



**MINISTRY OF HOME AFFAIRS AND
IMMIGRATION**

**MINISTERIAL STATEMENT ON THE OUTSTANDING
QUESTIONS POSED DURING THE BUDGET DEBATE FOR
VOTE 5.**

HON. PENDUKENI IIVULA-ITHANA, MP

PARLIAMENT SESSION

16TH JUNE 2015

Honorable Speaker,
Honorable Members,

It is almost a month and half ago during the budget debate of **Vote 5** when I made a commitment to defer questions to seek answers as I did not have them readily available. I thank you Hon. Members for your patience in allowing me time to do so. However, before I do so allow me Hon. Speaker to pay tribute to a compatriot, a fighter, a young woman, who in the face of the danger posed by cancer, a deadly disease that afflicted her body, stood up and mobilized the public about cancer and how we can limit its opportunity by getting tested regularly.

Cde Speaker, I am talking about Ms Nancy Muinjo well known as CHI-CHI, who served the public as my Personal Assistant until her time of death on the 28th May this year.

In this regard, I would like thank all of you colleagues for your support during the time of bereavement. As we were coming to terms with the news of her passing, death has struck again with the passing of yet two dynamic women, Hon. Ndapewa Nambili, Regional Councilor for the Otavi Constituency and Mrs Angelina Ribebe Matumbo, Hon. Hompa of the Syambu tribe of Kavango East Region. May their souls find peace and rest in everlasting harmony.

Hon Speaker,
Hon. Members of this august House,
Allow me now the opportunity to briefly give answers to those questions as then posed

1. *What is the Ministry going to do regarding issuance of Employment Permit to scarce skills?*

In addressing the demand for scarce skills in the country, the ministry follows the provisions of the relevant laws, especially the Immigration Control Act (Act No 7 of 1993) which stipulates among other things that the Immigration Selection Board (ISB) shall not authorize the issue of an employment permit unless the applicant satisfies the board that:

(a) he or she has such qualifications, education and training or experience as are likely to render him or her efficient in the employment, business, profession or occupation concerned: and

(b) the employment, business, profession or occupation concerned ~~is not~~ or is not likely to be any employment, business, profession or occupation in which a sufficient number of persons are already engaged in Namibia to meet the requirements of the inhabitants of Namibia: and

(c) the issue to him or her of an employment permit would not be in conflict with the other provisions of this Act or any other law.

The provision stated above requires that an individual applicant is either applying to be employed by private business, or organization or as an investor to run his/her own business. While individual applicant should prove their qualifications, prospective investors should prove viable business plans and funds or sources of funds available.

Equally, in order to ensure that indeed, there is no relevant skill available in the local market, prospective employers should ensure that jobs are first offered to suitably qualified Namibians through public advertisements.

2. What is the Ministry going to do to stop dual Citizenship in Namibia?

The issue of dual citizenship is a constitutional matter where the Namibian High Court about four years ago ruled that Namibians by birth and by descent may hold dual citizenship. The Ministry of Home Affairs and Immigration has discussed this matter on a number of occasions especially the possible negative implications for a country of about two million people allowing dual citizenship.

The matter is a national issue which requires to be debated on and for a correct decision to be taken which can lead to the amendment of the constitution. The position of the ministry is for the amendment of the constitution to prohibit dual citizenship. This is a position that we have always expressed and maintained since the pronouncement by the high court. While citizenship acquired through registration or naturalization can be revoked, citizenship by birth and descent cannot be so revoked. Even Parliament is barred from enacting legislation purporting to revoke citizenship of the two categories. (See Article 4(8) (c).

3. What is the Ministry going to do to make sure that every Namibian has an ID?

The Ministry of Home Affairs and Immigration has an annual ID registration programme which aims to visit all secondary schools and the surrounding to ensure that pupils, who have turned 16 years of age or older, will be able to apply for an ID. The Ministry is also in the process of extending its ID registration services to additional sub-regional offices. During the last financial year, the Ministry purchased additional ID registration machines (IMAGOS) for this purpose.

4. *What is the Ministry going to do to stop the high legal claims?*

Legal challenges are a result of administrative decisions made or actions taken by ministry officials in the fulfillment of the Ministerial duties. Sometimes individuals who feel aggrieved challenge our decisions or actions through courts of law in which cases sometimes courts find the ministry at fault, while in others our decisions are confirmed to be correct.

We feel that training of staff members is one area that we should continue putting more efforts into so as to enable staff members to fully appreciate the requirements of their duties and the prescription of the relevant legislation. Some of the mistakes are avoidable if work is performed efficiently and professionally. Training will certainly eliminate avoidable mistakes which are the source of many legal challenges we encounter from time to time.

5. *What is the Ministry going to do to stop the marriage of convenience?*

The Ministry of Home Affairs and Immigration plans to table a new Marriage Bill this year. In the bill, it is proposed that all couples who wish to marry in Namibia must receive permission to do so by the Ministry of Home Affairs and Immigration. This will ensure an opportunity to scrutinize each application to prevent bad faith marriages.

Currently, the Ministry is in the process of capturing all historical marriage records in the National Population Register System. A complete automated marriage register will provide easy access to all demographic details, including marriage details.

6. *If Home Affairs made a mistake on a document, why should the client pay for the mistake of the Ministry?*

If the Ministry of Home Affairs and Immigration makes an error on an ID or any other national document, the applicant **ought not to pay** a fee for the correction hereof. It must however be noted that whenever it is proven that the fault is as a result of the supporting documents provided by the clients, then the client bears the cost of correction and replacement of the documents.

7. *Are “Agents” that are helping the members of the public registered with the Ministry of Home Affairs and Immigration? If yes, are they trained and is there a standard fee that they are asking the clients?*

People who call themselves agents are individuals who have no employment relations with the Ministry but rather do it on either voluntary or commercial basis charging fees. The so “Called Agents” are therefore not trained by the ministry and there are no standard fee system imposed on them on how to charge their clients.

The ministry is however discovering that the fees charged for various services are unjustifiably higher than those charged by the ministry. We are also becoming concerned by reports that some clients lose their documents such as passports through the agents and are told false information. The Turnaround Strategy we have initiated aims at improving service delivery and in a way removing the need for clients to go through agents as it were.

8. *There are long queues at the Airport, why is it like that? What is it that the Ministry is doing to put more computers at the airport?*

The Hosea Kutako International Airport like other airports belongs to the Namibia Airports Company and the ministry, like other stakeholders such as Ministry of Finance (Customs) is simply utilizing the facilities to provide a service. However, we are all in agreement that the facility is becoming smaller and smaller as Namibia continues to open to the world with many international travelers using our airport.

While other measures are still being explored, including sometimes using the old terminal, the lasting solution would be to build a new modern airport facility of international standard. The Namibian Airports Company is already seized with the matter.

9. *ID's to Zembas and Ovatue in Opuwo, Kunene Region. There are people living in the mountains that do not have ID and birth certificates. What is the Ministry doing to make sure that those people are covered as Namibians?*

The Ministry reaches rural communities through mobile campaigns on an annual basis. However, the current budget only allows visiting a few communities due to the high expenses related to mobile operations. Sending staff members from the regional offices to the field, also negatively affect the services at our offices, as the Ministry's staff compliment at the regional structure is not sufficient.

Nonetheless, the Ministry has submitted an application to Office of the Prime Minister to review our current staff compliment, with the view to increase number of staff members.

10. When will the Ministry implement E-ID and Passport?

The benefits of e-IDs are unquestionable from a security and administrative point of view. An introduction of the e-ID will provide all Namibian Institutions an opportunity to verify the identities of all Namibian and Permanent Residents on the spot since the bio-data of the card holder is stored in the chip on the card itself.

However, it is not a programme which can be implemented overnight. First of all, the current staff complement will not be able to re-register all Namibians within a reasonable timeframe. Moreover, the e-ID has an expiry date for security reasons. This means that the customer turnaround for each office will increase considerably as well. Secondly, the cost of an e-ID is considerable higher than the current ID. The current ID card costs approximately N\$ 14 compared to N\$ 45 for an e-ID.

11. Is it not possible for Passports to be issued for 10 years like in other countries?

A passport for an average traveler will usually not even last for 5 years before pages become full of visa stamps and stickers, which in the end will require the person to apply for a new passport. This, including consideration for wear and tear makes five years as a suitable average period for the validity of a passport.

12. How many applications for Citizenship are received? How many on Descent, Naturalization and Marriages.

During the period under review, a total of 2125 applications were received, of which 1195 were for descent. Of that total number of descent applications, 1171 were granted citizenship, while 24 were rejected. The total numbers of applications by naturalization

received were 839 of which 835 were granted, while 4 were rejected. In terms of citizenship by marriage, 91 applications were received of which 82 were granted, while 9 were rejected.

13. Will the Ministry in future bring in particulars of grandparents on the birth certificate?

The Ministry has currently no plan to introduce the particulars of the grand parents on the birth certificate. It has been simple so far to trace the family relations of a child through the National Population Registration System, as parents and children are electronically interlinked.

14. Outstanding citizenship certificates for Riemvasmakers, when will it be delivered?

All applications from members of Riemvasmakers community who have applied for Namibian citizenship have been processed. During the past years including last year, mobile teams for the registration for citizenship have been covering this and other communities and if there are still those who have not applied for citizenship, yet who should be very few the ministry will welcome to receive their applications.

15. When will the Ministry start issuing death certificates at all hospitals?

The Ministry has offices at 21 hospitals across the country. 19 of those are issuing death certificates as well. The management of Katutura State Hospital and Windhoek Central Hospital had advised that death should not be registered at these hospitals in order to reduce the number of people entering the maternity wards, since our offices are situated in the maternity wards.

16. Why can't people marry at magistrates and the churches could only bless the marriages?

The current legal framework allows Magistrates and Marriage Officers, appointed by the Ministry of Home Affairs and Immigration to solemnize marriages. Whether pastors should continue to be appointed as marriage officers can be discussed when the new Marriage Bill and National Population Registration Bill get tabled in the future.

17. Number of asylum seekers applications, Approved and rejected

A total number of One Hundred and Ninety two cases (192) were considered by the Namibian Refugee Committee (NRC), One Hundred and Thirty One (131) cases were approved and Sixty one (61) cases were rejected.

A total number of 227 refugees went for resettlement to third countries, as part of the durable solution.

A total number of Refugees in Namibia is 6100. Refugees and Asylum Seeker were verified, amongst who 3746 are Active and 2354 inactive population registered in our database system.

Inactive cases means refugees who do not show up for re-registration and verification exercise, but are presumed to be in the Republic of Namibia. Normally they ask permission to visit other parts of the country but never return or report back. The definition of Active means those based in Osire settlement and those who report themselves for re-registration and verification exercise and they come for food rations.

18. How many Visa and Permits were issued and to whom?

**TYPES OF VISAS, PERMITS AND CITIZENSHIP STATUS
PROCESSED DURING THE PERIOD OF 1ST OF APRIL 2014
UP TO 31ST MARCH 2015.**

- Employment Permit (E/P) applications approved: 5168 and rejected: 884
- Permanent Residence Permit (PRPs) applications approved: 648 and rejected: 141
- Work visa applications approved: 35648 and rejected: 1456
- Holiday visas applications approved: 692 and rejected: 11
- Study permits applications approved: 9724 and rejected: 322

A total of 51880 applications were approved and 2803 were rejected.

**REASONS FOR REJECTION OF EMPLOYMENT PERMITS
APPLICATIONS(E/P):**

Applicants who have not fulfilled all the requirements or who do not possess the rare skills, compares to the Local job market, do not get their applications approved. The same applies if the post, the applicant intends to occupy was not advertised in Local printed media so that Namibians can also compete.

REASONS FOR REJECTION OF PERMANENT RESIDENCE PERMITS (PRPs):

If the applicant does not meet the requirements such as the current legal status in the country, proof of sustenance while in Namibia, to mention but a few, the Immigration Selection Board (ISB) does not accord such applicant the PRP status.

REASONS FOR REJECTION OF CITIZENSHIP BY DESCENT:

Should the applicant's parents or one of the parents turn out to be a non- Namibian citizen at the time of applicants birth, the Namibian Citizenship by Descent's application will not succeed.

REASONS FOR REJECTION OF CITIZENSHIP BY MARRIAGE:

The applicant's application for Citizenship by Marriage can only succeed if it is supported by documentary proof that he/she had a Legal Status in Namibia at the time of solemnization of the Marriage between him/her and the Namibian Citizen. In the absence of the above mentioned factor, compounded with other marriage requirements e.g. continuous ten (10) year period of residence in Namibia, accompanying his/her Lawful wedded husband/wife, his/her application for the Namibian Citizenship by Marriage will not get approved.

REASONS FOR REJECTION OF APPLICATION FOR NAMIBIAN CITIZENSHIP BY NATURALIZATION:

The applicant who does not meet the requirements of PRP status will not succeed to have his/her application for Namibian Citizenship by Naturalization approved.

In addition to this, the applicant is obliged to meet a continuous ten (10) year period of residence in Namibia before he/she applies for this status.

See the statistics attached consisting of various Foreign Nationals who applied for permits and other Legal Status in Namibia. Their Nationalities and or Countries of Birth are also reflected.

Honorable Speaker,

Honorable Members of this August House, those are responses on questions posted to me and for which I did not have answers on hand then.

Thank you for your kind attention.

