namibia obtained “Infant Industry Protection” for pasta, UHT milk and broilers under Article 26 of the new SACU agreement. An infant industry status implies that Namibia can place a levy on imports of pasta, broiler and UHT milk from outside Namibia for an eight-year period in order to give Namibian companies protection and the opportunity to establish industries in the respective areas.

The tariffs are placed in the Government Gazette and implementation takes place under Section 54 of the Namibian Customs and Excise Act of 1998. These tariffs will be phased down over an eight-year period, the time, which is envisaged that the Namibian companies would be able to compete with companies from outside Namibia on an equal footing.

“Infant Industry Protection” is a major achievement for Namibia. The main significance of “Infant Industry Protection” for Namibia is the fact that it not only increases our manufacturing base and, therefore, our capacity to keep foreign exchanges within the country, but at the same time decreases Namibia’s dependence on the South African market and creates valuable employment opportunities for our people.

The level of the tariff raised on these imported goods – currently UHT milk and pasta products and in the near future, also broilers – depends on the needs of the industry to establish itself in the market place, to repay capital investments, to establish brand names, to gain market share and to develop its human resource base. Namibia is working with SACU partners on a common external tariff that reflects the domestic policy and defends local markets against unfair trade practices worldwide.

Thank you very much, Honourable Speaker.

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**HON SPEAKER:** I thank the Deputy Minister. I take it the Honourable Viljoen is satisfied with the answer? Question 55 is by the same Honourable Mr Viljoen. Does the Honourable Deputy Minister wish to reply?

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**QUESTION 55:**

**HON VILJOEN:** I put the Question.

**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:**

Honourable Speaker, the next question is whether the Honourable Minister is satisfied with the present functioning of the Green Scheme project and is the progress according to plan and expectations?

Honourable Speaker, Honourable Members, the Green Scheme is a programme for the enhancement of agricultural production under irrigation in Namibia and it also takes account of the 'Horticulture Infrastructure Development Scheme' to ensure the marketability of agronomic production outputs. The objective is to develop approximately 30 000 hectares of land over the next 15 years and in the process up to 4 000 small farmers will be settled and 6 700 permanent jobs and 22 800 seasonal jobs are predicted to be created over the next fifteen years.

It is an ambitious programme for which Government investment will be approximately N\$3, 8 Billion, while the private sector will contribute in the order of N\$7, 4 Billion. The internal rate of return was calculated as 11, 5%, which is very good for agricultural development.

It is to be expected that the commencement of the programme will be slower in the beginning and it should gain momentum as legal, social, financial and infrastructural mechanisms are put into place. The Ministry of Agriculture, Water and Forestry is working very hard in collaboration with the Green Scheme Agency, the Ministry of Lands, Resettlement and Rehabilitation and financial institutions to set the above-mentioned procedures in motion.

Physical development is already taking place and I would like to draw your attention to a number of projects where plots are being developed at the moment within the limited budget at the Ministry's disposal. It includes 300 hectares at Etunda and 400 hectares at Ndonga-Linena. The development of the Tandjieskoppe Project at the Orange River is also high on the priority list, while the renovation and construction of the Irrigation Training Institute at Mashare is making very good progress. It is scheduled to start operating early in the new year – and I am referring here to the Irrigation Training Institute at Mashare.

Honourable Speaker, I must emphasize that training and equipping people to be efficient, effective and successful farmers at the end of the day is a very high priority

in the Ministry and, therefore, the whole upgrading of and preparing ourselves at Mashare is very high priority.

The most significant predicament at this stage is to secure funding for the Green Scheme Programme. As you are aware, the Government has to develop the bulk water supply infrastructure up to the farm gate and it has to subsidize the interest rates on the loans for a period of up to 6 years. The objective is to create a pool of funds into which loans with different interest rates, as well as grants, could be combined to reduce the overall cost of capital. The Green Scheme Programme is, therefore, aggressively promoted both nationally and internationally in order to solicit funding. The rate of development will most definitely increase when adequate funding has been secured.

I would, therefore, like to make use of this opportunity to encourage everybody in this House to equip themselves with information about the Green Scheme and to promote the Green Scheme as much as possible among possible donors, since the implementation of the Green Scheme and the Horticulture Marketing Infrastructure Scheme offer a substantial opportunity and stepping stone in achieving national development objectives and targets identified within Vision 2030 and our National Development Plans.

Honourable Speaker, let me close with a last remark. There are many things involved in the Green Scheme Irrigation Development. What is equally important for us, together with the Green Scheme Development, is marketing infrastructure. We are currently also busy drawing up the terms of reference to develop and to build marketing infrastructure to market our produce not only nationally, but also internationally, to ensure that when people really start to produce we will have efficient, effective and proper marketing mechanisms in place to ensure successful marketing at the end of the day. It will not help us only to produce if we do not have proper marketing infrastructure. Therefore the two developments are running parallel; the production as well as the marketing part.

The question whether we are on track is a very difficult question to answer. I would say that we are on track although I would have liked to see much more than what we have already done, but it really takes a lot of time to get the entire infrastructure in place. I believe that within the next eighteen months to two years we will see the real fruits of this whole development. Thank you very much.

24 November 2005

**RESPONSE TO QUESTIONS PUT BY HON VILJOEN  
HON TSHEEHAMA**

**HON SPEAKER:** I thank the Deputy Minister. Does Honourable Viljoen have a follow-up question?

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**HON VILJOEN:** Honourable Speaker, I wish to thank the Honourable Deputy Minister for the answer.

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**HON SPEAKER:** Question 56 is by the same Honourable Member. Does the Member wish to put the Question?

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**QUESTION 56:**

**HON VILJOEN:** I put the Question

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**HON MINISTER OF SAFETY AND SECURITY:** Thank you, Honourable Speaker. The Honourable Member wanted to know whether I could give an indication of how many political office-bearers, other Government officials and consultants/non-governmental organisations, respectively, enjoy the services of security guards at their premises, and paid for by the Government.

I must say that we have a total number of 107 political office-bearers, other Government officials and consultants, non-governmental organisations, respectively. These are, starting from Government State House; the new State House; Prime Minister; Deputy Prime Minister; twenty-one Ministers; thirteen Deputy Ministers; six Judges; two Special Advisers; two Deputy Directors-General; two Members of Parliament; two State Guest Houses; Ombudsman; Ombudswoman; Speaker of the National Assembly; Deputy Speaker of the National Assembly; Chairman of the National Council. Then we have three Judges. We also have the Chief Justice and we have the Judge President.

With the non-governmental organisations we have the United Nations Development Programme; we have the United Nations Food and Agricultural Organisation; we have the United Nations World Health Organization; the United Nations Population

24 November 2005

**RESPONSE TO QUESTIONS PUT BY HON VILJOEN  
HON TSHEEHAMA**

Fund; the United Nations Education Scientific and Cultural Organization; the United Nations Information Centre; the United Nations Children Fund; United Nations High Commission for Refugees and UNWEP.

Then the Honourable Member also wanted to know about the total cost of this service.

The budget allocation of 2005/06, starting from July 2005 to 31<sup>st</sup> March 2006 amounts to N\$7 Million. The breakdown is as follows:

The actual expenditure from the 1<sup>st</sup> April 2005 to yesterday, the 23<sup>rd</sup> November 2005, totals N\$27 Million. The balance that will carry us to the 31<sup>st</sup> March 2006 is about N\$42 Million. The N\$42 Million balance will make us reach our target date, the 31<sup>st</sup> March 2006. I thank you.

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**HON SPEAKER:** I thank the Minister for his answer. Any follow-up question?

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**HON VILJOEN:** I thank the Honourable Minister for the transparent answer.

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**HON SPEAKER:** Question 57 is by Honourable De Waal. Does Honourable De Waal put the Question?

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**QUESTION 57:**

**HON DE WAAL:** I put the Question, Honourable Speaker.

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**HON SPEAKER:** Does the Honourable Minister of Mines and Energy or his Deputy or any other Minister so designated, wish to reply?

24 November 2005

**RESPONSE TO QUESTIONS PUT BY HON DE WAAL  
HON PANDENI**

**HON DE WAAL:** On a Point of Order. I beg your indulgence, Sir. Can we not get a Ruling that these questions be answered on Tuesday, next week, because there are no more Thursdays left in this session as we are adjourning until the 15<sup>th</sup> February 2006?

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**HON SPEAKER:** We will talk about that. The point is well taken. Question 58 is by the same Honourable De Waal. Does the Honourable Member put the Question?

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**QUESTION 58:**

**HON DE WAAL:** I put the Question, Honourable Speaker.

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**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING AND REHABILITATION:** Thank you very much, Comrade Speaker. Honourable Members of this August House, I rise at this occasion to respond to Questions raised in this August House by Honourable Johan De Waal of the DTA in November 2005, pertaining to various issues of mutual concern and interest, with particular reference to Walvis Bay.

Comrade Speaker, with your permission, if I may also be allowed to respond to the questions raised with regard to Henties Bay, because the answers are here – if it does not implicate the processes.

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**HON SPEAKER:** Let us solve it that way, we see what happens.

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**HON MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING AND REHABILITATION:** Thank you very much. In his first question related to the Walvis Bay Municipality, Honourable De Waal stated that about two months ago the Chief Executive Officer of the Municipality of Walvis Bay paid an amount of N\$83 000 to settle the cost of a court case against the inhabitants of

mobile homes at Lang Strand. In this regard Honourable De Waal wanted to know if I could give this House a copy of the Minutes of the Council meeting where this expense was approved.

In responding to this question, I would like to inform Honourable De Waal that the Walvis Bay Municipality Council has adopted a policy on delegation of power that is provided to its Management Committee and designated officials. In terms of the current provision of the approved delegation of power, the Chief Executive Officer is entrusted with the institution of legal action in the normal course of business on behalf of the Council. This particular resolution was taken at a Council meeting held on the 24<sup>th</sup> April 2001, with effect from the 1<sup>st</sup> of May 2001.

The amount paid to settle the costs of a court case involving the inhabitants of mobile homes at Lang Strand – Long Beach, if you so desire – was therefore effected in terms of the Council's policy on delegation of powers.

Monthly payments to *Nampower* of approximately N\$5 Million and to *Namwater* of approximately N\$17 Million are, for example, profit in terms of the provisions of the delegation of power referred to above.

In the second question Honourable De Waal wanted to know what was the outstanding debt owed to the Municipality of Walvis Bay by the inhabitants of that town for the 2002/2003 and 2003/2004 financial years.

The outstanding debts relating to the rendering of utility services owed to the Municipality of Walvis Bay by the inhabitants of the town for the financial years ended 2002/2003, 2003/2004 are as follows:

2001/2002: the amount is N\$32 022 984;

2002/2003: the amount is N\$33 576 318;

2003/2004: the amount is N\$38 782 176.

It should also be noted that the Municipality of Walvis Bay has maintained a collection rate of more than 90% over the previous financial year, which is the 2004/2005 financial year in the above accounts that I have just alluded to.

In addition, the Council has also maintained debtor accounts which are further subdivided into sub-categories, such as subsidies, old-age home society, interest accrued, sundries and *ad hoc* services, single quarters, hostel, low-cost housing and staff housing loans.



Furthermore, the Municipality of Walvis Bay's due date for payment of accounts, including all the sub-categories listed above, is the 7<sup>th</sup> of every month, while the level of debt indicated above is stated as at financial year end which falls on the 30<sup>th</sup> of June every year. Therefore, the debt amount shown at year end will technically always be higher for as long as the due date for payment of account is on the 7<sup>th</sup> of each month.

In his third and last question on Walvis Bay, Honourable De Waal asked as to what was the total debt owed by the Municipality of Walvis Bay for the 2002/2003, 2003/2004 Financial Years.

The total debts owed by the Municipality of Walvis Bay for the financial years ended 2002/2003 and 2003/2004 are as follows:

2001/2002: the amount is N\$54 380 328;  
2002/2003: the amount is N\$53 784 599;  
2003/2004: the amount is N\$66 357 824.

The loans above were taken out to finance capital projects for the period stated. In terms of the Council's financing guidelines, capital projects are financed mainly from internal and external sources. Internal financing is effected through funds and reserves built up for such purposes, while external financing is preferred where rates are more favourable than internal rates of returns and also where cash flow impacts are more favourable. Hire purchase financing is referred to here.

I must also state that although the total debts for the periods stated above amount to N\$664 Million, it should be noted that the total capital spending covering the same periods amounted to N\$1056 Million. It was invested during the 2001/2002 Financial Year for five years.

Turning to the affairs of the Henties Bay Municipality: Honourable De Waal asked me the following:

In his first question, Honourable De Waal wanted to know what amounts were paid out from the *Build Together Housing Project* by the Municipality of Henties Bay for the period starting from the 1<sup>st</sup> of May 2003 to the 31<sup>st</sup> of July 2005 and to whom each amount was paid out and on whose behalf each amount was paid out.

In this regard, I would like to place on record that prior to October 2004, the Municipality of Henties Bay did not take part in the decentralized *Build Together*

*Programme* and the Ministry allocated no funds to the Municipality concerned.

However, the total amount received from the Ministry during October 2004 amounted to N\$759 000 in respect of twenty-nine beneficiaries. In total, twenty-three of these beneficiaries were granted loans to the amount of N\$677 000. The remaining balance of N\$82 000 I am told, will be allocated to the other beneficiaries before the end of this year. Once this has been accomplished, it will mean that the first phase of the decentralized *Build Together Programme* in Henties Bay will be completed.

Because of the good progress made so far in redistributing funds for the decentralised *Build Together Programme*, the Ministry has made available a further amount of N\$920 000 for thirty new applicants. I am informed that these funds will be made available to beneficiaries before the end of December this year.

Honourable De Waal is interested to know who benefited from this programme and I have a scheduled list of payouts to the beneficiaries of the first phase of the decentralised *Build Together Programme* as from October 2004 to 31<sup>st</sup> July 2005 this year, which I am prepared to share with him if he so desires.

In his second question Honourable De Waal is of the view that the Jetty Fund which was created by the Municipality of Henties Bay, with the support of the Founding President, stood at more than N\$300 000 as at May 2003. He, therefore, wants to know the amount of money left in this fund as at 31<sup>st</sup> October this year.

In this respect I would like to state that the Jetty Fund was created through pledges made by the various fishing companies and individuals during the inauguration of the Hanganeni Fish Processing Plant.

During the inauguration an amount of N\$435 000 was pledged. So far the Henties Bay Municipality has received a total amount of N\$148 000. I am sure the Honourable De Waal will understand that when people make pledges, it will take time before they honour those pledges. Therefore, the information supplied to Honourable De Waal about the total of N\$300 000 may not be correct, as the information in my possession, printed from the amount concerned, shows the contrary.

In his third question Honourable De Waal is of the opinion that, as at 29<sup>th</sup> July 2005, the balance on the loan account for staff members of the Municipality of Henties Bay stood at N\$46 744-20. He now wants to know what amounts were subtracted from

these staff members for the month of August, September and October this year and what was the balance of the loan account for staff members on the 7<sup>th</sup> of November 2005.

In answering this question, Comrade Speaker, I wish to remind Honourable De Waal that in terms of the Staff Rules, section 14(2)(a)(I) of the Local Authority Act (Act No. 23 of 1992), this question is not necessarily for public consumption. However, for the sake of transparency and accountability, I would like to inform the Honourable Member that the staff loan balance at 28<sup>th</sup> June 2005 reflected a balance of N\$44 711-90 and has since been redeemed to a balance of N\$26 678-42 as at the 7<sup>th</sup> of November this year.

In his fourth question the Honourable Member quoted the Chief Executive Officer of the Henties Bay Municipality as having stated on 27<sup>th</sup> July 2005 that the Municipality spends about 54% of its monthly income on salaries and due to the operations of ..., revenue has decreased.

He, therefore, asked that given the above circumstances, *I am not convinced* – in the words of Honourable De Waal – *that a salary increase of 28% that was granted to the Councillors of the Municipality of Henties Bay is in the best interest of the people of the town.*

Honourable De Waal is one of the longest serving Members of Parliament. As a lawmaker he is supposed to know that Councillors are not paid staff members, but they are elected political office-bearers. Therefore, due to the nature of their responsibilities, they cannot be regarded as fulltime employees of the Council to qualify for salary payouts, but only get monthly allowances to complement their income, which they are supposed to earn elsewhere as employees of other institutions.

Furthermore, in terms of section 18(2) of the Local Authorities Act (Act 23 of 1992), the remuneration, allowances and other benefits payable to Councillors are determined by the Minister and not by themselves. Such remuneration and allowances and other benefits are applicable to all but two municipalities in the Republic of Namibia. It is, therefore, highly improbable that the amounts and benefits received by the Henties Bay Municipality Councillors exceed the amounts and benefits as determined by the Minister, and which are applicable to all but two municipalities.

In his fifth and last question, Honourable De Waal states that according to article 58(1) of the Local Authorities Act of 1992, the local authority which has established a

housing fund, and to be known as a Housing Fund, into which shall be paid any loan raised by the Local Authority Council for the purpose of any such housing scheme, any amount received in respect of the letting of any dwelling under Section 57(1)(a), any amount received in respect of the repayment of any loan granted under Section 57(1)(b).

In this regard, Honourable Speaker, Honourable Members, the Honourable Member is asking whether the Municipality did establish a Housing Scheme in terms of Article 30(1)(i) and if so, what was the balance of the Housing Fund on the 31<sup>st</sup> October 2005 and were all the moneys received by the Municipality, according to Article 58(1)(a) and (c), paid into the Housing Fund from the date of its creation?

Comrade Speaker, Honourable Members, first of all I would like to correct the Honourable Member that the legislative term for Acts is not referred to as “Articles” but as “Sections”. We are referring to “Sections” and in the Constitution we are referring to “Articles”. Let it be as it is.

Coming to the question raised by the Honourable Member, I would like to inform the Honourable Member that the balance of the Housing Fund as at 31<sup>st</sup> October 2005 amounts to N\$70 549, 00. The question which should be posed is: Why does this Fund perform so poorly?

Not to indulge in long discussions, the answer lies in the poor and inferior material used by the previous contractor who constructed the houses with poor quality materials and workmanship. I am sure the Honourable De Waal knows who these Councillors are as his party was the one which was ruling there. These buildings are costing the current Council a lot of money in maintenance cost; replacing the current roofs with more durable materials that are suitable for Henties Bay’s weather conditions. They were just providing materials without taking the weather conditions into consideration.

However, since the establishment of the Fund a total amount of N\$992 134, 00 has been deposited into the Fund. The expenditure in respect of maintenance and upgrading of these houses amounts to N\$821 625, 00, leaving a balance to date of N\$70 549, 00 - that I have just indicated above.

Honourable Speaker, Honourable Members, I would like to conclude by thanking the Honourable De Waal for his questions, first and foremost, and his keen interest in all the matters affecting local governments, particularly with reference to Walvis Bay

24 November 2005

**RESPONSE TO QUESTIONS PUT BY HON DE WAAL  
HON PANDENI**

and Henties Bay Municipalities as has been demonstrated by the questions that he has posed to the Ministry. It is, therefore, my hope that my response has covered the questions posed by the Honourable De Waal sufficiently. I thank you.

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**HON SPEAKER:** On that note we rise for refreshments.

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**HOUSE ADJOURNS AT 15:40  
HOUSE RESUMES PURSUANT TO ADJOURNMENT AT 16:05**

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**HON SPEAKER:** Honourable De Waal, any Supplementary Question?

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**HON DE WAAL:** No, Honourable Speaker, thank you very much. I would like to confirm that we would like to get the schedule that the Minister has mentioned in the first question on Henties Bay. I think he will give it to us. Thank you, Honourable Speaker.

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**HON SPEAKER:** On that note, all is well that ends well, but my earlier reprimand to the management stands. Question 59 is by the same Honourable De Waal. Does the Honourable Member put the Question?

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**QUESTION 59:**

**HON DE WAAL:** I put the Question, Honourable Speaker.

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**HON MINISTER OF DEFENCE:** Honourable Speaker, Honourable Members, I wondered about the interest in this question. It is the third time I am

being asked this question by the Opposition. Maybe the Members of the Opposition want to become members of the Defence Force Group Assurance Scheme. If you want to, you can apply so that there are no more questions.

Honourable Speaker, Honourable Members of the House, it is my honour to shortly respond to the questions posed by Honourable De Waal in relation to the *Defence Force Group Assurance Scheme* currently administered by *Financial Investment Services (FIS) Life Assurance Company*.

If my memory serves me well, Honourable Moongo, a Member of this House from the same opposition party as Honourable De Waal, posed a similar question on the 23<sup>rd</sup> June 2005, to which I responded. The same question was further put to me by Honourable Tsudao Gurirab, which I declined to respond to because he was not present, with the view that it could be asked again.

Although I have already responded to the same question twice, I will briefly respond again to the Honourable Member.

This House passed a law, which makes it mandatory for every member of the Defence Force to become a participating member to a statutory *Group Life Assurance Scheme*.

The Scheme was administered by *Sanlam Namibia* until the end of May 2004 and is currently administered by the *Financial Investment Services Life Assurance Company*.

The Scheme is not an investment scheme but a Group Funeral Scheme. It pays out in case of death or injuries of Defence Force members or members of their families, namely spouses and children.

I do not want to venture in responding to the Honourable Member on the type of cars that employees or directors of this company are driving. For that matter, we did not bother to know what type of cars were *Sanlam* directors or employees driving when our Scheme was administered by *Sanlam*. We are not interested in what types of cars they are driving; we are only interested in service delivery. We contracted *FIS Life Assurance Company* to cover our members and so far we are happy with the services our members are getting.

The company that underwrites this Group Scheme has its headquarters a few metres from the Defence Force Headquarters. The Honourable Member is welcome to go there, knock at its doors for more information, if need be. Honourable De Waal could

not trace the telephone number of the company as he was possibly looking for it under a wrong name. So, you have to check and get that telephone number.

As I said earlier, the Group Scheme is not an investment scheme, but a *Funeral Cover Scheme* for all NDF members. The underwriter and the Ministry are currently looking at possibilities of introducing additional benefits without increasing premiums. Members have to be consulted first, as that is the backbone of the contract between FIS and the Ministry of Defence on behalf of the members of the Defence Force. There ought to be consultations before any decision affecting their benefits or premiums, are made.

Honourable De Waal has also asked how much money was so far deducted from the salaries of the soldiers. When the Scheme started, on 20<sup>th</sup> July 2004, N\$449 918, 00 were deducted and as more members joined, the amount changed. It stood between N\$15 Million and N\$17 Million. To date, the amount which has been deducted from the salaries of the members of the NDF stands at N\$21 373 410, 69. As I said, this is a funeral cover and not an investment fund.

Of course, I am getting disturbed, but perhaps this will be enough now for the Honourable Members to understand the situation pertaining to the scheme. The Defence Force Group has been in existence for a number of years and such questions have not been posed. I would expect the Honourable Members to also give us alternatives to improve the services to our soldiers, instead of only question after question. I think next time the Honourable Speaker should also give us permission to ask the Honourable Members questions as how to give the services to our servicemen. I thank you.

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**HON SPEAKER:** I thank the Honourable Minister. Any follow-up questions?  
Honourable De Waal?

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**HON DE WAAL:** Thank you, Honourable Speaker. I want to thank the Honourable Minister for a very clear answer. I just want to say to the House that even the words that are used in this question came from a soldier. I request the Honourable Minister to make a copy, not of the thing that you read from, but from the HANSARD, so that the figures that you quoted, the N\$21 million and so forth, can also be in the answer. Let us make photocopies of that answer and distribute it among

24 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON GORESEB**

the soldiers so that they can rest in peace. Please, Honourable Minister. Thank you.

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**HON SPEAKER:** As the system matures and we get better at it, other systems allow for much livelier interaction during question time than doing it more mechanically. There is room for improvement. Whether that would actually lead to Ministers putting Questions to the Opposition ... but a little more interactive exchange would not harm us but actually enrich our experiences. We now get to the Business of the Day. The Secretary will read the First Order of the Day.

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**RESUMPTION OF DEBATE ON SECOND READING – CONFERMENT OF  
STATUS OF ‘FOUNDING FATHER OF THE NAMIBIAN NATION’ BILL  
[B.14-2005]**

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**HON SPEAKER:** When this Debate was adjourned yesterday, 23<sup>rd</sup> November 2005, the Question before the Assembly was a Motion by the Right Honourable Prime Minister that the Bill be now read a Second Time. The Honourable Mr Goreseb adjourned the Debate and I now give him the floor.

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**HON GORESEB:** Honourable Speaker, Honourable Members of the National Assembly, the Bill under discussion seeks for the conferment on the first President of the Republic of Namibia, His Excellency, Dr Sam Nujoma, the status of ‘*Founding Father of the Namibian Nation*’ and to provide for matters incidental thereto.

The rationale behind this request has been eloquently elaborated on by the Right Honourable Prime Minister, Nahas Angula, when he tabled this Bill.

I do agree with him, in many instances, that as a Nation so successfully seizing its potential and so focused on looking forward, it is easy for young generations to overlook the past and to live without full appreciation of the people and events that brought our Country to where it is today. Examples have been quoted of the Kutako’s, the Witboois’, and I do not need to repeat it.



Bestowing *Founding Father of the Nation* status upon one such unique personality will undoubtedly provide that essential link between past, present and the future, constantly reminding Namibians of their history.

Honourable Speaker, Honourable Members, our multi-cultural and multi-ethnic Country became a Nation with social allegiance to one Constitution, one flag and one Government only on the 21<sup>st</sup> March 1990 and Nujoma crystallized about him the living forces of the soil.

Such a diverse country is not only built on its rich natural resources, but on the hard work and determination of the generations that came before us. In other words the strength and the pride of a Nation lie not with its physical resources and constructions, but with its people and their spirit of perseverance.

The sought conferment status of the 'Founding Father of the Namibian Nation' will undoubtedly send a positive message to people in and outside our National borders; that a commitment to people, tolerance and the sharing of good fortune can build a strong, secure Nation.

Honourable Speaker, Honourable Members, Dr Nujoma's determination, leadership and refusal to give up made the difference between victory and defeat on more than one occasion. His hastened acceptance and signing of the ill-intended *Resolution 435* turned the tide in a war, which had clearly been going the way of the South African minority apartheid regime, in favour of the Namibian people.

Honourable Speaker, indeed, so powerful was Nujoma's character and reputation that the organizers of the Constitutional Assembly believed that the Assembly could not and would not succeed unless the Nujoma-led SWAPO are part and parcel of it.

Perhaps the most lasting effects of Nujoma's influence on Namibia are his three terms of office as the Nation's first president, although it was in breach of the Constitution. His voluntary stepping down after being given three terms in office set the precedent of timely and orderly transitions in political power and leadership.

Honourable Speaker, Honourable Members, a leader with such good qualities and character does not need an Act or a law to be honoured with the title he rightfully deserves. (Intervention)

**HON GEINGOB:** On a Point of Order. I wanted to know whether the Honourable Member said “*in breach of the Constitution*”. You mentioned the Constitution and the third term. Did you say “in breach of the Constitution?”

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**HON GORESEB:** Yes, I said that. The reason advanced that when that happened there was a huge request that the President must be given a third term. (Intervention)

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**HON GEINGOB:** On a Point of Order. I would have liked him just to repeat, but instead he answered. Now, since there is a repeated reference to that amendment and this particular Bill, I would like to put on record that there is a serious mistake being made to say that the third term was unconstitutional. The Constitution provides for amendment of the Constitution. It provides for the majority to effect an amendment and that procedure was followed to the letter. This did not make him President automatically; he had to stand and he could have been defeated. So, it is very, very unfair to keep on saying that the third term was illegal or unconstitutional. It must be stopped right now. It is wrong, and Members should not repeat that. I heard it outside, but in this building where we debated the issue constitutionally and amended the Constitution according to the requirements of the Constitution, it will be unfair for Honourable Members to say it was an illegal amendment.

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**HON SPEAKER:** Factual and proper Point of Order. Honourable Goreseb, continue.

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**HON GORESEB:** Thank you very much for that good advice. If I made a mistake in that regard technically ... (Intervention)

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**HON ULENGA:** On a Point of Order. Honourable Speaker, I am a little hesitant with the Point of Order which I am raising, but I think it is very necessary to separate matters here. It is one thing, and many people may agree with what the Honourable Member said that it is unfair; it is the expression of an opinion that it is unfair for one

to speak like that. But to say it must stop right now forthwith is actually to deny people expressing their opinion. (Interjections). No, if you say it is unfair, it does not mean that people cannot say it. So, everybody has the right to speak their minds and so be it. I thank you.

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**HON SPEAKER:** There are two separate issues. One is the constitutionality of amending the Constitution. On that point Honourable Geingob is quite correct. The Constitution provides for amendment and that procedure was followed, elections were held and the candidate, Sam Nujoma, was elected. People can have political views and differences as to whether that was a good thing or a bad thing. So, on political grounds people can make points but not in terms of the constitutionality of that Act.

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**HON GORESEB:** Thank you, Mr. Speaker. His voluntary stepping down after given three terms in office has set the precedent of timely and orderly transitions in political power and leadership.

A leader with such good qualities and character does not need an act or a law to be honoured with the title he rightfully deserves. This could simply have been done by Presidential decree, which this august House would have adopted without any further deliberations.

This is where I fail to understand your motive, Right Honourable Prime Minister. Why seek an Act of Parliament?

It will be a great honour to all Namibians if His Excellency, the Founding President, retired in that capacity as the first President of the Republic of Namibia, being our National hero and refrain from active party politics. That is the big reason why people are against the fact that we have to honour the President as the 'Founding President of Namibia' while he is actively busy with party politics.

I wish he would draw strength and wisdom from the Bible and relinquish his presidency of the SWAPO party, which he so dearly loves, for the sake of unity and Nationhood.

Right Honourable Prime Minister, your request to "*provide for matters incidental thereto*" is a bit vague to me. I do not clearly understand what are those matters

24 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON GERTZE**

*incidental to* the title of the 'Founding Father of the Namibian Nation'? What are those envisaged *incidental matters*? We are asked to legalize this great honour to a person who is still alive. Are we not perhaps making him above the Law by these *incidental matters*?

I rest my case. Thank you for your indulgence, Mr Speaker and Honourable Members of Parliament. Thank you very much.

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**HON SPEAKER:** I thank Honourable Goreseb. Honourable Gertze.

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**HON GERTZE:** Honourable Speaker, Honourable Members of this august House, other Honourable Members of this Parliament have indicated that it was not their intention to speak about the proposed Bill which seeks to confer the title of honour to Namibia's former President, Dr Sam Nujoma, as the "*Father of the Nation*."

Without denying Dr Nujoma the honours we all want to see bestowed upon him, and without losing respect and fear for him, one thing however, has prompted me to say something under this discussion. The first one - and I have a couple of them is the distortion of the truth about the things we have done as individuals, and distortion of the things people have done and or have experienced.

The truth is a very, very important thing and we should guard against distortions. Distortions can be very annoying, especially when you are perhaps small or weak and vulnerable and some others feel or think that they are strong and can tell anything they choose to. It is even more painful, Honourable Speaker, when distortions are made as if they are facts of history, while you sit..... (intervention)

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**HON MINISTER OF LANDS AND RESETTLEMENT:** Thank you, Comrade Speaker. Comrade Speaker, when it comes to the distortion of the truth: In 2000 the truth was that SWAPO won the election. CoD won five seats and the COD distorted the truth by going to Court and by telling the Namibian Nation that it was unfair and that the election was distorted. In the meantime they knew it was the truth; that is why they are here. Are they not distorting the truth? Can they now return by telling

24 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON GERTZE**

the Namibian Nation the truth? They told lies by going to Court and saying that it was not fair. It is a question. I want the Honourable Member to respond. Thank you.

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**HON SPEAKER:** Thank you Minister. Proceed, Honourable Gertze. You may respond.

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**HON GERTZE:** Honourable Speaker, I am one such person who sits in this House today on behalf of many others who are still alive, those who have lost their lives, and those who sit with questions that seem never to be answered in the time to come.

Honourable Speaker, I am not alone and I am not the only one saying this. We may not be hundreds of thousands. What I am going to say here does not depend on the size of the group that speaks. Honourable Members of this House, you may decide not to accept what I say and how I say it, but the people who have sleepless nights because of the pain they have to endure, will hear how much you value our cries.

I am a living testimony and therefore a fact of history, at least that part of the history, which I have lived through. My experience and the experiences of all people identifying with Lubango have taught us to know who we are and where we are going. Everyone in this House, from whatever political affiliation, equally know that about themselves. Everyone is entitled to stand by that. *Some also stand by it, even knowing very well that there are skeletons in their cupboards, as long as they can suffocate the skeletons of others.*

When are we going to be truthful to ourselves and by so doing being truthful to others?

I have read parts of this book I have here - *Where Others Wavered* written by Doctor Nujoma. There are parts I do not know much about and others of which I know nothing, but there are others that may know.

I only want to share some parts of the information I have heard, when the same Honourable Member - who have just asked the question - asked Honourable Schimming-Chase, when she was speaking yesterday, how many parties she had been in? I have an extract from the very newspaper quoted in the book *Where Others Wavered*, and exactly during the same days of which events are cited and that is from

the *Windhoek Advertiser* of 29 September 1959. This was seven months before I was born, but I was in my mother's womb at the time. I will read it for you. If you are interested in it then I can also circulate it for you.

***“Mass Meeting As Advised by Getzen From USA”*** That is the headline. *“As a result of a letter written to the people in South-West Africa by Getzen, a deflected non-European student who is now in New York - Kerina Mburumba Getzen, that used to be the name he had at the time - a mass meeting of Natives was held in the Windhoek Location on Sunday afternoon and Fanuel Kozonguizi was elected President of the newly formed South- West African National Union, SWANU.*

*Sam Nujoma, President of the Owamboland People's Organisation, is on the Executive Committee. Kozonguizi is a Herero student who was refused a passport to travel overseas. He slipped out of South-West Africa and after a visit to Ghana, he appeared in New York where he is expected to give oral evidence to the UNO, United Nations Organisation on South-West Africa. Getzen wrote a letter to the people in South-West Africa saying that the time was right for action and that all non-Europeans Organisations must combine in an effort against the white regime. He said that the Whites are now showing signs of fear.”*

Why then, especially when having been associated with SWANU, the oldest Party, in which Namibians came together at the time to make initiatives which have resulted in what we are today, why must we be so economical with the truth? If the contents of this paper here is a distortion, it cannot be the truth, certainly. If the statement in this book is the truth, this cannot be a distortion. What parts then will be a true reflection of history, and which ones will not be? History always remains alive. We cannot destroy it.

My mother was born in 1924 and my father in 1923. They both are dead now. I have learned many things from them too. In those days my mother was in the Old Location running with me in the stomach.

I want to turn, very briefly, to the Conferment of the Title of Honour *‘The Father of the Nation’*. Before I go to that, I would like to read to you parts from the files of the *United Nations Organisation*, and from the *International Court of Justice*, and from contemporary politicians, researchers, *etcetera*, from those organizations in those years. I specifically want to cite persons that we demonised simply because they have started with some things, and whatever they might have become in the long run. This is being recounted as:

*“I first became aware of Mburumba Kerina as a schoolboy in the early 1950’s. He had been granted a South African Passport to avail himself of an invitation to go to a college in the US in 1952. Some years later after he had obtained a Bachelors Degree at Lincoln University in Pennsylvania, his name began to appear in the South African and Namibian media with a message that we found thrilling. Evidently inspired by the achievement of Independence by the West Africans of Ghana and Guinea led by Kwame Nkrumah and (.....). In 1956 from exile in New York, Mburumba began to make demands, duly reported by the South African media, for the independence of his own people.”*

It goes on. I am only going to read to you some extracts.

*“In early 1959, Mburumba was joined in New York by another countryman of ours, Jariretundu Kozonguizi, a law student. Kozo, as we called him, was sent by the Chief of the Herero’s, Hosea Kutako, to convey to the World Body the urgency of the situation faced by the Natives, where, for example, all the blacks within the City of Windhoek and in the coastal towns of Walvis Bay and Swakopmund were to be expelled from their homes in the centres, ghettos and the territories.”*

I shall go on to read you more.

*“Subsequently, Mburumba became involved in the process that led to Ethiopia and Liberia taking the case to the International Court of Justice in 1960. The South-West African cases that ended in 1966 in a quite scandalous decision, one that closed the door to a peaceful resolution of the conflict with South Africa. In their submissions to the Court the South African Regime submitted evidence that was intended to discredit the petitioners. Ironically however, the correspondence they had (intervention)*

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**HON SPEAKER:** Honourable Gertze, I do not wish to stop you, but this line of thinking, I assume, is intended to lead to something that would connect your intervention with the.....

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**HON GERTZE:** Honourable Speaker, we have been taught some version of history here that justifies and motivates the conferment of this honour. I have also learnt the history in this case and that is why I am bringing it as part of this thinking. So we are faced with the question as to what really is the truth about our history.

24 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON GERTZE**

**HON SPEAKER:** Yes. I am just hoping that you would get to the connection, to the linkage.

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**HON GERTZE:** Honourable Speaker, I do not have to continue reading these parts, but the distortion part is what I am trying to point out. History is history and we should not create different versions of it.

The justification of the honour, the conferment of the honour comes in there. I am looking at it as people that I know perhaps also deserve this kind of honour, because it was a collective thing but when you demonise other people in the process, that is it.

For the sake of time I shall read extracts from the letters written by Mburumba Kerina from the US. They are dated (intervention)

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**HON SPEAKER:** Honourable Gertze, are you trying to correct facts - some of the (intervention)

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**HON GERTZE:** Some of these, I do not want to call them facts, but some of the addresses made during the recommendation, rather the motivation, and then what is contained in the book we are dealing with about the truth of our history.

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**HON SPEAKER:** I have been listening, I hope (intervention)

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**HON GERTZE:** If you do not want me to read this, I do not have a problem.

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**HON SPEAKER:** I do not have the benefit of knowing the relationship between that part of history and what the House is called upon to discuss. I have some idea about part of the history you were citing, but it does not deny you the right to refer to that history. I am hoping that the line of thinking that you are pursuing would sooner rather than later bring you back to the point on which you rose? I did not understand



24 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON GERTZE**

that you rose to recount history, but you wanted to contribute to the subject matter before the House.

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**HON GERTZE:** Honourable Speaker, thank you. We can read that. I shall continue now and so I turn very briefly to the conferment of the Title of Honour, the 'Father of the Nation' (intervention)

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**HON SCHIMMING-CHASE:** Honourable Gertze, is it possible that in view of the fact that the Right Honourable Prime Minister and others made a case, why this honour should be conferred by using history, that you are using the same right by citing history while you make observations?

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**HON GERTZE:** Thank you for that question. Well I think that is the approach we are taking, certainly I do not want to do the same thing as such. There are facts that we know about and I do not have a problem with the Conferment of the Honour. I also made the choice that I shall not read that part of history. It is not a problem for me. But I want to go on (intervention)

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**HON SPEAKER:** Let me also then say - It is not so much history, I like history, perhaps you do not know about it. But history for what purpose? There must be some relevance between the issue being cited and the Motion we are discussing.

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**HON GERTZE:** Honourable Speaker, this is exactly what I am also trying to avoid and the reason why I would not read because I would have motivated and responded on the basis of the history I have heard. That was the reason why I wanted to place authentic documents as proof to recount the history that was made. However, I shall continue and I am only going to state the dilemma some of us are in when we are made to listen to this kind of recount. If I hear it in passing it might not be bad at all.

When Namibia became independent and until last year, I have felt that Doctor Nujoma must have learned that Lubango was worse, and that is why no single one was detained, except other cases that are not related to it. I want to give that credit to him and must really honour and respect him for having led Namibians through a bitter struggle, which was that hard struggle over which we argue so much. However, there are serious omissions he has made, and perhaps all of us have made serious omissions. We, the Lubango people, are not just a group, we are people.

Honourable Members of this House, I am an ex-detainee, a survivor of the Lubango dungeons. My fellow ex-detainees and I may not be regarded as part of Dr Sam Nujoma's life history, or of his struggle's history, if that is so chosen. We do not feature in this book at all, perhaps in one sentence, by reference in one sentence. I do not have a problem with that either, but we have lived and existed, and still exist, both at the time. History is not just a story we tell. The stories we tell must be part of our history.

Now some of you in this House, and I can see you right now, may recall the days of which we have shared a couple of hours, days, months. Words we have heard and shared, and the things we saw. There are the dark days of 1986 March; 18 April, and some of you know very well; April 21 1986; days of 1988 in December; around December 8; January; April 19; May and June 1989.

I find it extremely unfair and indeed very demeaning to be expected even to discuss, or worst to support this Bill. Honourable Speaker, Members of this House, I still relive Lubango every day and night. I hear and see those scenes. It might not be your business; it might be just our business.

Honourable Members, for some of you this Bill is important - I recognise that - and you may pass it as well. You may also write your own history, but remember that Namibia has a History. I want to put it to you, our dilemma again, a question of freedom and conscience to us.

What will happen to me and my fellow victims of Lubango, directly or indirectly, if this Bill is passed into a law? We will – with great respect that it is done – not comply with it, because we know what many of you do not know. Are we going to be taken back to Lubango if we do that?

We would have loved to see a “Father of the Nation” who could lend an ear to the cries of many people in this country whose lives have been shattered under the leadership of Doctor Sam Nujoma.

24 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON MUDGE**

As an advocate of reconciliation and peace and unity in this country, I shall urge us all, and I will be the first to do so, to help Doctor Nujoma to retire from a job he has done with great honour - that is running the country for the past 15 years - and use that opportunity of retirement to reconcile his people and to mend the wounds of history. Doctor Nujoma and all of us have worked; we still have some work to do.

I thank you.

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**HON SPEAKER:** Thank you, Honourable Gertze. Any further discussions?  
Honourable Mudge.

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**HON MUDGE:** Honourable Speaker, after this I did not want to say anything, but let me express a few ideas. I can understand why the Members of the Ruling Party would like to bestow such an honour on the President, but I would like to stick to facts.

The one fact is that the Former President is the Founding President of this country. That is a fact; that is a huge honour; that is something that can never be taken away. That is something which happens once in the lifetime of a country, which is very, very long. That is a huge honour. It is also a fact that the Former President cannot be seen as the 'Founding Father of this Nation' simply because he is not necessarily the Founding Father of the Damara speaking people, or Nama speaking people (intervention)

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**HON MINISTER OF LANDS AND RESETTLEMENT:** Honourable Member, listen. I understand if one visits a patient who is suffering from TB in the hospital, and you never suffered from TB before. You visit that person and he tells you he is having a pain here or there; you will never feel it because you never experienced TB and how painful it is. In the same way it is an insult to the Namibian people, especially the black Namibian people, who suffered. On the northern side of Namibia there is a country called Angola where there are over 18 million people. At the southern end of Namibia there is South Africa with over 45 million people and we Namibians are only 1.8 million. Why are we not 3 million or 4 million? Can you give me that answer?

The Nama people today; if you go to the area next to Luderitz there are bones of

24 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON MUDGE**

Nama people in the desert. The Herero speaking people were eliminated. The black people who suffered for this country - you will never understand if we say he is the Father. We, the Namibian people, fought to gain independence from brutality. You never suffered. So the reconciliation we have here today; today you are here in this Parliament, (these are the bones, these are in the desert of Namibia) you never suffered any, never, never. On all the commercial farms today in Namibia there are graves of Namibians.

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**HON SPEAKER:** Honourable Minister (intervention)

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**HON MINISTER OF LANDS AND RESETTLEMENT:** Do not ever provoke the Namibian people, never ever, because what we are speaking the public outside are hearing. Do not ever (intervention)

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**HON SPEAKER:** Honourable Minister, before you sit down. If you could link that very strong expression to what exactly is it that the Honourable Member said that you are responding to?

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**HON MINISTER OF LANDS AND RESETTLEMENT:** Yes. So now I want you to respond.

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**HON SPEAKER:** Concerning what? Therefore do not do that. Continue Minister.

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**HON MINISTER OF LANDS AND RESETTLEMENT:** Comrade Speaker, I mean the Honourable Member never felt the pain and suffering that Namibians suffered at the hand of their white compatriots here. So you must not provoke and say you speak on behalf of the Nama people, never ever. We accept you here in this House with reconciliation. So if you have nothing to say, it is better to sit. Thank you very much.

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24 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON MUDGE**

**HON SPEAKER:** Honourable Mudge, you heard it.

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**HON MUDGE:** I am still waiting for the question, Honourable Speaker. But let me carry on. As I said it is a short contribution. (Intervention)

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**HON MINISTER OF PRESIDENTIAL AFFAIRS:** Comrade Speaker, I am bitterly disappointed by the words that were spoken by a person who claims to be a leader of a political party in an Independent Namibia under the Supreme Law, namely the Namibian Constitution.

The remarks of the Honourable Member, if I may conclude or summarise: Is he insinuating that blacks can never form a Nation because they are Damaras, Herero's, and so forth. Only whites can form a Nation? That to us is a new in an Independent Namibia. It is not acceptable, it will never be accepted. The Honourable Member must be really be aware that if it was not for the extermination of our Herero brothers and sisters, today the Herero's alone would have been about 5 million. We should not forget history. That is very painful and it is not acceptable.

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**HON MUDGE:** Honourable Speaker, I am going to say that I believe what I said is not derogatory. It is facts. The fact of the matter is there is also a problem when you bestow an honour on a living person. The fact is that the Former President is the Founding President and that cannot be taken away, and I said that was in due honour. But (intervention)

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**HON MINISTER OF FINANCE:** Honourable Speaker, I want to ask a question of the Honourable Member because I am trying to understand something. I want the Honourable Member to help us understand exactly what he meant when he said Sam Nujoma was not the father of the Damaras, was not the father of the Herero's? He says it cannot be? Can he explain exactly what he means? Does he mean to say that there is no relationship between the Damaras and the Herero's and the Owambo's? What exactly makes it impossible for there to be affinity between Sam Nujoma and the Herero's and the Damaras? Can he explain that?

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24 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON MUDGE**

**HON SPEAKER:** I have a tall order of examples to cite. I am sure you will rise to the occasion?

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**HON MUDGE:** Honourable Speaker, what I said was not at all meant in a derogatory way. The Herero speaking people are a proud people. The Oshiwambo speaking people are a proud people. The Nama speaking people are a proud people. In their own right they are proud people and they have their Founding Fathers.

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**RT HON PRIME MINISTER:** Honourable Mudge, your reasoning is very sickening, very sickening, indeed. If you wanted to stick to facts, you could have done so by simply saying that you know that in Namibia there are 20% of voters who do not support SWAPO. Perhaps those ones might not regard him as a Father of the Nation. If you say that, we will accept it.

But just to say Damaras, Namas, even those who vote for SWAPO and they make a conclusion; simply sickening, and I really think it is high time that you think twice before you speak.

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**HON SPEAKER:** I will plead with the House to allow Mr Mudge to say a little more than what he has said, because the points being raised are taking us into a very, very dangerous zone. I like to think that it was not intention on his part? I give you the opportunity, Honourable Mudge, to say what you mean, when you say it, in the manner in which you are saying it.

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**HON MUDGE:** Honourable Speaker, I was not thinking along political lines at all. But I will leave it there; I do not want to provoke anybody. I want to say that there is a problem if you rename places after living persons, because we have those examples throughout the world (intervention)

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**HON SPEAKER:** Go ahead, Honourable Mudge.

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**HON MUDGE:** All those examples throughout the world and I think it is just dangerous to do that. I want to say that I respect the feelings of the Members of the Ruling Party; that *that* is their feeling and they can do that. They can bestow that honour on their President.

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**HON KASINGO:** On a Point of Information, Honourable Speaker, Honourable Members, what Honourable Henk Mudge has stated is one of the dangerous weapons they have inflicted upon the Namibian Nation apart from killing them; the divide and rule policy.

That is why he can comfortably say that Sam Nujoma is not the Father of the Damara or of the Herero. You should know, Honourable Mudge, that when the SWAPO Government took over in 1990, it took over a heavily divided Nation, the oppressed and oppressor, and they were ready to take revenge. You who oppressed us, you wanted revenge because of your political defeat. We, who were oppressed, wanted revenge because you oppressed us. But, we were healed by the policy of National Reconciliation, of which the first President surrounded by his lieutenants the Speaker, the first Prime Minister, Doctor Amathila, the current President and Honourable Hidipo Hamutenya, among others.

Were it not for the national reconciliation policy, there could have been a blood bath in this country. Take note.

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**HON MUDGE:** Honourable Speaker, the one problem I have is just to finish my contributions, because there is no Point of Orders and there is no (intervention)

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**HON DEPUTY MINISTER OF REGIONAL AND LOCAL GOVERNMENT AND HOUSING AND REHABILITATION:** Thank you, Honourable Speaker. Some of us are young Parliamentarians. People who have groomed us, or who have brought us up politically, are sitting in this House. They invested time and energy. We are sitting in this House: starting with Gurirab, the Speaker; the former Prime Minister, Hidipo Hamutenya; Nahas; I can list the Ekandjo's; there is Meme Libertine; Meme Nandi-Ndaitwah, the people who deliberately, (all of them Honourables). In fact, when they were doing this they were young people; when they

were setting the ground for the culture which is this country. They were young people. But it is really painful when we sit in this House trying to emulate the culture which has been created. You have a Member who hails from a cultural background of oppression, of theft of all sorts of things that you can think of. When he mentions examples he always refers to either Damaras or ... it reminds of the past. There are also Germans in this country. There are also Afrikaners in this country. There are also English in this country. Why does he not in these examples refer to these people? This man is a racist. Thank you.

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**HON ULENGA:** Yes, I want to speak on a Point of Order, Honourable Speaker. I have to say I did not get that one quite well, you want to do it together? But somebody was smart enough to sit me here; I like to sit next to the Honourable Member.

Honourable Speaker, there is a procedure that guides the deliberations in this House. Those procedures are there to make sure that the democracy which Namibians had fought for decades, if not longer, comes to fruition. We have a country that runs fairly well and that brings representatives to a House like this so that people can be heard. I know that there are statements made which can be infuriating. But Honourable Speaker, I also know that many of us here have been in worse situations. Some of the people that I am looking at as I stand here have been under fire; literal fire, not verbal fire. I cannot see why you cannot allow a man - people say a fool, give a fool a long rope and he will hang himself. I cannot see why Members cannot allow people to speak. We are all allowed to make mistakes. Let people say what they want to say and be doomed.

Last, Honourable Speaker, let the man speak.

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**HON SPEAKER:** We are Honourable Members in this Honourable House. We have collective and individual responsibility, to be responsible Parliamentarians, to be worthy of the mandate given to us by those who elected us. We can and we must differ because we represent different views and particularly different Political Parties. Let us differ and let us listen to one another. You elected me to be the Judge and that is what I intend to do. I can achieve that mission only with your co-operation and I plead for your co-operation. Honourable Mudge, you have the floor.



**HON MUDGE:** Honourable Speaker, I would also like to add that we should be consistent. I am being accused of being provocative, but other Members can say whatever they want and also make long speeches. They can ask for their own time to speak and then they abuse it. They can express themselves (Intervention)

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**HON SPEAKER:** Let Honourable Mudge speak. He has not said anything yet. Let him say something before we raise a Point of Order. Honourable Mudge?

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**HON MUDGE:** As I said, I have no problem if the Ruling Party wanted to give him that title and call him the Founding Father. My Party and I can unfortunately not support this Bill. There is, however, one thing that also worries me and that is the last part which Honourable Goreseb also mentioned, "*to provide for matters incidental thereto*". I can find nothing in that regard in the Right Honourable Prime Minister's Introduction. With that I am going to sit down and I just want to confirm that we will not support this Bill.

Thank you.

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**RT HON PRIME MINISTER:** Thank you, Honourable Speaker. Honourable Members who took part in the Debate on this Bill, I would like to thank you for taking part in the Debate. From the very outset, I would like to say that Honourable Henk Mudge's contribution was the most unwelcome one. I think the Honourable Member is suffering from apartheid amnesia of some kind.

To reduce the Bill to tribes and ethnic groups I think is beyond the comprehension of anybody in this House. This very Constitution, says that the practice of racial discrimination and the practice of the ideology of apartheid, from which the majority of the people of Namibia had suffered for so long, shall be prohibited; but he still thinks in those terms. So I dismiss his contribution with the contempt it deserves.

For the rest of the colleagues, I would like to thank you whether we agree or not; in particular Honourable Gertze. Yes, it is true that the struggle was long and bitter and some people got caught in the crossfire. We do understand that but that does not really prevent us from doing the right things now. We should continue to do the right things now so that those things will not be repeated in the future. For the rest of the

colleagues who have expressed different points of view; yes, I do respect your different points of view because that is why we brought democracy here. That democracy was brought here by the SWAPO Party - nobody else.

We sacrificed for it to allow you to say what you say, but within boundaries of respectability. I do appreciate and respect the views, including those of Honourable Nora Schimming-Chase. You are free to differ with us. That is democracy. However, I must say that some of the opposing views are based either on wrong perceptions of the purpose of the Bill, or politically motivated, or are personal. That is the fact which I have observed here. I cannot say much about politically motivated views; you are entitled to them, nor about political attitudes. If you hate a person you hate a person - that is it. I cannot help that. The only thing I can do is to ask a priest among us to say a prayer, but not now, so that we are forgiven, or seek forgiveness.

I want to say something about the wrong perceptions about this Bill and I want to do so by putting the Bill in its true context. The idea of this Bill was part of the strategy to manage the democratic transition which took place. This Bill was not conceived yesterday, or after March 21<sup>st</sup>. It is something which was part of the package of managing the democratic transition. How did it change? We all know that change creates uncertainties, change creates apprehension in the minds of people, and sometimes change is threatening for some people. We know that. Change has to be managed and part of managing change is to create institutions to give confidence and comfort to those who are threatened by change.

Secondly, this Bill was part of the idea of Nation building. Nations need models. Especially young people need exemplary figures; people who can inspire others to do good for the good of the community and the people. We have a need of people of high prestige. We might not need them today, but if there is tension among our people we need people who can stand above us and bring us together. People walk and build bridges and people who can build peace. We need those kinds of people.

Lastly, you need also to recognise the efforts of other people. I said in my statement, given the background of His Excellency, Doctor Sam Nujoma, and you compare it with his achievement: it is a milestone. You cannot deny that. In his book he says he was looking after goats and cattle; like many of us did when we were boys. By the fate of history he went to Walvis Bay; fine. By the fate of history in the mid 50's he happened to be in Windhoek while there he got interested involved in political activities by that time. He got the idea. There were many people who could have gotten the idea. There were people who were in the Second World War. There were people who read about the Atlantic Charter. There were people who knew about

PAN Africanism and others, but they never had this idea.

Sam Nujoma, an ordinary resident of the old location, had the idea. When he was going to St. Barnabas he was going to a place like our NAMCOL, which you hate. This was a NAMCOL guy who had an idea and carried it out to its logical end. Why do you not want to celebrate this? The idea of liberation; of independence; of commitment; of sacrifice. He had the idea; there were many other people here but they did not get it.

They got co-opted; there is no distortion of history, not at all. I do not do that. Everybody will agree, even Honourable Nora Schimming-Chase when they were in their SWANU - Chief Council. They recognised the potential of this man. They did.

Why do you not want to celebrate this achievement? We have models and you can start from scratch, from nowhere you can emerge, provided that you have a vision, you have commitment, courage and perseverance. That is what we are honouring. Honourable Members, this is our idea and motivation for this Bill and motivated by the sense of history.

Now, when SWAPO sat with the management of the Democratic Transition, SWAPO had to learn from the experience of others. It was in that regard that some SWAPO leaders visited a number of countries. Some went to Botswana to see how they managed the transition there; some went to South Africa to see how they managed their transition; some went to Mozambique to see how they managed their transition there; some went to the United Republic of Tanzania to see how the transition was managed there. This was the process of managing a democratic transition. It is not something which just came yesterday.

When we started investigations in the United Republic of Tanzania, we found that the transition in that country had taken root. I think by the end of this year there will be about three former Presidents, if the Founding President is still alive. As people who had a certain affinity to Tanganyika, as our peoples - Tanzanians, the Tanganyika's and the South Westers, the Namibians - all tasted the bitter pill of German colonialism. You know that. You also know that the birth of liberation of our country was midwived in Dar-es-Salaam in Tanganyika; the African Liberation Committee; the OAU Liberation Committee.

So we admire that country for what it stood for. We decided therefore that our transition will be managed along the lines of the experiences of the United Republic of Tanzania. When the first President of Tanzania retired, the people decided to

confer on him the title of *BABAYA TAIFA* (.....). I am talking about the knowledge of people and how they managed their transition. That is what I am talking about. There is no other thing. It is a thing properly considered and properly conceived to manage the transition, to give comfort and security and to give role models to our people and our young people, today, tomorrow and the day after tomorrow.

That is the idea. Some of you will come up with crazy ideas that this is to give Sam Nujoma some kind of immunity. Immunity against what?

The Constitution cannot be overtaken. Honourable Ulenga, no law can overwrite the Constitution. If you are talking about immunity, Article 31 is very clear and very comprehensive about immunity from civil and criminal proceedings of the President of the Republic of Namibia.

Not this law. If you think that the Law is undermining the Rule of Law you can amend it; you can throw it out. It has nothing to do with those kinds of things you are thinking about. These are wrong perceptions. The law is grounded in the process of managing transition. That is the root of this law. I want you to understand it in that way. If you look at it, it is well crafted. Look at the preamble paragraph to recognize the historical contribution. Do you deny that Sam Nujoma did not make a historical contribution? Even when the Honourable Ben Ulenga in this country was saying that (song).

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**HON ULENGA:** Honourable Speaker, I just want to correct something that the Prime Minister said now.

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**HON SPEAKER:** You may be seated.

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**HON ULENGA:** On a Point of Order, may I correct?

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**HON SPEAKER:** You may be seated first. Let us all take a deep breath because the Right Honourable Prime Minister, rather than speaking, was singing the words. I

missed the passage which he wanted to convey and I would ask the Right Honourable Prime Minister to withdraw the singing.

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**RT HON PRIME MINISTER:** The singing is withdrawn but the idea was to capture the spirit of the time. There was that spirit that we were going to be alongside Sam Nujoma to fight for Independence. That was back in 1975 rather. When we got there it was 74. But Sam Nujoma had gone there in 1960. It had been a long time that he had been there. So he inspired the young generation to commit themselves to contribute to the country and they did. That is a historical contribution. We are saying we want to recognise his contribution to the achievement of national reconciliation. Had this country not reconciled? Why the provocation of a demented individual who happens to be a Member of this House? We still tolerate that even if we know that this is total provocation. Did Sam Nujoma not contribute to this? When we met in Luanda and decided to send a letter to the Secretary-General of the UN announcing that SWAPO was going to cease the armed liberation struggle and opted for the political struggle. Then you said let us turn a new page. That new page was the policy of national reconciliation. Yes, we recognize that there was war; there are wounds. It is not only you, many of us were wounded. Yes, people lost their lives, there are people who lost their limbs, there are people who lost their property; we recognise that.

There are people who were caught in the crossfire, we recognise that. But that should not distract us from doing the right thing. And the right thing is to give recognition to the Founding President of this country, so that he can be a symbol of Nationhood, a symbol of reconciliation, a symbol of unity and a symbol for the future. This is the intention of this Bill. This is a Bill for Nation building; it is a Bill for reconciliation; it is a Bill to enhance our democratic transition. You can be cynical, but history will definitely prove us right. With this reply I hope the Honourable Members of the opposition will see the logic and support this Bill so that tomorrow we work as one people, one Nation.

Thank you.

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**HON SPEAKER:** I thank the Right Honourable Prime Minister. I now put the Question that the Bill be now read a Second Time. Any objection? Who is objecting?

24 November 2005

**CONFERMENT OF STATUS OF FOUNDING FATHER  
HON ANGULA**

**HON SCHIMMING-CHASE:** I am objecting and asking for advice.

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**HON SPEAKER:** Are you asking for advice?

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**HON SCHIMMING-CHASE:** Yes, Mr Speaker. We waited and that is why we lost Kasikili. Now you are telling me...

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**HON SPEAKER:** Honourable Schimming-Chase, what kind of advice are you seeking?

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**HON SCHIMMING-CHASE:** No. I have been advised to be quiet, Speaker. Thank you.

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**HON SPEAKER:** Advice from the? So I take it that it is no objection. There is no objection and agreed to. The Secretary will read the Bill for the second time.

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**CONFERMENT OF STATUS OF FOUNDING FATHER OF THE NAMIBIAN  
NATION BILL**

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

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**COMMITTEE STAGE – CHILDREN’S STATUS BILL.**

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24 November 2005

**COMMITTEE STAGE: CHILDREN'S STATUS BILL**

**HON SPEAKER:** Does the Honourable Minister of Gender Equality and Child Welfare move that the Assembly now goes into Committee?

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** I so move, Comrade Speaker.

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**HON SPEAKER:** It is moved that I leave the Chair. Any objection? Who seconds? Agreed to. I now call upon the Deputy Speaker, the Chairperson of the Whole House Committee, to take the Chair.

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**ASSEMBLY IN COMMITTEE**

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**CHAIRPERSON OF COMMITTEES:** The Whole House Committee is called to Order. The Committee has to consider the Children's Status Bill.

I put Clause 1. Any discussions? Any objections? Agreed to. I put Clause 2. Any discussions? Any objections? Agreed to. I put Clauses 3 and 4. Any discussions? Any objections? Agreed to. I put Clauses 5, 6, 7, and 8. Any discussions? Any objections? Agreed to. I put Clause 9. Any discussions? Any objections? Agreed to. I put Clauses 10, 11 and 12. Any discussions? Any objections? Agreed to. I put Clauses 13 and 14. Any discussions? Any objections? Agreed to. I put Clauses 16, 17, 18 and 19. Any discussions? Any objections? Agreed to. I put Clauses 20, 21 and 22. Any discussions? Any objections? Agreed to. I put Clause 23. Any discussions? Any objections? Agreed to. I put Clause 24. Any discussions? Any objections? Agreed to. I put the title.

Yes, Honourable Venaani?

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**HON VENAANI:** Thank you very much, Honourable Chairperson of the Whole House Committee. I am just wondering whether the Title is really carrying the weight of the Bill. I am proposing for the Bill to be known as the *Children's Equality Bill* rather than to be known as the *Children's Status Bill*. Equality and not the Status

24 November 2005

**COMMITTEE STAGE: CHILDREN'S STATUS BILL**

of Children - it is equality, as the Bill is talking about children born outside and within wedlock. That is my proposal.

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**CHAIRPERSON OF COMMITTEES:** Thank you very much. Since it was the last clause I now call on the Minister to respond to that question.

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**HON VENAANI:** It does not make sense. Children's Equality Bill.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Thank you, Chairperson of the Whole House Committee. The Title will remain Status Bill because it is about the status of the child. The Protection Bill will be separate from this one. So it is the status, the equal status. So it will stay *status* here.

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**CHAIRPERSON OF COMMITTEES:** Yes, Honourable Venaani?

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**HON VENAANI:** I want my objection to be recorded. Thank you.

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**CHAIRPERSON OF COMMITTEES:** It is fine. It is just to take note of his objection but it will be reported according to the law without amendments. There was no amendment because he did not table anything. Now I report the Bill without amendments. Mr Speaker, the Committee has gone through the Bill – (B.13-2005) as set forth in the accompanying copy and agreed to it without amendments.

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**ASSEMBLY RESUMES**

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**HON SPEAKER:** Does the Honourable Minister of Gender Equality and Child



24 November 2005

**COMMITTEE STAGE: CHILDREN'S STATUS BILL**

Welfare move that the Bill be now read a third time?

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** I so move, Honourable Speaker.

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**HON SPEAKER:** Any objections? Who seconds? Agreed to. Any further discussion? None. Does the Honourable Minister wish to reply, to say something?

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Thank you, Honourable Speaker. In moments like these you do not want to say much. All you want to say is to thank your people for the solidarity and then, as I mentioned yesterday, I would like to thank the Deputy Prime Minister, Honourable Amathila, who conceived of this Bill and Honourable Ndaitwah, who gave birth to it, and then me who baptised it. Thank you very much.

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**HON SPEAKER:** I now put the Question that the Bill be now read a third time. Any objection? Who seconds? Agreed to. The Secretary will read the Bill the Third Time.

---

**CHILDREN'S STATUS BILL**

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

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**RESUMPTION OF DEBATE ON SECOND READING – STATE-OWNED ENTERPRISES BILL**

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**HON SPEAKER:** When this Debate was adjourned yesterday, 23<sup>rd</sup> November 2005, the Question before the Assembly was a Motion by the Right Honourable Prime

24 November 2005

**STATE-OWNED ENTERPRISES BILL  
HON DE WAAL**

Minister that the Bill be now read a Second Time. The Honourable De Waal adjourned the Debate and he now has the floor.

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**DEBATE ON SECOND READING – STATE-OWNED ENTERPRISES BILL**

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**HON DE WAAL:** Thank you, Honourable Speaker. Time is catching up with us but let me just start off with the following. There is a saying in Afrikaans: “*moenie krap waar dit nie jeuk nie.*”

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**HON SPEAKER:** Translation?

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**HON DE WAAL:** Do not scratch where it does not itch. Honourable Speaker, the second issue which I want to raise in my speech is the question: “Why would anybody of his own free will become a Director of a State-Owned Enterprise? That is the second issue that I will address.

Honourable Speaker, I will start my contribution by citing a number of problems that I think we should address as far as this Bill is concerned. I think I should start with that on Tuesday because the time is really up.

---

**HON SPEAKER:** On that note the House stands adjourned until Tuesday at 14:30.

**HOUSE ADJOURNS AT 17:45 UNTIL TUESDAY 2005.11.29**

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBER  
WINDHOEK  
29 NOVEMBER 2005**

The Assembly met pursuant to the adjournment.

**HON SPEAKER:** Took the Chair and read the Prayers and the Affirmation.

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

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**HON MINISTER OF FINANCE:** Honourable Speaker, I lay upon the Table  
the Reports of the Auditor-General on the accounts of:

- (a) Municipality of Windhoek, for the Financial Year ended March – June 30<sup>th</sup>, 2003.
- (b) Namibian Agronomic Board, for the Financial Year ended March 31<sup>st</sup>, 2005.
- (c) National Planning Commission, for the Financial Year ended March 31<sup>st</sup>, 2004.
- (d) Department of Transport of the Ministry of Works, Transport and Communication for the Financial Year ended March 31<sup>st</sup>, 2004.
- (e) The Ministry of Labour, for the Financial Year ended March 31<sup>st</sup>, 2004.
- (f) Municipality of Gobabis, for the Financial Year ended June 30<sup>th</sup>, 2004.
- (g) Office of the Attorney-General, for the Financial Year ended March 31<sup>st</sup>, 2004.
- (h) Office of the Prime Minister, for the Financial Year ended March 31<sup>st</sup>, 2004.
- (i) The Minerals Development Fund, for the Financial Year ended March 31<sup>st</sup>, 2004.
- (j) The Regional Council of the Omusati Region, for the Financial Year ended March 31<sup>st</sup>, 1998 and 1999.

29 November 2005

**NOTICES OF MOTIONS**

(k) Office of the Auditor-General, for the Financial Year ended March 31<sup>st</sup>, 2004.

(l) Office of the President, for the Financial Year ended March 31<sup>st</sup>, 2004.

I so move, Honourable Speaker.

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**HON SPEAKER:** Will the Honourable Minister table the Reports? Honourable Minister of Justice and Attorney-General?

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**HON MINISTER OF JUSTICE AND ATTORNEY-GENERAL:** Honourable Speaker, I lay upon the Table the Annual Reports for 2003 to 2004 of the Office of the Ombudsman.

I so move, Comrade Speaker.

---

**HON SPEAKER:** Will the Honourable Minister, table the Report? Any further Reports and Papers? Any Notices of Questions? None. Any Notices of Motions? Honourable Mushelenga P?

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**HON P MUSHELENGA:** Honourable Speaker, I move without Notice that the proceedings on the First, Second, Third, Fourth, Fifth and Sixth Order of the Day be, in accordance with Rule 91, not interrupted, if it is still under consideration at 17:45.

I so move, Honourable Speaker.

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**HON SPEAKER:** Will the Honourable Member table the Motion? Any further Notices of Motions? None. Any Ministerial Statements? Honourable Minister of Labour?

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**HON MINISTER OF LABOUR AND SOCIAL WELFARE:** Thank you, Honourable Comrade Speaker. Honourable Speaker, Honourable Members, I take the floor to inform this august House, regarding the preparations of the Ministry of Labour and Social Welfare for the implementation of the Labour Act 2004, Act No. 15 of 2004.

Of late, there have been considerable public discussions about the new Labour Act in many quarters, including this House, where concerns regarding the Act were circulated by one of the tri-partite partners, and also equally in the media. I need not to emphasise to you, my Honourable Colleagues, the importance of our Labour Laws to the Nation. These laws impact on the well being of each and every working person and on the success of all of our private companies and Public Institutions. It has long been recognised by our Government that the body of legislation, establishing appropriate labour market regulations, and effective labour-dispute prevention and resolution mechanisms, is a prerequisite for national economic development. Further, such Legislation is an acknowledged component of every project aimed at bringing about economic and social justice to the citizens of the '*Land of the Brave*'.

Honourable Speaker, Honourable Members, allow me to remind you briefly of the background. A major project for the revision of the Labour Act, Act No. 6 of 1992, was undertaken under the auspices of the then Ministry of Labour in 1997 because, firstly, of the need to prevent and resolve more effectively labour disputes that threatened economic development and, secondly, because of the complex and inaccessible language of the Act.

A Tri-partite Task Force, consisting of representatives of the Employers, Organised Labour and the Government, conducted extensive consultations and forwarded Consensus Recommendations for the new Labour Act to the statutory and Tri-partite Labour Advisory Council. The LAC (which is short for Labour Advisory Council) forwarded its Recommendations to the Minister of Labour, virtually all of which were accepted. The Cabinet Committee on Legislation scrutinised and enriched the Bill. As part of the overall process, the entire Act was re-organised and re-drafted in plain language, with technical assistance from the International Labour Organisation (ILO), and finalised by the legal drafters of the Ministry of Justice. When the Bill was tabled in Parliament several Amendments to the Bill were adopted. The new Law was enacted in December 2004, as the Labour Act, No. 15 of 2004, to be put into effect at different dates, which would be determined by the line Minister.

The Labour Act 2004 would usher in a new regime for the prevention and resolution of

labour disputes, replacing the District Labour Courts with a system of conciliation and arbitration. This necessitated the establishment of new institutions and committees, including hiring personnel, providing necessary infrastructure, and training all relevant role players. Thus, the preparation for implementation was a major project. Some of the preparations, particularly the training of arbitrators and conciliators, were commenced long before the Act was enacted by Parliament, but much of the preparations have had to await the enactment of the legislation.

The additional preparations began in January 2005, with the inaugural meeting of the technical Tri-partite Task Force, established to oversee the implementation process, chaired by the Permanent Secretary of the Ministry of Labour. This Task Force consisted of representatives of the National Union of Namibian Workers (NUNW), the Namibian Employers Federation (NEF), and the Ministry of Labour and Social Welfare. They were supported by technical assistance from the ILO/Swiss Project, which supported the development of the Labour Act 2004 (Act No. 15 that is, and is about to conclude) and the Improving Labour System Southern Africa Project, in short the ILSSA Project, supported by the United States Government, under the auspices of the ILO for the period 2005 – 2008, which focused on training and public education with the objective of achieving increased compliance with the national Labour Laws, and improved labour-management relations. The Task Force prepared a comprehensive Plan for the Implementation of the Labour Act 2004, with time-bound targets. A Project Manager was appointed in August and a Budget for the process was equally prepared.

Honourable Speaker, Honourable Members, I will, with your indulgence, endeavour to give the Honourable Members a clear picture of the comprehensive implementation process now underway.

The process had 7 strategic objectives that were to be met. These included:

**Objective 1: The Labour Advisory Council was fully established in its new form.**

A new Labour Advisory Council was appointed earlier this year (I think my neighbour was privileged to officiate at that occasion); induction training was held from the 16<sup>th</sup> to the 18<sup>th</sup> of May for its members.

**Objective 2: Two new Standing Committees of the Labour Advisory Council, the Committees on Dispute Prevention and Resolution (the short version thereof**

**is CDPR) and the Essential Services Committee (designated as ESC) were established and operational.**

These Committees would play a critical role in strengthening both the effectiveness of the State machinery for preventing and resolving labour disputes and the active participation of representatives of the Trade Unions and the employers, in working together to achieve harmonious labour relations. The CDPR's activities would lay the basis for the establishment of the Office of the Labour Commissioner, with its new function in terms of the 2004 Act, and the ESC would identify 'essential services' in which the right to strike and lockout were replaced by arbitration as the ultimate mechanism to resolve disputes, which potentially affect the health and/or safety of the Public as a whole.

I am pleased to inform you, Honourable Members, that by virtue of the Government Notice 3545 of 30 November 2005, which will appear in the Government Gazette of tomorrow, that is the 30<sup>th</sup> of November 2005, I have determined that Sections 75, 94(1) and (4), Sections 97(a), (b), (c), (e) and (h), as well as Sections 98 – 101, items 1 and 11(3) of Schedule 1 to the Labour Act 2004, will come into operation with immediate effect from tomorrow, once these are gazetted. This would enable the appointment and operation of the two Committees to begin their important preparatory work, for the full implementation of the Act.

**Objective 3: The Labour Inspectorate fully operational in its new form.**

The Ministry maintains offices throughout the Country, from which labour and factory inspectors are deployed to monitor and enforce compliance, with statutory basic Conditions of Employment, and Health and Safety Regulations, promulgated in terms of the Labour Act. With the envisaged abolition of the District Labour Courts, the Labour Inspectors, who played a role in formal pre-trial proceedings known as Rule 6, will now be permitted more freedom to concentrate on the critical function of on-site inspection. The Inspectors will continue informally to conciliate disputes on site and to provide advice to employers and workers about the Labour Act. They will have the additional responsibility of enforcing arbitration awards in terms of the 2004 Act.

An audit of the capacity of the Ministry's Directorate of Labour Services was conducted by an ILO Technical Expert, from the 28 February this year to March 2005, under the auspices of the ILSSA Project and a Report containing Recommendations was issued. Approximately 40 Labour Inspectors attended a workshop on Shop Floor Labour Inspection from 20<sup>th</sup> to the 24<sup>th</sup> of June and are

29 November 2005

**MINISTERIAL STATEMENT  
HON !NARUSEB**

attending a workshop this week, as from Monday (that was the 28<sup>th</sup> of November to the 30<sup>th</sup> - that is tomorrow) on Namibian Labour Legislation, both also under the auspices of the ILSSA Project. A future workshop on Referral of Disputes to formal Conciliation and Arbitration mechanisms and on issuing Compliance Orders is in the planning stages.

**Objective 4: The Labour Court is established and fully operational in its new form.**

The new system of dispute resolution, through conciliation and arbitration, will place additional demands on the Judiciary, particularly since parties to arbitrations will have the right to appeal to the Labour Court on all questions of Law. In terms of the new Act, the Labour Court will be established as a Division of the High Court. A technical Amendment to the Act will be required to effectuate this.

During an annual retreat of the Judges of the High Court, held on the 29<sup>th</sup> and 30<sup>th</sup> of July this year, Professor Halton Cheadle, who served as a Consultant to the ILO/SWISS Project, in the drafting of the 2004 Act, briefed the Judges on the new features of the Act. The Judges welcomed the new Labour Act, and made very constructive suggestions.

**Objective 5: The Office of the Labour Commissioner is established and in a state of operational readiness.**

The objective constitutes the major and most complex part of the preparations for implementation of the new Act. I will discuss the preparations in respect of several different categories of activities.

**Organisational activities**

In addition to the already-existing post of Labour Commissioner, the new Act creates a post of Deputy Labour Commissioner, which will be filled as part of the implementation process. The Office of the Labour Commissioner intends to have at least 2 to 3 full-time staff conciliators and arbitrators at the following 10 locations throughout Namibia: Windhoek, Okahandja, Grootfontein, Swakopmund, Luderitz, Keetmanshoop, Oshakati, Rundu, Katima-Mulilo and Opuwo. In addition, part-time arbitrators will be used on an *ad hoc* basis. A request for 10 Clerical/Administrative Support Staff Members for the Office is currently before the Public Service Commission pending a decision and a proposed new organisational structure is also pending with the Office of the Right Honourable Prime Minister.



29 November 2005

**MINISTERIAL STATEMENT  
HON !NARUSEB**

Criteria for the appointment of the conciliators and arbitrators, job profiles, and attendant policies are to be formulated, in consultation with the Labour Advisory Council.

The Ministry has a Memorandum of Understanding with South Africa's Commission on Conciliation, Mediation and Arbitration (in short CCMA) covering training and various other forms of technical assistance. To date, 12 staff members spent a one-week period of attachment, at the CCMA offices both in Pretoria and Johannesburg during February 2005, and extensive and ongoing assistance has been provided in respect of a comprehensive Electronic Case Management System (ECMS).

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**Recruitment, Training and Development Activities**

Honourable Speaker, Honourable Members, I really beg your indulgence to bear with me because this issue has been too much in the Public domain and it is about time that the Government also presents from the Government point of view so that there can be a balanced view of the information that has (Intervention)

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**HON SPEAKER:** Will you continue, Honourable Minister?

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**HON MINISTER OF LABOUR AND SOCIAL WELFARE:** Thank you. Since 2002, 78 Namibians have undergone a diploma course in Mediation and Conciliation, under the joint auspices of UNAM, the University of Lesotho, and the University of Cape Town, with the assistance of the ILO and the SWISS Project.

Once the CDPR has made its Recommendations on criteria for appointment, the process of appointment of full and part-time arbitrators will commence. The Ministry has already 21 Labour Relations Officers who have completed the diploma course and an additional 16 will be recruited. Once the Public Service has acted upon the Proposal for support staff, these additional staff members will be recruited and trained. Both the arbitrators and the support staff will also be trained in the new Case Management Systems.

### **Systems and Workflow Activities**

As already mentioned, the Ministry will introduce a comprehensive Case Management System for conciliation and arbitration. The hardware for the system has already been purchased and a system administrator was likewise appointed. The time schedule for the purchase, installation, testing and perfection of the software covers the period from February to May 2006.

### **Infrastructure Activities**

Modifications of the existing premises of the Office of the Labour Commissioner in order to accommodate the server for the Case Management System is about to be completed. The ILO has made available a facility designer to advise on the infrastructural needs of each local office, and necessary furniture and recording equipment will be acquired during the period from February to May 2006.

Within the same period, transport planning will be completed, and potential premises for external conciliation and arbitration will be sourced.

Honourable Speaker, Honourable Members,

### **Objective 6: The broad Public and specific Constituencies were educated, regarding the content and implementation of the Labour Act No. 15 of 2004.**

In addition to some of the training that I have already mentioned, the following workshops have taken place:

- (a) Sensitisation workshop on the new Labour Act for all staff members of the then Ministry of Labour, from the 25<sup>th</sup> to the 27<sup>th</sup> of January 2005. Some of us are distinctly disadvantaged.
- (b) Tri-partite training of Trainers Workshops: 25<sup>th</sup> to the 27<sup>th</sup> of July and from the 2<sup>nd</sup> to the 4<sup>th</sup> of November 2005.
- (c) A media campaign to educate the Public about the new Act has been designed and will be implemented with two planned activities: - to wit
- (d) High level round table discussion on how the media can help with the implementation of the Labour Act that is anticipated to take place from The 18<sup>th</sup> of January 2006.

- (e) Broader skills training on the perspective of the Act for journalists and reporters is scheduled to take place from the 19<sup>th</sup> to the 20<sup>th</sup> January next year.
- (f) Plans are also underway for the preparation of relevant materials in various Namibian languages, including a summary of the key provisions of the Labour Act.

**Objective 7: The Codes, Guidelines and Regulations necessary for the Implementation of the Act are published and promulgated.**

Most of the preparatory work in this sphere has already been done.

Now, Honourable Speaker, Honourable Members, there are also some proposed Amendments of the Labour Act No. 15 of 2004. The process of developing the new sections of the Act and producing an entirely new Act in plain language was thorough but by no means perfect. Since the beginning of the year, a number of errors and omissions have come to light that will require several technical and administrative Amendments to the Act before it goes into full operation. The Ministry of Labour and Social Welfare is in the process of reviewing the flawed areas identified, in order to give detailed instructions to the Legal Drafters within the Ministry of Justice to clean up the Act. These Amendments will be tabled as early as possible during 2006.

Honourable Speaker, Honourable Members, this should give you a picture of the magnitude of the Project that has been undertaken to ensure the success of the new Institutions and mechanisms provided for in the new Act. We may take steps to put additional provisions of the Act into operation, as the need arises during the preparatory phase, with the goal of putting the full Act into operation at the latest by 1 July 2006. To meet this objective, the utmost co-operation of all Stakeholders and of this Honourable House would be needed.

**Namibian Employer's Federation Criticisms of the Labour Act, 2004.**

At several points during the course of this year, one major Stakeholder, namely the Namibian Employers Federation (NEF), raised a number of objections to the new Labour Act. The principal objections pertain to items that the employers believe will require them to pay additional benefits to employees. NEF also complains, in some instances, about Amendments to the text of the proposed Act, recommended by the Labour Advisory Council. It enlisted the services of NEPRU to investigate the economic consequences of some of the impugned provisions. The NEF objections are embodied in two somewhat overlapping documents, namely, NEPRU's

29 November 2005

**MINISTERIAL STATEMENT  
HON !NARUSEB**

‘Quantifying the Labour Act’ and ‘Main Concern of the Namibian Employers’ Federation Regarding the Labour Act’. Because of the nature of the NEF’s complaints about the Labour Act, it is important to understand that the process of formulating Labour Laws has several key dimensions:

1. The Ministry of Labour and Social Welfare attaches primary importance to the process of tri-partite consultation that is part and parcel of all policy formulation.
2. Nevertheless, the Government has the ultimate responsibility for all policy formulation and for the well-being of the Nation at large and;
3. Thirdly, the Parliament, moreover, has its own independent and ultimate constitutional role, in the adoption of Legislation, acting at all times in the best interest of the Nation as a whole.

Therefore, at every stage of the process of the formulation of the Labour Legislation, and indeed in any Legislation, we can expect Legislative Proposals, made in the initial stages, to be scrutinised and possibly changed.

The issues raised by NEF and NEPRU have been discussed *extensively* within Government. I have addressed the NEF concerns in detail in my Annexure to this Statement, and have forwarded such to the Managers/Leaders of the Namibian Employers’ Federation.

Honourable Speaker, Honourable Members, I trust that you can now appreciate the magnitude of the project that we have undertaken. I am certain that we will enjoy your support.

Allow me to take this opportunity to seek the good Lord to give us the necessary strength during the festive season so that we will come back re-energised and ready to do what we do best - and that is to represent the ‘Land of the Brave’.

I thank you.

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**HON SPEAKER:** I thank the Honourable Minister. Any further Ministerial Statements? None. The Secretary will read the First Order of the Day.

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29 November 2005

**COMMITTEE STAGE CONFERMENT OF STATUS OF  
FOUNDING FATHER**

**COMMITTEE STAGE – CONFERMENT OF STATUS OF FOUNDING  
FATHER OF THE NAMIBIAN NATION BILL**

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**HON SPEAKER:** Does the Right Honourable Prime Minister move that the Assembly now goes into Committee?

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**RT HON PRIME MINISTER:** I so move, Sir.

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**HON SPEAKER:** It is moved that I leave the Chair. Any objection? Who seconds? Agreed to. I now call upon the Deputy Speaker, the Chairperson of the Whole House Committee, to take the Chair.

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**ASSEMBLY IN COMMITTEE**

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**CHAIRPERSON OF COMMITTEES:** The Whole House Committee is called to Order. The Committee has to consider the Conferment of the Status of the Founding Father of the Namibian Nation Bill. Clause 1: any discussion? Yes, Honourable Nora?

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**HON SCHIMMING-CHASE:** Thank you, Honourable Deputy Speaker. No discussion, but to give Notice that I invoke Rule 69. That in all these Clauses (Intervention)

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**CHAIRPERSON OF COMMITTEES:** Rule?

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29 November 2005

**COMMITTEE STAGE CONFERMENT OF STATUS OF  
FOUNDING FATHER**

**HON SCHIMMING-CHASE:** 69. That in terms of all these Clauses I shall inform that my wish and the wish of my Party is that all our contributions to the Proceedings be recorded formally in the Minutes.

Thank you.

---

**CHAIRPERSON OF COMMITTEES:** Thank you. This is just to affirm the recording of the Opposition's opinions. Any further discussions? Any objections? Agreed to. I put Clause 2. Any discussions? Any objections? Agreed to. I put the title? Any discussions? Any objections? Yes, objection?

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**HON SCHIMMING-CHASE:** I object and ask that the House be divided.

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**CHAIRPERSON OF COMMITTEES:** Honourable Member, on which Rule are you dividing in the Committee Stage? I ask because from what I know it is on the third Reading where the division should be. Can you direct me to the Rule to which you are referring?

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**HON SCHIMMING-CHASE:** Objections and I object.

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**CHAIRPERSON OF COMMITTEES:** However, I know of this procedure in the Third Reading, not in the Committee Stage. I know this was the information, which I received even last week Thursday. People were saying that you should wait and object in the Committee Stage. That is not true. I went through the whole manual to find out the Rule; there is no Rule by which a division can be called in the Committee Stage unless in the Third Reading. I think Honourable Nora should hold on to the Third Reading. Yes? I put the Title. Any discussions? Any objections? Agreed to. I shall report the Bill without Amendments. Mr Speaker, Sir, the Committee has gone through the Bill B14-2005, as set forth in the accompanying copy and agreed to it without Amendments.

29 November 2005

**COMMITTEE STAGE CONFERMENT OF STATUS OF  
FOUNDING FATHER**

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**ASSEMBLY RESUMES**

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**HON SPEAKER:** Does the Right Honourable Prime Minister move that the Bill be now read a Third Time?

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**RT HON PRIME MINISTER:** I so move, Sir.

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**HON SPEAKER:** Any objection? Objection, Honourable?

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**HON SCHIMMING-CHASE:** I object, Honourable Speaker, and ask that the House be divided.

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**HON SPEAKER:** There is objection to the Third Reading of the Bill so that the House is divided. I shall direct the Sergeant-at-Arms to ring the bell. We are making a decision. Will those Members in favour, please rise? Please be seated. Will those Members against please rise? Will those Members abstaining please rise? Silence in the House.

47 in favour  
10 against  
0 abstention.

The Bill has been adopted. The Secretary will read the Bill a Third time.

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**CONFERMENT OF STATUS OF THE FOUNDING FATHER OF THE  
NAMIBIAN NATION BILL**

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29 November 2005

**STATE-OWNED ENTERPRISES BILL  
HON DE WAAL**

**HON SPEAKER:** Does the Right Honourable Prime Minister wish to say anything in conclusion?

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**RT HON PRIME MINISTER:** Yes. I should like to thank all the Members who have supported the Bill, and to say that this is recording history, it is for posterity for our children and our children's children, at whom this Bill is aimed. I thank you all for your support.

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**HON SPEAKER:** Thank you, Right Honourable Prime Minister. The Secretary will read the Second Order of the Day.

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**RESUMPTION OF DEBATE ON SECOND READING: STATE-OWNED  
ENTERPRISES BILL**

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**HON SPEAKER:** When the Assembly was adjourned on Thursday 24 November 2005, in terms of Rule 90(a) of the Standing Rules and Orders, the Question before the Assembly was a Motion by the Right Honourable Prime Minister that the Bill now be read a second time. The Honourable De Waal had the floor and I now give him the floor to continue.

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**HON DE WAAL:** Thank you, Honourable Speaker, Honourable Members. I rise to support the Bill under discussion, but in so doing I also want to discuss certain issues pertaining to the content of the Bill as well as certain issues of a policy nature.

Let me, first of all, start on page 4 of the Bill, Part (b) of the definition of the 'Portfolio Minister'. It says that in the case of a State-Owned Company, the Portfolio Minister will be the one that holds the shares of the company on behalf of the State.

The problem with this definition is that it takes us back to a situation where we will not know from the Act which Minister we are talking about. It could be the Minister of Finance (as it used to be) but it could also be the relevant line Minister.

We therefore propose that this Section be amended to make it clear that the shares of a particular State-Owned Company will be held by the relevant Minister, responsible



for the function performed by that particular State-Owned Company. The shares of Nampower should thus be held by the Minister responsible for electricity distribution and electricity generation. for the function performed by that particular State-Owned Company. The shares of Nampower should thus be held by the Minister responsible for electricity distribution and electricity generation.

Honourable Speaker, alternatively we can amend the Section to read that all shares of State-Owned Companies shall be held by the Minister of Finance on behalf of the State but that the Portfolio Minister will be the Minister responsible for that State-Owned Company. In other words, if the issue is electricity and Nampower then the Portfolio Minister for electricity should be responsible for that State-Owned Company.

I do not think that it is feasible for us to expect the Honourable Minister of Finance, clever as she may be, to know everything from the building of armoured vehicles to the supply of electricity. We therefore feel that the responsible Portfolio Minister should keep the shares of a State-Owned Company on behalf of the State, so that we know exactly who is responsible for which State-Owned Company.

Honourable Speaker, under Section 2(2) still on page 4, it is stated that the Council *“performs the functions assigned to it under this Act under the supervision, and subject to, the approval of Cabinet.”*

Honourable Speaker, this simply means that no action can be taken by the Council unless it is first approved by Cabinet. We are not convinced that this will work out well in the real world, where decisions sometimes have to be taken fairly quickly.

---

**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:**

Honourable De Waal, you are talking about the issue of Cabinet; that you have a problem with the idea of Cabinet to approve. When you go to your farm, is it your farm workers who make the decisions for your farm, or is it you yourself - or the Shareholders? Cabinet Members are the ones who represent the State property. Just as you do precisely what you want, so they must be responsible. I think the Bill is in the right direction. Where is your problem?

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**HON DE WAAL:** Thank you, Honourable Speaker. If you cannot delegate, Honourable Member, you cannot make a success of any business. You *cannot* do everything yourself, it is simply not possible in the real world. The people on my farm know that. If a cow breaks its leg they do not come to me in Windhoek and ask me whether they must now put medicine on that leg and put some wood and tie it up. No, they do it themselves. That is why I have them there: that is why I pay them a salary. Honourable Speaker, we should therefore like to see this Section to be amended to allow the Council to do the day-to-day work *without* Cabinet approval and to obtain Cabinet approval only for major decisions. That would make the work of the Council more flexible so that they can take immediate decisions, if need be. I am *not* talking of major decisions; I am talking of day-to-day decisions that they must be able to take. So we propose that that Section be amended to make provision for that.

If we *trust* the Council, then you must delegate powers to the Council otherwise we might just as well keep the Cabinet (Intervention). Why do we have the Council if you bring everything back to Cabinet anyway?

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**HON MINISTER OF JUSTICE AND ATTORNEY-GENERAL:** Honourable De Waal, what do you understand by 'Council', or who do you think are the Members on the Council? From where are they drawn? Can you enlighten this House?

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**HON DE WAAL:** Thank you, Honourable Speaker. It is not clear from the Bill; no, it *is* clear from the Bill where it comes from. The Chairperson is the Prime Minister and then you have the Minister of Finance and the National Planning Commission and so forth. Now, if the case is discussed involving Agriculture then the Portfolio Minister of Agriculture becomes a Member for that discussion. However, that does not help. You see, Honourable Member, why do you appoint a Sub-committee of Cabinet if you do not trust them? This *is* a Sub-committee of Cabinet.

If you appoint a Sub-committee and say to them but you can do everything except take decisions. If you want to take a decision you must come back to the Cabinet. So are they there just to do your work, or are they there actually to perform something? However, I am coming back to this section, Honourable Speaker, later on.

**HON MINISTER OF JUSTICE AND ATTORNEY-GENERAL:** Before the Honourable Member discusses the Section, I should like to be properly enlightened: Enlighten me in the sense that Cabinet decisions are collective and if Cabinet has Committee of Ministers who operate independently of Cabinet itself, then if they take a decision and that decision is disowned by the whole Cabinet, how do you characterise such decisions? However, I should not ask you the question; I would like to shed light on this issue that the drafting of this Section, the way it is, is to take care of that principle. Whatever the Council decides in its own wisdom, good and fine, but the final end where a decision should be made is Cabinet so that every Member of Cabinet also acts in response to the decision taken, brought to it by the Council. That is the background.

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**HON DE WAAL:** Honourable Speaker, Honourable Members, I am not talking of major decisions. When you want to restructure a company, surely you would go to Cabinet for approval. However, if you are going to ask somebody to send you a balance sheet, you want Cabinet's approval for them to ask the people to send a balance sheet? This is what the Bill is saying. Of course it is. You cannot take any decision unless it is approved by Government. So you cannot take a decision and ask somebody to ask for information or things like that.

Thank you, Honourable Speaker. This is our decision. We want this Council to work and we wanted to work fast. If there is a crisis they must be in a position to take the decision.

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**HON SPEAKER:** Honourable Minister of Labour. This is something that would touch on the Ministry of Labour.

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**HON DE WAAL:** So, in any case, Honourable Speaker, we would propose that this Section be amended to make the work of the Council more flexible and with more speed so that they are not hampered by their running to Cabinet every morning, noon and afternoon.

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29 November 2005

**STATE-OWNED ENTERPRISES BILL**  
**HON DE WAAL**

Honourable Speaker, on page 6, Section 4(2) the Bill makes provision for the Council to treat State-Owned Enterprises differently.

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**HON RIRUAKO:** Thank you, Mr Speaker. We are supposed to bring the idea of collective leadership; if you are brilliant there is no problem. However, with what happened in the past, there was a great deal of confusion, and that confusion must be raised - even the sharing of power.

**HON DE WAAL:** Honourable Speaker, on page 6, subsection 4(2), the Bill makes provision for the Council to treat State-Owned Enterprises differently, depending on in which category the Council classifies a particular State-Owned Enterprise. Honourable Speaker, we have a serious problem with this Section.

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**HON DEPUTY MINISTER OF JUSTICE :** Thank you very much, Honourable De Waal. My question is, in the global context of business, who takes the decision? Is it the Managers or is it the Board of Directors? Probably you could shed light there. The same applies to the Council - because all major decisions of companies are taken by the Board of Directors because they are ultimately responsible to the Shareholders. So you cannot tell me that Managers have the liberty to take major decisions which affect the company. So ultimately the Board of Directors has a fiduciary duty, as far as the Shareholders are concerned. So do not confuse issues, Mr De Waal.

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**HON DE WAAL:** Honourable Speaker, I am not confusing the issues. The Honourable Member will agree with me that if the Board of Directors has to take all the decisions for that company then that company will go bankrupt because the Board of Directors only sits perhaps once in a month or once in two months. Do you think there are no decisions being taken in a company every day? Do you think the Board of Directors is running your company? Then you are making a serious mistake, my friend. Please go back and look what is happening in the companies and then you will talk sense (Intervention)

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**HON SPEAKER:** Honourable De Waal has the floor. Point of Order.

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29 November 2005

**STATE-OWNED ENTERPRISES BILL  
HON DE WAAL**

**HON RIRUAKO:** We have a corrupt National Government because of such irregularities. It must be taken care of and it must be timed accurately and that is the demand. I thank you.

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**ASSEMBLY ADJOURNS AT 15:42  
ASSEMBLY RESUMES PURSUANT TO ADJOURNMENT AT 16:08**

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**HON SPEAKER:** Before I call upon Honourable De Waal to continue, as earlier announced, the business of the House continues until tomorrow, 30<sup>th</sup> November 2005, starting 14:30 as usual. Honourable De Waal?

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**HON DE WAAL:** Thank you, Honourable Speaker. On page 6 Section 4(2), the Bill makes provision for the Council to treat State-Owned Enterprises differently, depending on in which category the Council classifies a particular State-Owned Enterprise.

Honourable Speaker, we have a serious problem with this Section and would have liked to see these classifications already spelled out in the Bill for the existing State-Owned Enterprises. In other words, we would like to amend Schedule 1 on page 26 of this Bill to indicate which State-Owned Enterprises fall under which of the 4 categories that are spelled out in Section 4(2).

The reason we are making this proposal is because, according to Section 25 on page 17, the State-Owned Enterprises in the “*economic and productive category*” will be asked to pay dividends to Government.

Although we support the principle that certain State-Owned Enterprises *must* pay dividends to Government, we want to make sure that Monopolies and State-Owned Enterprises, in which the State does not own the shares or the assets, should *not* be included in this group.

In the case of State-Owned Enterprises where the State does not own the shares or the assets and thus has no legal say over the profits of such a State-Owned Enterprise, the

problem solves itself. However, in the case of Monopolies the case is not that straightforward.

Honourable Speaker, it is our contention that Monopolies like *Namwater*, *Nampower* and *Telecom* (to name a few) should not be encouraged to make huge profits, but should rather be encouraged to keep the prices of their services and products to the public as low as possible. As we all know, an entity is classified as a monopoly when there is no alternative supplier of the products or services supplied by that particular entity and, no matter how expensive the products or services become, the consumer has no option but to buy from that entity.

Monopolies should thus rather be encouraged to be as effective as possible, to cut all wasteful and unnecessary expenses like huge advertising budgets which a monopoly, in any case, does not need because they are the only entity that supplies that particular product - so they do not need to advertise - and to strive to break even, after making provision for Reserve Funds for Capital Projects or other necessary expansions. If we continue to allow our Monopolies to make profits and even encourage them to make bigger profits, all we will achieve, Honourable Speaker, is that we will push the price of water, electricity and telephone calls even higher than they are already.

Such a move will not stimulate economic growth, nor will it contribute to poverty reduction. In fact, Honourable Speaker, such profits can be described as an inefficient form of taxation collected on behalf of the State by sometimes inefficient State-Owned Enterprise.

We therefore feel very strongly that, whatever the peanut gallery is shouting, we must do the right thing, and not classify monopolies as part of the “*economic and productive category*.”

If a Monopoly does make a windfall profit, due to unforeseen circumstances and thus outside its business plan, I will be the first to insist that such profits be paid over to the State.

Honourable Speaker, it is thus our sincere request to the Right Honourable Prime Minister that he should allow time for discussion so that we can reach consensus on these issues.

My next question is on page 7, Section 7, and deals with the establishment of Committees of the Council. It is unclear from this Section, whether these Committees will be constituted only from the Members of the Council, or whether people *other*

than Members of the Council can also be appointed as Members of the Committees of the Council.

I assume, Honourable Speaker, from the contents of Section 8 on page 8, that people who are not Members of the Council can *also* be appointed on these Committees. However, that is only an assumption because the Bill is not clear. If this is, indeed, the case, then Section 7 should be amended to make provision for it. It must be stated clearly in the Bill whether these Committees or subcommittees of the Council will consist only of members of the Council, or whether we can also appoint people from outside as Members of the Council.

Honourable Speaker, we further propose that if Section 7 is amended to make provision for the appointment of Members who are not Members of the Council on Committees, as is proposed above, in that case then Section 6 should then also be amended to include Members of Committees who are not Members of the Council in Section 6, which deals with the disclosure of personal and/or financial interests. It is required from the Members of the Council to disclose their financial interest or personal interest. Now, if we appoint somebody outside the Council on the Committee of the Council, then surely those persons should also fall under Section 6, which is not currently the case. They will also then have to declare their personal or financial interest. So we are requesting that that Section be amended.

Honourable Speaker, my next comment is on page 10, Section 14(a). This is not a big issue, but it reflects badly on the quality of our Bills, and looks like the product of a Committee that could not agree on the number of Directors to be appointed.

This Section states that, *“to determine the number of Board Members to be appointed within the limits of 5 to 7 persons”*: that is what this Section said. However, then immediately there is a different assertion: *“or such larger number as the Council may consider appropriate in a particular case.”*

Honourable Speaker, we say between 5 and 7 people should be appointed, but then immediately we change our minds and say but, if they feel particularly generous on a rainy day, they can also appoint more than 7.

We see no reason for any number in this Section because it might be that, in certain cases, even 3 Directors might be enough. We therefore propose that this Section be amended simply to read: *“to determine the number of Board Members to be appointed with due regard to any stipulations et cetera.”* There is no need for a specific figure and, if we make mention of specific figure, then at least we should stick to it. Do not change your mind in the same Section.

Honourable Speaker, my next comment is on page 12 Section 15(4). We are very happy to note that the appointment of Directors must be published in the Gazette, but would propose that such appointments also be laid upon the Table of the National Assembly. Honourable Speaker, my next comment is on page 12 Section 15(4). We are very happy to note that the appointment of Directors must be published in the Gazette, but would propose that such appointments also be laid upon the Table of the National Assembly.

We ask this because no Member of Parliament can buy every Gazette in the hope of finding the Directors that were appointed for a particular State-Owned Enterprise. Tabling it in the National Assembly also ensures wide publication of the names and therefore contributes towards transparency. The same wording that appears in Section 26(3) can be used to achieve this.

Honourable Speaker, Section 17(3), directs that a copy of the “*Governance Agreement*”, entered into with the Portfolio Minister, must be open for inspection by the Public at the Head Office of the State-Owned Enterprise.

We welcome this new initiative because it contributes towards transparency but would also request that the Section be amended to make provision for these agreements also to be laid upon the Table of the National Assembly.

Section 22(2) directs that “*no remuneration is payable to a Member of a Board who is in the full-time service of the State.*” Now, Honourable Speaker, we were under the impression that under the existing Legislation, governing the Civil Service, Members were, in any case, *always* required to pay such remuneration back to the State. I think that is the current legal situation. Perhaps the Right Honourable Prime Minister can inform the House whether this is, in fact, the case and whether such remuneration was *ever* paid back to the State.

However, Honourable Speaker, if this Section is indeed necessary, then we would strongly advise that it is also made applicable to the employees of Municipalities.

Unconfirmed reports have it that Directors serving on the Boards of some of our Regional Electricity Distribution Companies are paid as much as N\$5000-00 for a session or for a meeting of the Board. It will, in any case, be *very unfair* to make this Section applicable to Civil Servants and not to Municipal employees. We therefore propose that Section 22(2) be amended to include Municipal employees.



Honourable Speaker, Section 23 on page 17, requires from the Board of a State-Owned Enterprise, or a wholly-owned subsidiary of that State-Owned Enterprise, immediately to notify the Council of any event that will significantly affect the achievements of that State-Owned Enterprise or wholly-owned subsidiary.

This Section is of the utmost importance because, as the old saying goes, "*Prevention is always better than cure*". We therefore welcome this Section but would recommend that it be made applicable to all Bodies Corporate in which the State, either directly or through a State-Owned Enterprise or State-Owned Company, holds shares and not only on wholly-owned subsidiaries, as is currently the case in Section 23.

Honourable Speaker, Section 23 says that wholly-owned subsidiaries, or a State-Owned Enterprise or the Directors of such entities, should immediately inform the Council if there is an event that might have the outcome that they might not achieve their goals or not follow the Business Plan. That is correct - but we should not make this applicable only to wholly-owned subsidiaries. It should also be applicable to other companies where the State has a share but not necessarily the majority share because, whether these companies make a loss or a wholly-owned subsidiary makes a loss, the outcome is exactly the same. So I think we need to change this Section 23.

Even if Government has only one Director on the Board of Directors of a Body Corporate, it is still the responsibility of that Director to inform the Council immediately of any affecting event and this practice should be made applicable to all of them, not just the wholly-owned ones.

On the other hand, where Government, through the State-Owned Enterprise, holds 70% of the shares of a subsidiary, those Directors are exempted from Section 23, in its current form - a situation which simply does not make sense. So we can have 70% of the shares in a subsidiary, but because Section 23 is applicable only on wholly-owned (100%) those entities where we have 70%, 80%, 60% shareholding are excluded from Section 23 and that simply does not make sense.

Section 28, on page 19, gives the Council the power to impose, by way of Regulations, any obligation in relation to any subsidiary of *any* State-Owned Enterprise in relation to *any* matter with a view to achieve the efficient governance of the subsidiary and the monitoring of its performance and the performance of the Board and Senior Management of the subsidiary.

Subsection (4) of Section 28, on the other hand, seeks to clarify, by way of the Companies Act, when a Body Corporate must be considered a subsidiary of a State-

Owned Enterprise, or a State-Owned Company. Normally you must have the majority shares - in other words 51%, to classify that entity as your subsidiary.

Honourable Speaker, I speak under correction but the fact that a Body Corporate is classified as a subsidiary of a State-Owned Enterprise or State-Owned Company does *not* necessarily give the Directors, representing the State, full power to make and break. Minority shareholders, according to the Companies Act, and in certain cases the Shareholders' Agreement, are to a certain extent protected against the majority shareholder, and it might, in certain instances, therefore not be possible for the Directors representing the State to *enforce* the Regulations made under Section 28.

However, the reverse side of this argument is also true. This means that in the case of a Body Corporate, which is a subsidiary of a company *not* belonging to the State, the Directors representing the State are also *not* powerless.

What concerns us is that neither Section 23 nor Section 28 makes any provision for this scenario. We are therefore of the opinion that both Section 23 and 28 should be amended to address this issue.

In the case described above, the Directors representing the interest of the State might not be in a position to enforce the Regulations described in Section 28 but that does not mean that they cannot use their powers according to the Companies Act, and any Shareholders' Agreement, coupled with their negotiating skills, to steer the Body Corporate in a certain direction, in the interest of the State - even if we have a minority shareholding in that company.

One thing is for certain and that is that those Directors representing the minority interest of the State in *any* Body Corporate should equally be directed by this Bill, to follow and to promote the directives of the Council.

This Bill cannot, as is currently the case, just be silent on the role of Directors representing the State in cases where the State holds a minority share.

Honourable Speaker, because Section 23 and 28 were linked, I now want to go back to Section 27 on page 18. This Section deals with the investment of money of State-Owned Enterprises and, given our recent experience in this regard, we fully support the Section.

One must, however, always expect the unexpected and therefore we would suggest that this Section be amended specifically to instruct Directors to inform the Council immediately should an investment not materialise on the due date. It is one thing to

direct where you can invest money and how it should be done and on what clauses and so on. However, if that investment does not mature and people remain silent, as in the case of the ODC, then we have not solved the problem. So that Section should be changed to make sure that the Directors know when these investments are to be matured. However, if they do not mature on the due date, they should *immediately* inform the Council.

Honourable Speaker, when things go wrong, time is of the essence; immediate action can sometimes make the difference between win or lose - whether you are getting your money or whether you are going to lose it.

Although Section 23 to a certain extent does cater for this eventuality, we feel strongly that this issue is of such importance that Section 27 should specifically make provision for this scenario.

This will also motivate Directors to ensure that they *know* what is happening in the enterprises for which they are responsible. Let us force them to give attention to what they are doing there.

Honourable Speaker, I now want to turn to Section 33 on page 21. This Section deals with the reports of a Special Investigator. We fully support this Section, but would suggest that it be amended to make provision for the Final Report of a Special Investigator to be laid upon the Table of the National Assembly.

If there is one issue that is hanging like a dark cloud over the otherwise magnificent anti-corruption campaign of His Excellency President Pohamba, then it is the fact that the reports of previous Presidential Commissions of Enquiry have not yet been made public. Let us not fall into the same trap: let us make these Reports public as soon as they become available.

I now want to turn to Section 35(2) (still on page 21) which imposes a fine where a person amongst others destroys "*any document*" and as the Bill indicates 'any other thing', relevant to an investigation. Honourable Speaker, I am not so sure about the 'any other thing', because I think if there is any other thing that will get us into trouble it might be this '*any other thing*'.

However, Honourable Speaker, when it comes to the destruction of documents, letters, invoices, computer files, e-mails *et cetera*, we are of the opinion that a fine of N\$20 000.00 or two years' imprisonment, as is currently proposed in the Bill, is not nearly enough.

It seems that if people in this country steal they steal big. (Intervention)

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** Honourable Speaker, I am seeking guidance. Honourable De Waal refers to ‘any other thing’. Just to assist us, which Section is that? And that ‘any other thing’: which Section is it? Which Section?

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**HON DE WAAL:** 35(2). On page 21: (b). “*Wilfully destroy or alter any document or any other thing relevant to an investigation.*” Thank you, Honourable Speaker. It seems that if people in this country steal they steal big. For somebody who has enriched himself to the tune of 2 or 3 Million Dollars, a fine of N\$20 000.00 must be a gift from heaven. We, therefore propose that the fine for this type of offence be drastically increased. Nobody, Honourable Speaker, should destroy documents. That is the ultimate sin: now that proves that you are guilty and, if you are caught doing that, you must be put into jail for a long period of time, coupled with a serious heavy fine.

Honourable Speaker, Section 37(2)(a)(i) makes provision for a State- Owned Enterprise to be converted into a Company registered under the Companies Act, and Section 37(2)(c) further makes provision for the share capital of a State-Owned Company to be made available, either in full or in part to members of the Public.

It therefore follows logically that a Company which is no longer owned or in which Government no longer holds any shares must be removed from Schedule 1 on page 26. If you no longer own the company - you have restructured it and you have sold off your shares - then you must remove it from Schedule 1.

We therefore propose that Section 37 be amended, in order to empower the Council, to remove by Notice in the Gazette such a former State- Owned Company from Schedule 1. We further propose that such a Notice be laid upon the Table of the National Assembly.

Honourable Speaker, we also propose that Section 37(2) be amended so as to make provision for the disposal of the shares of a State-Owned Company, either in full or in part to the management and staff of that State-Owned Enterprise. I think we have had a very good experience in the case of Ongopolo Mine. There is no reason why, in certain cases, we cannot sell the shares of a State-Owned Company to the people - the

workers and the Management so that they can own that company and continue to function.

We further propose that Section 37(2)(i), be amended to make provision for a State-Owned Enterprise to be converted into a co-operative and that the assets and liabilities of such a State-Owned Enterprise be transferred to the members of such a co-operative. This is the same principle.

In addition to the above, we also propose that Section 39 on page 24, be amended to ensure that all the information that must (Intervention)

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:**

Honourable De Waal, you propose a very good thing. In some instances I support your contribution. However, here I just want you to assure this House and the people outside there, why you are the only one to propose something just whenever anything owned by the State is already the property of those people? Are you also going to be a good Samaritan, to amend this in the Labour Act, to put also that every farm owner must also sell or give some shares to his employees, his farm workers? Why are only you so good when it comes to State property (which is already a property of the Nation)? Is this to be given because you want to have it? Why is it that, if something becomes bankrupt, you are interested in buying it?

Anyone who is in that position cannot advise the State. As for us, we just advise you to do this but you say we must dispose of it, but you are the one who wants to buy it. Why?

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**HON DE WAAL:** Honourable Speaker, there is no sense in distributing a loss between more than one person. If you are going to distribute a profit, then it makes sense. If you distribute a loss it does not make sense. If I had two farms I would have considered that, but unfortunately my piece of land is so small that I cannot consider it and, in addition to that, labourers come and go. Now eventually the farm belongs to maybe 500 people, which does not make sense, Honourable Member. Perhaps the Honourable Member should go and study a little bit of Economics, and Business Management. Then we can talk again. Honourable, you can take your time to speak; do not use mine.

Honourable Speaker, Honourable Members, I want to turn now to Section 42 on page 25, which deals with “*Communications to be notified to Portfolio Minister*”, page 25. In the second last sentence of this subsection, the Bill states that if a communication is “*in writing*”, a copy of the communication must be furnished to the Portfolio Minister. Honourable Speaker, this pre-supposes that communications between the Council and State-Owned Enterprises and State-Owned Companies can either be verbal or in writing. We have a serious problem with this Section, because the Council is supposed to operate as a Council and not as individual Members of the Council.

No one Member of the Council can therefore verbally communicate anything to a State-Owned Enterprise or a State-Owned Company. In addition to this, we believe that verbal communication, in this case, can only be a recipe of disaster.

We therefore propose that Section 42 be amended to make it clear that all communication to and from the Council shall be in writing.

Still on page 25, Section 43 gives the Council wide-ranging powers to make Regulations on just about anything regarding State-Owned Enterprises and State-Owned Companies. We understand that this might be necessary for the smooth implementation of the Bill but would propose that Section 43 be amended to ensure that all Regulations made in accordance with this Section be published in the Gazette and laid upon the Table of the National Assembly. I think that is the idea behind this Bill: to get transparency. So let us change Section 43 also.

Honourable Speaker, I will come back to Schedule 1 but let me first make some short remarks on the rest of the Bill.

Owing to the time at our disposal, it was not possible for us to get hold of 52 Acts of Parliament and to study them in detail, as one should. I therefore do not express any opinion on Schedule 2, which runs from page 29 to page 63, other than to say the following.

Firstly, it is grossly unfair to expect the Members of the National Assembly to study such a lengthy and important Bill in such a short period of time, unless one regards the National Assembly merely as a rubber stamp of Cabinet, and I sincerely hope that this is not the case.

Secondly, just by glancing through Schedule 2, it seems quite possible that there are a number of issues that need our attention.

For instance, according to Subsection (d) at the bottom of page 29, it will be quite in order to appoint a marketing agent dealing in tomatoes on the Meat Board of Namibia, because a tomato is also a controlled product. Similarly on page 57, Subsection 7, more or less in the middle of the page, it says that the names, the positions, and nationalities of persons appointed as Board Members must be published in the Gazette.

If one compares this with the new Section 15(6) which is the Bill we are now dealing with, 15(6) on page 12 of the Bill, one wonders why all this information is required in the case of the Environmental Investment Fund of Namibia, and whether it is also required in the rest of the entities dealt with in Schedule 2.

We believe that a Bill like this should be consistent, and ensure that what is good for the one, should also be good for the other. We therefore believe that Schedule 2 needs further work to ensure conformity.

Honourable Speaker, let me now turn to Section 1 on page 26. The other day, I asked a learned friend of mine how he understands the meaning of the expression 'State-Owned Enterprises'. What does it mean? He replied that it means what it says: namely, that it refers to enterprises that are owned by the State and are therefore referred to as 'State-Owned Enterprises'. Thus, in the case of a Company, the State must own the shares of the Company or in other cases the State must prove that it owns the assets of the enterprise to become a State-Owned Enterprise.

I mention this because I was wondering, why the *GIPF* is not included in Schedule 1. After listening to him, I realised that the *GIPF*, or the assets and the money of the *GIPF*, do *not* belong to Government but to the Members of the *GIPF* and it can therefore not be classified as a State-Owned Enterprise.

Honourable Speaker, while talking of the *GIPF*, I wish somebody would one day give me a definition of 'surplus funds' in a Pension Fund. I was always under the impression that all funds in a pension fund (Intervention)

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**HON RIRUAKO:** Point of Order: I am not asking any question. *GIPF* is *not* a Government Institution *but* - a big 'but'. Why does the Government decide to give away the money without consulting the people who are supposed to own *GIPF*? That is a fact. You bypass that and you say it is not owned by the Government but owned

**HON DE WAAL:** Thank you, Honourable Speaker. I was always under the impression that all funds in the Pension Fund belong to the Members of the Fund, whether normal funds or surplus funds. I always imagined that if there are surplus funds in a Pension Fund, the Rules of the Fund should be changed to effect a fair distribution of such funds to the Members, both current and future.

I am therefore wondering whether there is any truth in the story, of the blackbird that is whispering that someone or something will be held responsible for the loss of some 600 Million Namibian Dollars.

Now Honourable Speaker, after sorting out the situation of the *GIPF*, I started to wonder about the *Bank of Namibia*. The *Bank of Namibia* is not a company registered under the Companies Act: the new Company's Act is apparently not yet in operation. So it must be something else: if it is not registered under the Companies Act, then it is not a State-Owned Company so it must be something else, perhaps something like a State-Owned Enterprise.

In order to clarify the situation of the *Bank of Namibia*, I went back to the Bill on page 4, to see how a State-Owned Enterprise is defined in the Bill. Honourable Speaker, to my surprise the Bill defines a State-Owned Enterprise as "*an entity that is named in Schedule 1.*" That is the definition of the State-Owned Enterprise.

This means that the *Bank of Namibia* is neither a State-Owned Company, nor is it a State-Owned Enterprise, because it is not in Schedule 1. Now just before you all start running to lay claim to the Bank, I have already instructed my attorney to draw up the necessary documentation in the events of this Bill being passed without amendments.

Honourable Speaker, the sad part of this story is that the Legal Drafters did the right thing when they defined a Stated-Owned Company on page 4, but when they defined a State-Owned Enterprise they opted for an illegal definition.

*You can never become the owner of an entity simply by naming it in a Schedule. You must define a State-Owned Enterprise according to the same principles used in the definition of a State-Owned Company: namely, (and I quote from the definition of a State-Owned Company) "in which the State is the sole or majority shareholder". If you own the shares you can talk of your ownership. If you do not own the shares you cannot talk of ownership. The State can therefore only lay a claim to the ownership of an entity, if the State actually owns the assets and the liabilities of such an entity.* (Intervention)



**HON RIRUAKO:** Where does this money come from? Who invested this money in the *Bank of Namibia*? Who gave the name of the '*Bank of Namibia*', and what is possible for Namibians in that Bank?

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**HON DE WAAL:** Thank you, Chief. (Intervention)

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**HON RIRUAKO:** I am sorry about that, Mr Speaker. I am just being interrupted. Mr Speaker, if the claim is this, then there must be a Law to confine any intruder from taking over without our knowledge.

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**HON DE WAAL:** Article 16 of the Namibian Constitution guarantees the right of all persons to "*acquire, own and dispose of all forms of immovable and movable property individually or in association with others.*" It further states that such property can only be expropriated "*subject to the payment of just compensation.*"

Nowhere in the Namibian Constitution could I find any reference to expropriation of property, like the assets of any entity as referred to in the definition of a State-Owned Enterprise simply by naming it in a Schedule.

Honourable Speaker, this brings me to the Regional Electricity Distribution Companies, like *EronRed*, and I think there are two or three others as well: *Nored* and so on.

As far as I am concerned, Honourable Speaker, it really does not matter whether the shares of these companies are held by Municipalities, by Regional Councils, or by *Nampower*: they all form part of the property of the State. I therefore see no reason that these companies should not be included in Schedule 1, as is currently the case. They definitely must be in Schedule 1.

In the case of the *Country Club and Hotel*, in Windhoek, it is our understanding that this entity is wholly owned by the State, and although it was not established by an Act of Parliament, we paid for it, Honourable Speaker, by way of an Act of Parliament, namely the Budget, so there is no reason why it, too, should not be included in the Schedule 1. In the case in the same vein, we also need to look at the *Swakopmund*

*Hotel and Casino*, just to mention a number of these outstanding issues..

Honourable Speaker, I am not so sure about the *ODC* but I believe that the same arguments used in the case of *ErongoRed* should also be valid in its case and it, too, should thus appear in Schedule 1. If there is one company that should be in Schedule 1, it is the *ODC* and currently it is not there.

Honourable Speaker, I just want to say that, if we are given more time, maybe we will find some other companies which are also not on Schedule 1. There was not enough time to make sure that we have really looked at all the companies. This leaves me with only one more, namely *Namdeb*, and I must confess that I do not know exactly how we should handle this entity, but one thing is for certain, we cannot simply ignore it.

One will have to look at the guiding principles of what we want to achieve with this Bill and then make a proper Recommendation. It is also certain that the Council must somehow be empowered by this Bill to direct the Directors representing the State on the Board of Directors of this company, namely *Namdeb*.

If any decision on that Board is taken, which is not in the interest of the State, the Council should know about it and the Council should be in a position to direct those Directors representing the State in *Namdeb*: what they should do and what they should not do. We cannot ignore them in a State-Owned Enterprises Bill; we own something like 50% (I am not quite sure) in *Namdeb*. It must be included in Schedule 1.

Honourable Speaker, my last remark concerns the name of the Bill namely the 'State Owned Enterprises Bill'. Should it not be the 'State-Owned Enterprises and State-Owned Companies Bill?' I am just asking the question.

However, whether you leave it as is or change it to our proposal, what do you do with the *Country Club Hotel* and *Namdeb*? So we must look at the name of the Bill.

Surely Honourable Speaker, the idea behind this Bill is to put the Council in a position where they can ensure the proper management of State funds wherever they may be. Whether they are in the *ODC*, *Namdeb* or in *Nampower* the new Board of Directors, the Council must look at all of them and they will be held responsible after this Bill has gone through Parliament. Where it is in a wholly-owned company or subsidiary or in a company or subsidiary where the State holds a minority share, this Bill should provide for all the options.

29 November 2005

**STATE-OWNED ENTERPRISES BILL  
HON DE WAAL**

We therefore believe that taking a second look at the name of the Bill would not do any harm.

Honourable Speaker, we support this Bill. We have always asked for better control over the assets of the State but we are at the same time also convinced that time was not on our side, and that more work and research needs to be done to prevent this Bill returning to this House, time and again for Amendments.

I therefore plead with the Right Honourable Prime Minister to allow for time, more time for in-depth discussion, for more research, and for proper Recommendations.

I am certain that the Honourable Chairperson of the Standing Committee on Economics, Honourable Hage Geingob, and the Members of that Committee, would not mind to work during the latter part of the Christmas Recess, if it is in the interest of something as important as this Bill.

Now, Honourable Speaker, I therefore move that this Bill be referred to the Standing Committee on Economics for report back to the National Assembly on the first day of the next session of the National Assembly in 2006.

I thank you, Honourable Speaker.

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**HON SPEAKER:** I thank Honourable De Waal; I will ask him to table the Motion. I had names on the list but the list has disappeared: I do not know whether I attribute that to the clarity of Honourable De Waal or whether the Honourable Members who had earlier ascribed have ceased to be interested in the Debate. Any further discussion?

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**HON RIRUAKO:** I am not here to say anything. I wonder why the Whole House is so silent, as if we are at the funeral. Who is dead? I do not know. I am still alive and I am sure you are at a funeral. I thank all of you.

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**HON SPEAKER:** Thank you. Having no further discussion, does the Right Honourable Prime Minister wish to reply?

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**RT HON PRIME MINISTER:** Thank you, Honourable Speaker. I should like to thank the Honourable Members who participated on this Bill.

So let me start with *Honourable De Waal*. Honourable De Waal's contribution is basically a conflict of interest. He is a farmer, he is a member of *Meatco*, and everything he has said is simply to reflect the interest of *Meatco* - nothing else. That is a message from *Meatco*. I had a letter from *Meatco* in which they said exactly what you are saying.

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**HON SPEAKER:** It is reply time now for the Right Honourable Prime Minister.

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**RT HON PRIME MINISTER:** Now let me try to answer to some of the issues. Let me first say this. This Bill is rooted in Article 40 of the Namibian Constitution, which reads as follows.

*"The Members of the Cabinet shall have the following functions.*

- (a) *To direct, co-ordinate, supervise the activities of Ministries, and Government departments including Parastatal enterprises."*

The Council is to respond to this Article on Parastatal enterprises. Having said that, I must emphasise that our Government has two broad functions. Function no. 1, which is understood by everybody, is service delivery; to deliver services to the population. There is another important function and that is transformation, especially in terms of the economy, and the State-Owned Enterprises are supposed to be the arm of the Government to effect this transformation. This Bill therefore is aiming at prioritising a framework for making these State-Owned Enterprises more effective - to bring about some transformation in the economy, on behalf of the public.

It was not easy to draft this Bill, for several reasons. Firstly, State-Owned Enterprises are established through statutory instruments like the one that we are trying to approve here. We have others, which are established under Company Law; others are perhaps established by Section 21. They are so diverse and it is very difficult to capture all of them in one legal instrument like this one.

That is why there is a Section asking for the classification, which you do not like, but that classification is very useful, that is Section 4(a). It is trying to bring order to this confused situation.

The second issue would involve the roles and functions of various players in these entities. Firstly, there is all the Management, led by the Chief Executive of the enterprise. Then you have the Board which provides the governance, the framework of that particular enterprise. Then, because these enterprises are not of the same type, Board Members cannot be the same. Some of them are representative of kinds of Institutions. You want labour to be there; you want employers to be there; you want people with disabilities to be there; you want women to be there; you want the youth to be there; and some other Stakeholders. So it is very difficult to make just one thing for these enterprises. So you should understand the mixture of these roles in that respect.

So, in defining the functions of all the role players, whether we are talking about Management or we are talking about the board, then you have the Council, which is the super-structure, the regulatory structure of everything. You have to be very careful not to confuse the roles of various players; otherwise responsibilities will fall between the chairs. That is the environment in which this piece of legislation has been crafted, and I would like you to understand that, when you bring proposed Amendments here and Amendments there.

Some of the things you are talking about are taken care of by the laws which govern specific enterprises and we do not have to repeat them here.

Let me respond to some of the issues, which have been raised.

***Honourable Mushelenga***, raised the issue of the Chief Executives being appointed by the Boards. The Boards are being appointed by the Portfolio Minister, in consultation with the Council and that the Chief Executive should also be appointed by the Council. No, the Chief Executive must be appointed by a Board, because the position falls under the Board; otherwise there will be a divided kind of reality in-between. That should not happen: the reporting procedure should be very clear.

I agree with ***Honourable Tsheehama*** that some of the Colleagues in the State-Owned Enterprises have not been very up to the task: some of them thought that perhaps that was a pot of gold and they should make use of it as much as they could. That is unfortunate. I hope that this would be brought to an end now by this Bill.

**Honourable Amweelo**, thank you for your very sharp reaction to the Bill. Yes, the dividends policy will be determined properly; so will the remuneration packages. They will be investigated. If you are running a Parastatal, which is making profits, you should be rewarded, but if you are running a Parastatal, which is not even breaking even, why should you be rewarded for failure? All these things should be looked into. So, probably you have to think about a basic salary and then on top of the basic salary you can have bonuses – performance-related bonuses so that you also encourage people to perform. These things will be looked into; depending on what kind of business is involved.

**Honourable Ilonga**, thank you for your support. I want to assure you about your pre-occupation about privatisation. All the Honourable Members, whether they are in Cabinet or here, are patriots just like yourself. If restructuring is going to take place it will be for a reason, not just out of selfish interests, because we want to buy shares there. However, you agree with me that there are certain Parastatals, which are bleeding the Government, literally bleeding it. Why should you continue to have things that are bleeding you? Just imagine yourself as a private person: perhaps you are running a farm and every time you are just investing in the farm, nothing comes out. Would you keep that farm? You would not; you would be bankrupted. Therefore, if Parastatals are bleeding the Government, let us restructure them or get rid of them full stop.

**Honourable Kuugongelwa**, thank you for your support. All the things you want us to do will be done eventually with your full involvement. There will be business plans; there will be accountability measures; and, of course, a dividend policy that will make you happy.

You talked about *Meatco*. Let me answer this question of *Meatco*, which seems to be a pre-occupation of Honourable De Waal.

Why *Meatco* is listed here is because Article 40 of the *Meatco Corporation* states that “*the funds of a corporation shall consist of moneys which, by virtue of section 2, forms part of the Corporation; (b) moneys appropriated by Parliament for the realisation of the objects of the Corporation.*” That is the only reason why *Meatco* is listed here. Once *Meatco* amends this section, that they are not receiving money, they have no potential of receiving money appropriated by Parliament, then there is no need for *Meatco* to be here, on condition that they pay in full what they obtained from the Government. That is the reason. So the Amendments you are trying to effect so that *Meatco* eventually becomes a co-operative should be removed or the section should be amended to allow it to become a co-operative. Well, firstly, you have to

29 November 2005

**REPLY ON STATE-OWNED ENTERPRISES BILL**  
**HON ANGULA**

amend this. Once you amend this, then obviously it will not qualify. However, as of now, until you amend it, *Meatco* qualifies. That is the answer.

I think I talked a great deal about Honourable De Waal's intentions. Yes, some of your proposals do make sense but they need to be studied very carefully. However, where I really regret your approach, which I am going to reject, is that you ran to move an Amendment without consultation and we know that that Amendment is being moved on the instigation of *Meatco*. We know this. Yes, I have the same Amendment in my office there. You wanted me to see if I could say more. I am going just to talk about *Meatco*.

When I sold my cattle in my rural area there I was not even given a proper price and you say that you represent the meat industry. You represent yourself-not the meat industry.

If we had consulted, I would have considered it but since you decided to sell the interest of *Meatco* more than the interest of the Nation as a whole, unfortunately I find it difficult to accept your Amendment. Thank you.

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**HON DE WAAL:** Honourable Speaker, on a point of clarity. Honourable Speaker, I just want to say on the question of consultation, I would have done that, but on another issue you told me "*I do not have time as long as the National Assembly is in session.*" You do not have time, so I thought you would not have time and that speech I wrote over the weekend, Sir. So, it is not a question that I did not want to consult with you; I really wanted to consult with you, but I thought you were so busy that I could not see you, Sir. And really, Honourable Prime Minister, that speech was not written by *Meatco*; it was written by me on Friday night until Saturday morning three o'clock.

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**HON SPEAKER:** Honourable De Waal, obviously as the presiding officer I would always encourage consultations, more consultations and consultations always. I now put the Question that the Bill be now read a Second Time. Any objection? Agreed to. The Secretary will now read the Bill a Second Time.

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**STATE-OWNED ENTERPRISES BILL**

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29 November 2005

**MOTION-ACTIVITIES NATIONAL YOUTH COUNCIL  
HON P MUSHELENGA**

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

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**RESUMPTION OF DEBATE ON THE PROGRAMMES, ACTIVITIES AND  
PERFORMANCE OF THE NATIONAL YOUTH COUNCIL**

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**HON SPEAKER:** When this Debate was adjourned on Wednesday, 23<sup>rd</sup> November 2005, the Question before the Assembly was a Motion by the Honourable Ms Dienda. Honourable Mr Mushelenga adjourned the Debate and I now give him the floor.

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**HON P MUSHELENGA:** Honourable Speaker, when Honourable Dienda gave Notice that she would introduce a Motion on the National Youth Council, she enquired from me thereafter whether I would support her Motion. Fortunately, I decided not to give an affirmative answer to the Honourable Member, as I first wanted to hear the Motivation Speech, so that I could take a position on an informed basis. Eventually it proved that I made a wise move because when the Honourable Member was motivating her Motion, I found some parts of the Motivation to be hyper-active and bearing exaggerations. Some information in the Motivation is incorrect and, therefore, misleading.

Before I address the aggrandizements in the speech of the Honourable Member, I should like to state at the outset that, just like Honourable Mutorwa, I have no problem with Honourable Dienda's suggestion to have a forensic audit for the National Youth Council activities, if she has proof that there is sufficient evidence warranting such a course of action. Honourable Mutorwa has already assured the Honourable Member last week during his contribution to the Debate that the Ministry will act firmly and fairly, if any wrongdoing is suspected, provided that concrete information is available.

Honourable Speaker, it is a matter of fact that I have dedicated the active part of my lifetime to the cause of the youth. When one is a youthful Member of Parliament, and there is a Motion on the youth before the House, it is imperative that you participate in the Debate to give direction. This is particularly true, especially when some of the information has been twisted, knowingly or unknowingly. If one knows the correct information, and you do not participate in the Debate, then you are perpetrating what



the Welsh poet, Sir Lewis Morris, referred to as “*the conspiracy of silence.*”

Honourable Speaker, let me now turn to the exaggerations in the speech of Honourable Dienda. The Honourable Member has charged in her Motivation Speech that:

*“For more than the eleven years the National Youth Council has been in existence, millions have been spent annually on the National Youth Council, yet little is known about how they expend the huge amounts of monies allocated to them.”*

By implication, the Honourable Member exclaims that there are merely a few insignificant activities going on at the National Youth Council. I should like to contest this accusation. About four years ago, the National Youth Council embarked upon the decentralisation programme by creating part-time positions of Regional Co-ordinators in the Regions, who receive monthly allowances. These positions were created to intensify the activities of the National Youth Council at the grassroots level. In most cases, unless otherwise employed, co-ordinators are Chairpersons of Regional Youth Forums, who are elected by their respective structures. The mention of the National Youth Council structures reminds me of yet another point: that the Young Democrats, the youth wing of the CoD of which Honourable Dienda is a leader, are not affiliated to the National Youth Council. It is imperative for her party youths to satisfy the requirements and then apply for admission to the National Youth Council, rather than her coming in this August House crying crocodile tears that she knows little about National Youth Council activities.

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**HON ULENGA:** On a very important Point of Order, Honourable Speaker. I stand up to correct immediately the misleading statement made by the speaker right now on the floor (not this one, of course): namely that Honourable Dienda is the leader of the Young Democrats. She is not: she is the leader of the Women’s Democrats.

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**HON P MUSHELENGA:** Honourable Speaker, I said the Young Democrats, the youth wing of the CoD of which Honourable Dienda is a leader. She is one of the leaders of the CoD, a leader of the Women’s Council and sitting in the national leadership of the CoD.

Honourable Speaker, Honourable Dienda also stated that:

*“There are so many problems facing the youth in Namibia: namely, information and access to valuable bursaries; ICT skills and knowledge; rural youth development programmes; income-generating projects; youth and environment, just to mention but a few. However, the National Youth Council does not have time to look into these or consider them, because they are spending their time and future on less important things.”*

Honourable Speaker, I found the above-quoted paragraph from the Motivation of the Honourable Member as devoid of the truth and highly irresponsible. I should like to state that I had served for a period of five years on the Executive Committee of the National Youth Council, which is like a Board in the case of a company. Accordingly, I was receiving reports on the activities and programmes of the National Youth Council. Knowing the programmes that are going on, I will not subscribe to the conspiracy of silence. In this respect, I should like to inform this August House that information available indicates that in 2003 the National Youth Council, in conjunction with the line Ministry and the World Assembly of Youth, hosted the Information, Communication and Technology (ICT) NEPAD Regional Conference for African Countries in Windhoek, under the theme, *‘ICT as a tool to develop the African continent’*.

As Honourable Members may be aware, the demand for ICT is one of the prominent and essential needs amongst our young people. The National Youth Council has, therefore, started with the implementation of the Windhoek Declaration from the ICT Conference. The National Youth Council, in conjunction with the Line Ministry, trains young people in ICT at the Multi-Purpose Youth Resource Centres in all Regions. The training takes 6 months to complete, and participants pay a nominal fee of N\$50 only. The instructors in all Regions are paid by the National Youth Council from their Budget, on the expenditure of which Honourable Dienda has expressed doubts, claiming that little is happening. The Omaheke Youth Forum has opened two ICT Centres and the same trend will follow in other Regions.

With regard to environmental issues, information available indicates that currently there is the Eco-Leadership Exchange Programme between the National Youth Council and the Canada World Youth. Through this programme, Canadian and Namibian youth visit each other for a period of three-and-a-half months in each Country. The aim of the programme is to promote the eco leadership capacity and competence of the young people involved in eco-system Management Programmes in their respective communities. This Exchange Programme currently also runs in South Africa, Mozambique and Botswana. About 80% of the cost, is borne by Canada

29 November 2005

**MOTION-ACTIVITIES NATIONAL YOUTH COUNCIL  
HON P MUSHELENGA**

World Youth, whilst the remainder is to be sourced by the National Youth Council. The focus of the Programme is based on environmental sustainability and the objectives are:

1. To provide means for Namibian youth and community-serving organisations to develop their capacity to design and implement programming;
2. To create a means for young Canadians and young Namibians to co-operate, learn together and contribute to participatory environmental and community development initiatives;
3. To expose the Canadians and Namibian youth to the issues and realities of community development in Canada and Namibia.
4. To implement a programme that builds the attitudes, values, skills and knowledge necessary for active involvement in addressing community development challenges; and
5. To enhance the employability of Namibian and Canadian youth.

The National Youth Council has recruited 12 Namibian participants from various Regions, through their structures and one Project Supervisor.

Honourable Speaker, regarding unemployment, information available indicates that the National Youth Council continues to address issues of youth unemployment, and entrepreneurship. The National Youth Council, in conjunction with the Line Ministry and the Commonwealth Programme has initiated the Commonwealth Youth Credit Initiative (CYCI).

The Commonwealth Youth Credit Initiative is an integrated youth support programme, and its aims are to provide simplified Business Planning and Business Management Training, plus small loans via community-based savings and credit associations, as a means to support committed out-of-school youth in their efforts to establish SME initiatives as strategies for self-employment, income-generation and improvement of the standards of living of our youth. The Commonwealth Youth Credit Initiative is currently in its pilot phase that started in April 2005 and ends September 2008, and is limiting its operations for this pilot phase to Regions such as Omusati, Oshana, Oshikoto and Ohangwena. The Regional Youth Officers, with the National Youth Council's Youth Forums, will promote the project to the youth in the Regions and facilitate formation of groups for lending purposes.

Honourable Speaker, this year the National Youth Council hosted in Windhoek the 14<sup>th</sup> General Assembly of the World Assembly of Youth, the highest youth summit in the world. The theme of the Assembly was: “*Youth rise to meet HIV/Aids challenges*”. I refuse to accept that the hosting of such an Assembly is a less important issue. This Assembly is a historic and great achievement, which all Namibia, including Honourable Dienda, should be proud of. My witness in this assertion is none than yourself, Honourable Speaker, as you also actively participated in the Assembly proceedings, when you were Prime Minister. I am reminded of the marching by the youth of the world and yourself, Comrade Speaker, from the Safari Hotel to the city centre in the fight against HIV/Aids.

In her Motivation, Honourable Dienda stated that:

*“The National Youth Council, as an umbrella body of the Namibian Youth Organisation, has in my view failed to address the issues of the youth. They are concentrating on party politics rather than pursuing the aims and objectives as stipulated in their own Constitution.”*

I wonder whether Honourable Dienda has actually read the aims and objectives in the National Youth Council Constitution. If she has read them, then she fell short of understanding them. Contrary to the beliefs of Honourable Dienda, it is my submission that the National Youth Council is pursuing aims and objectives of its Constitution. The Constitution of the National Youth Council obliges the Institution to mobilise funds, both locally and internationally, for the cause of youth development. In line with this, the National Youth Council has over the past years hosted the Youth Expo annually, to give opportunities to young entrepreneurs to exhibit and trade their goods and products. Information available indicates that this year, the funds that the National Youth Council mobilised for the Youth Expo amounts to N\$247 733. This money was used to develop young entrepreneurs because they paid a registration fee of only N\$100, with the rest of their expenditure (like transport, accommodation and meals) being paid for by the National Youth Council from the funds mobilised.

Honourable Dienda lamented about the trip to the 16<sup>th</sup> World Youth Festival of Youth and Students which was held in the Bolivian Republic of Venezuela. The Festival is organised after every four years, jointly by the World Federation of the Democratic Youth and the International Union of the Socialist Youth. I had the rare opportunity of attending the 15<sup>th</sup> Festival, which was held in Algeria in 2001. Debates, discussions and cultural exchanges at that Festival were inspiring and productive. I would like to believe that the 16<sup>th</sup> Festival in Venezuela (which was organised by the

same international youth organisation) mirrored previous Festivals in many respects. If not, I stand to be guided. Attendance of the Festival is part of the aims and objectives of the Constitution of the National Youth Council, which obliges the Institution to establish and maintain relations with international youth bodies, and national youth structures in other countries. I should like to inform this august House that, as a matter of fact, the National Youth Council had embarked upon a number of youth exchange programmes with their counterparts and like-minded youth organisations. Information available indicates that the Network Exchange and International Relations Desk facilitated training workshops for youth leaders, youth workers and volunteers in various Regions. Bi-lateral relations have been signed with the National Youth Council of Botswana, and the Young Communist League of Cuba. Through these agreements the National Youth Council and the two respective Institutions that I have mentioned are exploring mutual understanding and co-operation on issues of health, education, culture and employment promotion.

The National Youth Council is a member of the SADC Youth Movement and is making its meaningful contribution to the development of the youth in the southern Africa region.

Honourable Speaker, the National Youth Council Constitution further calls for the Institution to popularise and advocate the concept of gender equality among the youth. Information available indicates that the National Youth Council's Health, Gender and Welfare Desk has organised visits to schools to address and sensitise learners on issues of gender, gender roles and how that affects every sphere of their lives. So far, such programmes have been carried out in Karas, Kunene, Omaheke, Omusati and Oshana Regions. The Programme will be carried out further to other Regions.

The HIV/Aids pandemic is one of the threats that human beings face on planet Earth. It affects the Namibian youth too. Information available reveals that the National Youth Council is involved in the crusade to fight this disastrous disease. The National Youth Council distributes boxes of condoms to various Regions through its Regional Youth Forums. It also visits schools, sometimes on invitation, to talk to learners about sexual health matters. The Institution assists Regional Youth Forums to mobilise funds from donors to carry out workshops related to the HIV/Aids pandemic.

It is worrying that, despite all these endeavours, Honourable Dienda claims that little is known from the National Youth Council. I insist that member organisations and people who are close to the National Youth Council are following the developments at the Council with appreciation. My heart goes out to dedicated employees and

volunteers at the National Youth Council who prioritise service delivery. They have demonstrated abilities to '*paddle the canoe from the waves of flooding rivers to the pacific lake*' that brings prosperity and dignity to our humanity.

Honourable Speaker, the notion of the National Youth Council concentrating on party-politics to which Honourable Dienda referred is a self-inflicted but false impression. If the Honourable Member has illusions about political shenanigans taking place at the National Youth Council, I suggest that she consults with people from opposite poles of the political arena in the National Youth Council circles. History has it on open record that Honourable Venaani and I have been associated with the National Youth Council some time ago, through the DTA Youth League and SWAPO Party Youth League respectively but when we were dealing with National Youth Council matters, we concentrated on issues of youth development. If we had concentrated on party-politics, the National Youth Council would have been destroyed by now. It was actually through the National Youth Council that Honourable Venaani and I became close, as we worked for the common good of all our youth. Since then we have been great acquaintances of mutual understanding but not political and ideological associates.

Honourable Speaker, generally speaking, Honourable Dienda is not a bad person. However, as Honourable Mutorwa said, sometimes her statements can be reckless. She tends to be naïve and becomes carried away by issues. I remember vividly during the Budget Debate when Honourable Dienda was presenting her maiden speech and used phrases like "*so-called national assets*" and "*unfinished elections*", referring to the concluded elections of 2004. She was requested to withdraw these controversial comments. Traditionally, maiden speeches are presented, using lukewarm and sober phrases, while avoiding unnecessary provocations and controversies. Therefore, on the part of Honourable Dienda, it was not a good impression, at least for a start, in her parliamentary career. My heart goes out to the Honourable Member as she adjusts to parliamentary norms. I pity her a great deal.

I should like to make it categorically clear that, despite knowing her weakness, I am not differing with Honourable Dienda's Motion because of who she is or the political home from whence she comes. In this respect, my positive contribution to the Motions on bank charges and on corruption, introduced by Honourable Gertze and Ulenga respectively, is living proof. I believe in legislative maturity and parliamentary distinction. I am simply differing with the substance of the assertions made by the Honourable Member in her Motivation. After all, Honourable Dienda and I enjoy cordial professional relations - not personal, professional. (Laughter)

Honourable Speaker, in all honesty, it will be unfair if I do not give some credit to Honourable Dienda. Unlike some of us, at least, at last she has introduced a Motion in this august House. The first Motion by any Honourable Member is as important as the maiden speech. In the academia, it is the equivalent of an inaugural lecture, which is the *first* public presentation by a person who has attained the rank of full professor, in a topic related to his or her field of study. I am told that a few academics brave the challenges of this mammoth task. Against this background, therefore, I would like to sincerely extend my profound congratulations to Honourable Dienda for introducing her first Motion in the National Assembly of the Republic of Namibia. The content of the Motion notwithstanding, the initiative in itself is commendable. I admire her courage and determination but not her poor calculations and interpretations. (Laughter)

I should like to advise the Honourable Member that the art of speaking is to state things that you know better and leave out things that you are not sure of. Seasoned speakers, like Honourable De Waal, make use of phrases like “unconfirmed reports”. This puts them in a good state, should such reports be proven otherwise at a later stage. Honourable Dienda could take an example from such art of speaking.

The Honourable Member could have done a great favour to herself if she had opted for Parliamentary questions rather than a Motion. She could have raised her concerns through questions to the Minister responsible for the National Youth Council, and accordingly received a response. In my language there is a saying that says: “*Oku pula haulayi, oku minikila hameho waa na*”, literally meaning that to ask questions is not a sign of foolishness, and to use light in the dark is not a sign of blindness. So, it is quite in order to ask questions. I should like to assure Honourable Dienda that it is neither a sin, nor a crime, to put up Parliamentary questions on issues that she does not know. It was unfortunate that the Honourable Member had chosen to introduce a Motion, which is full of dramatisations and the opposite of the truth. Given the records of the National Youth Council programmes and activities that I have narrated - most of the conclusions, I did not say all. (Intervention)

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**HON GERTZE:** On a Point of Order. I only rise to ask if this is a personal attack on the person of Honourable Dienda or is it taking up anything as far as the issue is concerned? I strongly object to that.

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29 November 2005

**MOTION-ACTIVITIES NATIONAL YOUTH COUNCIL  
HON P MUSHELENGA**

**HON SPEAKER:** The Speaker is listening carefully as to determine malicious intended personal attacks and so far none is forthcoming. Honourable Mushelenga, continue.

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**HON P MUSHELENGA:** Honourable Speaker, it is unfortunate that the Honourable Member has chosen to introduce a Motion, which is full of dramatisations and the opposite of the truth. Given the records of the National Youth Council programmes and activities that I have narrated, most of the conclusions made by Honourable Dienda in her Motion appear to be based on hearsay. I despise such attitude and approach.

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**HON SCHIMMING-CHASE:** May I ask the Honourable Member a Question? Honourable Mushelenga, having gone to the extent that the Honourable Member has gone to show that Honourable Dienda's contribution is unfounded, devoid of the truth, *et cetera*, will the Honourable Member be prepared to allow her to reply and bring her proof?

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**HON P MUSHELENGA:** Honourable Speaker, I do not think I am the one who decides whether people reply or not. I have brought my facts forward and the Honourable Member can bring her facts forward on the issues that I said, if she can contest it. As I said - I said some parts of her Motivation.

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**HON SPEAKER:** The Honourable Dienda will have the last word, except for the Speaker, when she replies to take up the issues raised by Honourable Mushelenga.

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**HON P MUSHELENGA:** Honourable Speaker, Honourable Members, Honourable Dienda expressed concern over what she termed, "*reckless manner in which money has been spent on trips, travelling and S&Ts.*" I should like to put it on record that most of the programmes, activities and operations of the National Youth Council are carried out by recruited staff who are just like any other staff in any statutory Institution. To succeed in their tasks, the National Youth Council staff members have



29 November 2005

**MOTION-ACTIVITIES NATIONAL YOUTH COUNCIL  
HON P MUSHELENGA**

to undertake official missions, just as we Honourable Members of this Parliament take official missions.

Honourable Dienda actually reminded me of the saying in my language which says, “*Onkulungu ka yi hole onkwawo yi dhana*”, which literally means that a talented performer does not like to see another talented performer in action. As Members of Parliament most of us, including, Honourable Dienda, travel on parliamentary missions and receive S & Ts. She further stated that the trip to the World Festival of the Youth and Students, which I mentioned earlier, was like an all-expenses paid holiday. I have never received the impression that any of us, *including* the Honourable Member, when we travel on official missions go for all-expenses paid holidays, to spend Government money recklessly. However, I will be tempted to say otherwise in this gallery of the remarks that are being made on trips and S & Ts.

Further, I should like to point out that when Honourable Dienda talks about the National Youth Council’s concentration on party-politics, she should bear in mind that there *are* staff members at the National Youth Council who may not be interested in party-politics at all. These are just the people who were recruited on merit and when you start to make blanket statements that the National Youth Council is involved in or concentrating on party-politics, these people might take offence at such remarks. These people were recruited through a competitive process. They are not politicians but just institutional servants who work tirelessly for the success of the Institution, as I have enumerated from their programmes. It would be extremely unjust and demoralising to innocent National Youth Council staff members, when they become unfairly subjected to ruthless political attacks. Please leave them in peace.

Honourable Speaker, the manner in which *some* allegations in the Motion (and I said ‘some’) are far from the truth relegated the Motion to the standard of another disgraced Motion, the discussions for which were discontinued two weeks ago in this August House. Such ridiculous behaviour can as well annoy the already fired-up young Democrats, which could result in Honourable Dienda being counted among other CoD leaders, with whom the Young Democrats are determined to deal.

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**RT HON PRIME MINISTER:** On a Point of Order. May I ask Honourable Mushelenga a question? On the subject of the Young Democrats, are you aware that they have travelled to Zimbabwe to study the situation in MDC, as to how Tsvangirai was replaced as a leader of MDC? Are you aware that they travelled to Zimbabwe?

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29 November 2005

**MOTION-ACTIVITIES NATIONAL YOUTH COUNCIL  
HON P MUSHELENGA**

**HON P MUSHELENGA:** The Right Honourable Prime Minister, it was exactly for these reasons that I said so because Honourable Dienda is one of the people I do care about and I, therefore, do not want to see fate coming her way without giving her humble advice.

Please rest assured, Honourable Dienda, that if anything (intervention)

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** On a Point of Order. May I ask the Honourable colleague a question? Honourable Mushelenga, you are raising valid questions: very scholarly. Are you not worried, seriously worried, that Honourable Dienda looks so worried? Are you not worried? (Laughter)

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**HON P MUSHELENGA:** Honourable Speaker, I am worried. It was exactly why I said Honourable Dienda is one of the people I do care about and I therefore do not want to see fate coming her way without giving her humble advice. Please be rest assured, Honourable Dienda, that if anything, my doors are open for guidance and helpful opinions. I am at your disposal whenever the occasion demands. I shall continue to count you among my favourite peers in this august House, and I remain yours truly.

In conclusion Honourable Speaker, I should like to concur with Honourable Mutorwa that I find no reasons why the activities of the National Youth Council should be brought to the Parliamentary Standing Committee on Human Resources, Social and Community Development to examine activities and programmes of the National Youth Council and report back to this august House, as Honourable Dienda recommended, because from the information available, there is no indication of failure on the part of the National Youth Council in terms of performance and service delivery. The National Youth Council's Executive Committee and Representative Council, as per the Constitution, have not expressed any dissatisfaction with activities and programmes of the Institution, and the General Assembly of the National Youth Council, which is the highest decision-making body, is just forthcoming.

I, therefore, reject the Motion by the Honourable Member, with the contempt that it deserves and I thank you.

29 November 2005

**MOTION ON CORRUPTION  
HON IILONGA**

**HON SPEAKER:** I thank the Honourable Member. Any further discussion? None. Does the Honourable Member Ms Dienda wish to reply?

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**HON DIENDA:** Honourable Speaker, I will reply tomorrow if there is nobody else who wants to talk on this. Thank you.

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**HON SPEAKER:** The Honourable Member needs time to meet eloquence with eloquence. Any further discussion? If not, the discussion on this Motion is adjourned until tomorrow. The Secretary will read the Fourth Order of the Day.

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**RESUMPTION OF DEBATE ON THE STATE OF CORRUPTION AND  
ABUSE OF PUBLIC FUNDS AND ASSETS**

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**HON SPEAKER:** When this Debate was adjourned on Thursday, 17<sup>th</sup> November 2005, the Question before the Assembly was a Motion by the Honourable Mr Ulenga. The Honourable Deputy Minister of Labour and Social Welfare adjourned the Debate and he now has the floor.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Honourable Speaker, I rise to give my personal perspectives on Honourable Ben Ulenga's Motion on corruption which he moved on the 28<sup>th</sup> September 2005 in this August House.

Comrade Speaker, the Motion seeks to debate and express its reserved condemnation of the practice of corruption and abuse of Public Funds and Assets.

As I said earlier, I will give my own perspectives. First of all, corruption is not a Namibian phenomenon, nor exclusively African, as some prophets of doom suggested. Corruption is a global phenomenon. Therefore, corrupt people are global in nature and it is not only practised in the Government and in the Ruling Parties.

29 November 2005

**MOTION ON CORRUPTION  
HON IILONGA**

We must therefore make sure that corruption is not a practice for certain people or parties; it is an evil which is global and whatever Motions we come up with must be national, regional and international in nature. Let Honourable Ben Ulenga know that corruption has no room in the SWAPO Party, whoever is being implicated (Intervention)

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**HON RIRUAKO:** Mr Speaker, on a Point of Order. That is why we are here to discuss corruption. There is room in SWAPO for corruption. Instead of being punished, you are promoted. I thank you.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Comrade Speaker, I repeat: Let Honourable Ben Ulenga know that corruption has no room in SWAPO Party. Whoever has been implicated in corrupt practices, he or she must be judged in an individual capacity ...

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**HON SCHIMMING-CHASE:** When?

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** If you are one, then set the date - but not on political affiliations.

Comrade Speaker, Honourable Members, I have followed the Debate on this Motion with keen interest; be it here in the august House, or outside this august House, I have found many different points of view. Some called it the 'white snake', that tempted Eve and Eve tempted Adam to eat the fruits in the Garden of Eden. Some had a select morality; some had what you call a witch-hunt, and you can mention many such as things that corruption is in the Ruling Party. Some are saying that. We have already heard one Member who has made that remark. Some say corruption is in the Ruling Party and I say there is no room for corruption in SWAPO Party.

Comrade Speaker, if we follow this path, we will never defeat this evil phenomenon known as corruption in Namibia and in the world as a whole.

We need to look at the way we argue. It will never bring us the victory against corruption. Why do I say that? We are not looking at all the aspects of life; we need

29 November 2005

**MOTION ON CORRUPTION  
HON IILONGA**

to look at the aspects of corruption as a whole, starting with the spiritual, economic, social, political and legal aspects and so forth.

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**HON MOONGO:** On a Point of Order. I should just like to inform the Honourable Deputy Minister and to ask whether he is aware that there is only one Government in Namibia and this Government is a SWAPO Government and many of the officials are the ones who are corrupt. Who is corrupt? It is SWAPO.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Comrade Speaker, we need to look at all aspects of life, starting with the spiritual, economic, social, political, legal aspects, *et cetera, et cetera*, and the way we send messages to the Nation, the way we regard ourselves as victims and innocent, while we look at others as villains. Therefore the conclusion is even made that the divine arrangement is made by the Almighty God to have the villains make room for the Angel to enter the Heaven. If we do not look at all those messages we send to the Nation, my dear, we are never going to defeat this evil corruption. All this type of talking will never bring unity nor promote team spirit to fight against corruption.

In conclusion, Comrade Speaker, I mention, above all for Namibia to succeed in fighting against corruption, we need to see that corruption is an enemy of the Namibian People and the whole world at large.

Let us leave out our selective morality if we take action against one implicated with corrupt practices.

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**HON NAMBAHU:** I wanted to ask my Honourable Comrade a question.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Let us leave our selective morality.

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29 November 2005

**MOTION ON CORRUPTION  
HON IILONGA**

**HON SPEAKER:** I thought you had concluded. There is a Point of Order.

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**HON NAMBAHU:** Comrade Deputy Minister, if you state that corruption is a world phenomenon, are you aware that in Africa we suspend even Deputy Ministers or Deputy Presidents, while corrupt persons are happily receiving their salaries in Europe? Are you aware of that?

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** We have to fight this evil. If we see Iilonga does not have backing, he is corrupt; if you look at the angel Thomas, he is strong and if you say he is corrupt then it is a witch-hunt. Then we will never win that victory or battle.

So, if we take action against one who is implicated in corrupt practices, let it be our tradition to take action against *everyone* who finds himself or herself implicated in activities of corruption. However, implication in corrupt activities does not necessarily mean that somebody *is* corrupt before proven guilty by a competent Court of Law. This is what those who call themselves democratic and constitutionally orientated are quoting but we must not forget that you can only be found guilty through a competent Court of Law. However, here we have seen judgements given already to some while others (and I hope Comrade Nambahu will be listening) are sent home with a full cheque and a salary and you know about the question Ulenga was asking me - about double jeopardy.

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**HON MOONGO:** On a Point of Order. I would like to inform the Honourable Deputy Minister that Munyama is now deeply in trouble. Who is the next to be in trouble? Is it Ya France or is it the Honourable Deputy Minister?

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** Comrade Speaker, I am not Munyama; let him go and ask Munyama.

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29 November 2005

**MOTION ON CORRUPTION  
HON IILONGA**

**HON SPEAKER:** Who is the person, other than the Deputy Minister, Honourable Moongo, that you mentioned? You mentioned a name.

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**HON MOONGO:** I mentioned Munyama and the ex-NBC is in trouble now. Who is the next? Ya France or the Deputy Minister?

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**HON SPEAKER:** The Honourable Citizen you have mentioned is not here so I would want you to withdraw that reference.

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**HON MOONGO:** I withdraw the name of Munyama.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** I am not the corrupt one and neither am I going to be corrupted by anybody. I stand as Iilonga and I remain as Iilonga and I will die as Iilonga without any corruption.

Comrade Speaker, I have a message to our senior leaders, be it in SWAPO Party or in Opposition Parties in this House, to give guidelines, which will really make Namibia a corruption-free country because corruption is not partisan. This is what you must know and the Government of the Republic of Namibia does not only employ SWAPO members. Comrade Mushelenga even mentioned Ulenga's neighbour – Mudge - when he said that to be a Board member you must have a SWAPO membership card. That he must prove beyond reasonable doubt. We have leaders in high positions in the Government who are not SWAPO members.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL SERVICES:** I cannot give a name here. Your neighbour was already told to withdraw. They are not here; I will not mention their names.

So, Comrade, with those few perspectives, I rest my case.

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29 November 2005

**REPLY- MOTION ON CORRUPTION  
HON ULENGA**

**HON SPEAKER:** I thank the Honourable Deputy Minister. Any further discussion? None. Does Honourable Ben Ulenga wish to reply?

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**HON ULENGA:** Honourable Speaker, (Interjection). Be careful now, that is the name of my father. I am telling my cousin over there; so it is family stuff, do not worry.

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**HON SPEAKER:** Honourable Member, are you feeling rational?

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**HON ULENGA:** Honourable Speaker of the National Assembly, Honourable Colleagues, let me start off by appreciating very much the personal perspectives of my comrade over there - former comrade - as far as membership of SWAPO is concerned. However, I think that our comradeship has gone beyond party partisan allegiance. We were sitting together at the front, not fighting for SWAPO but fighting for Namibia, on Robben Island, so I cannot consider you as a former comrade simply because I am not a member of SWAPO: our comradeship definitely went beyond that. So, thank you very much for making the last remarks, which really just reflect what I also said in the beginning: corruption definitely should not be considered as a partisan issue nor is it an issue limited to one country or one continent only.

However, of course, discussing corruption in Namibia as Namibians, representing Namibian people, we have to put a Namibian perspective to the issue. Let me go ahead with my written response.

Honourable Speaker of the National Assembly, Honourable Colleagues, precisely two months ago, on the 28<sup>th</sup> September 2005, I tabled the Motion on Corruption and the abuse of Public Funds and other resources in this House. In that Motion I asked this Honourable House to:

- Debate and express its unreserved condemnation of the practice of corruption in Namibia;
- Undertake to advise the Executive to draw up appropriate guidelines to regulate the involvement in business by Public Officials;



- Advise the President and Cabinet to release for public access *all* Reports of Presidential and other Commissions of Enquiry set up with taxpayers' money, at the longest, six months after their submission; and
- Urge Government to expedite the setting up and finalisation of the Anti-Corruption Commission.

Honourable Speaker, today in responding to the Debate that followed this Motion, I want humbly to thank you, Honourable Members, from all sides of the House for your

overwhelming response in which you presented, almost exclusively, mature, objective and even-handed arguments and analyses pertaining to this very important current, national issue. Honourable Speaker, altogether 23 speakers participated in the Debate, and none of these speakers spoke against the Motion *per se*, or against any of its specific recommendations, as I read them above. The response of the House to the Motion underscored my own argument during my Motivation, namely that this Motion goes beyond party-political allegiance and reflects the Nation's own strong anti-corruption sentiments. Honourable Speaker, I am certain that in debating this issue we did not disappoint the Nation.

Honourable Speaker, many speakers echoed the expressed need for us as the Nation's representatives to help steer the Nation in the right direction, and many emphasised the various positions of their own political parties in the fight against corruption and, indeed, on this one I just want to remind the House again (if it needs reminding) of the assurances coming from my comrade over there, who is a SWAPO MP, saying that there would not be room for corruption in the SWAPO Party. Those are commendable words but, of course, it is important that they are followed up with action every minute of the day. As the Honourable Member knows, it is only struggle and struggle and struggle. Whether it is in SWAPO or anywhere else, you really have to block the way and make sure that there is no room. It is not just by stating it. I will leave that one but I say the very same thing.

Several speakers may have emphasised the various positions of their own political parties in the fight against corruption, and that is commendable. Honourable Speaker, several speakers, including the *Honourable Mutorwa, Honourable Kazenambo, Honourable Shifeta, Honourable Venaani, Honourable Mushelenga and Honourable Nghidinwa* (Minister of Home Affairs) amongst others, emphasised the need for education and suggested the introduction of Social Ethics as a subject in our schools so as to inculcate anti-corrupt values in our youth. Others, such as the Honourable Mutorwa, even went further and warned about the pervasive nature of the cancer of corruption and its spread in all sectors of our Society, including academia,

religious and cultural spheres, and I must say Honourable Ilonga just a few minutes ago also mentioned that.

Honourable Speaker, others also talked about the legacy of Apartheid and racial discrimination which was emphasised with regard to its relevance in present-day behaviour and I believe that is also an important point to note because it is so difficult to shake off the shackles of the past.

Finally, the need was expressed that we should look towards ourselves as political parties and I think this was specifically *Honourable Tjiriange* who dealt with that matter, apparently also in response to what was said by other Members in the House on the topic: namely, that we should look towards ourselves as political parties, in order to ensure that political parties do not become or remain the hotbeds of corrupt practices. In this regard I wish, Honourable Speaker, to urge the House to bring political parties to account with special regard to the taxpayers' money that we receive yearly. This matter has been addressed only by words, sometimes in this House and, I trust, also outside the House. What needs to happen is we need to add deeds to words and make sure that we do not just hear about action being taken by our Parties with regard to corrupt activities but indeed make sure that money decided upon by this House, which is taxpayers' money and used by parties, is accounted for in this very Chamber.

Honourable Speaker, the Rule must be enforced that political parties submit Audited Accounts to this House, for scrutiny in regard to monies approved in this House.

I do not really need to delve into all accounts of the speeches of the various Members who spoke on this Motion. As I mentioned, there were more than 20 of these people. I have a full list of the participants here. Unfortunately, I could not obtain the copies of all the speeches delivered in the House and I must say, it is high time that this House really takes strong and strict action with regard to the way the records of the House are being kept at the present moment because it seems it is getting more and more difficult for one just to go to the Officials and extract those records as soon as we have spoken in the House.

Honourable Speaker, in view of the fact that the first and last Recommendations of my Motion have been overtaken by events – namely, with the establishment of the Anti-Corruption Commission - I should therefore like to move –

that this House –

29 November 2005

**REPLY- MOTION ON CORRUPTION**

1. Having debated vigorously and critically the issue of corruption in Namibian society, undertakes to advise the Executive to draw up appropriate guidelines to regulate the involvement of Public Officials in private business, and
2. Advise the President and Cabinet to release for Public access all Reports of Presidential and other Commissions of Enquiry, set up with taxpayers' money, at the longest, six months after their submission.

I so move, Sir.

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**HON SPEAKER:** Who seconds the Motion? The Motion has been moved and Seconded. I am therefore compelled to put the Question. Any objection?

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**RT HON PRIME MINISTER:** The Honourable Member has introduced extraneous facts, which were not in the original Motion. So, there is an objection because of the extraneous things introduced.

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**HON SPEAKER:** The House is divided.

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**HON ULENGA:** Honourable Speaker, just on a point of clarification. Perhaps we need to look a little bit deeper into this; perhaps we need to consult because I do not understand what the (Interjections), instead of dividing us unnecessarily and repeatedly in this House. (Interjections) Only five minutes, we would like to...

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**HON SPEAKER:** I now put the Question that the Motion be (Interjections) You have the floor, Honourable Ulenga, continue.

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**HON ULENGA:** Honourable Speaker, before thanking everybody finally and realising that there is indeed a need for consultation, I should like to (Interjection).

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29 November 2005

**MOTION TO REVIEW THE EDUCATION SYSTEM  
HON GERTZE**

**HON SCHIMMING CHASE:** On what basis are you making that suggestion?

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**HON ULENGA:** That is from the hip: I will not withdraw. I would rather suggest that we consult before we get into the division of the House. I thank you, Honourable Speaker.

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**HON SPEAKER:** The Motion stands adjourned until tomorrow for consultations. So decided. The Secretary will read the Fifth Order of the Day.

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**RESUMPTION OF DEBATE TO REVIEW OUR EDUCATIONAL SYSTEM**

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**HON SPEAKER:** When this Debate was adjourned on Wednesday, 16<sup>th</sup> November 2005, the Question before the Assembly was a Motion by the Honourable Mr Kaura. The Honourable Mr Gertze adjourned the Debate and I now give him the floor.

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**HON GERTZE:** Honourable Speaker, Members of the Assembly, thank you for according me time to join this Debate at this phase. Thanks to Honourable Mbumba, Minister of Education, his Deputy, and other staff members for developing yet another Programme Document, in which I will be very excited to participate for the sake of our children. What I will say in this contribution will make no reference to its content.

I must say that having listened to so many viewpoints - some being very constructive, others being very intellectual and philosophical - I do not only intend to react to points raised in this Chamber but I would like to air my views on educational life outside of this House, but in relation to the current theoretical framework. I want to speak as a parent; I want to speak as having been a full-time student until very recently and as a person who lives to learn and to share the bit I pick up with others. I want to speak as a teacher, not only by professional qualification but by experience. I should like to discuss education in those schools, where the problems are more acute

and also the schools which I have personally visited. A number of conclusions are evident in the trend of the Debate about Education.

Firstly, from what I could gather, we seem to be stranded in trying to fix an educational philosophy. I think we should rather be pre-occupied with the practical side of education. The philosophy is in *'Towards Education for All'*, which is this document here, clearly spelled out and secondly, it appears as if the repetition or non-repetition of Grade 10 is the bone of contention. Let us do something that will make Grade 10 as smooth as other grades. Thirdly, another seems to be about quality of Education, teacher training, and conditions of service. Yes, we may probably look at how we could make adjustments to this. In my view, these are all questions that require our deepest understanding as people who are the core decision-makers of what should happen on the ground where we are not directly involved.

Our *'Towards Education for All'* hypothesis is a brilliant and, indeed, an ambitious one and there is no doubt about that. Its cornerstones are based on access, equity, quality, democracy.

The big question about its provisions is whether we have adequately pondered the concurrence among these four pillars. How much balance or equivalence have we kept between these goals?

I do not think that we have pondered enough about what Basic Education should be, how we should implement it, and how that should serve our intended purpose. Before we think of producing engineers, doctors, scientists *et cetera*, we should be *thinking* about the kind of citizen that should become an engineer or scientist. We must accept the fact that Basic Education and Advanced Studies may have varying meanings in terms of social development.

Let us look at Education as an upbringing or as a cultivation. I must say that the behaviour tendencies and quest for life of all present in this House and elsewhere stem from the things we have learned or acquired - things we were taught and things we have experienced. These are the things we know and the things we do. It is true that, like everyone else, each constitutes a character in oneself. However, there are things that we were taught commonly or even things that we have acquired commonly. Those are the things I should like to talk about as a major part of education. Culture is not just about art, singing and dancing; it is rather the decorum and that is what we must begin to mould.

With regard to the above outlook, I should like to draw a relationship between Education and some other important domains.

**Firstly, Education as and in relation to social development:**

Education is synonymous to social development. What then could social development be and on what foundation will it have to be built? This question is perhaps the most important one because the standards we may set in terms of social development may be misconstrued, especially in view of the modernity talk that we experience these days. Social development, however, is not also human development.

Social development to me is about establishing the competitive and assertive citizen within our context. It, therefore, goes without saying that there are a couple of steps and so many ingredients in the moulding of that citizen. That process is what we seem to miss in our educational enhancement. I am speaking of the Citizen who would critically take up the challenges of the economy, technological innovation and discovery and even of the life we assume. That citizen should have the skills to sustain life.

I am an advocate of systems that focus on the development of humility, dignity, and what we call 'the decorum'. A principled system and a firm process can definitely secure social development in the manner we would want. We have to embark upon a strategy of making the better citizen. Namibia needs to adopt an Education System that must influence the tendencies of our young. All public figures must play a role that our children would aspire to emulate. It should not be about wealth, beautiful cars; it should not be about money. Those values to be aspired by our children must be educational dexterity, benevolence, human quality and capacities and the drive to learn more.

Our children must aspire to read about and learn the wisdom, left as a legacy through the decisions and practices taken by this Honourable House.

Standard setting is indispensable in our Education. Once we have set a standard and requirement for ourselves, Education must not go to us but rather us to it, because engineering does not become the engineer and science does not become the scientist. It should rather be the other way around.

At what point, how, and when do we start the above process? That is the most crucial question.

**Secondly I would look at Education in relation to economic development:**

Economic development is one concept I have not entirely succeeded in understanding and I have deliberately taken it in isolation from social development. Some may

argue that they do and must go hand in hand. However, what I have learnt from daily occurrence is that many countries, including ours, are said to be growing economically, but I have seen very little, or nothing at all, if not development in regression. In my understanding, economic development cannot precede social development. Social development is rather an impetus to economic development. In any case, it is for no reason that, when combined, they read as ‘socio-economic development’ and never ‘economic-social’ development. In fact, with the last one we may be just too economical with social development.

Honourable Speaker, allow me then to talk of social development rather than education. This way I may pose a challenge that may help us to simplify our perception and approach to education.

Over the past years, in which we were able to manage our own education, we have certified many degrees in various fields of study. We have had thousands of Grade 12 leavers; we have built many schools; more learners have enrolled; NAMCOL has grown to a latest customer figure of 27 000 and education has the single largest National Budget share.

What, then, is the problem? Why the worry? Why the review?

What is uplifting, however, is that we are able to talk about the things we have done - good and bad – and then what to do best, with reference to Education.

Honourable Members, here we are reviewing our Education System. We may have kept in low esteem some aspects that could have been *very* important as we went around conducting this important social development exercise. We may have started either late or we may have taken off from the wrong point of departure. We may have just started on the wrong foot or we may have ignored something very important.

If I were to advise, we should perhaps not only need to correct or adjust at some point, we will have to ensure a good beginning for our children. Let us today draw a line that no child starts life in our country without formal and compulsory social development.

In outright terms, let us introduce and *pay* for Pre-Primary Education. I believe that if we pay once for a right start and ensure an early development of our human resources, not only as a country but as parents, we will not have to look after any of our children, be it by Government social grants or by pocket money even. If we start right, there will be no more talk of Grade 10 repetitions, and this answers the Grade 10 repetition or non-repetition issue. I firmly believe that repeating Grade 10 will not solve our

29 November 2005

**MOTION TO REVIEW THE EDUCATION SYSTEM  
HON GERTZE**

educational dilemma. The answer, therefore, lies in a coherent, smooth and progressive educational programme.

I should like to make two humble pleas to our Minister of Education in front of the Honourable Members of this Assembly:

1. To introduce a compulsory branch of learning, which is called Civic Education. In that way our children will know what they can expect of themselves.
2. That Private Sector and Government Departments at specified intervals make time and personnel available to participate in the teaching of this subject. Once you do, I will avail myself personally and without extra remuneration to participate in the curriculum design of this field. This can only help all of us.

(Intervention)

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**HON MINISTER WITHOUT PORTFOLIO:** I am extremely sorry to interrupt the Honourable Member, but can I ask a question? You are doing well. I just wanted to find out, when you talk about this Pre-Primary Education, how do you want us to achieve that? Is it to put at each and every school a Pre-Primary structure, or how do you want us to do it? Or perhaps allow somewhere a big Pre-Primary School from where we can take the small children and put them in other schools when they finish or that each school must have its own pre-primary section? How do you visualise this system?

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**HON GERTZE:** Honourable Tjiriange, thank you very much for this question. This is quite an issue. I think that comes to the part of the mechanics, as to how one would want to effect this kind of exercise; whether we attach it to the existing primary schools or whether we want to have separate entities. I think it will depend on the cost related to it, as well as the practicality of it. I think it will be more a technical and detailed point on which I would not really want to say anything definite.

However, I think it would stand for discussion with other colleagues and also with the public to see which one would be the best option to take. It is a very important point to raise in terms of the practical implementation of the suggestion.

It is high time that we focus on our Primary Education: we must review the emphasis of our bursaries; which field we want to train people in and to which quality of students we must give priority in bursary allocation; and what incentives we must use



if we want to give quality to our education. We must give bursaries to best performers who should train as teachers and deploy these in areas where there is a need. It obviously goes with incentives when you do that in order to get people to the areas where this quality of teaching would be needed.

I sometimes believe that when Namibia achieved its Independence, we as adults and parents have selfishly ensured that we are qualified, forgetting that it was our children who needed the quality education, as opposed to what we had gone through earlier during the days of colonisation. Degrees have also become more important than basic social development and I would like to spend a minute or a few seconds on the publication, *'Towards Education for All'* which is a development brief for education, culture and training.

This publication is so brilliant that it appears as if we were not able to comply with it. I do not know whether we were able to meet the demands of this document. A few extracts will prove this and, therefore, also the argument of the introduction of the areas about which I have spoken.

Under the heading, 'Education and Development', it states that: *"Numerous Studies, Reports and Recommendations by National and International Agencies emphasise the importance of Education in our future development."*

It goes on to say: *"Investment in human capital and health care and primary education for children is one of the effective ways of stimulating long-term economic growth and improving general welfare. Without education, development will not occur. Only an educated people can command the skills necessary for sustainable economic growth and for a better quality of life. To achieve and sustain development, it is necessary to ensure the education and training of the people so that they can participate fully and effectively in the development process."* That appears on page 18 of that book.

Once again, when I speak of education, I do not speak about qualifications at universities as such. When I speak of the enterprising citizen, I also do not speak of the engineers, lawyers and doctors. I speak of Social Development and of the attainment of the Namibian. Once that is done we can be sure of the citizen finding his or her way to the universities and high profile professions.

Education happens and social development happens in Namibia, indeed but more and better education will bring about more and quality development. We need to adopt a stance and take a major decision in repairing the damages that occurred. We may find it difficult, if not impossible, to repair the casualties of our

29 November 2005

**MOTION TO REVIEW THE EDUCATION SYSTEM  
HON RIRUAKO**

own approach, but with a right vision and right point of departure and academic discipline, which is very important, we are capable of securing a better education for the new-borns of this country.

I thank you.

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**HON SPEAKER:** I thank the Honourable Member for his contribution. Any further discussion? Chief Riruako.

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**HON RIRUAKO:** Let me put it this way: Mr Speaker, I appreciated and listened very carefully and with the consistency of accuracy, to a sound in my mind, in my ears. The way it was recited was accumulative to human methodology. For that matter, I may say there was no animosity or interruptions: the Secretary to the Speaker was speaking and the way he put his direction or scenario was directed to a point. I know they all have studied but it is not my concern because whoever made this row, he does not follow what has been said. I am not having an argument with him, but the method that was presided here. I do not want to mention any ideas; I think this one is accurate. I thank you, Mr Speaker.

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**HON SPEAKER:** The Chief is done. Honourable Minister Mutorwa.

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**HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE:** Thank you, Comrade Speaker. I would like to make a very brief contribution to the discussions on Education, the Motion moved by the Honourable Katuutire Kaura.

Last week my colleague, the Honourable Minister of Education, the Honourable Member Nangolo Mbumba, made a very comprehensive factual Ministerial Statement in this Honourable House, at which occasion, Honourable Speaker, he also tabled the Education and Training Sector Improvement Programme.

We can *all* talk about the good things that Education can bring about, the values and morals, and nobody is opposed to those. This document that the Honourable Mbumba has tabled: I should like to say that we, as leaders of our people, should

acquaint ourselves with the details of this document because this document details the practical reality of why certain things to which we aspire *must* happen in Education but are currently not happening.

For example, the Motion of the Honourable Katuutire Kaura is, amongst others, asking for the repetition in Grade 10. One should read this document on page 28: I do not think there will be *anybody* who will be happy to see so many young people outside the formal schooling system (I do not think so) - on page 28, Honourable Speaker, the fact of the matter is that the Minister of Education, after a thorough study, is saying that in order to have more children in the Secondary Education Grade 11, we need to *expand* Secondary Education: we need to create *more* opportunities and for that this document is telling us and is entitled "*Pro-Poor Expansion of Secondary Education*". The medium case scenario to effect that expansion is N\$30 Million. That is the reality. The high case scenario is N\$80 Million.

So, all that I want to stress, Comrade Speaker, is that, insofar as the development of Education in our country is concerned, we have reached the crossroads, where just talking and philosophising will not help. Either we say we are ready, not only by conviction but also by *availing* more resources to education (already so much is given to education - that is granted) but if we are to implement what we have stated in the Constitution and in various Laws and Policies, then there is still a justification, there is still a case, that education still *needs* that money.

Where we are going to get the money is a different question. However, the reality is, with this ETSIP Programme (a Programme that we should *own*, as the Minister has stated) we should also combine forces as leaders, (never mind our political parties) to say how we should supplement what Government is already giving to education. How do we enrich that? Where do we get the other sources from which we must derive money to grant to education?

Those are the questions. Otherwise the Motion, good as it is, boils down at the end of the day to resources. I thank you, Comrade Speaker.

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**HON SPEAKER:** I thank the Honourable Minister. Any further discussion? Does the Honourable Mr Kaura or his Honourable stand-in wish to reply?

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29 November 2005

**CREATION OF FAIR SPACE FOR PEDAL CYCLISTS  
HON KAAPANDA**

**HON MOONGO:** Mr Speaker, I would like to adjourn the Debate on behalf of Mr Kaura to respond tomorrow.

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**HON SPEAKER:** The Debate on this Motion stands adjourned until tomorrow. The Secretary will read the Sixth Order of the Day.

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**RESUMPTION OF DEBATE ON THE COMPULSORY WEARING OF  
SAFETY HELMETS AND THE INCLUSION OF FAIR SPACE FOR BIKERS  
ON THE ROADS.**

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**HON SPEAKER:** When this Debate was adjourned on Wednesday 9<sup>th</sup> November 2005, the Question before the Assembly was a Motion by the Honourable Mr Gertze. The Honourable Minister of Works, Transport and Communication adjourned the Debate and he now has the floor.

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**HON MINISTER OF WORKS, TRANSPORT AND COMMUNICATION:**

Thank you, Mr Speaker and Honourable Members of this House. I rise in response to the Motion moved by Honourable Gertze for a compulsory inclusion of fair space for pedal cyclists, in and around our cities and towns nationwide. It is certainly distressing to see that our social and physical engineering and town planning of our cities and towns, least to mention our public and commercial buildings, after fifteen years of Independence, do not reflect the changing mobility and accessibility needs of our citizenry.

Honourable Speaker, I am fully convinced that an integrated approach to the provision of all modes of transport would satisfy the demands for mobility of all our citizens across the social spectrum of our society. This will enhance equity and accessibility in the provision of transport services in and around our cities and towns.

It is against this background that my Ministry, on 9<sup>th</sup> August 2005, officially launched the compulsory wearing of protective helmets to ensure the safety of our cyclists and their passengers on all our public roads. The campaign also served to encourage our

citizens to use bicycles as an alternative and affordable mode of transport. We are, as a regulatory body, fully committed to support and create an enabling environment through which transport infrastructure will address the demand and supply of services that are geared towards promoting safety and cycling on our national roads.

Mr Speaker, Local Authorities are responsible for the planning and development of infrastructure in their municipal areas, depending on the current demand. According to a City of Windhoek Survey, only 1% of its inhabitants use bicycles as a mode of transport. This small percentage does not warrant the necessity to include cycling lanes as an integral part of its physical urban road planning and development at this stage. Another aspect that might render it extremely difficult to introduce such measures for cyclists and pedestrians are the enormous capital outlays associated with a project of this nature.

Mr Speaker, bicycles are a cost-effective means of transport to ensure that the masses can still participate in the transport chain, considering the ever-increasing transport costs. The use of bicycles will improve our people's current demands for mobility and accessibility, particularly in the developing world where the impact of poverty is severely felt on our day-to-day livelihood. Therefore, the inclusion of cycling paths as an integral part of our town planning and design would be a welcome relief to the masses in informal and rural settlements, where they have the least access to public transport services.

Mr Speaker, it is pleasing to know that 30% of the respondents in the City of Windhoek survey indicated that they would be willing to make use of bicycles, should cycling paths form an integral part of public infrastructure. The Town of Ongwediva has set an excellent example in this regard, and is accredited as the first and only Local Authority to include cycling paths as part of its physical infrastructure.

This pro-active approach of the Ongwediva Local Authority of anticipating the needs of their citizens and supplying the required infrastructure has induced more people to make use of bicycles as an alternative mode of transport. The absence of cycling paths and the inconsiderate attitude of our motorists clearly are contributing factors to the limited number of pedal cyclists on our roads.

It is widely accepted that cycling is environmentally friendly and therefore sustainable: that is, cycling would promote cleaner air, it is cheaper and it promotes a healthier lifestyle, *et cetera*. Therefore, we must encourage at national level that Local Authorities develop cycle lanes and paths on our roads and bicycle parking facilities nationally.

29 November 2005

**CREATION OF FAIR SPACE FOR PEDAL CYCLISTS  
HON KAAPANDA**

Mr Speaker, allow me also to use this opportunity to respond to Honourable Tjiriange's concern, with regard to what the Minister of Transport is doing in respect of the chaos in the Public Transport Industry. This specifically refers to the behaviour of taxi drivers on our national roads.

Honourable Speaker, I agree with Honourable Tjiriange that taxi drivers annoy other road users by driving recklessly and they appear to have no respect for the rules of the road, which contributes to road accidents in our inner city. Therefore, something must be done in order to make our roads safer for motorists and pedestrians alike, through the enforcement of Traffic Laws and Regulations.

My Department of Transport is currently in the process of addressing the legal framework within which passenger transport operates and to pave the way forward for the repeal of the outdated Road Transportation Act (Act No. 24 of 1977). These new reforms will introduce, once promulgated, a new, enabling environment for taxis and domestic long-distance buses, to operate into and out of our cities and towns and to render users of these services, access to safer, user-friendly and quality passenger transport services. Taxi and long-distance bus operators will have to comply with certain minimum standards, relating to the safety and technical aspects of the vehicle used in the course of business: that is, to transport passengers.

As per the Recommendations of the White Paper on Transport Policy, the Road Traffic and Transport Act (Act No. 22 of 1999) (RTTA) does not make any provision for the regulation of domestic long-distance public transport, as the White Paper recommends that it must be deregulated in its entirety, and has created mechanisms to regulate cross-border transport and urban transport by local authorities within their respective areas of jurisdiction. (Intervention)

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**HON MINISTER WITHOUT PORTFOLIO:** Can I ask the Honourable Minister a question? You have done a good job, Honourable Minister, by introducing this measure of cyclists to have helmets, but I wonder whether you do not need to add to this Motion other equally important things like reflectors and lights on the bicycles? On a recent occasion we almost bumped into one in the night. The bicycle had no reflector and no seat. In addition to these helmets, perhaps there should be a compulsory requirement for all the bicycles to have reflectors and lights so that you can see them from far.

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**HON MINISTER OF WORKS, TRANSPORT AND COMMUNICATION:**

Definitely, Honourable Member, we have to introduce a well integrated and managed Traffic System, taking all the requirements into consideration. We are even contemplating also introducing reflector tags on donkeys on the roads.

Honourable Speaker, I just mentioned that the Bill that we are intending to introduce will govern the way transport should be organised in our respective Local Authorities, to give them time in order to implement such a Bill.

These mechanisms are not yet operational because problems have arisen in the passenger Transport Industry, which require a renewed investigation into the suitability of the approved policy as reflected in the White Paper on Transport Policy.

One of the new measures under consideration is the introduction of speed limiters, because speeding is also a problem, for all public transport vehicles on our urban and national roads. Although most of the long distance buses display a speed limit of 80 kilometres per hours, clearly few of these operators adhere to these legal requirements. I am determined to ensure that the strict enforcement of speed limiters becomes a common feature on our national roads in future.

Our review of the current domestic long distance Public Transport System has also necessitated us to reconsider the recommendation of the White Paper on Transport Policy, to deregulate domestic long distance transport in its entirety. However, it was discovered that the distinction between domestic long distance and urban operators is artificial, in that both these operators compete for the same commodity and they make use of the same infrastructure inside Local Authority areas.

We have now decided that domestic long distance passenger transport will remain a regulated sector, that is, the Ministry will still determine the technical standards related to the safety and regulatory aspects of vehicles - the types and quality of the vehicles used in the course of business, as well as a clear route plan, to and from which such services may be provided.

Currently, all passenger transport operations, both urban and domestic long distance, with taxis and buses are regulated by the outdated Road Transportation Act. To create a more safe and efficient passenger transport system, plans are underway to introduce new reforms in the form of an Amendment to the Road Traffic and Transport Act, (Act 22 of 1999).

1. Local Authorities will be responsible for infrastructure development,

maintaining order and to create and reserve demarcated parking bays in the streets for buses and taxis. Taxis and buses will thus only be allowed to stop at demarcated parking bays to allow passengers to embark or disembark. In the event that a Law Enforcement Officer catches a taxi or bus which is allowing passengers to embark and disembark at any other place except at a demarcated parking bay, such bus or taxi permit will be immediately suspended, and in addition thereto the driver's licence of the bus or taxi operator will be suspended as well.

2. This Bill will also empower me to prescribe qualitative standards for vehicles used for the conveyance of passengers: that is, identification markings in relation to a grading system; the age and type of motor vehicles; all taxis to display on both sides of the motor vehicle chequered stripes of black and white, within six months of the coming into force of the legislation, *et cetera*. In addition thereto, all taxis will be required, over a period of five years, to adopt a uniform colour. In terms of the new reforms, authorised officers will have the power to invoke administrative suspensions of a licence or permit. This will mean that when an offence (such as not stopping at a red robot; allowing passengers to embark or disembark in areas which are *not* designated parking bays, *et cetera*) is committed by the holder of a permit or where any permit condition is contravened, an authorised officer may, with immediate effect, suspend the passenger transport permit relating to the motor vehicle with which the offence was committed and, further, also suspend the driver's licence of the person who committed the offence, as well as the operator cards of the motor vehicle.
3. I will also prescribe a Passenger Transport Permit System, which *inter alia* will include the number and types of permits to be issued for a period of five years. This five-year plan will enable us to know the exact number of permits utilised on a particular route, in response to the exact needs of the passengers. Local Authorities or the Ministry for those areas where the Local authorities choose not to use permits will compile a five-year Transport Plan. This five-year Plan will contain: a full description of the type of passenger transport services to be operated into or out of a Local Authority; an evaluation of the effectiveness of the passenger transport services; a needs assessment of passengers or would-be passengers; and the number of taxis or buses operating within Local Authorities, to mention just a few.

I am confident, Mr Speaker, Honourable Members of the House, that by introducing these strict control measures on our roads they will become safer, more user-friendly



29 November 2005

**CREATION OF FAIR SPACE FOR PEDAL CYCLISTS  
HON KAAPANDA**

and pave the way for a more coherent, integrated and viable passenger transport environment. Another control measure to ensure safety on our urban and national roads is that I intend to introduce a Taxi Operator's Manual to provide training to our taxi drivers in customer care, human relations and other related matters. This will, *inter alia*, train taxi drivers how to portray a good image of Namibia, and thereby render efficient customer services to their clients.

In conclusion, in respect of the Motion moved by Honourable Gertze, which I fully support, I have to mention that all the issues raised have long been identified and are being addressed by my Ministry, such as the recent introduction of compulsory wearing of protective helmets by pedal cyclists. Similarly, the issues raised by Honourable Tjiriange are of utmost importance and those very issues have now culminated in the draft legislation, as previously mentioned, which is at an advanced stage and almost ready to be tabled.

Honourable Speaker, I thank the Honourable Members for their attention.

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**HON SPEAKER:** Any further discussion? Does the Honourable Mr Gertze wish to reply?

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**HON GERTZE:** Honourable Speaker, I must also say thanks to the Honourable Minister but I could only give a well considered and comprehensive reply tomorrow.

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**HON SPEAKER:** The reply on this Motion stands adjourned until tomorrow 14:30. That brings us to the end of business scheduled for today. The House stands adjourned until tomorrow.

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**RT HON PRIME MINISTER:** I propose that we adjourn until tomorrow 14:30 and tomorrow will be a short session, I believe. Thank you.

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**THE HOUSE ADJOURNS AT 19:00 UNTIL 2005.11.30 AT 14:30**

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBER  
WINDHOEK  
30 NOVEMBER 2005**

The Assembly met pursuant to the adjournment.

**HON SPEAKER:** Took the Chair and read Prayers and the Affirmation.

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**HON SPEAKER:** Any Petitions? Any Reports of Standing or Select Committees?  
Honourable De Waal.

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**HON DE WAAL:** Honourable Speaker, I lay upon the table the Report of the Association of Public Accounts Committees' Annual Conference 2005 that was held at Sun City, North-West Province, Republic of South Africa from 3 to 5 October 2005.

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**HON SPEAKER:** Will the Honourable Member table the Report? Any further Reports of Standing or Select Committees? Questions? Other Reports and Papers?

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**HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY:**  
Thank you very much, Honourable Speaker. Honourable Speaker, I lay upon the Table the Annual Report of 2004 from the Agribank of Namibia.

I so move, Honourable Speaker.

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**HON SPEAKER:** Will the Honourable Member table the Report? Any Notices of Questions? Any Notice of Motions? Honourable Booys.

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**HON BOOYS:** Honourable Speaker, I move without Notice, that the proceedings on the First, Second, Third, Fourth and Fifth Order of the Day, in accordance with Rule 90 not be interrupted, if they are still under consideration at 17:45. I so move.

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30 November 2005

**MINISTERIAL STATEMENT ON WORLD AIDS DAY  
HON KAMWI**

**HON SPEAKER:** Will the Honourable Member table the Motion? Any Ministerial Statements? Honourable Minister of Health.

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**MINISTERIAL STATEMENT  
WORLD AIDS DAY**

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** Thank you, Honourable Speaker, Honourable Members.

As many of you are aware, tomorrow, 1 December, is designated World AIDS Day. Allow me to take this opportunity to brief this August House on World AIDS Day 2005, which is being commemorated under the theme, “*Stop AIDS. Keep the Promise*”, and at the same time to provide more information on where we stand with regard to our national fight against the HIV/AIDS epidemic.

In 2001, Namibia actively participated in the United Nations General Assembly Special Session on HIV/AIDS. We also signed the 2001 Declaration of Commitment on HIV/AIDS at that occasion. This declaration by Heads of State and Governments, marked a milestone in the history of the HIV/AIDS epidemic. The Declaration sets out a comprehensive commitment to strengthen prevention campaigns, reducing stigma, building systems, providing the necessary resources, and ensuring treatment, care, support and respect for people living with HIV/AIDS.

The World AIDS Day builds on this historic Declaration and directly takes forward what the UN Secretary-General, Kofi Annan, said during the Special Session in 2001, namely that all of us must recognise AIDS as our problem and that all of us must make it our priority.

Honourable Speaker, Honourable Members, Namibia has made HIV/AIDS control a priority through the development of the Third Medium Term Plan on HIV/AIDS for the period 2004 to 2009, which was launched by His Excellency, the Founding President, the Father of the Nation, Dr Sam Nujoma, in April 2004. This strategic plan contains five components or areas of work, namely: Enabling Environment; Prevention; Access to Treatment and Care; Impact Mitigation and Programme Management and Co-ordination. Through this strategic plan we have committed ourselves to five strategic results that we want to achieve by 2009, namely:

1. People infected and affected with HIV/AIDS, enjoy equal rights in a culture of acceptance, openness and compassion;
2. New infections of HIV and other Sexually Transmitted Infections are reduced;
3. All people living with or affected by HIV/AIDS have access to cost-effective and high quality treatment, care and support services;
4. Strengthened and expanded capacity of local responses to mitigate socio-economic impacts of HIV/AIDS;
5. Effective management structures and systems, optimal capacity and skills and high quality programme implementation at national, sectoral and regional levels.

Honourable Speaker, I want to take this opportunity to provide Honourable Members with a brief review of where we are with regard to the implementation of our Third Medium Term Plan. I shall mention some important achievements and also some challenges for each of the five components I mentioned.

**1. Enabling Environment.**

We have made considerable progress during the year with the formulation of a National HIV/AIDS Policy. The draft policy will be a comprehensive document that will guide our national response in all sectors. The draft has been widely discussed during the year through extensive consultations at both sectoral and regional levels.

We will take the draft forward to the National AIDS Committee, Cabinet and this August House during the first half of next year. Honourable Members will have the opportunity to provide their inputs.

There remain challenges in this area. These include the need for greater involvement by our leaders in all spheres and at all levels of our society. This is particularly important, since stigma and discrimination related to HIV/AIDS and prevalence levels remain high.

**2. Prevention.**

There has been considerable progress made under this component during the past year, especially the roll-out of voluntary counselling and testing services and the provision of prevention of mother-to-child HIV-transmission services. However, we

continue to experience challenges with regard to adequate and appropriate behaviour change, communication and education and life skills training related to HIV/AIDS amongst our youth. Also, the consistent availability of both female and male condoms and greater coverage through prevention services in the workplace, both in the public and private sector remain important challenges.

### **3. Treatment, Care and Support.**

I am proud to announce that we have made considerable progress in the area of rolling out treatment services. We now have 28 public sector Hospitals offering Anti-Retroviral treatment.

In the public sector alone, there are now 15 000 patients on treatment, while many are still on waiting lists. Honourable Speaker, in his report to the high level meeting of the United Nations General Assembly during June this year, the United Nations Secretary General highlighted the fact that Namibia was one of only three countries in Africa where more than 25 percent of those needing treatment are actually receiving it. In addition, much progress has been made with regard to the provision of home-based and community-based care.

Nonetheless, we continue to be challenged by severe resource constraints, both at health facility level and also at community level. There will be a need in the coming years to considerably increase resources to the health sector, especially to cover the costs for Anti-Retroviral medicines, laboratory tests and urgently required additional human resources. Similarly, there will be a need to enhance support to our communities and to ensure that people on treatment can receive social, material and food support, which is very necessary.

### **4. Impact Mitigation.**

Honourable Speaker, during the past year there has been good progress with regard to increasing the support for orphans and vulnerable children, especially through the NGO and civil society sector.

However, there remain many challenges in this area. Our communities and especially our children in distress face a number of constraints in accessing services and support, which we need to work on jointly and urgently. We must take into account that the negative impact of the epidemic, despite the treatment roll-out programmes, will become more pronounced over the medium term. The need for services by children in distress and by people living with or affected by HIV/AIDS will, therefore,

increase during the coming years. We must put in place systems, and make available adequate resources to cater for these needs. This must be seen as an investment in the future of our country.

## **5. Programme Management**

Honourable Speaker, Sir, Honourable Members, there has been good progress with the establishment of management and co-ordination systems, during the past year. At regional level, there has been considerable improvement amongst some of the Regional AIDS Co-ordination Committees. We have also moved forward with setting up a comprehensive monitoring and evaluation system for the response.

However, challenges remain. There is an urgent need to set up Sectoral Steering Committees that will ensure, in line with the terms of reference contained in our Medium Term Plan 3, that HIV/AIDS is mainstreamed in all sectors across public, private and civil society stakeholders and players.

Similarly, there is a need to advance improved surveillance and research of the HIV/AIDS epidemic in Namibia, during the coming year. During 2006, we will repeat the biannual sentinel surveillance survey that will give us an indication of how the prevalence of HIV amongst our population in the 13 regions of the country is developing and whether our efforts are bearing fruit. We will also conduct a health facility survey to determine the quality of services offered.

Honourable Speaker, I at the beginning of my statement alluded to the theme of the 2005 World AIDS Day. It is: "STOP AIDS, Keep the Promise". Having given you an overview of the implementation of our Third Medium Term Plan on HIV/AIDS, it is clear that we are making progress. But there remains room for improvement.

I, therefore want to appeal to this August House and indeed, to our nation at large that we take the opportunity of the forthcoming World AIDS Day celebrations, to renew our dedication and to make a promise that we will indeed Stop AIDS in Namibia.

In this regard, I want to salute the many leaders, officials, community representatives and people living with or affected by HIV/AIDS, who have already made their promise. Having met and talked to many people across our nation during the past year, I have seen how they have tirelessly worked during the past year to fight the HIV/AIDS epidemic. I am confident that all their laudable efforts will be rewarded.

Finally, let me also express my appreciation on behalf of Government to all our

30 November 2005

**MINISTERIAL STATEMENT ON WORLD AIDS DAY  
HON KAMWI**

development partners who have contributed to the funding and capacity building of our national efforts against HIV/AIDS epidemic. Indeed, this support is making a great difference.

Honourable Speaker, Honourable Members, we prepared a package including the Report of the 2004 National HIV-Sentinel Survey; the Roll-out Plan for Prevention of Mother-to-Child Transmission of HIV, Voluntary Counselling and Testing and Anti-Retroviral Therapy, and World AIDS Day 2005 Update: Windhoek Events for your reference during your messages on HIV/AIDS in your constituencies. You are all invited to attend the World AIDS-Day Event at Dr Sam Nujoma Stadium, Katutura to be addressed by the Right Honourable Prime Minister, Nahas Angula.

I thank you for your kind attention.

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**HON SPEAKER:** I thank the Honourable Minister for his very important statement.

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**HON VENAANI:** Honourable Speaker, under Rule 89(b) I want to ask the Honourable Minister a few questions.

I want to thank the Honourable Minister for enlightening the House on a very important issues, but I have two or three questions: How many ordinary citizens in the country that are not mothers, for example men, need treatment in this country?

I take note of the Government's efforts that are very laudable regarding the Mother-to-Child transmission, but I am concerned about the ordinary citizens that are not mothers, specifically males. What programme is there to make the drugs available to ordinary persons that are perhaps not carrying babies, but are affected by the disease and how much money is needed to run an affective campaign for ordinary citizens in this country?

Otherwise, I want to thank the Minister for his statement.

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:**

That was one

question. Thank you, Honourable Speaker.

I would like first of all to thank the Honourable Member for this good question. The programme of Mother-to-Child Transmission is meant primarily to prevent the transmission from the mother to the unborn baby. It is most unfortunate that men do not carry these babies. This programme is very important. However, we have advised that we men should accompany our dear wives when they go for voluntary testing and counselling. We too should join that programme, the VTC. The VTC programme is for all of us, men and women alike.

Once your beloved wife or girlfriend is found to be positive, you, the men, must also go for counselling and testing. When you qualify, you automatically receive the treatment. That goes with the child that is born.

I hope I have satisfied the Honourable Member. Thank you very much.

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**HON ULENGA:** Honourable Speaker, while the Minister is making a statement on this very important topic, I would like if possible, to ask him to comment on these so-called DIY HIV/AIDS-tests. What does the Minister think of them and are they also available in local pharmacies here as they are in other countries?

What does the Minister think of do-it-yourself HIV/AIDS-tests, and are they available in our local pharmacies and would you advise us and members of the public to go that route as well? I thank you.

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** Thank you, Honourable Speaker. I must admit the Honourable Member was rather too technical for me - I do not understand.

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**HON SPEAKER:** Honourable Minister, there are things on the market, because it is claimed in magazines and on television and through other media that there are tests that one can go to a pharmacy and purchase equipment to test yourself. That is what the Honourable Member is referring to.

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30 November 2005

**MINISTERIAL STATEMENT  
HON MUTORWA**

**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** Now he wants my opinion. Thank you very much, indeed. I did not understand him at first.

Yes, I am aware of this and as a Ministry we are aware of this, but it is something that we cannot accommodate at this point in time for reasons that it is not cost-effective for us. But yes, it is available on the market.

What we are trying to work on now is the fast test. We are looking at that but again due to financial constraints it will only be available in certain public institutions, but not all. It is expensive, we cannot sustain it at this point in time. Thank you.

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**HON SPEAKER:** I thank the Honourable Minister. Honourable Mutorwa.

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**MINISTERIAL STATEMENT: ELEVENTH  
NATIONAL CULTURE FESTIVAL, 2005.**

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**HON MINISTER OF YOUTH, NATIONAL SERVICE, SPORT AND CULTURE:** Thank you, Comrade Speaker, for affording me an opportunity to make a brief ministerial statement. It is definitely not a farewell speech.

I have the honour, Comrade Speaker, to inform the general public in our country, citizens, residents, visitors, as follows:

Since December 1995, the then Ministry of Basic Education and Culture, later the Ministry of Basic Education, Sport and Culture and now the Ministry of Youth, National Service, Sport and Culture, has been organising Annual National Culture Festivals during the first week of the month of December.

The country's 13 administrative regions have been alternating or rotating in hosting these Annual National Cultural Festivals. As Central Government, through the Ministry of Youth, National Service, Sport and Culture, we would like to sincerely reiterate our thanks to the Honourable Governors, Councillors and the general public, in their respective regions, for their generous support to accommodate the different groups from different parts of our country in their regional capitals, towns and

30 November 2005

**MINISTERIAL STATEMENT  
HON MUTORWA**

villages during such National Cultural Festivals.

Last year, 2004 the Oshikoto Region hosted the Tenth Annual Cultural Festival in Tsumeb.

This year, 2005, from 3 to 7 December 2005, different cultural dance groups will descend on the town of Khorixas in the Kunene Region for the Eleventh Annual National Cultural Festival. It is expected that 80 groups, consisting of about 1 205 performing artists, young and old, will participate in this Festival.

During the eleventh annual cultural festival, Comrade Speaker, the emphasis will mainly be on dance, music, story-telling and theatre.

The main objective of cultural festivals is not competition. It is not necessarily to win a prize. The fundamental objective, from the perspective of government is to enable our people to come together, enable our diverse groups of people to experience and appreciate our diversities, but at the same time also to strengthen the consciousness and awareness that we are one nation of diverse groups, bound by one country, one national flag, one national anthem, one bicameral Parliament, one President and so on and so forth. We must appreciate the fact that people start to understand, to appreciate, to co-operate, to respect one another, only when they meet and interact with one another as individuals first.

We thank all the people who are physically, materially, financially, administratively and logistically involved, to ensure that the eleventh annual cultural festival eventually becomes a successful event. At this stage, Comrade Speaker, Honourable Members, we would also like to thank the owners and management of Twyfelfontein Lodge for having made available accommodation to some of our invited guests at the lodge's own expense.

Knowing that this Honourable House is about to go into recess, it is my pleasure to extend an invitation to all of you whose programmes may enable you to do so, to pass through the town of Khorixas over the weekend and join us there. Members of the public, including visitors and tourists to our country are also invited to pay us a visit. The entry to this event is free.

Remember also that the town of Khorixas lies in the heart of one of Namibia's most beautiful, natural and unspoiled landscapes. The magic of the rock paintings in Twyfelfontein and the petrified forests are honestly speaking, unsurpassed anywhere in the world. The majestic Desert Elephant is a unique attraction, sharing the natural

30 November 2005

**MINISTERIAL STATEMENT  
HON IIVULA-ITHANA**

landscape with the mountains and the more than thousand-year-old unique plant, the *Welwitschia mirabilis*. In this regard, therefore, I believe, that nobody can wish for a better theatre or a better place, than Khorixas to stage a few hundred of the best Namibian songs and dances, in all our rich diverse languages and unbelievably beautiful movements. So, come one, come all and I thank you.

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**HON SPEAKER:** Honourable Minister of Justice and Attorney-General.

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**REAFFIRM THE POLICY OF NATIONAL RECONCILIATION**

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**HON MINISTER OF JUSTICE AND ATTORNEY-GENERAL:** Comrade Speaker, Honourable Members, I want today, possibly not to commence deliberations, but at least to request that this august House, after exhausting the deliberations, will agree to reaffirm the Policy of National Reconciliation.

Why in the year 2005? Why speak on the matter, one may ask? My answer is two-fold.

For one, the finding of human remains in areas in or around former South West Africa Territorial Force (SWATF), as it was called, South African Defence Force (SADF), South West Africa Police, (SWAPOL) or other such bases or other areas across the northern part of Namibia has the potential of causing, in my view, the greatest challenge to our commitment to the Policy of National Reconciliation since Independence in 1990.

Secondly, as Minister of Justice and Attorney-General and more particularly, my function as Attorney-General and Member of Parliament, it is incumbent upon me to take all actions necessary to protect and uphold the Constitution and advance the objectives of Namibia's Independence. In the performance of my functions I must advise the President and Government in terms of Article 87 of the Namibian Constitution and in reading Article 87 that spells out the functions and powers of the Attorney-General, I find a great convergence of duty with the functions and powers of the National Assembly and its Members with what Articles 63(c) and (h) spell out.

Honourable Comrade Speaker, as it is now well-known that a number of graves have

30 November 2005

**MINISTERIAL STATEMENT  
HON IIVULA-ITHANA**

been surfacing across the former war zone in the north of Namibia, the graves are all most likely the unbefitting resting places for combatants the majority of whom we can expect to have been members of the People's Liberation Army of Namibia (PLAN), but perhaps also prisoners who died in detention, be it captured combatants or abducted community members. The entire ordeal has only begun as our High Commission in South Africa continues to receive calls from persons claiming to have served in the armed forces in the northern part of Namibia and who claim and name areas where graves are to be found. Of course, we are aware of many unmarked graves where brave community members were able to lay to rest our sons and daughters of the soil and they are innumerable.

However, there are evidently many more we are yet to discover. One thing, however, is for sure; those that lie in those graves, those that lie elsewhere in known or unknown graves in Namibia, Angola, Zambia or Tanzania and who perished in that bygone era, are those that paid the highest price. They have bled, and in so many known and unknown ways sacrificed their lives and it is to them we refer when we sing *"their blood waters our freedom."*

This stark reality, Comrade Speaker, was known to us in the dwindling months of the eighties, when we came back to Namibia to set a course for the Independence of our country, the land in which our mothers and fathers, our brothers and sisters had long suffered, bled and, indeed, died. There were those like you who knew that their loved ones were executed, sometimes in the presence of their loved ones. Some of them were abducted, some of them went into exile to fight for freedom and perished in that cause and the many manifestations which a struggle for national liberation endures.

Yes, even those unaffected by the direct loss of loved ones are victims of the social meaning in which we were placed, were tainted with segregation, hatred and a strong sense of contempt, some of the very ingredients of apartheid. We knew the look of agony and grief in the eyes of those who survived torture, imprisonment, damage to property, the Oshikuku, Cassinga massacres and others.

When we sat in these Chambers, then the Constituent Assembly and the world held its breath to see how former adversaries, the enemy, as we knew one another then, would be able to constitute the melting pot of a nation's desire for self-rule and determination. Yet we rose to the occasion, even with the unfortunate event of April 1 1989, even with the saga of the ballots at the then Ondangwa Military Base, we rose to the occasion. We demonstrated an exemplary sense of maturity and lit a lantern for Africa.

30 November 2005

**MINISTERIAL STATEMENT  
HON IIVULA-ITHANA**

As we look back into that past time that we occupied, it is shocking to see how quickly we have come to forget the dynamic opportunity we have, to have lived two lives, as it were, one in times of war and hate and now another in peace and times of testing forgiveness for one another; to have literally lived in the previous century and we now live in the current century.

I am reminded of the victim of Justice of the Canadian Supreme Court in the early nineties, who was referred to by Justice Hannah of our High Court in the matter of *State versus Heydenrich*, heard in the Namibian High Court in 1995, when he said in that preface that: “Memories fade with time and with time not only endure erosion of our memories, but also of ourselves as people who lived in that era.”

It was only after Proclamation AG 14 of 1989 which was published in the *Gazette* No. 5/725 of 1989, that we, the so-called former terrorists were allowed safe entry into Namibia without the fear of being arrested and prosecuted by the then authorities. In other words, we were granted amnesty, which amnesty was later extended to former members of SWATF, SADF, SAP and SWAPOL under Proclamation AG 16 of 1989, published under the head number 5894 of the same year. I have come to call these two instruments the “*amnesty proclamations*”.

When Namibia became Independent on 21 March 1990, the Namibian Constitution came into being and it pronounces in terms of Article 135 and maintains the legal status quo in terms of Article 140(1) which states: “*Subject to the provisions of this Constitution, all laws which were in force immediately before the date of Independence shall remain in force until repealed or amended by Act of Parliament, or until they are declared unconstitutional by a competent court.*” Included in those laws are the “amnesty proclamations”. In fact, it is my view that the amnesty proclamations underpinned the wide acceptance of the policy of National Reconciliation which we recite in the Preamble through the Namibian Constitution and I quote: “*Whereas we the people of Namibia will strive to achieve national reconciliation and to foster peace, unity and a common loyalty to a single state.*”

The question that comes to the fore if one were to accept my reasoning, is whether or not National Reconciliation can ever be achieved without a process of public disclosure of what atrocities were committed by all the parties. I understand the merit of this argument very well, for I too, in those days always wanted to know who exactly it was that murdered my parents and I use myself as an example to encapsulate what it is that people mean when they say, they are hurt or they have lost their loved ones. There are even worse situations than mine.

30 November 2005

**MINISTERIAL STATEMENT  
HON IIVULA-ITHANA**

The proponents of that argument will, of course, agree with those that call for a Truth and Reconciliation Commission, as was the case in South Africa. Unfortunately I do not share their view in respect of this aspect of the healing process. I use my own example again, only to demonstrate how I have overcome my sorrow. I no longer want to know who it was, even though in my heart of hearts I would appreciate knowing. Yet again I fear to know, for I do not know what that information would do to me or those who may be implicated. My grief now is simply that I do not know where my parents lie. I cannot take my young daughter to visit her grandparents' resting place. I do not know who to ask for motherly or fatherly guidance. I sometimes wonder if I would have turned out the person I am today if they had been around.

Of course, these questions of pain are very frustrating. I know that I am not the only one with scars in my mind and on my body. Entire generations are affected. Does this, however, mean that we cannot learn to forgive without forgetting? I am a strong believer of the contention that the memory map imprinted on our minds, will never fade.

Those of us that have wronged others are perhaps more at pains at dealing with our own conscience when we see those very victims of our hurt walking about their business in an independent Namibia today. Perhaps limping with agony physically, yet emotionally we too are fighting our battles.

They say that the pain of the mind is worse than the pain of the body. It does not mean that the State or any functionary of Government has prevented open discussion at all. To the contrary, fabrications are printed, demonstrations are held, public Debates are held and indeed, we have shown the world what our miracle our hearts are. We have been able to forgive one another for our roles in the past, even though we were the wronged ones. This I call reconciliation, the Namibian way.

For the greater part we know the people that made victims and sometimes it has been father against mother and siblings against siblings.

In the final analysis, we were one people fighting against one another. In fact, there are no victors in war. Yet today we salute one President, we pledge allegiance to one flag and we should, in my view, find shelter under the longstanding policy of National Reconciliation the Namibian way.

I recall reading recently in an insert which appeared in the Financial Times, an article on fear. It informed me that fear causes a division among people and classifies them

30 November 2005

**MINISTERIAL STATEMENT  
HON IIVULA-ITHANA**

as us, on the one hand and them on the other hand. Once fear achieves that, it authorises its host to seek advice from emotions and to act on those emotions, sometimes running counterproductive to the desired outcome. Once the undesired outcome is obtained, emotion invites its bedfellow, pride to ignore all logic and block off any rational disputation as a means to minimising the chance of that harsh occurrence. It obviously becomes a vicious cycle and we have no reason to run that risk, not with the many obstacles we face as a nation in this day and age.

We need to exhibit that very same sense of maturity we had at Independence. In as much as we speak of 15 years in the life of our young nation, we hold these positions we occupy in society in trust, particularly for the generations to come. Let them remember us as having held hands, notwithstanding our pain as opposed to having shattered the beautiful reflection of Namibia's diversity, with "*you did this, I did that.*" This rigmarole is a political vice we must clear in our path to prosperity as a nation, and I do not in any way disrespect those that propounded it, but ask that at least from these Chambers, these very Chambers, the voice of reason must be in unison.

Should we abandon National Reconciliation the Namibian way, then we open the gates for claims for restitution by all members of society. This is a costly exercise to administer, whether a public hearing or otherwise, for you will never satisfy all those that have been hurt, and we cannot place monetary value on our pain and suffering. What we can do is to vote into power, as we have done, a President, a Government and representatives that will move us closer to achieving the ideals of our founding fathers and mothers, as enshrined in the Namibian Constitution.

Comrade Speaker, I therefore feel that the process of exhumation of the remains of those fallen heroes and heroines, whoever they are, needs to be aided with information, as our Head of State, our President has called upon all that know to come forth without fear of persecution, without fear of alienation, but simply with the purpose to bring closure for the sake of those that lie in those graves, so that Namibia, united can properly lay those men and women to rest in befitting fashion.

We need to take this approach as politicians and guide our constituencies to be conciliatory. Anonymity should be encouraged too if there are those that feel that they are too afraid to come to the fore and assist. In fact, the best conduit should be the political parties taking the lead and embracing one another in this special project of healing. This is a political process, one of the many we will have to adopt in the life of our nation and as such it needs to be managed.

30 November 2005

**MINISTERIAL STATEMENT  
HON IIVULA-ITHANA**

We will always feel the hurt when, despite our efforts to de-mine the remainders of explosives scattered all over the former war zone we lose the lives of our young ones. I must record, however, what a brilliant job has been done in this task of de-mining.

Honourable Comrade Speaker, I have refrained from mentioning any names in my address today, as I do not want to run the risk of over-praise for some, at the expense of others or even embarrassing some to the satisfaction of others with regard to the process leading up to where we are today. Yet, history can never be rewritten to hide the credit that those that have deservedly performed are due. We owe much to the calm minds that prevailed. We owe much to the exemplary leadership. Let us, therefore drive this nation forward with the clarity of judgement expected of us as Honourable Members of Parliament.

Comrade Speaker, Honourable Members, today being the day on which we close the business of this Assembly, I wish you all a restful and blessed Christmas holiday. May God bless us with rain and keep us safe during the festive season. I thank you.

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**HON SPEAKER:** The passion and sobriety of your statement was such that I did not want to interrupt you, Honourable Minister. We now rise for refreshments.

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**HOUSE ADJOURNS AT 15:45  
HOUSE RESUMES PURSUANT TO ADJOURNMENT AT 16:13**

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**HON SPEAKER:** We are done with Ministerial Statements. We will now deal with the business of the day as indicated on today's Order Paper. The Secretary will read the First Order of the Day.

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**COMMITTEE STAGE – STATE-OWNED ENTERPRISES BILL [B.17-2005]**

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**HON SPEAKER:** Does the Right Honourable Prime Minister move that the Assembly now goes into Committee?

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30 November 2005

**COMMITTEE STAGE—STATE-OWNED ENTERPRISES  
BILL  
HON DE WAAL**

**RT HON PRIME MINISTER:** I so move, Honourable Speaker.

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**HON SPEAKER:** It is moved that I leave the Chair. Any objection? Honourable De Waal.

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**HON DE WAAL:** Honourable Speaker, I beg your indulgence, I just want to provide some information before we start with the Committee Stage. As I was told yesterday that I should consult the Prime Minister, I did so this morning and if you go into a consultation process, it is a process of give and take and it depends on the weight that you carry. So, this morning the Prime Minister took a lot and I gave a lot, but we reached a sort of an agreement and I just want to say that we still stand by our view that we do not support the Bill in its current form. But after consultation with the Prime Minister, we are prepared to let the Bill go through in the hope that during the National Council discussions, some of our proposals will at least be looked at and hopefully that some amendments will come from the National Council. I just wanted to make that clear, Sir. Thank you.

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**HON SPEAKER:** I appreciate that very much. That is the way to do it. Any objection that I leave the Chair? Who seconds? Agreed to. I call the Chairperson of the Whole House Committee to take the Chair.

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**ASSEMBLY IN COMMITTEE**

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**CHAIRPERSON OF COMMITTEES:** The Whole House Committee is called to order. The Committee has to consider the *State-Owned Enterprises Bill*.

I put Clause 1. Any discussions? Any objections? Agreed to. I will go a bit faster, I put Clauses 2, 3 and 4. Any discussions? Any objections? Agreed to. I put Clauses 5, 6 and 7. Any discussions? Any objections? Agreed to. I put Clauses 8, 9, 10, 11, 12 and 13. Any discussions? Any Objections. Agreed to. I put Clause 14,15,16,17,

30 November 2005

**COMMITTEE STAGE—STATE-OWNED ENTERPRISES  
BILL**

and 18. Any discussions? Any objections? Agreed to. I put Clause 19, 20, 21, 22, 23, 24 and 25. Any discussions? Any objections? Agreed to. I put Clauses 26, 27, 28 and 29. Any discussions? Any objections? Agreed to. I put Clauses 30, 31, 32, 33, 34, 35 and 36. Any discussions? Any objections? Agreed to. I put Clauses 37 and 38. Any discussions? Any objections? Agreed to. I put Clauses 39, 40 and 41. Any discussions? Any objections? Agreed to. I put Clauses 42, 43, 44, 45, 46, and 47. Any discussions? Any objections? Agreed to. I put Clauses 48 and 49. Any discussions? Any objections? Agreed to. I put Clause 50. Any discussions? Any objections? Agreed to. I put Schedule 1. Any discussions? Any objections? Agreed to. I put Schedule 2. Any discussions? Any objections? Agreed to. I put the title. Any discussions? Any objections? Agreed to.

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**CHAIRPERSON OF COMMITTEES:** I shall report the Bill without amendment.

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**ASSEMBLY RESUMES**

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**HON SPEAKER:** Does the Right Honourable Prime Minister move that the Bill be now read a Third Time?

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**RT HON PRIME MINISTER:** I so move, Sir.

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**HON SPEAKER:** Any objections? Who seconds. Agreed to. Any further discussion? Honourable Ilonga.

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**HON DEPUTY MINISTER OF LABOUR AND SOCIAL WELFARE:** I just want to say thank you on behalf of myself and Comrade Prime Minister. The Prime Minister is going to thank us all. This Bill is a Bill in a good direction, provided that when I said we should not use Part 6, it does not mean that I am the best patriot, but

30 November 2005

**REPLY-STATE-OWNED ENTERPRISES BILL**  
**HON ANGULA**

for the future, we need the history for the future, so that everyone who is going to come will know and those who will follow us, who are patriotic, must not go out and sell our assets and property. Thank you.

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**HON SPEAKER:** I thank the Honourable Deputy Minister. Any further discussion? Does the Right Honourable Prime Minister wish to say something?

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**RT HON PRIME MINISTER:** Thank you very much. I would just like to confirm what Honourable De Waal said, that we had extensive consultations and I must say that this is a very complicated Bill, because it deals with other laws and it was a painstaking exercise to get this Bill to see the light of day. I think it all started with *Honourable Comrade Abraham Iyambo*. He did his part and eventually it was pushed to the Office of the Prime Minister and we are here today. Definitely, we are going to look at all the proposals available, to make sure that there are no inconsistencies or loopholes in the Bill. If need be, we will incorporate those amendments at the right time. Thank you.

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**HON SPEAKER:** I thank the Right Honourable Prime Minister. I now put the Question, that the Bill be now read a Third Time. Any objection? Agreed to. The Secretary will now read the Bill a Third Time.

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**STATE-OWNED ENTERPRISES BILL**

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

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**RESUMPTION OF DEBATE ON THE STATE OF CORRUPTION AND  
ABUSE OF PUBLIC FUNDS AND ASSETS**

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30 November 2005

**REPLY TO MOTION ON CORRUPTION  
HON ULENGA**

**HON SPEAKER:** When this Debate was adjourned on Tuesday 29 November 2005, the Question before the Assembly was a Motion by the Honourable Ulenga. Honourable Ulenga deferred the Debate to today for further consultation and his reply and I now give him the floor.

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**HON ULENGA:** Honourable Speaker, my task was almost done yesterday. What I was left with was only to consult with the Prime Minister, the Leader of Government Business in the House and indeed, that is what happened, Honourable Speaker and now I am glad to notify the Speaker that I would like to move, pursuant to these consultations that I had with the Prime Minister, a slight amendment to the original Motion. Also because of the fact that some of the suggestions and recommendations that I initially moved in my Motion have now been overtaken by events.

I, therefore, move, Honourable Speaker:

1. That this Assembly urge Cabinet to provide guidelines for public officials who participate in private business; and
2. That this Assembly urge the Anti-Corruption Commission to make available for public scrutiny reports of enquiries pertaining to possible corrupt practices and activities, provided that this is in line with other relevant legislation and Government regulations and provided further that this does not jeopardise relevant investigations.

I so move, Sir.

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**HON SPEAKER:** Who seconds the amendment? Will the Honourable Member table the amendment? I put the Question that the Motion be adopted as amended. Are there any objections? None. Agreed to. The Secretary will read the Third Order of the Day.

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**RESUMPTION OF DEBATE TO REVIEW OUR EDUCATION SYSTEM**

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**HON SPEAKER:** When this Debate was adjourned on Tuesday 29 November 2005, the Question before the Assembly was a Motion by the Honourable Kaura. The Honourable Mr Moongo adjourned the Debate on behalf of Mr Kaura and it appears that Honourable Kaura continues to be absent, unless he has assigned one of his colleagues to reply on his behalf. Honourable De Waal.

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**HON DE WAAL:** Thank you, Honourable Speaker. I just want to inform the House that this morning Honourable Kaura was on his way to Windhoek when he was informed of a motor accident on the Okakarara Road, in which one of his brother's child died instantly. So, he is not available this afternoon.

However, Honourable Speaker, he asked me to thank all the Members that participated in this Motion - he really appreciated that and he feels that a discussion on Education is always worthwhile and in the interest of our country.

He also wants to express his appreciation for the document that was handed out by the Honourable Minister of Education, but he asked me to convey one message and that is that although the issues addressed in his Motion are also addressed in this document, he remains very concerned about the fact that these issues, according to the document, will probably only be addressed over a period of between eight and ten years and he feels that that is too long. So, he is of the opinion that his Motion still stands and that the country needs to do something about these issues in a shorter period of time. He therefore feels that he still wants to stick to his Motion.

Honourable Speaker, with those few words I want to thank all the Members that participated and we put the Motion.

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**HON SPEAKER:** Thank you, Honourable De Waal. On behalf of the National Assembly, please convey to Honourable Kaura our sympathies and solidarity and assure him that we will remember the tragic death of this child so prematurely, in our prayers. We will think of him/her. Secondly, we are here to continue to think about the best ways to make Laws and if not in whole, in so many ways attaching them to different Bills that we still achieve the objectives. Honourable Kaura raised some of the concerns he had and they are reflected in the report to which you referred, Honourable De Waal. Perhaps some of the issues have been addressed there, but certainly he remains free to come back to this very issue, as and when he feels he

30 November 2005

**MOTION TO REVIEW THE EDUCATION SYSTEM  
HON DE WAAL**

should do so.

Honourable Kaura said he will stick to his Motion. Does it mean the Motion has lapsed or shall I put it?

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**HON DE WAAL:** Honourable Speaker, Honourable Kaura asked you to put the Motion.

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**HON SPEAKER:** I now put the Question that the Motion be adopted. Any objection? There is objection and there is division. Those Members in favour, please rise. Those Members against, please rise. Will those Members abstaining, please rise?

In favour	-	10
Against	-	34
Abstentions	-	0

The Motion has been rejected. The Secretary will read the Fourth Order of the Day.

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**RESUMPTION OF DEBATE ON THE PROGRAMMES, ACTIVITIES AND  
PERFORMANCE OF THE NATIONAL YOUTH COUNCIL**

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**HON SPEAKER:** When this Debate was adjourned on Thursday, 29 November 2005, the Question before the Assembly was a Motion by Honourable Dienda. The Honourable Member adjourned the Debate and I now give her the floor.

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**HON DIENDA:** Honourable Speaker, Honourable Members, something happened before the tea-break and this was the speech by the Honourable Minister Pendukeni Ithana. Her speech really touched my heart, because what she said was a

reflection of my own life and that is why I want to thank her, but I also want to say to these Honourable Members, forgive each other, also forgive the Honourable Mudge for what his grandparents did to us.

Honourable Speaker, I did not want to respond, because I feel that she said things that were really something to look into your own life and to ask yourself whether what she was saying and what we are doing are really in the interest of the Nation, the pull-down syndrome that we have and that is what I really hate. If the Honourable Members on the other side can keep quiet, because it is really with mixed feelings that I present my final remarks on my Motion, submitted to this House. I will be brief and would mostly concentrate on the findings and then indicate to this House why this Motion was necessary.

Honourable Mushelenga, by way of caution, personal attacks ... (Interjections).

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**HON SPEAKER:** Would you please give the Honourable Member her deserved time to reply? You have been given the floor to contribute, now it is her opportunity to reply. The same consideration we gave Honourable Mushelenga.

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**HON DIENDA:** Honourable Mushelenga, by way of caution, personal attacks and character assassination will not help anyone of us. We are here to discuss an issue as raised, but you have chosen to take on Ms Dienda, the person. I would also advise you to refrain from trying to be the evaluator of personalities in this Honourable House. You are indeed, only assuring me that there is something fishy in the National Youth Council. I was elected just like you and carry a direct mandate from my people. How I present and what I present will be appraised by them. Fortunately I will end there, so as to refrain from making myself guilty of the same offence.

Honourable Members should be reminded that we collectively will be held liable, if whatever we do or fail to do, knowingly or unknowingly leading the Namibian Nation on a path that is not in the best interest of the Nation, like the National Youth Council. The establishment of illegal entities that rely heavily on the revenue collected from the meagre income of the Namibian Nation, calls for a severe scrutiny of what could be done to prevent corrupt practices, which we are not in favour of in this House.

Honourable Speaker, Honourable Members, allow me therefore, to revert to the discussion of the matter at hand. I will start by giving my findings pertaining to the Motion, and proceed with what I term the illegality of the practices and existence of the National Youth Council.

I would like to thank all my sources, both within and outside this august House, who revealed vital information, knowingly and unknowingly in support of my Motion. I am now able to reveal my findings to the Honourable Members with reference to:

**1. The Legal Framework.**

The admission of the Honourable Minister that the National Youth Council is not yet a parastatal and that they are in the process of making it into a statutory body says it all. Honourable Members, this statement is on the one hand an admission that no legal framework exists that went through this House and is admitting to corrupt practices as it was supposed to have gone through this House, in order to obtain legality.

Having said this, we therefore contributed to further marginalize the youth of this country.

**2. With reference to the activities of the National Youth Council**

Honourable Speaker, I found that the activities and the programmes of the National Youth Council seem to be relevant to the aspirations of the youth, but their relevance is questionable, particularly the exclusion of those who are not selected guests of the National Youth Council. Honourable Mushelenga, I agree with you that the activities of the National Youth Council should not be brought to the Parliamentary Standing Committee on Human Resources, Social and Community Development as requested, because they are operating illegally with Government funding, even though, as proven by the admission of the Honourable Minister, legislation is still pending.

**3. With reference to the involvement or not of the entire youth sector**

When screening the list available during my research, I found that the number of youth groups who were accorded preferential treatment through the structure of the National Youth Council, both regionally and nationally, do not justify the status given to the National Youth Council as a National, therefore all-inclusive body. This is evidence with regard to the included groups, that the gross number of youth are excluded, because of illegal requirements in the fine print of the registration forms.



Honourable Members, I look forward and I hope that I will still be a Member of this august House the day the Ministry of Youth, National Service, Sport and Culture, all relevant stakeholders, the illegal National Youth Council are through with the Bill that has taken as long as Namibia's Independence, to reach this august House. The National Youth Council, it seems, is the only entity in this world that is legally allowed to set its own legal framework, considering their involvement in the drafting of the awaited Bill.

**4. With reference to the financial statements**

I found, and it was endorsed by both Members of this House, and others I visited at the National Youth Council, that the financial statements were apparently available, but not accessible to me at the time of my enquiry.

Honourable Members, you would agree that it is our collective responsibility to ensure that the legal framework for whatever operations in Namibia are in place and that we should always operate in the best interest of the electorate, before we silently allow corrupt practices for which we have no proof.

**5. The Venezuela trip**

Honourable Minister, for sure the list of the delegates represents the entire country. The question is the selection procedures that were followed. Even though so many youth seek shade under the umbrella of the National Youth Council, it was a pre-determined selection of who could be in the centre. How could we ensure National Reconciliation and integration if we instigate the youth to be selective regarding who should accompany them on foreign missions?

Honourable Members, I further found that the press statement given on their return does not include any strategies for implementation on regional and national levels. It seems that the National Youth Council keeps on being the illegal channel through which the Ministry of Youth gets rid of excess monies, which are not necessarily used in the national interest and to the benefit of the youth.

**6. The Medical Aid:**

Since the introduction of this heading was done by the Honourable Minister, Honourable Members, allow me to state my findings, as was requested by the Honourable Minister.

- Seven members were found to be main members of the medical aid to which they contribute no single cent.
- Sixteen dependents fully covered under the scheme. Spouse refers, to my knowledge, to those that are legally married, but includes the living-in partners in the case of the National Youth Council.
- Preferential treatment seemed to be allocated to the level of responsibility in the structure of the National Youth Council. This is evidence of the eight dependents that were covered that has been reduced to two, in one instance.

Honourable Speaker, these findings are still very raw and can only be thoroughly proved with the provision of the forensic report, as I requested as part of my Motion.

The Swakopmund International Youth Hostel, will be able to improve their international status, if the evidence I was able to collect is included as part of the forensic report. In this instance, the Director, after a number of written requests for explanation, has called for a meeting.

Correspondence between the Office of the Secretary-General and the Director: Youth Development proved my earlier statements on the whereabouts of the money transferred.

Our being in Parliament and the adoption of the Anti-Corruption legislation would mean nothing, if we do not practise what we preach. This Motion would, therefore, not only alert the youth that we are serious with our collective Anti-Corruption legislation, but would ensure the realisation of One Namibia, One Nation through the inclusion of all youth in the endeavours that we, this August House, deem important.

In conclusion, Mr Speaker, if the National Youth Council has nothing to hide, as Honourable Mushelenga is trying to tell the Nation and all is kosher, then the National Youth Council and the youth at large will only benefit from an independent forensic audit. It is only when there are skeletons in the cupboard, there is fear of transparency and accountability that anyone in this House will endeavour to oppose the Motion.

Thank you for the contributions, but most of all, thank you for providing a conducive environment for the youth who are waiting to take over from us.

30 November 2005

**MOTION-ACTIVITIES NATIONAL YOUTH COUNCIL  
HON DIENDA**

I thank you and therefore move that a forensic audit be carried out into the finances of the National Youth Council from 1994 until 2005. I thank you.

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**HON SPEAKER:** Who seconds the Motion? Will the Honourable Member table the amendment

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**RT HON PRIME MINISTER:** On a Point of Information. I would like to enlighten the public out there, which is being misled by Honourable Dienda, when she says the Youth Council is an illegal institution. The Youth Council was established under a Cabinet Resolution and that Cabinet Resolution is based upon Article 40(k) of the Namibian Constitution, which reads as follows: *“Duties and Functions of Cabinet Members: The Members of the Cabinet shall have the following functions: (k) to issue notices, instructions and directives to facilitate the implementation and administration of laws administered by the Executive, subject to the terms of the Constitution or any other Law.”* I hope Honourable Dienda is listening.

I saw her earlier this afternoon distributing condoms there, but I hope that this time she is listening. Article 40(k) is supported by Article 49(k), which reads as follows: *“The State shall actively promote and maintain the welfare of the people by adopting, inter alia, policies aimed at the following: Encouragement of the mass of the population through education and other activities and through organisations to influence government policies by debating its decisions.”*

It is on that basis that Cabinet resolved to establish the Youth Council. That is the legality of the existence of that body, it is not illegal. Thank you.

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**HON SPEAKER:** There are exceptions, the Prime Minister is the leader of Government Business and he felt compelled to give that clarification. But it of course means that there is an Act of Parliament that establishes the National Youth Council. Is that it or is that not the case?

I now put the Question that the Motion be adopted. Any objection? Objection. Will those Members in favour please rise? We have started voting, Minister of Finance. I

30 November 2005

**CREATION OF FAIR SPACE FOR PEDAL CYCLISTS  
HON GERTZE**

take it that the Prime Minister noticed the voting pattern of those in favour. Will those Members against please rise? Will those Members abstaining please rise?

In favour - 11  
Against - 35  
Abstention - 0

The Motion has been rejected. The Secretary will read the Fifth Order of the Day.

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**RESUMPTION OF DEBATE ON THE COMPULSORY WEARING OF  
SAFETY HELMETS AND THE INCLUSION OF FAIR SPACE FOR BIKERS  
ON THE ROADS**

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**HON SPEAKER:** When this Debate was adjourned on Tuesday 29 November 2005, the Question before the Assembly was a Motion by the Honourable Mr Gertze. The Honourable Mr Gertze adjourned the Debate for his reply and I give him the floor.

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**HON GERTZE:** Honourable Speaker, Members of this Assembly, allow me to express my delight to you all for a speedy wrap-up on this Motion that seems quite ordinary, yet is very significant for the safety and well-being of all of us.

*Honourable Tjiriange*, the first to have welcomed this Motion, thank you for extending our scope of consideration to taxis and the dangers they pose on our streets and roads. I just want to make a slight remark on this.

Somebody asked me a day ago why Dr Tjiriange is supporting the Motion that I tabled, and my simple answer was, "*Dr Tjiriange was my lecturer many years ago, more than 20 years ago.*" That was at the United Nations Institute for Namibia in Lusaka and he has kept the principles of the ideas that we discussed.

I have also taken note of the remarkable contributions made by the two Honourable gurus, that is Honourable Dr Moses Amweelo, former Minister of Works, Transport and Communication and expert on the field of Civil Engineering and the Honourable

Minister of Works, Transport and Communication, Honourable Joël Kaapanda, the new broom in the field. You know, when the authorities have spoken, what more can one say?

*Honourable Kaapanda* spoke quite extensively about road safety in general and while expressing his support for the Motion, also referred to the technical and practical considerations that go along with the plea in the above Motion. One such consideration was that of the negligible percentage, namely one percent, of cyclists as road users, which may not warrant the compulsory inclusion of cycling lanes. Thank you for your broad look into the entire issue.

Factual as these considerations may be, I would like to argue that this small percentage is dictated by the danger that is associated with cycling. No one would at this stage, be willing to risk his or her life on our main avenues in Windhoek especially.

I would, therefore, plead with especially the City of Windhoek to rather rehabilitate the main avenues that link our main residential areas with the town centre and to gradually perhaps rehabilitate the other streets where mobility is current.

I would like to thank you also for your remarks and concerns about general road safety, even on our national roads and for some measures already taken and for those still under way and the idea of a five-year Transport Plan of the local authorities.

*Honourable Amweelo*, your contribution is and will remain valuable in that it creates awareness about road construction and how we can ensure safety on our roads and streets by multi-faceted designs, of which you spoke very well. Your contribution allows us to make cost-effective construction works, not only on roads, but all our civil construction work. User and human friendliness are words that must appeal to all that we do in terms of construction work and that you have put emphatically and clearly to this House.

While thanking the whole Assembly and its Speaker, allow me to, therefore, move that the Motion on road safety for pedal cyclists in Namibia's towns and cities by compulsory inclusion of cycling lanes on our streets be referred to the Parliamentary Standing Committee on Economics, Natural Resources and Public Administration for further consideration and to make its recommendations to this August Assembly.

I so move, Sir.

**HON SPEAKER:** I thank the Honourable Member. Who seconds the Motion? Will the Honourable Member table the amendment? I now put the Question that the Motion be adopted as amended. Any objection? Then it is agreed to. That brings us to the end of the business scheduled for today, the last day of our deliberations and as tradition has it, I shall give the leaders of the political parties an opportunity to express their views as briefly as possible, but with all sincerity. Honourable Ulenga.

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**CLOSING REMARKS**

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**HON ULENGA:** Honourable Speaker, thank you very much for affording me this opportunity to say a few words on the occasion of the last day of the deliberations of this august House.

I do not have much to say, except to express my appreciation and thanks, first of all to you, Honourable Speaker and to the Deputy Speaker, Honourable Sioka for leading us graciously through this the Section Session of the Fourth Parliament of the Republic of Namibia.

The fathers and leaders graciously listened despite the fact that sometimes we proved to be a little too feisty, but that all comes in a year's work from Parliamentarians. So thank you very much.

When we at the beginning of the year elected you and the Deputy Speaker to that high and responsible position, we knew that we made the right choices.

Honourable Speaker, this was a very interesting year and a very busy one.

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**HON SPEAKER:** Honourable Member the time is past for speeches. We are listening to Honourable Ulenga.

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30 November 2005

**CLOSING REMARKS  
HON ULENGA**

**HON ULENGA:** It was a very interesting year, but I think it was a very constructive year. There were a few difficult times, but all in all I and I am sure my Colleagues from the COD and others in this House will agree with me that there has been satisfaction in the way the House did its business.

Honourable Speaker, I would want to wish you, the Deputy Speaker and all the other MP's from all sides of this House, a deserved rest before our work starts again next year. Let us go and forget for a while all the "*haakpunte*" (meaning hurdles) as they say in Afrikaans. Those small points of difference, I am sure they were necessary in the interest in this Nation, and I am sure and I would like to hope that we solved them satisfactorily enough. So let us go and have some rest to come back recharged next year.

The only wish that I have that I would like to express really, is that we start our work early enough and prepared enough so that we do not end up this year again utilising the most, well deserved rest that we have in May in discussions pertaining to the budget and so on. So, Minister of Finance, I am sure you will come back ready to make us run in the Debate on the budget.

Honourable Speaker, I thank you very much and Happy Christmas and a very Prosperous 2006. This not only goes for the Members in the House of course, it also goes to the entire Namibian Nation.

I thank you.

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**HON SPEAKER:** Thank you. Honourable De Waal?

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**HON DE WAAL:** Thank you, Honourable Speaker. I have been waiting for an opportunity to say something in this House and I think this may be the right opportunity.

It concerns the corruption cases that came out this year. I want to say today that I am thankful that those cases came out, because bad as they might be, the fact that they came out is sending a very good message to the international community. It is saying to the international community that Namibian people are serious about corruption and that they are prepared to go all the way to clean this country of corruption. And I

30 November 2005

**CLOSING REMARKS  
HON DE WAAL**

think all of us should be very grateful for that.

Honourable Speaker, our Nation has been blessed so far with peace and stability and to a certain extent, well-being. And I think it is the duty of the leaders of this country to continue next year by keeping peace and stability in this country and to assist the poorest of the poor, so that they can also have a better life.

Honourable Speaker, I want to thank all the colleagues on both sides of the House, for the good way in which we could conduct our business, although we fight sometimes or although we say hard words, after the sessions we can always go and drink tea. That is the spirit and the message that we should send to the people of this country. Let us differ because we can never agree all of us but in differing let us still all be Namibians and still fight for the goodwill of our country.

Honourable Speaker, it has been said that if the Namibian ship sinks, all of us will sink together. And I therefore want to ask all the members of the Namibian Community, to pray for the new President, President Pohamba and also for the Prime Minister, so that they will be blessed with wisdom in executing the very heavy task that lies on their shoulders.

Honourable Speaker, last but not least I want to thank you and the Deputy Speaker as well as the staff of Parliament, for the way in which you have very effectively and efficiently conducted the work of our meeting. I wish you all a blessed Christmas and a Prosperous New Year.

I thank you, Honourable Speaker.

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**HON SPEAKER:** Thank you. Honourable Chief //Garoëb?

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**HON //GAROËB:** Thank you, Mr Speaker. We are at last at the end of a very eventful year. I therefore wish to congratulate the Honourable Speaker, the Honourable Deputy Speaker, Honourable Chairlady of the Whole House Committee and the entire staff of the Honourable Speaker's Office for a sound job done.

Our Whips did a wonderful job and need to be congratulated by all of us for their very busy systematisation. My congratulations and thanks also go to the Chairpersons and



30 November 2005

**CLOSING REMARKS  
HON //GAROËB**

staff of the Parliamentary Standing Committees for their contributions.

I further express well wishes to the Right Honourable Prime Minister, Nahas Angula and the first female Deputy Prime Minister, the Right Honourable Libertine Amathila for their competent discipline in this Honourable House. Although a little belated, I welcome back the two old hands, namely the Right Honourable Founding Prime Minister Hage Geingob and the Honourable former Minister Hidipo Hamutenya in this august House.

Their temporary absence from this Honourable House was a total waste of their knowledge and experience, so dearly needed in this Honourable House. It was unfortunate that I could not be afforded time to participate in the Debate on the Conferment on the First President of the Republic of Namibia, His Excellency Doctor Sam Nujoma, the status of Founding Father of the Nation.

The Paramount Chief for the Damara Traditional Community, Pastor Elifas Eiseb who was acting on my behalf died on 24 November hence forcing me out of this august House for a few days for the necessary arrangements. My efforts to have the Debate on the Bill adjourned for a day was not successful.

My humble request for the future, however, is that no crucial yet contentious Bills be tabled at the eleventh hour of the last session of our Parliament. This is absolutely despicable to the legislative standing and unfair to the UDF, other parties whose leadership are Members - you better listen.

Anyhow, I wish all the Honourable Members of this august House a Merry Christmas and a very Prosperous New Year.

I thank you. God bless you.

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**HON SPEAKER:** Thank you. Honourable Viljoen?

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**HON VILJOEN:** Honourable Speaker, this was a very interesting year, because this is a strange world, which was unknown to me. I am used to the discipline in the past year, there was a lot of things to learn in this year. A good teacher always prepare thoroughly and there was no time for me to prepare, because I was not aware

30 November 2005

**CLOSING REMARKS  
HON VILJOEN**

of this. But in a few minutes I wrote something down.

Everybody in this House made a positive contribution and I have learnt something from every Member in this House. I appreciate your patience and understanding for this year's newcomers. Some days it was like travelling in a small plane - all the turbulence, but it was a school of many experiences.

I was impressed especially by the openness, the transparency in which Ministers and Deputy Ministers answered our questions - we appreciate it very much. And the two visits to State House were also a very good experience and very worthwhile.

Now I wish to express my good wishes for the coming Christmas Season. Enjoy the coming holiday with your families and enjoy Christmas in a responsible way and remember the meaning of this Day.

If you travel, travel safely and come back next year.

I thank you very much.

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**HON SPEAKER:** Thank you. Honourable Mbai?

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**HON MBAI:** Thank you very much, Honourable Speaker, Honourable Members of this House. On behalf of my President who is unfortunately absent today and my other Colleague, we would like to extend our profound gratitude and appreciation for the support, the wisdom and the encouragement that we receive from all Members of this House during our deliberations.

I personally was hesitant the day that I was to deliver my Maiden Speech, but the way that I was accorded the opportunity to deliver the speech without any disturbance was in itself an encouragement and I felt at home. As a young political party in Parliament, I believe that it will always be our intention to add value to our process of democracy.

With these few remarks, I wish you all a Merry Christmas and Prosperous New Year.

I thank you.

30 November 2005

**CLOSING REMARKS  
HON MUDGE**

**HON SPEAKER:** I was not here, because lobola was not what I wanted from you. Doctor Tjiriange? My apologies, accept my apologies. Honourable Mudge?

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**HON MUDGE:** Honourable Speaker, thank you for the opportunity. I will try and I actually promise that I will not provoke or say anything controversial.

Honourable Speaker, I want to say something. It is a very special time of the year approaching Christmas. And if I look back over this year, it was a good year, it was sometimes rough for me, it was new. I have learnt a lot and I will keep on learning, but there is one thing that I would like to say and that is that what the Honourable Attorney-General said a little bit earlier and this is really from my heart when I say this.

We can differ on certain issues and not have the same views, but I think for me what is very important is that we will act in such a way, and if I am saying that I am speaking to myself first, to act in such a way that we would convey absolute respect. So this is what I will try and also do next year, because I think what was said earlier today in this House, which is very important, we have different views on certain issues, but we all struggled in a certain way. I can imagine how the people who were involved in the Struggle suffered. I can. But we have to reconcile. We have to reconcile as Namibians, differ in a way but differ in such a way that we do it with respect and in a spirit of reconciliation and I firmly believe we can do that and that the Nation can do that and that we should set a proper example.

In conclusion, may I also thank you, yourself and the Deputy Speaker for the work you have done that and wish you and all the Members a very, blessed Christmas and a Prosperous New Year.

Thank you very much.

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**HON SPEAKER:** Thank you very much. Honourable Comrade Tjiriange?

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**HON MINISTER WITHOUT PORTFOLIO:** Thank you, Honourable Speaker. I have been in Parliament since its inception and this is always the moment that makes me feel so sad. I feel sad, because having stayed together for the year, we are about

30 November 2005

**CLOSING REMARKS  
HON TJIRIANGE**

to part for a long time and during this time, as festive as it is, I miss this House, I miss your presence and I always wait for us to resume so that we can come back again and be together.

I hope that during the coming new year, you will come back to this House rested, with ideas, not necessarily only ideas, but ideas that will carry us further in our deliberations to liberate our country from poverty and all ills that we are facing.

I am pretty sure that our Parliament is a good example that others would like to imitate. I watching TV where war and peace are thrown about and even exchanging blows and in this House luckily we do not do that. As someone said here we argue, we argue sometimes very acrimoniously and then from there we go and drink tea together. This is a good spirit that must be emulated by all. As I say, I always feel sad at this time and always feel happy when we are back. And this year I am also feeling the same.

Nevertheless, there is a time that one has to spend with family. Some of us only see our children when they are sleeping when we come home in the evening. Sometimes they think that we are not in town. Now this is a time at least to be with them and rest with them.

I wish you all the best during Christmas and a Happy New Year and come back healthy.

Thank you very much.

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**HON SPEAKER:** Right Honourable Prime Minister, this is now your Honourable turn.

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**RT HON PRIME MINISTER:** Thank you, Honourable Speaker. Before I adjourn the House I just want to say one or two things.

Number one (intervention)

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**HON SPEAKER:** Say something, actually I am saying something through you, I will come back to you to adjourn. But you have the floor now as Prime Minister,

30 November 2005

**CLOSING REMARKS  
HON ANGULA**

leader of Government business, you have the floor. I will call you later to adjourn the House. But you have the floor now.

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**RT HON PRIME MINISTER:** I was saying that as we are coming to the end of the Second Session of the Fourth Parliament, I would just like to emphasise three things, which guided the participation of the current Members of the SWAPO Party:

1. Our participation was motivated by the fact that we wanted to add value to the Debate. To make sure that what we say will contribute to the improvement of the legislative process.
2. To build the legislative team, so that we serve our people properly.
3. To build consensus in the House, so that we move together on our journey to make laws for this country.

Regarding these objectives we are happy that a number of Members from the other side of the House were forthcoming, but others were not, which is fine for us, because we value the fact that sometimes we have to agree to disagree for the sake of democracy. Democracy is the foundation of SWAPO. We sacrificed for it, we compromised for it until we achieved it.

We hope as we adjourn now that we will go back to our operational areas to do the things, which are required of us by this Season, and this Season is the Season to commit ourselves to food self-sufficiency. There are those of you who would like to go to Swakopmund and other places. I would like to urge you to respond to God's great blessings by going to the farms, taking a plough, planting the seeds and growing the food we need, so that we achieve food sufficiency in this country. Those of you who are going to look after the cows, milk the cows, but make Omaere and feed the community.

Now, we have noticed that there are some misunderstandings in our communities. Misunderstandings between communities especially, contesting for resources and these are actually expressions of poverty. It is such poverty, which brings this kind of contest as we struggle to share these scarce resources whether it is grazing or whether it is soil for cultivation and all that.

My suggestion to our citizens is that this country is big enough for all of us. We can

30 November 2005

**CLOSING REMARKS  
HON ANGULA**

only satisfy our needs, if we are prepared to share with each other. And sharing means give and take, not the survival of the fittest and the elimination of the unfit - that is what will bring conflict and confusion among our people.

I think Namibia can provide for all us, provided that we share and have the understanding that we all have needs, and that is the way to promote peace and stability in this country.

Honourable Members, let me express to you the good wishes of the Season as you leave to celebrate Christmas and enjoy the New Year. Let us take the message to our people that Namibia is big enough for all of us. We should work together as a people; promote peace and stability and harmony among our people, so that the future of our children and their children, and their children's children is assured. Enjoy your holidays and when you return we should be recharged to continue the process of the consolidation of democracy in Namibia.

I thank you.

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**HON SPEAKER:** I thank the Right Honourable Prime Minister. Honourable Members, the life of the Fourth Parliament commenced in April this year. Members should remember that the composition we have represents old timers and newcomers.

By now, about seven months on, we are all the same, Honourable Members. We are looking forward to our one-year anniversary next year. This nature of the Members we should have was decided at the Ballot Box through interplay or choices between Political Parties and Voters. The outcome of the 2004 Elections is a reflection of our living Constitution and democratic political system.

The good, the bad, the ugly in whatever form or shape cannot thus contribute to the mutual respect and co-operation required on the one hand and for our unfortunate mutual avoidance and confrontation on the other. As MP's, we are responsible for whatever Parliament may exemplify, as a defining political culture at this stage of our nation building and for accountable governance.

We are responsible for our words and our actions. The House rises today until 14 February 2006. Once again we will, when we resume start a new cycle of commemorating national anniversaries, family and friends, leave days for those who remember them and we will pursue policy making and law making and count our blessings.

30 November 2005

**CLOSING REMARKS  
HON SPEAKER**

The date for the official opening of Parliament will be made known to Honourable Members, in due course. Corruption, hunger, poverty, HIV/AIDS, urban-rural divide, unemployment, gender and inequality, child welfare, social disparities and the real challenges of economic growth, social transformation and sustainable development, will all still remain for Namibia's industrialisation and beneficiation agenda. That is to say, the priorities of Vision 2030 and NDP 2 will continue to dominate public Debate, resource allocation and performance management for a better future.

Given all the above, as the New Year demands leadership and a functioning democracy, Honourable Members need a well-deserved recess for reflection, introspection on creating partnership formations better to serve our Nation and fast tracking what activity may make distribution, sharing and ownership possible. Legislative majority and political instinct for consultations among Honourable Members are steadily making reassuring inroads into our Parliamentary interaction. We need more of that - adversaries may not be enemies.

I wish all the Honourable Members present and those on various official missions at home and abroad a happy Holiday Season and a Prosperous New Year 2006.

I thank my Colleague, Deputy Speaker Honourable Doreen Sioka for her support and solidarity in our joint venture. This includes, of course, our staff in the office and all those who serve the National Assembly. We keep them all in our hearts and our minds and urge them to continue serving our Nation to the best of their abilities. God speed.

Right Honourable Prime Minister, I now ask you to adjourn the House.

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**RT HON PRIME MINISTER:** Thank you, Honourable Speaker, Honourable Members, may I now propose that we adjourn until 14 February 2006.

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**HON SPEAKER:** The House accordingly stands adjourned until 14 February 2006. Long live the Republic of Namibia.

**ASSEMBLY ADJOURNS AT 17:40 UNTIL 2006.02.14**