



Advocacy in Action

A guide to influencing decision-making in Namibia

WLR Women's Legal Rights Initiative

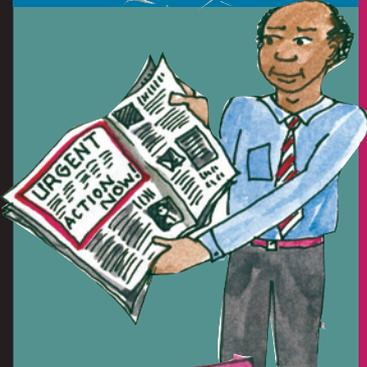
WLR Women's Legal Rights Initiative

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ADVOCACY IN ACTION

A guide to
influencing
decision-making
in Namibia

Gender Research and Advocacy Project
LEGAL ASSISTANCE CENTRE

Windhoek, 2004



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This manual was written by Dianne Hubbard and Delia Ramsbotham of the Legal Assistance Centre.

The following persons provided research for the manual:

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- Delia Ramsbotham, Legal Assistance Centre, intern through the Young Professionals International Internship Program of the Department of Foreign Affairs and International Trade of Canada, coordinated through the Canadian Bar Association
- Maria-Laure Knapp, Legal Assistance Centre, intern in a program of Youth International Internship Programme (YIIP) of the Department of Foreign Affairs and International Trade (DFAIT) of Canada, coordinated through Acadia University in Canada
- Evelyn Zimba, Legal Assistance Centre
- Anne Rimmer, a Development Worker funded by International Cooperation for Development (ICD) through the Catholic Institute for International Relations (CIIR).

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- Speaker's Office at the National Assembly
- Deputy Secretary Mr. Harker and his staff
- Clerks of the Parliamentary Committees
- National Assembly Standing Committee on Constitutional and Legal Affairs
- National Assembly Legal Directorate
- Hansard Service
- Office of Library and Computer Services at the National Assembly.

We would like to thank the staff of the following Ministries, Offices and Commissions:

- Office of the Attorney-General
- Office of the Ombudsman
- Law Reform and Development Commission
- National Planning Commission
- Municipality of Windhoek.

We would also like to thank the following NGOs for their input:

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- Institute of Public Policy Research (IPPR)
- Media Institute of Southern Africa (MISA)
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- *The Namibian*
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People's participation in the affairs of their nation is a precondition for a democratic government. Throughout the struggle for national independence our goal has been to provide our people with the opportunity to participate in national decision-making, especially those decisions which affect their lives.

President Sam Nujoma, 19 June 1993
Ministry of Information & Broadcasting / State House
Ten Years of Speeches of the President of Namibia
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Combating of Domestic Violence Act

Quorums

Tracking the Community Courts Bill

Combating of Rape Bill

Women's Budget Initiative in South Africa

CHAPTER 1: INTRODUCTION

This manual is aimed primarily at NGOs and grassroots-based groups who are interested in increasing their advocacy skills. It should also be of interest to office-bearers at the local, regional and national level. It would be particularly helpful as an orientation for new office-bearers. The manual will be published first in English, as most government lobbying requires communication in English. Translation into other languages will be considered, depending on demand.

1. What is advocacy?

Advocacy is an effort to influence a law, a policy or some other decision. Advocacy can be directed at various levels of government, government bodies, or other institutions or individuals.

For example, you could use advocacy to convince **Parliament** to pass a law on children's rights. You could use advocacy to persuade your **regional council** to provide better services for the elderly. You could use advocacy to pressure your **local authority** to take steps against illegal shebeens.

You could use advocacy to lobby your local **clinic** to stay open in the evenings, or to convince your **school** to introduce a new extra-mural activity. You could use advocacy to affect a decision by a **government body** such as the Social Security Commission or a Communal Land Board.

You could use advocacy skills to influence decisions by **private organisations or individuals** as well. For example, you might try to convince your **church** to play a more active role in speaking out on HIV. You might want to convince your **employer** to offer a better medical aid plan. You might want to persuade your **traditional leader** to involve more women in community decision-making.

ILLUSTRATION

ONE WOMAN: If I try to influence the decision of the council, won't people say that I am getting involved in things that are none of my business?

OTHER WOMAN: If a decision affects you, it is your right to express your opinion. Hearing different views from the community helps people in power to make better decisions.

2. Advocacy aimed at government

Namibia is a democracy. In a democracy citizens have a right to participate in the political process. No democracy can be strong without good citizen participation.

The simplest way that citizens can participate is by voting in elections. Citizens 18 years of age and older are allowed to vote for representatives at many levels of government -- local authorities, regional authorities, the National Assembly and the President. The right to vote in Namibia is guaranteed by the Constitution.

Every citizen who has reached the age of eighteen (18) years shall have the right to vote....

Constitution of Namibia, Article 17(2)

But participation is more than just voting. Citizens have the right to have their voices and concerns heard by the government. Citizens are encouraged to share their opinions in ways other than voting. Every person in Namibia has the right to influence government decisions. The right to participate in all levels of decision-making is guaranteed by the Constitution.

All citizens shall have the right to participate in peaceful political activity intended to influence the composition and policies of Government. All citizens shall have the right to form and join political parties and, subject to such qualifications prescribed by law as are necessary in a democratic society, to participate in the conduct of public affairs, whether directly or through freely chosen representatives.

Constitution of Namibia, Article 17

The State shall actively promote and maintain the welfare of the people by adopting, inter alia [among other things], policies aimed at the following...

k) encouragement of the mass of the population through education and other activities and through their organisations to influence Government policy by debating its decisions...

Constitution of Namibia, Article 95

Advocacy aimed at influencing a specific government decision is sometimes called “lobbying”.

ILLUSTRATION

ONE YOUNG MAN: I am afraid to speak out against this decision. What if people think that I am being unpatriotic?

ANOTHER YOUNG MAN: People who really care about Namibia want its government to act wisely. Sharing ideas and opinions helps the government to make informed choices.

THIRD YOUNG WOMEN: Peaceful debate is good for a democracy.

3. Why advocacy is important in a democracy

A democracy is a system of government where supreme political power rests with the citizens of the country. The word democracy comes from a Greek word that means “rule by the people”. In a representative democracy such as Namibia, decisions are made by the people's elected representatives.

But representatives of the public cannot make decisions which serve the public interest without information from the public. Voting in elections is one form of feedback from the public, but voting on its own does not provide input on specific issues. People need to use other channels to make their voices heard on laws, policies and other decisions. This is where advocacy comes in.

... the equal and inalienable rights of all members of the human family... are most effectively maintained and protected in a democratic society, where the government is responsible to freely elected representatives of the people...

Namibian Constitution, Preamble

To be strong, a democracy needs three things: (1) transparency, (2) accountability and (3) public participation.

Transparency

Transparency refers to the openness of government. All interested persons should have access to important information and processes. They must be able to know and understand what the government does. This inspires trust and confidence in government on the part of the public. Openness gives government credibility in the eyes of the public.

Openness means that government will be open to criticism. Criticism may come from the media, from opposition parties or from public debate. Criticism can help to make a government strong. For example, criticism can identify weaknesses in a law or policy that can be corrected. Criticism can also help to prevent corruption and abuse of power.

illustration

What does transparency mean?

The glass in a window is transparent. You can see right through it. Nothing is hidden.

You can see both good and bad.

Accountability

Accountability means that the government is answerable to the people. In a democracy, citizens vote for the government. If the government does not perform to the satisfaction of the voters, they can vote for another political party in the next elections.

The people who are employed by the government are members of the “public service” – this means that they are there to serve the public.

There are institutions that monitor government performance as a way of increasing accountability. Examples of such institutions include the Office of the Ombudsman, Office of the Auditor-General, independent media, and non-governmental organisations. Institutions such as these can monitor government decisions and actions in specific areas and then help to spread information about government performance to the public.

ILLUSTRATION

What does accountability mean?

Government is made up of people who represent us. Government officials get paid with money collected from the taxes we pay on our salaries and on the goods we purchase. So the government is really working for us. They have a duty to consider our needs and interests when they are making decisions. They are ultimately answerable to us.

Participation

Participation means taking part. In a strong democracy, many people get involved in decision-making processes because they care about the outcome of the decision. They get involved because they want to help make their country the best country it can be. A good democracy includes many different voices in public decision-making processes. Then people throughout the country feel that their opinions are being considered. No government decision will make everyone happy, but people are usually more satisfied with a decision if they feel that their needs and interests were taken into account.

Participation is most effective when there is a strong civil society. Civil society means all individuals and organisations and associations that are independent of the government. It includes the independent media, trade unions, human rights organisations, churches, community-based organisations and other non-governmental organisations. It also includes all the individual citizens in the country.

A strong civil society helps to move information back and forth between government and members of the public. It can be hard for individuals to make an impact if they are acting on their own. The groups which make up civil society bring people with common interests together so that they can express their opinions to government more effectively. This helps the government know what different members of the public are thinking, so that it can make better decisions. Without a strong civil society, it is harder for a

government to get feedback from the people it is supposed to serve. Without this, the government might become isolated and unstable.

Participating in politics is important for human development, because part of being fully human is the ability to participate in the decisions that shape your life. All people have a need to exercise some choice and some control over their own destinies. This is a fundamental human right.

ILLUSTRATION

What does participation mean?

It means taking part. Being a good citizen involves more than just voting. It means speaking out about your needs and your opinions so that the government can make informed decisions.

Democracy ... requires functioning institutions. It requires a legislature that represents the people, not one controlled by the president, prime minister, bureaucrats or the military. It requires an independent judiciary that enforces the rule of law with equal concern for all people. It requires well-functioning political parties and electoral systems. It requires security forces that are professional, politically neutral and serve the needs of people. It requires an accessible media that is free, independent and unbiased, not one controlled by the state or by corporate interests. And it requires a vibrant civil society, one that can play a watchdog role on government and interest groups —and provide alternative forms of political participation.

UNDP Human Development Report 2002,
Deepening Democracy in a Fragmented World

4. Why do you need an advocacy manual?

The purpose of this manual is to provide you with the tools you will need for advocacy. No special knowledge is required to communicate your views, but some approaches are more effective than others. This manual is intended to give you information and ideas that can help you make your voice count.

Advocacy can be aimed at all kinds of organisations, but this manual will focus mainly on advocacy which is intended to influence government decisions. Government bodies follow rules and procedures to keep things orderly. This manual explains how government bodies work at different levels. This will help you understand the best ways to approach government with your input.

ILLUSTRATION

Why can't we all just go into Parliament and say what we think in person?

Imagine what chaos there would be if everyone in Namibia did that! Parliament and other government bodies must follow clear procedures to keep things running smoothly. And no one in government has time to talk to every member of the public individually.

There are many ways to lobby the government -- such as arranging meetings to discuss issues with government representatives, making phone calls, or writing letters. Citizens can organise petitions or demonstrations to convince Members of Parliament (MPs) to support a certain opinion. They can write letters to the press or make press statements. Different strategies may work best for different issues. This manual explains how to use some of these methods.

Lobbying can be done by individuals or by groups, but groups are usually more successful at influencing the government. There is power in numbers. This manual should be particularly useful for the leaders of various civil society organisations.

This manual is also intended to be of special assistance to women and women's groups. Historically women in Namibia have not always been involved in public activities and decision-making. The voices of both men and women need to be heard so that government can truly represent everyone in society. This manual is for everyone, but many of the case studies in the different chapters will focus on issues of particular interest to women.

The fact is, true democracy, which permits full participation in decision-making by everyone, can only be achieved when national decisions are taken jointly by both men and women at the levels of political parties, national legislatures and in government, and when such decisions are gender sensitive.

President Sam Nujoma, Inter-Parliamentary Conference on the Theme
"Towards Partnership between Men and Women in Politics", 15 February 1997

5. Updating your advocacy manual

Some of the information in this manual will soon be out of date. Different people will be elected, and staff members will change. The President changes the areas of responsibility of government ministries from time to time, and Ministers and other personnel are moved about from one post to another. Elections results and major changes in government are reported in newspapers and on television and radio.

You can keep track of such changes for yourself to keep your manual up to date. Spaces for writing changes in the manual have been provided on some pages.

If you are interested in a particular issue, you might want to collect information about that topic and keep it together with your manual. For example, if an MP or a government leader makes a promise, you can write it down or cut out the newspaper article where it is reported and keep the press clipping with your manual. Then you can quote it later as part of your advocacy efforts.

ILLUSTRATION:

grassroots woman referring to paper in hand and talking to reporters and television camera: “At a meeting in **PLACE** on 5 August, the Regional Councillor for our constituency promised that she would try to get additional water points for our community. Six months have passed since she made that promise, but we still have no new water points. Our group would like to know what steps she has taken...”

You might want to add notes to your manual on what contact persons you find particularly helpful or unhelpful. You might want to add examples of successful or unsuccessful advocacy initiatives by your group or by other organisations.

This manual is a starting point. It is up to you to make sure that it is a living document that will remain useful to you.

Sources

UNDP Human Development Report 2002, *Deepening Democracy in a Fragmented World*.

CHAPTER 2: PLANNING AN ADVOCACY CAMPAIGN

Anyone can take part in advocacy activities as an individual. But issues which are of broad public interest may best be tackled by groups or individuals working together. Advocacy can involve a small step that costs virtually nothing (such as writing a letter to an MP or making an appointment to speak to a regional councillor) or it can be a large campaign involving many people and many activities. Taking the time to plan your advocacy efforts will help to ensure your success.

1. Resources

When you are deciding on advocacy activities, you must make sure that you have the necessary resources for the things you want to do:

- **Human resources and skills:** This includes the necessary people and skills to meet the needs of the campaign at each step.

For example, human resources and skills could include having a person with research skills to find out information on the issue, or having many people to help gather signatures for a petition.

- **Financial resources:** Advocacy campaigns can be low-cost or expensive, depending on the activities you chose. You will need to draw up a budget to determine how much money you will need and what you can afford. This will allow you to plan for fundraising if necessary.

For example, the only costs involving in holding a press conference would be the telephone or fax costs of informing the press, the costs of photocopying your press statement for distribution and the costs of a venue (although you might be able to use a free venue such as a church hall or even a meeting place outdoors).

A more expensive campaign might involve purchasing adverts in various newspapers or bringing interested people together from different locations to co-ordinate nation-wide lobbying on an important issue.

2. Ten steps in planning an advocacy campaign

STEP 1: Identify the issue.

There are an unlimited number of issues that can be selected. This step helps you to focus on a manageable issue. Focused advocacy is usually more effective.

For example, if you are interested in improving the lives of the elderly, you may want to focus on lobbying for an increase in the state pension. If you are concerned about crime, it may be helpful to focus on improved street lighting in your area or increased

police presence on the streets at night. Try to make a demand that is realistically possible.

STEP 2: Identify other groups and individuals affected by the issue.

Who will benefit from the change and how? Will any one “lose” because of the change? Thinking about these questions will help you decide which other groups you should try to involve in the your campaign.

You may also want to meet with groups that might oppose the change to see if you can find common ground.

For example, perhaps you are concerned about alcohol being sold to underage children in shebeens. Instead of engaging in a campaign against shebeens in your area (which may be an important source of income for some people), you could meet with the local shebeen owners and try to get their support for a campaign for strict enforcement of the age limits for alcohol. You could discuss ways that this might benefit the entire community.

STEP 3: Define your goal.

Your goal is what you want to change, who will make the change, by how much and by when. The goal should be as specific as possible.

For example, if your issue is concern is children orphaned by AIDS, your goal might be to convince the government to double child maintenance grants over the next two years and to put in place an information campaign so that members of the public will know how to apply for these grants.

YOUR MESSAGE

Your “message” is a concise and persuasive statement about your goal. It explains what you want to achieve, why and how. Your message should set out:

- What you want to achieve
- Why you want to achieve it
- The positive result of taking action and the negative consequence of inaction
- How you propose to achieve the result
- What action you want the audience to take

Key elements of the message include:

- **Content/ideas:** What ideas so you want to convey? What arguments will you use to persuade your audience? **Concrete examples might be more persuasive to some audiences than general statements.**
- **Language:** What words will you choose to get your message across clearly and effectively? Are there words you should or should not use? **For example, you might get more support for “removing discrimination**

against women” than for “increasing women’s rights”.

- **Source/messenger:** Who will the audience respond to and find credible? For example, if you are planning a public meeting, is there a respected community leader who will make a statement supporting your group?
- **Format:** Which ways will you deliver your message for maximum impact – meetings, pamphlets, radio announcements or other channels? The format will depend on your resources, your time frame and your audience.
- **Time and place:** When is the best time to deliver the message? Is there a place that will enhance the credibility of your message or give it more political impact? For example, you are more likely to get press coverage for a statement concerning children if you make it on the Day of the African Child. A brief statement made in front of Parliament might be more effective than a press conference held in an inconvenient location. An AIDS patient calling for steps to ensure better nutrition for those who are HIV positive might be more effective if speaking from a hospital bed.

STEP 4: Develop solutions.

It is better to suggest solutions than just to complain. You could collect information on the issue, which might include facts and figures to support your argument. You should also collect stories from people who are directly affected by the issue.

People who experience a problem personally will often have the best ideas for its solution. Do not think that you need any particular level of education to come up with a good idea – your life experience makes you qualified to have good ideas about the issues that affect you.

For example, community members who were concerned about sexual abuse by teachers and parents suggested that there should be heavier punishments for people who commit rape in a relationship of trust. This idea became part of the Combating of Rape Act.

STEP 5: Build coalitions and networks.

A network is a group of individuals or organisations that assist one another or work together towards the same goal.

To build a network, find other people and organizations that are interested in similar issues and goals. You can contact NGOs and inform them of your plan for an advocacy campaign. Other organisations may want to be part of your campaign and help you reach your goal.

To maintain networks, it is important that all groups feel that they will benefit from being part of the network. You should be open to working together, sharing information, and assisting each other.

CASE STUDY

Multi Media Campaign on Violence Against Women and Children

The Multi Media Campaign on Violence Against Women and Children is an example of a successful network. The Multi Media Campaign brings together government, the police, NGOs and civil society groups who have an interest in women and children's issues. Members of the Multi Media Campaign meet to share ideas and coordinate campaigns on issues. Examples of work they have done in the past include:

- lobbying for amendments to proposed legislation on rape
- organising a march on the legislation to support legislation against domestic violence
- organizing activities around the Day of the African Child and
- planning a White Ribbon Campaign where men pledge not to engage in violence or support violence by other men.

The Multi Media Campaign is supported by AIDS Care Trust, Catholic AIDS Action, Domestic Violence Action Group, Criminals Return into Society, Gospel Outreach, Legal Assistance Centre, Let's Help Each Other (Karibib) Lifeline/Childline, Ombetja Yehinga, Namibian Girl Child Organisation, Namibia Institute for Democracy, Namibia Red Cross Society, Namibia Social Marketing Association (NaSoMa), Namibia Media Women's Association, Namibia Women's Association, Sister Collective, Social Marketing Association, Rainbow Project, Try Again (Otjiwarongo), Tsumeb Women and Child Centre, Unit for Sexually Abused Children (Swakopmund), Walvis Bay Child and Family Centre, Women and Child Protection Units throughout Namibia, Women for Action in Development (WAD), Women in Namibia, Women Support Women Shelter, the Ministry of Information and Broadcasting, Namibian Police, UNIC, LRDC, Women's Network (Okahandja), and Youth for Christ Namibia.

STEP 6: Identify decision-makers.

The primary audience of your advocacy campaign should be the decision-makers who have the authority to make the desired changes. These people might be ministers, regional councillors or local authority councillors.

The secondary audience should be others who can influence the decision-makers. This might include people who work inside government ministries, members of the opposition parties, or other people and groups affected by the issue that concerns you.

It is important to identify the key decision-makers early in your campaign. It is important to make contacts within the government who can provide you with information. If you find people who are particularly helpful, note their names and contact details as they may be helpful at later stages of your campaign.

Try to meet with the appropriate decision-makers to discuss your concerns. Understanding the issue from their perspective may help you to refine your goals.

For example, suppose your group is concerned about crime and was planning to demand that more police be employed in the community. You go to your local police station and meet with the station commander. The station commander tells you that it is really the lack of police vehicles that is preventing police from functioning adequately. This information helps you to revise your demand.

Will decision-makers listen to you?

Improving a situation can be good for everyone involved. The decision-makers you are trying to influence are not necessarily your opponents. Improving a situation may be in their interests as well.

Elected officials are responsible to the voters who elect them. It would be unwise for any elected official to ignore the voices of a well organised group if they want to be re-elected.

STEP 7: Identify your advocacy strategies.

You must choose a campaign strategy that fits your issue. Your plan must also be realistic in light of your resources. Your plan might include public awareness campaigns, media campaigns, petitions, letters writing campaigns, meetings with decision-makers, or public demonstrations.

When you are considering your strategy, think about the time frame and the processes that are already underway. You will be more successful if you try to influence decisions at strategic times.

It is not going to be very helpful to lobby for law reform on some issue if Parliament has just passed a new law on that topic.

If decision-makers have organised opportunities for consultation (such as public hearings organised by a Parliamentary committee), you should take advantage of that process instead of coming along afterwards with your input.

STEP 8: Involve the media.

Involving the media is a great way to gain public support for your goal. You can reach more people through newspapers, radio and television than you could ever reach on your own. The Chapter on Using the Media contains more information about this aspect of advocacy campaigns.

STEP 9: Build public awareness and support.

It is important to gain broad public support for your issue, as this will help to build pressure on government. Keeping track of public awareness can also show how effective your advocacy has been.

For example, if you hold a community meeting to discuss the issue, take note of how many people attend. This is evidence of how much interest there is in the issue. If you organise a public protest, ask the press or someone else to take photographs if possible. Then you can show how many people came out in support of your goal. If many people are in agreement on an issue, decision-makers are more likely to listen.

STEP 10: Evaluate the results of your campaign and consider follow-up action.

It is important to evaluate the progress you make and how you got there. Look at your successes. Consider the people you reached and the connections you made. Look at any problems you had, and consider mistakes that were made. This will help you be more successful in the future.

For example, suppose that you organised a public demonstration but the turn-out was very poor. Was the problem that people did not know about the demonstration? Did they lack transport to get there? Was the time chosen difficult for people in the community?

If the relevant decision-makers promise to take action on your goal, you should monitor the situation to make sure that the action is effective. Did you develop the right solution? Additional steps may be required to achieve the desired result.

For example, suppose you have lobbied for a new law on domestic violence. The law is passed, but police and magistrates in your area do not implement it effectively. As a follow-up action, you might want to request that government provide additional training for the officials who must apply the law.

IDENTIFYING THE BEST ADVOCACY STRATEGY

To help you think about what your best strategies are, consider:

- What are your strengths? Examples might be public support or good access to decision-makers.
- What are your weaknesses? Examples might be lack of funds or little experience of advocacy.
- What are the opportunities? For example, is an election coming up, or a special day on which you can focus your activities?
- What are the threats? For example, is there hostility in the community to your campaign, or is the economic situation a limiting factor?

You should plan to make the most of your strengths and opportunities, and either strengthen or lessen the impact of the weaknesses and threats.

Basic strategies include:

- direct communication with decision-makers (letters or meetings)
- indirect communication with decision-makers (someone else who is influential writes to or meets the decision-maker)
- building awareness (radio, press, television, public events, email and other technologies)

- public pressure (writing letters, petitions, public protests).

You need to decide which strategy is most likely to achieve your goal. If the community is hostile to your idea, it might be best to spend time on building awareness – although this may take a long time and a lot of energy and other resources. On the other hand, if you know that one of the decision-makers may be sympathetic to your cause, you might want to ask him or her to put your case forward privately – if this approach is successful it is very quick and cheap.

For almost all strategies – from meetings to demonstrations – it is more effective to ask for help to deal with an issue, rather than to blame a person or organisation for the problem. This approach is more likely to lead to a discussion rather than a confrontation.

If your strategy is unsuccessful, do not become down-hearted. Think about what worked well in the strategy and what worked badly, and why. Then adapt or change your strategy based on your experience.

BE CREATIVE!!!

Remember the ideas suggested in this manual are only a starting point and guideline to the actions and strategies you and your organization can do to reach your objective.

You are only limited by your imagination.

There are many other techniques and events that you can use.
Here are just a few examples:

- Hold an essay competition in schools on the topic of your campaign. The winning essay can be delivered to decision makers and published in local newspapers.
- Get local taxi drivers to put campaign posters in the windows of their taxis.
- Decorate a bakkie or a donkey cart with posters and signs. Drive it through your community to attract attention. You could play music or say slogans through a loud speaker as you drive around.
- Organize to have the same action occur in different regions of the country at the same time. This could be putting up posters, holding a moment of silence in front of government buildings, or marches held on the same day.
- Try to coordinate action with local churches. For example you could arrange for each church to give a sermon on violence against women on the same day.
-

CASE STUDY

Child Maintenance Campaign

In 1998, the Legal Assistance Centre spearheaded an advocacy campaign on Child Maintenance, which involved a range of organisations active in many regions in Namibia.

The primary aim of the campaign was to pressure the government to move forward with law reform on maintenance. The secondary aim was to raise public awareness of the issue of maintenance and its importance to child development.

Advocacy activities designed to address these objectives included:

- a petition to the President and Parliament signed by 700-800 people, with copies also

being handed to mayors and regional councillors

- a series of 4 posters in 8 languages featuring photographs of children and child-centred mottos
- the production of six short advertisements around the theme 'Fathers Take Responsibility for your Children', which were shown repeatedly on NBC television
- community meetings and workshops on maintenance which reached some 1200 people in 14 locations, including almost every region in Namibia, over a three-month period
- the use of poetry and oral performance groups to dramatise the issue of maintenance
- regular radio programmes on maintenance on most of the major language services over a three-month period
- a "Talk of the Nation" segment on maintenance and a feature programme ("Open File") on various personal experiences with maintenance, on NBC television
- guest columns on the topic in newspapers
- meetings with many government officials and non-governmental organisations, including mayors, regional governors, Parliamentarians, traditional leaders, maintenance officers, social workers, church-based groups, community-based women's groups and fathers' groups.

The words and images used in the campaign were chosen carefully to emphasise the child. The organisers wanted to move away from the idea that maintenance is a battleground between mothers and fathers, by reminding the public that it is the child who should benefit. The campaign also promoted equal rights and responsibilities between parents. For example, several of the groups involved lobbied for simultaneous law reform on maintenance and on the position of children born outside of marriage, to ensure that both parents could be involved with child-rearing in all family contexts.

There were some mistakes. The translations of the English slogans on the posters in some languages turned out to be inaccurate. There should have been a clearer system for collecting signed petition sheets from the different regions. It might have been more effective to try to get individual MPs to commit themselves publicly to speedy law reform on maintenance.

The campaign did not succeed as well as expected in its primary aim of speeding up law reform on maintenance. Namibia's new Maintenance Act was passed by Parliament only in 2003, five years later. However, it is possible that the campaign helped to give law reform on the topic higher priority than it would have received otherwise. Lobbying for passage of the bill by a range of NGOs continued after the initial maintenance campaign came to an end, and the continued public attention probably helped to keep law reform on the topic moving forward.

The campaign was very successful in its secondary aim of raising public awareness on maintenance. Some indicators of success were (a) an increase in the number of maintenance complaints being brought to some Legal Assistance Centre advice offices during the campaign period (b) the popularity of call-in radio shows on maintenance and (c) positive feedback from community-based organisations in various regions. .

A third objective of the campaign was to improve the service provided to persons who approach the maintenance courts. This was addressed by the following activities:

- compiling case studies to illustrate problems and discussing these with appropriate government officials
- forwarding specific complaints to the Chief of the Magistrates' Court in the Ministry of Justice for follow-up
- holding meetings with maintenance officers to discuss public perceptions
- lobbying the Ministry of Justice to provide specialised training for maintenance officers.

There was some progress with this objective. Some specific complaints highlighted during the campaign were addressed by government in a manner satisfactory to all.

Legal Assistance Centre

REPRODUCE MINIATURE POSTER TO GO ALONG WITH THIS FROM SAMPLES AT LAC

3. Approaches to advocacy

When planning how to reach your objective, you will need to decide what approach will be most effective. These are some examples of the different approaches you can take:

1) *Change from within*

To use a strategy of change from within you will need to have access to someone who is in a position to implement the change directly, or someone who can persuade the relevant decision-makers to implement the change. If you have access to such a person, you can provide this person with the information on your goals and why they are needed. Then the person can work on your behalf for the change.

For example, suppose that you have experienced a problem with the attitude of the maintenance officers in your area because you feel that they are biased against women. You collect specific examples of cases where the maintenance officers did not seem to carry out their tasks fairly. You present this information to the person inside the Ministry of Justice who supervises maintenance officers, and persuade this person to advocate a course in gender sensitivity for all maintenance officers.

2) *The win-win strategy*

This works by showing the people in power that it will benefit both you and them if they make the changes you want it. This strategy provides the person in a position of authority with an incentive to make the change.

For example, suppose that you want a new clinic in your region. You can show government that building the clinic will benefit the local people which will in turn increase support for government in an election year, in a region which has had very mixed votes in the past. The local people win and government wins.

Suppose you are lobbying for a new law to give greater protection to children who suffer child abuse. You could focus your advocacy efforts around the time when Government must make its regular report to the committee that monitors international agreements on children. You could persuade Government that the new law will win international praise.

3) *The “non-compliance” strategy*

This strategy encourages widespread disregard for a law or system that is considered unjust. It does not need to involve confrontation, although it may.

For example, in 1939 the administration of South West Africa introduced a law requiring regular compulsory examinations of unmarried black women for venereal diseases in urban areas. As customary marriages were not recognised, this meant that

virtually all black women were required to have these examinations. These tests would allow the administration to control the movement of women, in order to extract labour and taxes from them. Eight women in Keetmanshoop wrote a collective letter to the Administrator of South West Africa to protest the examinations. The letter stated the threat of non-compliance very politely: “We are already afraid, and don’t want to offend the doctor at his work or make his work difficult for him on the third of July [the date set for the first examination] by someone or other not co-operating. Such action will surely be a violation of the law and will be prosecuted. Because this matter is very urgent, we are turning to Your Excellency in the hope and confidence that Your Excellency will have sympathy and will help us before things go that far. Because we know, where there is a will there is a way.” The examinations were eventually discontinued as a result of women’s widespread refusal to submit to them. After a mass protest of 250 women in Omaruru, the law was repealed in 1949. (Source: “Letter from Keetmanshoop” in Margie Orford, ed, *Women Writing Africa: The Southern Region*, 2003 at 219-220).

4) *The “oppositional/confrontational” strategy*

This strategy involves mass protest and struggle. Although this strategy will usually receive much attention, it is sometimes a drastic step that does not allow for compromise. If you feel that this is the only strategy available, you may want to come up with a option for those in power that will allow them to implement the required change without looking weak.

One of the most well-known historical examples of mass protest in Namibian is the protest against forced removal from the Old Location in Windhoek, which is commemorated in Namibia on Human Rights Day each year. On 4 December 1959, a large group of women from the Old Location set off on a protest march, seeking to speak to the South West African Administrator, to protest against the planned removal and to request the release of one man and four women who had already been arrested for refusing to cooperate with a valuation of houses preliminary to the removal. When this protest did not achieve the desired results, a general boycott of all municipal facilities, such as busses and municipal beer halls, was planned. Violence erupted on the evening of 10 December 1959 between municipal policemen and unarmed residents who had gathered near the municipal beer hall. Three lorries of armed policemen were called in as reinforcements, along with armoured cars and machine guns. Shots were reportedly fired at random, with the result that some people were hit by bullets inside their homes. At least 12 people were killed and more than 50 injured, although the full extent of the harm will never be known. This incident ultimately intensified collective resistance by the Namibian people. As President Sam Nujoma later put it, “the tree of nationalism” was “planted in the Old Location”. (Source: B Lau, ed, *An Investigation of the Shooting at the Old Location on 10 December 1959*, enlarged version, 1995; President Sam Nujoma, Official Opening of the Work Camp/Seminar Project at the Old Location Cemetery, 1 September 1993.)

DO’S AND DON’TS

- **Don’t get involved in mud slinging.**
- **Always focus on the facts.**
- **Don’t use personal attacks.**
- **Treat everyone with respect.**
- **Keep everyone informed of progress and setbacks, including opponents.**

➤ **Get a commitment of support where possible, such as a written declaration or public statement.**

4. Staying motivated

Remember that change often happens slowly. Sometimes it might take years for you to achieve your goal, and you might find it hard to stay motivated. You must be patient and persistent.

It took ten years of advocacy before the Combating of Rape Act was passed. But now it is one of the most progressive laws on rape in the world.

One way to stay motivated is to celebrate small victories. Advocacy is a gradual process and every step closer to your objective is an achievement.

It is also important to follow up on your initial advocacy efforts and keep the pressure on to encourage decision-makers to support your goals.

Suppose that you have sent a petition to the National Assembly or organised a letter writing campaign to a minister, but you have not gotten an immediate response. Try to set up a meeting or send follow-up letters to find out if any action will be taken.

Keep your promises. If you have promised to provide information to a decision-maker, provide it as quickly as possible.

Be flexible and willing to compromise. It is important to keep your overall goal in mind. Do not allow small and unimportant matters to stop you from achieving your primary goal. Before agreeing to a compromise, discuss it with others to ensure that you do not give up anything that will affect them more negatively.

Even if you do not achieve your goal in the end, there may still be some successes. You may have raised public awareness of an issue. You may have sensitised government to a problem that it will eventually address in some other way. You may have advanced your goals in some unexpected ways. Try to focus on what has been achieved and go forward from there.

HOW TO PLAN AN ADVOCACY CAMPAIGN AN EXAMPLE

Practise making a plan with this example.

1. Identify the issue

- Women attacked by men in the riverbed.

2. Identify other groups and individuals affected by the issue

- School learners who use the riverbed as the route to school.
- Police who deal with the crimes of assault and rape.

3. Define the goal

Make the riverbed safe.

4. Develop solutions

- Street lighting along the riverbed.
- Police patrols along the riverbed.
- Campaign to alert men to the danger that women are facing.
- Campaign to warn women not to walk alone along the riverbed.

5. Build coalitions and networks

- Build coalitions with groups of men and women who oppose violence against women and children.
- Network with churches, the regional council, the local authority and police

6. Identify decision-makers

- The Chief of Police decides where police patrol.
- The regional council or local authority decides where street lighting will be installed.
- Church leaders decide what to include in sermons.

7. Identify your advocacy strategies

- Arrange for a meeting with the Chief of Police to discuss the number of assaults/rapes in the riverbed and ask for increased police patrols there. Ask for his or her support for more lighting.
- Write a letter to all Regional Council and local authority members explaining the problem, and asking for more lighting – a proposal which the police now support.
- Ask the men's group to talk to men in the shebeens near the riverbed, asking them to pledge to stop violence against women.
- Ask church leaders to preach against violence against women and school principals to warn pupils of dangers.

8. Involve the media

- Call in to local radio chat shows and talk about the problem.
- Talk to a journalist from the local paper and ask her/him to write an article about the issue.

9. Build public awareness and support

- Hold a meeting in the community to discuss the problem.
- Network with other organised groups, such as local political parties, and ask them to support your aim.

10. Evaluate the results of your campaign and consider follow-up action

- How successful were your strategies?
- If they were not successful, try something else to step up the pressure.
 - Organise a demonstration outside the police station.
 - Get school principals and church leaders to meet with the regional council.
- If they were successful – congratulations!
 - Thank everyone involved.
 - Try to get the media to report on your success so that others can learn from your experience.
 - Look for the next issue that will help change people's lives for the better.

Sources

“Advocacy using the Internet” compiled by Sangonet and posted at <http://site.mweb.co.zw/wildaf/resources/advocacy.htm>.

Amnesty International, *Campaigning Manual*, 2001.

Idasa, South Africa, *Introduction to Advocacy and Lobbying*, 2002.

NANGOF, *Draft Advocacy Manual*, unpublished.

Provincial Parliamentary Programmes, *Advocacy and Lobbying*, 2000.

CHAPTER 3: MEETINGS WITH DECISION-MAKERS

Personal meetings with decision makers can be a very effective way of delivering your message directly to a person who has the power to make changes. In a meeting you also have the opportunity to determine where the decision maker stands on your issue and what type of campaign will be most effective to convince the decision maker to take the action necessary for you to achieve your goals. A personal meeting may provide an opportunity to discuss a compromise that will satisfy all parties.

1. Advantages of using personal meetings

You may want to start your advocacy campaign by trying to meet with the appropriate decision makers. In a well organised meeting, you can find out information that can help you structure a more effective campaign.

During a meeting you can explain your position and concerns to the decision maker. The decision maker in return can explain the position of the government (or other decision-body in question). The decision maker can explain why the government has not yet taken the action that you want it to take.

- You may discover that the government did not know about your issue and is more than willing to deal with it. If this is the case you will only need to track the progress of the decision maker to make sure that the government deals with the issue.
- You may find that the decision maker and the government do not understand the importance of the issue. It will then be up to you and your organization to educate the decision makers about the importance of taking action on your issue.
- You may find that the government does not believe that your issue is a priority. It will then be up to you and your organisation to convince the government that your issue is a priority for many people in the community.
- You may find that the government does not have the resources to deal with the issue. It will then be up to you and your organisation to convince the decision maker that your issue is so important that government needs to do everything in its power to find the necessary resources.

2. Arranging a meeting

The decision-maker involved may be a Member of Parliament, a Minister, a regional councillor, a member of a local authority council, a traditional leader, an administrative official, a police official or some other person.

Requests for meetings should be sent in the form of a letter which is typed if possible. The letter should be written on the letterhead of your organisation. If you do not have a letterhead, make sure that your contact information is included in the letter. In the letter include:

- Greetings: make sure you address the person by the correct title.
Dear Hon. Minister:
- Your name and the name of your organisation, and a brief description of your organisation if the reader is unfamiliar with it.
I am a lawyer at the Legal Assistance Centre. The Legal Assistance Centre is a public interest law firm with a focus on human rights.
- Provide a short background on the issue you want to address.
The Legal Assistance Centre congratulates the Minister for introducing the Children's Status Bill. It is an important piece of legislation that will have an impact on the lives of many Namibian children.
- Explain your concerns about the issue.
The Legal Assistance Centre is concerned that several of the clauses in the Bill dealing with custody and guardianship are not in the best interests of the child.
- Outline your request for a meeting;
I am writing to request a meeting with you to discuss some alternative approaches which that we at the Legal Assistance Centre feel would be more workable.
- Explain any documents that you are including with the letter.
I have included a brief explanation of the key issues that I would like to discuss at the meeting. I would be happy to provide your office with a more detailed analysis if you would find this useful.
- Take the initiative and state that you will call the office to follow up on the letter.
I will call your office at the beginning of next week to see if we can agree upon a time that is convenient for us to meet to discuss this important matter.
- Signature.
Yours sincerely

Delia Ramsbotham

Delia Ramsbotham
Legal Researcher, Gender Research & Advocacy Project

EXAMPLE OF A LETTER REQUESTING A MEETING

We made up this example, but it is based on a similar letter which was actually sent to the Minister of Labour.

6 February 2004

Minister of Labour
c/o Permanent Secretary
Ministry of Labour
32 Mercedes Street, Khomasdal
Private Bag 19005, Windhoek

Dear Hon Minister

RE: LABOUR BILL

I am a lawyer at the Legal Assistance Centre. The Legal Assistance Centre is a public interest law firm with a focus on human rights.

The Legal Assistance Centre would like to take this opportunity to congratulate the Ministry of Labour and the Government of the Republic of Namibia on the Labour Bill introduced in the National Assembly on 27 February 2004. We support this bill in principle, and welcome it as an important advancement in the development of Namibia's labour law.

However, we are concerned that the bill does not address some gender issues – such as sexual harassment, discrimination on the basis of pregnancy, leave pertaining to family responsibilities and certain details on maternity leave and maternity benefits.

I am writing to see if we could meet to discuss some of these issues of concern before the Bill goes to the committee stage. I have attached a brief memorandum outlining some of the key issues. We can also provide a more detailed analysis if you would find this useful.

I will contact your office next week to see if it is possible to agree on a time to meet to discuss this matter. If it is acceptable to you, I would like to bring along two other lawyers from our offices who have expertise in specific labour issues:

Toni Hancox, Human Rights and Constitutional Department
Evelyn Zimba, Land Environment and Development Project.

We hope to be able to assist your ministry in every way possible on this legislation.

Kind regards

Delia Ramsbotham

Delia Ramsbotham
Legal Researcher, Gender Research & Advocacy Project
Legal Assistance Centre
Tel: 223356
Fax: 234953

Different officials at levels of government may have different procedures to follow when it comes to setting up meetings. If you are unsure of the procedure, you can call the office of the person you wish to meet and ask the secretary what steps you need to take to step up a meeting.

The following are general guidelines for setting meetings with people at different levels of government in Namibia.

Ministers

Each Government Minister has a Permanent Secretary. The Private Secretary is responsible for running the day to-day business of the ministry. Correspondence to the Minister must go through the Permanent Secretary. Address your letter to the Minister c/o (care of) the Permanent Secretary. You should begin the letter with “Dear Hon. Minister”.

Minister of Labour
c/o Permanent Secretary
Ministry of Labour
32 Mercedes Street
Komasdal
Private Bag 19005
Windhoek

Members of the National Assembly

If you wish to meet with a Member of the National Assembly who is not a Minister, you should send a letter to the Member at following address:

Hon. (*name of Member*)
Member of the National Assembly
Parliament Building
Private Bag 13323
Windhoek

Members of the National Council and Members of Regional Councils

If you wish to meet with a Member of the National Council or a member of a Regional Council, you should send the letter to the Regional Council office that the individual member represents.

CONTACT DETAILS FOR REGIONAL COUNCILS				
Region	Governor	Chief Regional Officer	Address/ Email	Tel./Fax
Caprivi	Mr. B. Sibalatani	Mr. P. Mapenzi	Private Bag 35002 Katima Mulilo	Tel: (066) 259046 or 253016

				Fax: (066) 253619
Erongo	Mr. S. Nuuyoma	Mr. T.D. !Gonteb	PO Box 5019 Swakopmund iczmerc@iafrica.com.na	Tel: (064) 405 420 or 405 413 Fax: (064) 405 418
Hardap	Mr. P. Boltman	Ms. T. Basson	Private Bag 2017 Mariental hardaprc@iafrica.com.na	Tel: (063) 240 673 or 240 728 Fax: (063) 240 527
Karas	Mr. S. Goliath	Mr. J. Stephanus	P.O. Box 384 Keetmanshoop karasrc@iafrica.com.na	Tel: (063) 222 068 Fax: (063) 223 538
Kavango	Mr. S. Karupu	Mr. A.T. Makonga	Private Bag 2028 Rundu kavregco@iway.na	Tel: (067) 255 396 Fax: (067) 255 036
Khomas	Mr. J.A. Pandeni	Ms. K. Hainan	P.O. Box 3379 Windhoek krc@mweb.com.na	Tel: (061) 221 441 or 221 442 Fax: (061) 220 317
Kunene	Mr. S. Tjongarero	Mr. E. Nganjone	Private Bag 502 Opuwo kunenerc@iway.na	Tel: (065) 273 139 Fax: (065) 273077
Ohangwena	Mr. B. Mwaningange	Mr. D. Kashikola	Private Bag 2032 Ondangwa	Tel: (065) 263 021 or 263 039 Fax: (065) 263 033
Omaheke	Ms. McClaud	Mr. P.U. Tjihoreko	Private Bag 2277 Gobabis tjihoreko@omrcouncil.com.na	Tel: (062) 563 191 Fax: (062) 562 432
Omusati	Mr. S. Kayone	Mr. G. Shivolo	Private Bag 523 Ombalantu	Tel: (065) 251 019 Fax: (065) 251 078
Oshana	Mr. C. Kashuupulwa	Mr. B. Munalye	Private Bag 5543 Oshakati onarcadm@osh.namib.com	Tel: (065) 220 927 or 220 440 Fax: (065) 221 292
Oshikoto	Mr. V. Kamanya	Ms. S. Mupopiwa	P.O. Box 1116 Tsumeb oshikoto@iway.na	Tel: (067) 221 435 or 221 484 Fax: (067) 22 0729
Otjozondjupa	Mr. G. Uushona	Mr. O. Kazombiaze	P.O. Box 1682 Otjiwarongo orregion@iafrica.com.na	Tel: (067) 302 702 Fax: (067) 302 760

Public Meetings of Regional Councils

The public has the authority to request that a Regional Council hold a public meeting if there are issues they want to discuss. If you or your organisation want a public meeting, you must collect the signatures of 10 percent of the registered voters registered in your region.

Members of Local Authorities

To meet with a representative of a Local Authority, send your letter to the municipal, town or village council office. The addresses can be found in the telephone book.

Public Meetings of Local Authorities

The public has the authority to request that the local authority holds a public meeting if there are issues they want to discuss. If you or your organization

want a public meeting, you must collect the signatures of 10 percent of the voters registered to vote in your local authority.

Members of Traditional Authorities

Each Traditional Council has its own customs and traditions with regard to meetings. If you want to meet with a traditional leader or a member of a Traditional Authority, it is best simply to send a letter to the Traditional Council and follow up with a phone call. If there are other steps to take or people you need to contact to receive permission for the meeting, you should be told about this when you call.

3. Presenting your concerns effectively

Most meetings will last no more than one hour. If you want to make the most of the time you will have with the decision maker you must prepare. If the decision maker feels that the meeting was a good use of time, he or she will be more willing to meet with you in the future. If the decision maker feels that the meeting has been a waste of time, he or she will probably be reluctant to meet with you in the future.

To ensure that the meeting is effective keep the following points in mind:

- Prepare yourself thoroughly before a meeting.
- Make sure your goals are clear throughout the meeting.
- Make sure the meeting is focused. Do not raise too many issues. Focus on the main message you want to convey.
- Follow up the meeting with a thank-you letter, and by taking any steps that you agreed to at the meeting.

Preparation

➤ Who is responsible for the meeting?

One person from your organisation should be assigned to prepare for the meeting.

➤ Find out about the people you are going to meet

Try to find all you can about the person or people you are going to meet. Does anyone know this person personally? Has anyone met with this person before? Is the person familiar with your organisation?

What is the person's position? What are the person's responsibilities? What is the scope of the person's authority?

If the person is a politician, it is helpful to know what party they belong to, how long they have served as an elected official, what they did before they were elected to office, if they have been involved in any special campaigns, and if there are any issues that they feel are particularly important.

➤ Plan the meeting

What is the meeting for? You should include the concrete items you wish to discuss in the letter requesting a meeting. You should include a list of the people who will be attending the meeting. You should also provide any necessary supporting documents.

➤ **Choose a delegation and assign roles**

The people you take to the meeting will depend on the topics you want to discuss. Two or three people are usually the maximum number of people you will want to attend. This will allow one person to take notes, and make it possible for different issues to be handled by people with different expertise.

One person should be designated as the leader of the delegation. That person can introduce the other members and act as chairperson.

➤ **Think about the agenda of the meeting**

Set out clearly what your objectives are for the meeting and what outcomes you want to achieve. Ensure that everyone who is attending the meeting from your organisation knows the objectives and outcomes. You do not want the people in your delegation to disagree amongst themselves during the meeting, as this will weaken your position. Meet the other members of the delegation and discuss the topics you want to discuss at the meeting. This will help you refine your arguments and anticipate any questions or problems that may arise.

➤ **Documentation**

When you ask for a meeting you may also want to send background material or documents to the person you are meeting. Think carefully about the length of the materials and whether the person you are sending the materials to is likely to read them. Also think about when to send the materials. If you send them too far in advance they may be forgotten. If you send them too close to the date of the meeting, there will not be enough time for the person to review them.

DO NOT ASSUME THE MATERIAL WILL BE READ IN ADVANCE. Bring extra copies of each document to the meeting, and be prepared to summarise the information in the documents at the meeting.

➤ **Presenting your case**

In a meeting, you will have a limited amount of time to present your case. Much of your success will depend on how effectively you use your time and how well-prepared you are for the meeting. Remember that a meeting is to also an opportunity to find out information from the person you are meeting. It is important to be an “active listener”. Concentrate on what the person is telling you. Ask questions if you are unclear on what is being said. Give feedback to show that you understand the person’s position.

Remember your goal. By the end of the meeting you and the decision maker should have a clear understanding of the steps that each party will take to achieve this goal. The decision-maker may want you to provide more specific information. The decision-maker may have agreed to bring your matter up with Cabinet or in the National Assembly. The

decision-maker may have agreed to do further research into the government's position on the matter and inform you about what he has found out. Make notes of the steps that each party has agreed to take at the meeting. Review the steps at the end of the meeting to ensure that everyone is clear and in agreement about what will be done. If possible, set deadlines for when the tasks should be completed.

CHECKLIST FOR EFFECTIVE MEETINGS

Amnesty International suggests the following checklist to ensure an effective meeting.

- ✓ **Have a clear, achievable goal.**
- ✓ **Decide who is going to say what.**
- ✓ **Plan for different kinds of responses.**
- ✓ **Dress appropriately. This is seen as a sign of respect.**
- ✓ **Sit comfortably and be relaxed.**
- ✓ **Maintain eye contact if it is appropriate.**
- ✓ **Keep a positive atmosphere: listen actively and show interest in and understanding of the decision-maker's point of view.**
- ✓ **State your case precisely.**
- ✓ **Make your request for help explicit. State exactly what you want.**
- ✓ **Keep the discussion on track: summarize progress, dare to interrupt and let yourself be interrupted.**
- ✓ **Deal confidently with questions.**
- ✓ **Review what you have agreed to before leaving.**

Amnesty International, Campaigning Manual, 2001

4. Follow-up action

After the meeting you should send a letter thanking the person for meeting with you. In this letter you should also briefly summarise what was discussed and mention the promises of action that the person made, if any. The person who took notes should write up a record of who was at the meeting, what was said, and what was agreed to by the end of the meeting. This record should be circulate to interested parties and kept on record.

If you have promised to send the decision maker more information send it right away. If it was decided that the decision maker would take action, call the person and ask if they have taken the steps that they promised. You must give the person a realistic amount of time to complete the tasks before you call. If you set deadlines, call after the deadlines.

Do not wait too long, or the decision maker may forget about the promises made. Sometimes a little reminder is necessary to make sure that the task gets done.

EXAMPLE OF A FOLLOW-UP LETTER

We made up this example.

15 March 2004

Minister of Labour
c/o Permanent Secretary
Ministry of Labour
32 Mercedes Street
Khomasdal
Private Bag 19005
Windhoek

Dear Hon Minister

RE: LABOUR BILL

Thank you very much for meeting with me and my colleagues last week to discuss gender issues in the Labour Bill.

We appreciate your willingness to consider making some amendments to the bill with respect to these matters. We would also like to thank you for agreeing to discuss the matters we have raised with representatives of Namibian trade unions and employer organisations.

As agreed at the meeting, we are enclosing provisions on sexual harassment which are in force in South Africa and Canada to serve as possible examples for a similar provision in Namibia. As we discussed, we are also willing to make submissions on the issues we have raised to the Parliamentary Committee which would deal with the Labour Bill if the House decides to refer it to committee.

We will contact your office next week to see if there is any further information that we can provide.

Kind regards

Delia Ramsbotham

Delia Ramsbotham
Legal Researcher, Gender Research & Advocacy Project
Legal Assistance Centre
Tel: 223356
Fax: 234953

Sources

Amnesty International, Campaigning Manual, 2001.

CHAPTER 4: WRITING LETTERS

A letter writing campaign is one of the simplest methods of applying pressure. Sending one letter doesn't cost much – you need only paper, an envelope and either a stamp or a way to deliver the letter by hand. Getting a large number of people to send letters to decision-makers is a good way to show how many people are concerned about an issue.

1. Benefits of letter writing campaigns

The international human rights group Amnesty International has had great success with letter writing campaigns. They list the following advantages of letter writing campaigns in their campaign manual:

- they are simple to organize
- they provide an easy way for people to take action and feel involved
- they allow you to target different audiences
- they take advantage of how government bureaucracies work
- they are flexible
- they are low cost
- they are personal.

2. Picking your audience

To whom should you send your letter? Your letters should be addressed to a person who has the power to make the changes that will meet your goals. Different people will have decision-making power for different issues.

For example if you want to convince Parliament to pass a law on children's rights you should write to the Minister of Women Affairs and Child Welfare. If you want improved services for elderly people in your region, you should write to your regional councillors. If you are concerned about illegal shebeens in your community, you should write to your local authority councillors.

You could use a letter writing campaign to convince your local clinic to stay open in the evenings. You could also use a letter writing campaign to affect a decision by a government body such as the Social Security Commission or the Communal Land Board.

There may be more than one-decision-maker involved. You can target different-decision-makers at once, or you can focus on different levels of decision-making at different stages.

If you are lobbying for an amendment to a law that Parliament is about to debate, you could send letters to every MP to make sure that everyone is aware of your concerns.

You could try to influence the National Council by first contacting the representatives to the National Council from your region. If that was not effective, you could send a letter to the Chairperson of the committee that will be considering the law in question.

3. Background information

If you want groups and individuals to send letters about an issue, you must provide them with enough information to understand what you want them to do and how they should do it. Information that they will need includes:

- background material on the issue, what your goals are, and your strategy for addressing the issue
- points of concern that can be raised in the letters
- a list of your recommendations on how to address the issue
- addresses to write to, including correct titles and greetings
- advice on how long the letter should be and how many points to raise in each letter.

Letter Writing Basics

- Be Brief
- Be Clear
- Be Accurate
- Be Persuasive
- Be Timely
- Be Persistent
- Be Grateful

4. Types of letters

Personal letters

If you provide people with enough background information on an issue, they should be able to write a personal letter that will have a lot of impact. An individual can explain how the issue affects him or her personally. Personal letters make it harder for government officials to create one standard response.

Personal letters will also show government officials that their decisions affect individual's lives.

EXAMPLE OF AN PERSONAL LOBBYING LETTER

This is an example which we made up.

PO Box 555
Oshakati, Namibia

1 January 2004

Minister of Justice
Justitia Building

Independence Ave
Private Bay 13248
Windhoek

Dear Minister

I am writing to urge you to pass the Criminal Procedure Amendment Bill (B.25-2003) that will protect venerable witnesses who testify against their attackers.

I am the mother of a 14 year old girl who was raped by a man who lives in our village. The man who raped my daughter was arrested and charged with rape. At trial my daughter was too afraid to say what the man had done to her. The man was released. Because he lives in our village my daughter sees him every day and lives in fear.

Passing the Criminal Procedure Amendment Bill will make it easier for vulnerable witnesses like my daughter to testify against their attacker and for the court to sentence them to jail. Please pass this Bill so that others don't have to go through what my daughter did.

Sincerely,
Mary Angula

Open letters

Open letters are letters that can be copied to the newspapers for printing on letters' pages. Writing open letters can help publicize your cause and attract support.

EXAMPLE OF AN OPEN LOBBYING LETTER

This is a shortened version of a letter which was actually sent to Parliament.

WOMEN'S ACTION FOR DEVELOPMENT

(Incorporated Association not for gain)

PO Box 370
Windhoek /Namibia
Tel: (+264-61) 227630
Fax: (+264-61) 236372

25 Schonlein Street
SWABOU Building
Windhoek West
E-mail: wad@mweb.com.na

30 January 2003

Open letter to members of Parliament

**Attention: The Honorable Speaker, National Assembly
Members of the National Assembly
The Honourably Chairperson, National Council
Members of the National Council**

Dear Honourable Members of Parliament

URGENT PASSING OF THE DOMESTIC VIOLENCE BILL

At the beginning of a New Year, we the members of Women's Action for Development

(WAD) across the country and other concerned community members, wish all Honourable Members a year of wisdom, which will show your dedication to the people of Namibia. We want to thank you for tabling and considering the important Domestic Violence Bill last year.

We, as concerned women and other community members, are very worried about what is happening to our women and children now that we are supposed to be free from oppression. We are more worried about what we hear our leaders have said in Parliament when this important law was discussed. Our organisation works with mothers and young girls who are victims of rape as well as physical and sexual abuse. Every day we are shocked to read more cases of violence against our people by husbands, fathers and children. We wonder why these horrible things are happening in our homes. It does not sound as though some of our leaders have the same concerns if a Minister says he will fight the Domestic Violence Bill.

We, the members of WAD and other members of society, want Parliament to show that they also care about the protection of our women and children, our poor and vulnerable. You can show this by passing the Domestic Violence Bill and the Maintenance Bill as a matter of urgency without watering them down. People must be able to go to magistrate's courts to get protection. Not everyone can come to the High Court in Windhoek. We have also heard that our leaders want to change the bill to apply only when a person is in a relationship, still married or living together. This is wrong! In many cases a man becomes violent after the woman has left, then he burns her house or property or steal the children. In some cases this happens even after they stopped living together.

When the Honourable members passed the Rape bill, the Ministry of Justice promised that we would also get a law to help rape victims and other vulnerable people so that they would not have to face their rapists in court. When will this Vulnerable Witness Bill be passed?

We also ask our Members of Parliament to urgently pass the other bills, which include:

- Child Care and Protection Bill
- Children's Status Bill
- Child Justice Bill
- Basic State Welfare Grants Bill

We need these laws as soon as possible to better protect our children...

We hope that our plea will spur you, Honourable members to use 2003 to pass the laws that will help give more protection to our women and children.

Thank you for your good will towards women and children in the country and may God bless you, as our law-makers and give you much strength and courage to eradicate burning social problems in society.

Yours Sincerely,

Signed By:

NAME	REGION	POSITION	SIGNATURE
Rivonia Brandt	Kunene Region	Chairperson	
Notburga Mandume	Omusati Region	D/Chairperson	
Rachel Cloete	Hardap Region	Secretary	
Vicky Katjimune	Otjozondjupa Region	Member	
Anna Nangoloh	Erongo Region	Member	
Doreen Tjjeuza	Omaheke Region	Member	

Letters from different sectors of the community: Letters from different sectors of the community may have a strong impact on decision makers. Decision-makers may be impressed to learn that there is support for an issue from people who are involved in a range of different ways.

For example, if the issue you are interested in is on health care reforms, you may want to ask doctors and nurses to write letters. If the issue is about changing a law on violence against woman, you may want to ask social workers, police officers, and woman who have experienced violence to write letters.

Prepared letters

The simplest way to ensure that you have the largest number of letters sent as possible is to prepare a letter in advance. A simple standard letter can be drafted, photocopied and handed out. A person who wants to participate will only need to add his or her signature, return address, stamp and envelope.

The decision-maker who receives prepared letters will quickly realise that all of the letters say the same thing. Because of this, prepared letters are only successful if there is a very large number of them. The total number of letters received will show how many people are concerned about the issue.

To ensure that these letters are sent, you can set up a stand in a public place and ask people to sign the letter and add a return address. You and your group can then post or deliver the letters yourselves. This ensures that the letter is actually sent.

GUIDELINES FOR PREPARED LETTERS

Amnesty International provides the following guidelines for prepared letters:

- Proofread the letter carefully.
- Include the name of and address of the government official.
- Include the proper greeting, such as “To the Honourable Minister of Finance”.
- Include the complete text of the letter you want sent.
- Include a closing, such as “Yours respectfully”.
- Leave space for the address, signature and ID number of the sender.
- Leave a space for the sender to fill in the date.
- Leave enough space at the top and bottom of the letter so that organizations can photocopy the letter onto their own letterhead.
-

EXAMPLE OF PREPARED LOBBYING LETTER

We made up this example.

Date: _____
Address: _____

Minister of Labour
Private Bag 19005
Khomasdal

Windhoek

To the Honourable Minister of Labour:

RE: FAMILY RESPONSIBILITY LEAVE

I would like to congratulate you on introducing the new Labour Bill. I was happy to see that the bill includes some very positive provisions for women, such as a strong prohibition on sex discrimination and new and improved provisions on maternity leave. However, I am concerned that there are no provisions for Family Responsibility Leave.

What does an employee do when her child suddenly falls ill? What does she do when her elderly mother needs to go to the clinic for emergency treatment? Will she be able to get leave for the funeral when her aunt dies? Many employers are sympathetic to such family crises, but this is not always the case. And since women are often the caretakers of the young and the sick, this is a gender-based problem.

I would suggest that the Namibian Labour Bill provide for three to five days of paid leave each year for assisting when close family members die, fall ill, give birth or suffer injuries - or when the usual arrangements for care of a close family member fall through. To prevent abuse of this entitlement, proof of the event in question could be required in the same way doctor's certificates are required for sick leave. If paid leave is not acceptable to employers, the Bill should provide for unpaid leave at the very least, so that employees can deal with genuine emergencies without fear of losing their jobs.

Yours sincerely,

signature

Name:

ID Number:

Postcards

Pre-printed postcards can be an eye-catching method of delivering your message. Post cards will cost more than letters but they are a good way of making your message stand out.

On the front of the postcard you can have a picture that relates to your issue or a short and direct statement of your goal. On the other side you can give a short explanation of what you want the government to do. The printed postcard can be preaddressed so that people who want to participate need only sign their names, print their addresses or ID numbers, and add a stamp.

EXAMPLE OF POSTCARD CAMPAIGN

We made up this example.

	<p>PROVIDE ANTI-RETROVIRAL DRUGS TO ALL NAMIBIANS WITH HIV/AIDS BEFORE IT IS TOO LATE!!</p>
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<p>Namibia ranks as one of the six countries most affected by HIV/AIDS in the world. 20% of sexually active adults are infected. A generation of Namibians is dying</p> <p>Anti-retroviral drugs can prolong and improve the quality of people's lives. Namibians should have free access to anti-retroviral drugs now!</p> <p>Signed: _____ Name: _____ Date: _____ Address: _____ ID #: _____</p>	<p>Affix Stamp Here</p> <p>Dr L Amathila Minister of Health and Social Services Private Bag 13198 Windhoek Namibia</p>
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PREPARING FOR A POSTCARD CAMPAIGN

If you decide on a postcard campaign check the following items first.

Check with the post office:

- the cost of postage;
- if there are restrictions on the images on the front of the postcard;
- permitted thickness or weight of the postcard; and
- permitted size of the postcard.

Check with the printer:

- cost difference between black and white and colour printing; and
- cost difference between printing on one and two sides.

Check that the postcards include:

- details of the issue;
- what your concern is;
- recommendations for action;
- the name and address of the official to whom the card will be sent;
- the amount of postage necessary; and
- space for a signature, address and ID number.

For information on sending letters to the media see the chapter on using the media.

For information on sending letters by email see the chapter on using computers and other technology.

Sources

Amnesty International, *Campaigning Manual*, 2001.

NANGOF, *Draft Advocacy Manual*, unpublished.

Provincial Parliamentary Programmes, *Advocacy and Lobbying*, 2000.

CHAPTER 12: PETITIONS

Petitions are another low-cost way of showing that there is a widespread degree of support for an issue. A petition can be sent to any decision-maker. There are special rules for petitions to Parliament. This chapter will explain how to prepare a petition.

1. What is a petition?

A petition is a letter signed by many people. A petition is a plea or request for Government or Parliament or some other decision-maker to take some action that is within its power. Petitions are usually organised by civil society groups, interest groups or NGOs, but they can also be started by a single individual.

At the top of a petition, there is a statement. The statement explains what action Government should take and why. (There is an example of a petition in the box below.) The petition is then circulated and people are asked to show their support for the statement by signing in a list below the statement. After the signatures have been collected, the petition is delivered to the person or group with the power to take the requested action.

In lobbying, your opinion will carry more weight if other people share it. A petition is a useful tool to show Government that there is widespread support for your opinion. The greater the number of supporters, the more effective your petition will be.

2. Where to send the petition

If you are going to go to all the work to write a petition and collect signatures, you should make sure you are sending it to a person or body that has the power to take the action you request in your petition. If you send it to the wrong body, they will send it back and tell you they have no authority over the matter. It is always wise to call the person or body that you intend to send the petition to before you start collecting signatures, to make sure that they indeed have authority over the matter.

For example if you want to write a petition demanding improvements to the water supply system you will want to address the petition to your Local Authority's Chief Executive Officer or Town Clerk. If you want to write a petition demanding that the government spend more money on basic education you would want to send the petition to the Minister of Basic Education, Sport and Culture and the National Assembly.

3. Recruiting support for a petition

Recruiting support for a petition is also a good opportunity to raise awareness about the issue. You and other people in your organization can approach friends, family and fellow workers to sign the petition. You can organize a workshop to educate people about the issue and ask people if they want to sign the petition during the workshop. You can set up information booths on the petition at shopping centres and markets, and ask people to stop and discuss the issue and sign the petition.

4. Structure of a petition

A petition has two main parts – (a) the statement and (b) signatures of people who support the statement, along with some identifying information about them.

The best way to prepare a petition is to keep the statement short and clear, and to include as much information as possible about the people who sign the document (“signatories”).

Statement

The statement in the petition is sometimes called a “prayer”. Your statement should be as short and clear as possible. This means writing carefully. For example, suppose that your petition is about a proposed bill – you should say exactly what you support in the bill, what you oppose in the bill, and what you suggest as an alternative (if possible). You can personalise your statement by citing a personal experience, or writing about the impact of the bill on you, your family or your community as a whole.

You can write the statement in any language, as long as it is accompanied by a translation into English. If the petition is translated, be sure to verify the accuracy of the translation, as errors could make the petition invalid.

If the signatures are expected to cover more than one page, *each page* must have the statement on the top of the page to show that people knew what they were signing. This is very important. If the statement does not appear at the top of each page, your petition will not be considered.

Make sure that there are no mistakes in the petition before you start collecting signatures. The National Assembly requires that any changes or corrections made to the petition must be authenticated by a signature, or initialled at each end of the correction, by the all the persons signing the petition. It is much easier to make sure the petition is correct from the start than it is to have people initial a correction.

Signatures

It is important that the petition includes as much information as possible about the people who sign the document. The purpose of this information is to show that the petition was really signed by the different people who are listed. Simply listing the names of the people who support the petition is not sufficient.

Some useful information to include is:

- *Full name:* Write clearly and be sure that no one signs the petition more than once as this will invalidate the petition.
- *Identity Numbers:* It is best to include identity numbers of signatories. If no identity number is available, include the person's date of birth.
- *Personal details:* This would include details such as sex (male/female) or age. It is best, whenever possible, to make sure that the signatories are over 18. Since people who are over 18 have the right to vote, their signatures will usually mean more to a politician than the signatures of younger persons.
- *Contact details:* Contact details could include a district, a village or town, a street address if available and a phone number if possible. But it is not a problem if signatories do not want to include all of their contact details -- a signature and some other general information (identity number, sex, age) should be sufficient to show that the signature is a valid one.
- *Signature:* Signatures are important. There should be a space to print each person's name clearly and a place for the signature beside it. A signatory who cannot write can make a cross or a mark beside the name. The National Assembly requires that if a signatory places a mark instead of a signature on a petition, it must be done in the presence of two witnesses who must sign the petition saying that they witnessed the signatory placing the mark on the petition. If a person is unable to make a mark because of some disability, someone signing on his or her behalf must state this fact beside the signature.

Include as much information as you can. It is not necessary to include *all* of the suggested details. But the more information you include, the more persuasive your petition will look to the authorities.

LAY-OUT: THE SPACING OF THE SIGNATURES KEEPS GOING WRONG IN THIS BOX. PLEASE REPAIR.

EXAMPLE OF A PETITION

**REMEMBER: THE STATEMENT OF THE PETITION
MUST APPEAR AT THE TOP OF EACH PAGE ABOVE THE SIGNATURES**

We made up this example.

To: The National Assembly

Providing the Namibian people with access to land has been identified as one of the top priorities of the Government. However, since independence in 1990, land allocation and administration in communal areas of Namibia have been impeded by the absence of clear and coherent communal land legislation. A further problem is that widows in some communal areas have been evicted from their land.

The Communal Land Reform Bill will boost development of communal areas and enhance food security for rural communities and the country as a whole. It will also remove discrimination against women in the allocation of communal land after the death of their husbands.

We, the undersigned, all live on communal land. We support the Communal Land Reform Bill and request that the National Assembly urgently pass the Communal Land Reform Bill.

Name	Identification Number	Age	Address	Signature
1. Bob Smith	12345678	29	12 Independence Ave. Windhoek	<i>Bob Smith</i>
2. Jane Doe	87654321	54	2 Bowker St. Windhoek	<i>Jane Doe</i>
3.				
4.				

PETITION ON GENDER LAWS

*This petition was really sent to the National Assembly.
But the signatories printed here are made up and included only to illustrate the correct format.*

WOMEN'S ACTION FOR DEVELOPMENT

(Incorporated Association not for gain)

PO Box 370
Windhoek/ Namibia
Tel: (+264-61) 227630
Fax: (=264-61) 236372

25 Schonlein Street
SWABOU Building
Windhoek West
e-mail:wad@mweb.com.na

PETITION

To: The National Assembly

The humble petition of the members of Women's Action for Development (WAD)

HEREWITH wish to state that the continuous delay in passing the Domestic Violence Bill has become a matter of great concern to our members and a large part of the general public.

No complaints were submitted to any Ministry since all Ministries are represented in Parliament and witnessed the slow progress and attitude of Parliamentarians.

Wherefore your Petitioners pray that the National Assembly urgently passes the following bills to enable vulnerable women and children to seek recourse in Courts of Law:

- ❖ Domestic Violence Bill
- ❖ Child Care and Protection Bill
- ❖ Children's Status Bill

- ❖ Child Justice Bill
- ❖ Basic State Welfare Grants Bill
- ❖ The Divorce Bill
- ❖ Recognition of Customary Marriages Bill
- ❖ Inheritance Bill

<u>Name</u>	<u>Identification Number</u>	<u>Age</u>	<u>Address</u>	<u>Signature</u>
1. Bob Smith	12345678	29	12 Independence Ave, Windhoek	<i>Bob Smith</i>
2. Jane Doe	87654321	54	2 Bowker St. Windhoek	<i>Jane Doe</i>

5. Submitting a petition

Petitions to ministries

You can address your petition to the Minister who will be dealing with the issue that concerns you. If you are not sure which Minister is dealing with the matter, you can make a guess. Contact the Permanent Secretary of that ministry to confirm that the issue falls into that Minister's responsibilities.

If you are concerned about a draft bill, you can address your petition to the Ministry that is working on the bill even if the bill has not yet been sent to Parliament. The sooner you register an opinion about a draft bill or any other issue, the more likely it is to have an impact on the debate about the issue.

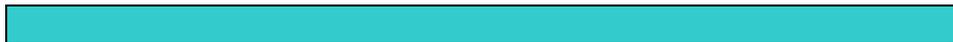
Your concerns will probably be passed to a "Directorate" within the relevant Ministry. Different directorates handle different issues, and it is sometimes difficult to find out which one is responsible for which issue. You should address your petition to the **Permanent Secretary (PS)** of the ministry in question, who will know which Directorate is dealing with the issue. If possible, send the Permanent Secretary multiple copies of your petition in case your issue involves multiple personnel within the ministry.

You should also keep a photocopy of the petition for yourself, in case it somehow goes astray.

You can find the addresses and telephone numbers of all Ministries in the green pages of the telephone book, after the listings for Windhoek. There is also a list of ministry contact details in Chapter 11.

Petitions to National Assembly

A petition to the National Assembly should be addressed to the National Assembly and sent to the **Secretary of the National Assembly**. The Secretary is in charge of administration, assisted by the Deputy Secretary.



Petitions to the National Assembly should be sent to:

Secretary of the National Assembly

M. Ndjarakana

National Assembly

Parliament Buildings

Private Bag 13323

Windhoek

Tel: 061 288-2501

Email: m.ndjarakana@parliament.gov.na

You may choose to publicly present your petition to the Speaker of the National Assembly or to a Member of the National Assembly as a way to raise publicity and awareness for your issue. If you do this, the petition should still be addressed to the National Assembly. The Speaker or the MP who has received your petition will present it to the National Assembly. The petition will then be deposited with the Secretary of the National Assembly.

If the Secretary is satisfied that the petition complies with the Standing Rules and Orders, he or she submits the petition to the Standing Committee on Constitutional and Legal Affairs. One of the duties of this committee is to receive, review and report on petitions to Parliament. The Standing Committee on Constitutional and Legal Affairs decides whether the petition meets all the requirements for it to be submitted to Parliament.

The Standing Rules of the National Assembly set the following requirements for petitions to be admissible to the National Assembly:

1. A petition must indicate from its heading that it is intended for the National Assembly.
2. A petition should include a prayer (a statement) which tells the National Assembly what action is requested in response to the grievance.
3. Each sheet of paper containing signatures must have the prayer written at the top.
4. A petition may be in any language provided that it is accompanied by a translation in English.
5. Any changes to the original text of the petition must be authenticated by the signature of the person or persons signing the petition, or initialled at each end of the change by all the persons signing the petition.

The Committee will draft terms of reference to deal with the specific petition at hand. The Committee may obtain the comments of any other Committee competent to deal with

the subject matter of the petition. The Committee can also recommend to the Standing Committee on Standing Rules and Orders that the petition be referred to another Committee with authority to deal with the matters addressed in the petition.

The Committee dealing with the petition will consider the petition and submit a report and recommendations to the Standing Committee on Standing Rules and Orders. The Standing Committee on Standing Rules and Orders has the power to:

- a) table the report as submitted to the National Assembly;
- b) table the report with amendments; or
- c) refer the report back to the Committee for additional information.

Once the report has been tabled it is a public document and you can obtain a copy from the Speakers Office, or the clerk of the Committee which made the report.

After you have submitted the petition to the National Assembly, you can track its progress by contacting the Clerk of the Committee on Constitutional and Legal Affairs.

Clerk of the Committee on Constitutional and Legal Affairs

E. Rheis

National Assembly
Parliament Buildings

Private Bag 13323

Windhoek

Tel: 061 288-2608

Email: e.rheas@parliament.gov.na

The Right to Dismiss a Petition

The Committee on Constitutional and Legal Affairs can dismiss a petition on the following grounds:

- **If it deals with an issue for which legal remedies have not been exhausted.** For example a refusal of a permit by a local authority or an erroneous taxation by the Commissioner of Inland Revenue gives the aggrieved citizen in each instance a right of appeal and this must be exhausted before the House can be petitioned on the matter.
- **If it deals with an issue within the jurisdiction of the Ombudsman,** and no application was made to the Ombudsman -- unless a good reason for failing to approach the Ombudsman is given.
- **If it is a petition on the same issue as an earlier petition which was already dealt with by the House during the same term of the National Assembly --** unless substantial and material evidence which was not available when the earlier petition was considered is now available.

- **Any complaint made in the petition is irrelevant to the main issues that are raised.**

CASE STUDY
Petition on 50/50 Bill

This is the “prayer” from another petition that was submitted to the National Assembly by Sister Namibia and the Namibian Women’s Manifesto Network in 2002.

Petition

To the National Assembly

The humble petition of women, men and young people from all walks of life in Namibia concerned about gender equality and gender justice in politics and decision making

SHOWETH that

Twelve years after adoption of the Constitution of the Republic of Namibia, which guarantees women the same rights as men to vote in elections and to be elected for political office, women are still under-represented in elected positions at all levels of government, although women constitute 51 percent of the population and 52 percent of the electorate.

At the National Level, women currently constitute only 19 percent of the Members of Parliament. At the Regional Level, only 4 percent of all Regional Councillors are women and only two out of 13 Regional Governors are women.

The Constitution of the Republic of Namibia recognizes that women, among other groups, have been discriminated against in the past and states that Parliament may need to take special steps to help women play an equal role in all areas of life. (Article 23(3))

Parliament has implemented Article 23 (3) to ensure a fair representation of women at the Local Authority level. Affirmative action legislation was first passed in 1992 and played a major role in bringing 38 percent women into Local Councils. This affirmative action legislation was strengthened in 1997, bringing 41 percent women into the Local Authorities (Municipalities, Town and Village Councils.)

However, if the longstanding plans are implemented to change the electoral system at the Local Authority level from proportional representation (party list system) to a constituency based (ward) system, the abovementioned affirmative action legislation will fall away again.

We believe that, in order to bring about gender equality and gender justice in politics and decision making, it is incumbent upon Parliament to implement the Constitution of the Republic of Namibia, the National Gender Policy as well as Regional and International Instruments signed by our government, including the 1997 SADC Declaration on Gender and Development, the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the 1995 Beijing Platform for Action.

The National Gender Plan of Action 1998-2003 specifically calls for gender balance in Regional Councils, the National Council, parliament and the cabinet by the year 2003.

In order to support government in implementing this policy, we have conducted research on ways in which Namibia can bring about gender equality in elected positions of government. We have further commissioned a lawyer to develop a layperson's draft of the necessary amendments to our electoral acts. We have called this draft the "50/50 Bill".

The 50/50 Bill contains amendments to the Namibian Electoral Acts to ensure gender balance in elected positions of government at the local, regional and national levels.

The 50/50 Bill has been thoroughly discussed and endorsed by over 2000 people in 77 workshops conducted last year by the Namibian Women's Manifesto Network in 44 towns and villages all over the country. It also has the public support of 34 NGOs at the national level.

We are aware that providing women with equal access to decision making at all levels of government through legal measures is only the first step towards enabling women to participate effectively enough to bring about social transformation in the interests of women and other hitherto marginalized groups.

Over the past few years we have seen growing national concern about the high rate of HIV infection among women and girls, and the escalation of all forms of violence against women and children. We strongly believe that the struggle to combat gender-based violence and HIV/Aids is inextricably linked to the broader struggle for gender equality, and that women's equal and effective participation in decision making is the foundation without which all our attempts at bringing about gender equality will fail.

Wherefore your Petitioners pray that

Parliament accepts this layperson's draft, our 50/50 Bill, in the spirit in which it is intended, which is to support our elected lawmakers in legal reform pertaining to the interests of women.

Parliament ensures that the issues brought forward in this "50/50 Bill are dealt with speedily by the relevant ministries in good time to bring about gender balance in the forthcoming Local, Regional and National Elections and henceforward.

Government Response

The following is an excerpt from the text of a letter to Sister Namibia from The Hon H G Booyis, Chairperson, Constitutional and Legal Affairs Committee, National Assembly, dated 9 December 2003.

I wish to refer you to the Petition on 50/50 Bill which was received by the Honourable speaker on 5 March 2002 and subsequently referred to the Parliamentary Committee on Constitutional and Legal Affairs for further action.

As a result of the extensive consultations the Committee had to undertake with various stakeholder and due to the fact that, the Parliamentary Standing Committee on Petitions to which

your petition was originally referred, has been dissolved and incorporated into Parliamentary Committee on Constitutional and Legal Affairs the Committee was not able to respond to your petition earlier than this.

The Committee therefore regrets for the delay and apologises for any inconvenience this delay might have caused.

That notwithstanding, the Parliamentary Committee on Constitutional and Legal Affairs is of the opinion that when you submitted your petition, the correct procedure were not followed and therefore the Committee would like to advise as follows:

In terms of Rule 84(d)(1) of the Standing Rules and Orders, the Petition Committee (now the Committee on Constitutional and Legal Affairs) shall have the right to dismiss a petition if it is a petition (other than Private Bill) for which legal remedies have not been exhausted.

Therefore the relevant line ministries and institutions should have been consulted before petitioning Parliament.

Hence you are advised to approach the relevant Ministry in this case the Ministry of Women Affairs and Child Welfare, to sponsor and table the 50/50 Bill as a Government Bill.

Article 60(2) of the Constitution of the Republic of Namibia states that “A private member’s bill may be introduced in the National Assembly by any member if supported by one-third of all members of the National Assembly.”

This means that only a Member of Parliament can introduce and sponsor a private bill, in this case the 50/50 Bill. You can rely on any Member of Parliament for assistance in this regard...

Should you have any questions do not hesitate to contact this office...

Petitions to National Council

A petition to the National Council should be addressed to the **Secretary of the National Council**. The Standing Rules for the National Council do not set specific requirements for petitions to be accepted by the National Council. But it would be useful to follow the same guidelines as for the National Assembly.

Petitions to the National Council should be sent to:

Secretary of the National Council

P. Shimutwikeni

National Council

Parliament Building

Private Bag 13371

Windhoek

Tel: 061 202-8015

Email: p.shimutwikeni@parliament.gov.na

Petitions to regional councils

A petition to your regional council should be addressed to the Regional Council and given to the Regional Council's **Chief Executive Officer (CEO)**. The CEO is a civil servant who is in charge of administration. The CEO can circulate the petition to relevant authorities, including the Governor.

Petitions to local authorities

At the local level it is also best to address your petition to the local authority council and give it to the **Chief Executive Officer (CEO)**, who is the senior administrative official at this level. Some local authorities may refer to their CEO as the **Municipal Clerk, Town Clerk, or Village Secretary**. You should contact your local authority to find out what title your local authority uses. This official can forward your petition to the relevant person.

GETTING YOUR PETITION NOTICED

If you change the design of your petition you may be able to attract more media attention or make a bigger statement. For example:

- You can use one long roll of paper. Write the petition neatly at the top of the roll of paper and have people sign below it. You can then roll out the paper along the ground or hang it from a high wall to show its length. This would make a good photo opportunity for the press.
- You can make petitions out of large pieces of cloth. Display the petition at campaign stalls with paint so that supporters can include a hand print or footprint next to their signature.
- You can arrange for public signing events and invite the media. If you can arrange for a local celebrity to sign the petition, this would make a good photo opportunity for the press.

Liquor Act Petitions

The Liquor Act 6 of 1998, has specific requirements for people to follow if they want the Regional Liquor Licensing Committee to review a liquor licence of a licensed premises, such as a shebeen, pub, or bottle shop, in their area. You can organize a petition for people in your community to sign. The petition must meet the requirements set out below. Once the Committee receives your petition the Committee can cancel a liquor license, suspend it for a specified time period, amend it by adding conditions, or review the licence.

Section 65 of the Liquor Act sets out the requirements for a petition. To be valid the petition must:

1. Be signed by not less than 15 adult persons.

2. If the licensed premises is **in** a municipality, town or village, the persons signing the petition must live with a distance of one kilometre from the licensed premises.
3. If the licensed premises is **outside** a municipality, town or village, the persons signing the petition must live with a distance of twenty kilometres from the licensed premises.
4. The petition should be lodged with the Secretary of the Regional Liquor Licensing Committee in the region where the licensed premises is located.
5. The petition must state the grounds for the request.
6. The petition must nominate a person to accept service of notices relating to the petition, and an address to use for this purpose.

6. Follow-up action

After submitting a petition, you may want to contact the authority who received it to determine what steps have been taken to address the issues you raised in your statement. You may want to set up a meeting with the relevant authorities to address the issues in more detail.

7. Getting copies of petitions

Petitions are considered matters of public record. This means that any interested member of the public should be able to get a copy of a petition that has been submitted to a public authority. For example, if you want to see a petition that has been submitted to the National Assembly, you should contact the Secretary of the National Assembly.

CASE STUDY Law Reform on Gender

Sister Namibia and its partner organisation, the Namibian Women's Manifesto Network (NWMN), have initiated three petitions in the past, with mixed success.

In March 2000, these organisations led public meetings on a number of issues of concern to women and children during "Gender Awareness Month". Members of the relevant government ministries and parliamentary standing committees were invited to the public meetings. At these meetings, Sister Namibia and NWMN encouraged Parliament to pass three proposed bills:

1. The Child Maintenance Bill;
2. The Child Care and Protection Bill; and
3. The Domestic Violence Bill.

A petition requesting Parliament to pass the bills was circulated. Sister Namibia and NWMN collected signatures from participants of the meetings. Once a reasonable number of signatures had been collected, the organisations were ready to submit the petition to the Speaker of the National Assembly.

To raise public awareness and attract media attention for their concerns, the signatories marched to Parliament and gave the petition to the Deputy Speaker, who had been informed in advance and had agreed to receive the petition in front of the Parliament building. (It is not polite to surprise someone with an event of this nature. You should make an arrangement with the appropriate authority in advance if you want to hand over a petition publicly.) The petition was handed over in April 2000.

This was possibly the first petition the Speaker had received since Independence, and the signatories were received very cordially. The media were present and the petition received a lot of public attention. Below is a photo of the group of signatories marching up to Parliament to submit the petition.

It took the Speaker one-and-a-half years to respond to the petition. In 2001, Sister Namibia and the NWMN received a letter inviting them to a meeting with the Standing Committee on Petitions. (It is now the Standing Committee on Constitutional and Legal Affairs which deals with petitions). The meeting was intended to let Sister Namibia and NWMN explain the content of the petition and their reasons for urging Parliament to pass the bills. The Committee prepared some questions in advance for Sister Namibia and NWMN to talk about at the meeting.

At the meeting, the Parliamentary representatives were cordial and promised to table a favourable report to Parliament supporting the need to push forward the proposed bills. The report was ultimately rejected in Parliament by the Minister of Women Affairs and Child Welfare, however, on the grounds that the petition had no substance because the organisations which sponsored it were not “genuine gender activists” but simply trying to claim recognition for what Parliament was “already doing”.

Sister Namibia

PHOTOS OF THE HANDOVER AVAILABLE AS AN ILLUSTRATION.
(PROVIDED BY SISTER IN BROWN ENVELOPE– NOT YET SCANNED)

PETITION CHECKLIST

1. What do you want the petition to say?

Make it as short and simple as possible. The more you write the more people will find that they disagree with the content.

2. Does the petition follow any laws on how the language of petitions should be written in order to be legally valid?

For example, as explained above, the National Assembly has strict guidelines on the form the petition must be in to be acceptable. The Liquor Act also sets out guidelines for petitions to Regional Liquor Licensing Committee. You could contact the authority you will be sending your petition to before you begin, to make sure that you are clear on all the requirements.

3. Will you want to use the petition in media work?

If so, pay extra attention to making it short. Make sure that you give copies to the media along with relevant background information.

4. Is the petition addressed to the right authority?

Does the group or the individual receiving the petition have the authority to meet the demands you are making?

5. How will you deliver it?

Do you want local groups and individuals to send their completed petitions directly to the authorities or do you want to collect them at a central point so that you can count the total? Will you send off all the completed petitions? Will you ask for a personal meeting to hand in the completed forms? Would a handing in or sending off ceremony involving a public figure and media coverage be worthwhile?

based on a checklist by Amnesty International
(an international human rights group)

Sources

Amnesty International, *Campaigning Manual*, 2001.

NANGOF, *Draft Advocacy Manual* (unpublished).

Provincial Parliamentary Programmes, *Advocacy and Lobbying*, 2000.

**OUTLINE FOR A PETITION TO THE NATIONAL ASSEMBLY
AS LAID OUT IN THE STANDING RULES AND ORDERS**

PETITION

To: The National Assembly

The humble petition of

(Include a short description of the Petitioners, such as “the women of the Karas Region” or “the citizens of Namibia”.)

SHOWETH that

(Set out the circumstances you want to bring to the notice of the National Assembly as a background statement to your request.)

Wherefore your Petitioners pray that

(Explain the action you are requesting. Include information on action you have already taken to address the concerns raised in the petition, such as submitting complaints to the Ombudsman, or discussing the matter with the appropriate Ministry.)

And your Petitioners, as in duty bound, will ever pray

(Summarise your request here very briefly.)

The signatures of this Petition, with addresses, are as follows:

Signatures:

<u>Name</u>	<u>Identification Number</u>	<u>Age</u>	<u>Address</u>	<u>Signature</u>
1.				
2.				
3.				
4.				
5.				
6.				
7.				

LAY-OUT – FIT ON ONE PAGE

SAMPLE PETITION

This example was provided by Parliamentary staff.

TO: The National Assembly

The humble petition of Parents Who Care

SHOWETH That –

CHILDREN UNDER THE AGE OF 18 SHOULD NOT BE ALLOWED TO USE ALCOHOL AND HAVE ACCESS TO CIGARETTES.

WHEREAS the use of alcohol at such a young age is detrimental to the learning process as it kills brain cells.

WHEREAS the use of cigarettes inhibits the absorption of oxygen in the blood through clogging the lungs with tar, it prevents the flow of oxygenated blood to the brain. This inhibits the memory and the learning process.

WHEREAS both the use of alcohol and cigarettes at a very young age create serious health problems, it results in a financial burden on the state for treating alcohol and smoking related illnesses.

WHEREAS most of these illnesses lead to an early death among most of alcohol and cigarette abusers, it creates a vacuum in the economic productive population.

WHEREAS alcohol and cigarettes are very expensive, it results in crime. Young people revert to breaking in and stealing to obtain these commodities.

Wherefore your petitioners pray that the National Assembly re-investigate the measures already in place to prevent the sale of alcohol to people younger than 18 years.

Although Government benefits from this as these commodities are highly taxed, it is felt that preventative measures are not strong enough.

Penalties for business owners selling these commodities to under age people are not high enough. The undersigned petitioners had several meetings with the Ministry of Trade and Industry, The Ministry of Justice and the Ministry of Finance and even the Office of the Ombudsman was informed.

Since the Petitioners started to campaign for stronger measures through the normal channels, nothing positive happened.

Having requested the concerned Ministries to review legislation, having ascertained whether a similar issue was not brought before the National assembly and finally having ensured that no complaints on unconnected matters to those raised are contained in the petition.

And your Petitioners, as in duty bound, will ever pray, that their request be favourably considered and that this matter of children under the age of 18 being exposed to the use of harmful substances be taken seriously.

The signatures of this Petition, with addresses, are as follows:

SIGNATURES

ADDRESSES

CHAPTER 14: PUBLIC EVENTS AND PROTESTS

Public events and protests can include public meetings, vigils, demonstrations and protests. Public activities can have many results. You can use public activities to inform and educate the public. You can use public activities to show government that you have public support for your cause. You can use public activities to gain media attention and publicity. This chapter will give you some tips on using public events successfully.

1. Public meetings

If you are going to the effort to hold a public meeting you should do everything you can to make it a success. A good public meeting will motivate people and make them want to be involved. A bad public meeting that is poorly attended can demoralize people and make them question whether they want to be involved.

PREPARING FOR A MEETING

When you are organizing a meeting ask yourself the following questions:

- *What is the purpose of holding the meeting?* Are you trying to educate the public? Are you trying to show the authorities the level of support you have?
- *Who is your target audience?* Do you want to target a specific community? How far will people have to travel to attend the meeting?
- *Do you have speakers who will attract an audience?*

When you organize a meeting you must look at the following issues:

Timing

Pick a date far enough in the future so that you have time to book the venue and speakers and arrange publicity. Check that the date does not interfere with a competing event. Pick the best time for the audience. Would it be better to hold it in the evening or on a weekend? Chose the best time in your campaign, perhaps just before the National Assembly debates the issue.

Venue

Make sure that the venue is the right size for your expected audience.

For example, 40 people in a small room makes the room seem full. But 40 people in a hall that holds 300 will make it seem empty, and the turn-out will look very low.

Make sure the venue is accessible to your target audience.

For example, if your audience is people living in Katutura, do not hold the meeting at the University of Namibia.

Also think about parking and whether people will feel safe arriving and leaving.

Check out the venue in advance and determine if your speakers will need a microphone and loudspeaker. Find out if this equipment is available at the venue and if there is someone who knows how to work the equipment.

Does the venue have the facilities you need? Make sure there are enough chairs. You should also consider whether you intend to serve refreshments and if facilities are available for this.

Consider decorating the venue with banners and posters. This will reinforce the message of the meeting and will give people something to look at while they are waiting for the meeting to start. It will also improve press photographs and television images.

SISTER NAMBIA DID A GOOD DECORATION OF A HALL FOR A PANEL DISCUSSION ON THE DV ACT, WITH CARDBOARD CUT-OUTS OF DRESSES LABELLED WITH THE NAMES OF WOMEN KILLED BY THEIR PARTNERS HANGING ON A "CLOTHESLINE" – THEY PROBABLY HAVE A PHOTO

Speakers

The number of speakers you have and the diversity of speakers will be important to consider. You do not want too many speakers speaking for too long. Make sure that each speaker knows what you want him or her to speak about and for how long. The main speaker should be the last to speak.

If there are contrasting opinions on the topic, you might want to arrange a panel discussion or a debate. But be sure not to include too many speakers or to allow discussion to go on for too long. You will also need a strong moderator who can keep things orderly if you choose this kind of presentation.

Provide the audience with an agenda for the meeting either in writing or by means of an announcement at the beginning of the meeting. This agenda should explain who will be speaking, in what order and whether there will be time for questions.

Chairperson

A good chairperson will make sure that

- the audience knows the structure and format of the meeting
- speakers stick to their time limits
- individual members of the audience do not dominate the question period or disrupt the meeting
- the meeting stays on track.

Publicity

You will want to attract as many people in your target audience to the meeting as possible. You can use posters, leaflets, and announcements in the local media to publicise the meeting. Include the subject of the meeting, the location, the time, and the names of the speakers. You can also approach community leaders and church leaders and ask them to tell people about the public meeting.

If the purpose of your meeting is to influence decision-makers, then you will want to make sure that they know about the meeting. If possible, send them a personal invitation in writing (by post or fax), followed by a phone call. Let them know about the meeting well in advance, so that they have time to make plans to attend or to send a representative. Find out in advance if the decision-maker concerned will be willing to answer questions at the meeting. If the decision-makers you have targeted cannot attend, inform the meeting who was invited and how they responded to the invitation.

You should also try to get the meeting covered by the local media. In this way, decision-makers will be informed about the meeting even if they are unable to attend. You can take photographs and minutes of the meeting and send these to decision-makers afterwards. You can even make a video of the meeting yourself if you can get access to the necessary equipment.

Follow-up action

One of the purposes of holding a public meeting may be to encourage people to take action. You can write a leaflet for the people who attend the public meeting explaining the key points covered at the meeting and asking people to take specific follow-up action, such as writing a letter to a specific Minister. Put the leaflets on people’s chairs before the meeting starts.

You may want to have a petition ready that people at the meeting can sign, or letters prepared for a letter writing campaign that you can distribute during the meeting.

Get the speakers to emphasis the importance of audience support, and to encourage the persons present to take action.

CHECKLIST FOR PUBLIC MEETINGS		
Issues to be decided	Decision and person who will take responsibility	Completed (✓)
Purpose of meeting		
Target audience		
Timing When will it be held?		
Venue Where will it be held?		
Do you need a microphone?		
Do you have facilities for refreshments?		
Do you want to decorate?		
Refreshments to be provided?		

What is your budget?		
What will you serve?		
Speakers Decide on numbers		
Invite speakers		
Set agenda		
Provide a thank you gift		
Chairperson		
Publicity Posters		
Leaflets		
Invite key decision-makers		
Invite media		
Announcements in newspapers and radio		
Follow up What actions by whom?		

2. Public protests, demonstrations and vigils

Public protests are a good way to show the amount of public support there is for your issue. Your protest will be more successful if you put some effort into organizing it. A poor turn-out is likely to send the wrong message.

Issue

Your protest should be focused around one issue. Your message will get lost if there are people carrying signs on many different issues. If it is not clear what the purpose of the protest is, it will be easier for people in power to dismiss your protest.

Location

You can decide on a location based on where you will reach the most people, such as the centre of town. You might choose a place with symbolic importance. For

example, you may want to march to Parliament to take your concern to law-makers. You should try to ensure that the person in a position to take the requested action will be present to see your protest.

For example, if you decide to march on the National Assembly you should choose a day when the Assembly is sitting, and you should plan for the march to take place when the MPs are entering or leaving the building so that they will see it. You might want to ask the Speaker of the Assembly to be present so that you can hand over a letter or a petition on your issue.

Timing

You will have to decide what time will make the greatest impact. In the middle of the day you may not get many people to join you, as they will be at work. You may want to hold your protest on a significant date, such as International Women's Day or Independence Day.

Agenda

A public protest should motivate and inspire people. You should plan the event so that people feel they are part of something that is making a difference.

You may want to have a few speakers at the protest. You should keep the number small, as too many speakers can bore a crowd and cause people to lose their enthusiasm. Arranging for a well-known speaker may be a way to attract more people. If a prominent person will be speaking, include this information in your publicity. If you are having a speaker, you will to ensure that there is a platform to stand on so they can be seen (this could be the steps of a building). You will also need to make sure they can be heard. This could be by a simple megaphone or a sound system with a microphone.

A speaker should answer the following questions for the crowd and on lookers: Why are you protesting? What is the issue? Who does it affect? What do you want to resolve the issue? Why are these changes needed? Who has the power to make the changes? What can people do to help bring about these changes?

Getting noticed

You will want your protest or demonstration to be noticed. There are several things you can do to get attention. You can make big banners for people to hold or tie up where they will be seen. You can hold placards with simple images or messages. If your protest is in the evening, people can hold candles or torches. Music and noise attract attention. You can think up a chant that people can yell and distribute them at the protest. You can use a megaphone. You can invite a band or a choir.

CASE STUDY

Black Thursdays to Protest Rape

For example, members of the Multi-Media Campaign on Violence Against Women and Children led a protest action in Windhoek after the rape of a 2-year-old girl in Tsumeb in 1997. The purpose of the protest was to call for law reform on rape, and to raise awareness of the problem of violence against women and children. Protesters gathered at lunchtime every Thursday for a month at a central point in the main street of Windhoek. Participants were asked to wear black to show their mourning for the

victims of violence. Several prominent persons, such as Parliamentarians attended, which helped to get publicity for the protests. Similar protests took place at the same time in other parts of the country. The protests helped to move the new law on rape forward on the political agenda.

The Law Reform and Development Commission circulated a draft bill on rape for comment in July 1997. The report stated that the Commission had planned to prepare a comprehensive report to accompany the draft bill, but was pressured to release the draft bill before the accompanying report was ready because “Namibia experienced an increase in cases of the most abhorrent manifestations of rape, mainly on children, even infants. This resulted in a public outcry for urgent action backed up by demonstrations and which culminated in a special debate in Parliament.”

Law Reform and Development Commission,
Report on the Law Pertaining to Rape (LRDC 4),
July 1997, at 1.

**CARMEN IS LOOKING FOR PHOTOGRAPH - THE NAMIBIAN COVERED
IT. I THINK IT WAS 1997.OR 1996**

Instead of having a protest at a single spot you might want to consider meeting in one location and marching to the location of the protest and speeches. This allows more people to see your protest. If you are going to march down a street you should have volunteers as stewards or traffic wardens to ensure that the marchers are safe and to help direct the march along the correct route. These volunteers should wear distinctive vests, armbands or hats so that they can be seen and identified.

Police will often agree to close streets to traffic or to escort a march if arrangements are made in advance.

If your demonstration is in Windhoek, call the Windhoek Chief Traffic Officer at 061-290-2743 and explain when and where you are having the demonstration.

If you are expecting a large group, you should have a megaphone to use to communicate with the gathered crowd, in case there is a change of plans or a problem along your route. It can also be helpful to have a volunteer at the front of the march speaking on a cell phone to a volunteer at the back to make sure that the march is well co-ordinated.

Publicity

You must let your supporters and the public know that the event is happening. You can hand out leaflets and put up posters. You can contact the media and ask them to publish an announcement or you can issue a press release. Repeated announcements on radio on the different language services can be very effective. You can ask community leaders and church leaders to inform people of the protest. Designate a person as the spokesperson, and let the media know this person will be available to explain more about why the protest is being held. Make sure you include the time, date, and location of the protest.

POSTERS

If you want to put up posters check with the local authority about regulations on posters before you start.

The City of Windhoek has strict guidelines when it comes to posters in public places. You are only allowed to put up posters two weeks before your event. If you wish to put up posters you must write a letter to the City of Windhoek. In the letter you should describe the event that the advertising is for, and state when the event will take place. The City of Windhoek requires an N\$200 deposit. If you remove all the posters within 3 days after the event, you will get your deposit back.

The City will send you a letter giving you permission to put up your posters. This letter will outline all the conditions and tell you where you can and cannot put up posters.

Send your letter to
The City of Windhoek
Attention: Ms. Esterhurzen
Administration and Support Service Division
Independence Avenue
PO Box 59
Windhoek
Tel: 061-290-9111
Fax: 061-290-2006

CASE STUDY **White Ribbon Campaign**

Members of the Multi-Media Campaign on Violence Against Women and Children organised a White Ribbon Campaign to coincide with International Women's Day in 2003. The idea was to invite members of the public to wear a white ribbon to show their commitment to the following pledge: *"I will do everything within my power to put an end to violence against women and children in our society."*

Pledges were solicited in public places such as shopping centres during key shopping hours. The Multi-Media Campaign issued a press release explaining the campaign. It said (in part):

The goals of the White Ribbon Campaign are to help foster a society free from violence against women and children, to encourage reflection and discussion against men and to urge men and boys to take responsibility to work with women to end men's violence. The White Ribbon Campaign is a campaign aimed at men and wearing the ribbon is a statement of men's opposition to violence against women. Women may, of course, also wear the white ribbon.

The event provided good opportunities for photographs, and it received good media coverage, which helped to extend its impact.

Multi-Media Campaign on Violence Against Women and Children

CARMEN IS LOOKING FOR PHOTO OF THIS EVENT FROM PRESS COVERAGE

ADD PHOTO AND DETAILS FROM PRESS REPORTS – GOOD COVERAGE IN THE NAMIBIAN YOUTH PAPER AND OTHER PLACES – DATE MARCH 2003 – ANNE OR RIANNE MAY HAVE CLIPPINGS AND FURTHER DETAILS. TRY TO GET FULL PRESS RELEASE



Arranging media coverage of the event

Invite media to the event. You can do this in a press release. Designate a media contact person who can arrange for the media to have interviews with speakers on the day of the event. In your press release you should emphasize that there will be photo opportunities.

Sometimes arrangements for press coverage do not work out as planned. Take a cell phone and the telephone numbers of key journalists along with you to the event if possible, so that you can phone in a reminder if necessary. Be sure to arrange for coverage by different media, in case some journalists are not able to come. If you do not get a good response from newspapers, radio stations or television stations, think of other ways to get your event covered. Take your own photographs and send them to newspapers or decision-makers later on. Try a small publication, such as a company newsletter or a municipal newsletter such as *The Aloe* (published by the Windhoek Municipality). See if there is a NGO or church newsletter that might be interested in writing a story about your event.

Legal requirements

Article 21 (1)(d) of the Namibian Constitution protects everyone's right to assemble peacefully. But there are some regulations about public gatherings.

The *Public Gatherings Proclamation*, AG 23 of 1989 requires advance notice to the police of all public gatherings and prohibits the carrying of weapons (*other than* concealed pistols or revolvers). It also gives the police powers to place conditions on gatherings and to disperse riots.

If you or your organisation intends to hold a public gathering, written notice must be given to the commander of the police station nearest to the place where the gathering is to be held. The notice must meet the following requirements:

- It must list the place and time at which the gathering is to be held.
Zoo Park from 10h00 to 13h00 on Saturday, 14 February 2004.
- It must explain the nature of the gathering.
The purpose of this gathering is to show our support for the Combating of Domestic Violence Bill.
- It must name the person or organisation that is holding the gathering or in whose name the gathering is being held.
This gathering is organised by the Legal Assistance Centre.
- The names and addresses of the persons who will preside, speak, and otherwise officiate at the gathering.
This list should include all the people who will speak at the gathering and a contact person at your organisation who is in charge of the event.

The notice must be handed in during the office hours of the commander of the police station at least THREE days before the date of the gathering. The notice must be in DUPLICATE, which means that you must have two copies of it.

When you give the notice to the commander he or she should acknowledge receipt of the notice by signing the duplicate copy and returning it to you.

If you hand the notice to the commander less than three days before the gathering but more than 24 hours before the gathering, the commander may still grant permission for the gathering. To do so he must get the agreement of the police commissioner.

If the commissioner believes that your gathering may endanger the public, lead to violence, or restrict other people's rights, the commissioner can apply conditions to the gathering.

If you do not follow these regulations you can face a fine or even imprisonment. Failure to follow the rules does not always lead to problems, but it is best to follow the correct procedures. The police are often very co-operative, and they can help you make sure that the protest is safe and orderly. .

**EXAMPLE OF A LETTER SENT TO THE POLICE
ABOUT A PUBLIC GATHERING**

Legal Assistance Centre
P O BOX 604
4 KÖRNER STREET
WINDHOEK, NAMIBIA
TEL: INT +264 61 223356
FAX: INT + 264 61 234953
E-MAIL: info@lac.org.na

21 January 2003

BY HAND

The Inspector General
Namibian Police
Lazarett Street
WINDHOEK

Dear Sir

RE: CANDLE LIGHT VIGIL IN PARLIAMENT GARDENS, 18 FEBRUARY 2003

We refer to the above matter.

The Treatment Action Forum (TAF) is an organisation dedicated to making access to affordable treatment for HIV/AIDS and its associated opportunistic infections a reality for the thousands of Namibians living with, and dying from, HIV/AIDS. Its members include civil society groups and interested individual from across the spectrum of Namibian society.

On behalf of TAF, we hereby wish to inform you that, as part of our ongoing campaign to raise awareness around these very important issues, TAF intends to stage a candlelight vigil in the Parliamentary gardens at the Tintenpalast on 18 February 2003. The vigil is intended to be a dignified and peaceful commemoration of all those who have so needlessly died from HIV/AIDS, and to protest the continuing lack of affordable medication for those still living with the disease.

TAF members and supporters intend to gather in the gardens in front of the Tintenpalast at 20h00 on 18 February 2003, where candles will be lit and the vigil will commence. The gathering will last for approximately one hour, where after the TAF members and supporters will disperse.

We trust that you will find the above in order, and that you will render us whatever assistance is necessary in order to ensure that these events proceed peacefully and lawfully.

Yours faithfully
D T CUPIDO (Legal Practitioner, AIDS Law Unit)



Photo of Candlelight Vigil held by Treatment Action Forum in the Parliamentary Gardens in Windhoek on 18 February 2003.

NOTICE TO LOCAL AUTHORITIES

Many local authorities require that you provide notice to them as well.

For example, the City of Windhoek requires a letter setting out the same information as that sent to the police. In Windhoek, the letter should be sent to:

City of Windhoek

Attention: Ms. Esterhurzen

Administration and Support Service Division

Independence Avenue

PO Box 59, Windhoek

Tel: 061-290-2316

Fax: 061-290-2006

Special rules for public gatherings near courts

The *Demonstrations in or near Court Buildings Prohibition Act 71 of 1982* prohibits demonstrations and gatherings within a five hundred metre radius of a building in which a courtroom is located, EXCEPT on weekends and public holidays.

A “demonstration” is defined in this law as one or more persons who are for or against any person, cause, or action that is connected with any court proceedings or the proceedings of any inquest. This definition means that a public gathering about some other issue outside a court would be acceptable.

A “gathering” is defined as any assembly, concourse or procession of any number of persons relating to or arising out of any demonstration.

If you are found to have organised, promoted, attended, participated, presided or addressed a demonstration or gathering that is prohibited under this act you can face a fine or prison

sentence or both.

Special rules for public gatherings during election campaigns

General Notice 143/1992 sets out guidelines for conduct of political activities by political parties, associations, organisations and independent candidates during election campaigns. The guidelines state:

- Intimidation, in any form, is impermissible.
- No weapon of any kind may be brought to a political rally, meeting, march or demonstration.
- Parties must avoid holding rallies, meetings, marches or demonstrations physically close to one another during the same time of the day.
- Parties must not use public address systems, fixed or mobile, between 21h00 and 07h00.
- Speakers at political rallies must not use language which incites violence in any form against any person or group of persons. Parties must not issue written materials which incite people to violence.
- Party members and supporters must not disrupt other parties' rallies, meetings, marches or demonstrations.
- Party members and supporters must not disfigure or destroy political or campaign materials of other parties.
- All allegations of intimidation and other unlawful conduct in the election campaign should be brought to the attention of the police and to the attention of the Directorate of Elections at the places where they are alleged to have occurred.

There are other requirements for meetings during election campaigns that apply only to political parties. These additional requirements are not included here.

CHANGES ON THE WAY

As of the beginning of 2004, the Law Reform and Development Commission is working on new legislation on public gatherings. You will need to be alert for changes in the legal requirements for public gatherings.

CHECKLIST FOR PUBLIC PROTESTS AND MARCHES

Issue to be decided	Decision and person who will be responsible	Completed (✓)
Issue		
Location		
Timing		
Agenda		
Ways to attract attention banners and placards		
music or chants		

other ideas		
Publicity leaflets		
posters		
media announcements		
Speakers invite speakers		
arrange for loudspeakers		
Megaphone or loudspeaker		
Volunteers to assist		
Arrange for media coverage		
Legal requirements notice given to police		
notice to local authority		
contact authority in charge of traffic control		

PHOTOS

THERE HAVE ALSO BEEN SOME GREAT DEMOS DOWN INDEPENDENCE AVENUE WITH BIG POSTERS ON WOMEN'S ISSUES —ASK JEAN SUTHERLAND OR CARMEN HONEY AT THE NAMIBIAN FOR FILE PHOTOS.

SISTER NAMIBIA HAS SOME GREAT PHOTOS OF THE DV DEMONSTRATION IN FEB 2003 WITH RED PAINT ON HANDS AND A MEGAPHONE IN USE – TRY TO INCLUDE SEVERAL PHOTOS.

USE PHOTO FROM THE MEN'S CONFERENCE WHICH IS ON LAC WEBSITE

CASE STUDY

Demonstrating Against Domestic Violence

A group of 250 people dressed in black stand against a barrier facing police officers. The hands of the multi-racial demonstrators, mostly women and children, are painted red. They chant "stop violence against women and children," as President Sam Nujoma officially opens the new 2003 session of Parliament.

The scene was the culmination of many months of advocacy work around the Combating of Domestic Violence Bill. Advocacy is an essential component of the democratic process and as a young democracy, Namibia is working to ensure that more individuals and civil society organizations are advocating on important issues...

To express their concern on domestic violence and a group of Namibians applied to demonstrate at the official opening of Parliament by President Nujoma. The application was initially approved, with the stipulation that demonstrators would not be allowed on the President's motorcade route, nor close to the Tintenpalast which houses the National Assembly. As the main intent of the demonstration was to ensure that the President was aware of their concerns, the demonstration organizers went to the High Court for an interdict which was denied.

250 people, mostly women and children, did demonstrate, but at the Supreme Court. Police barriers were positioned and as the demonstration progressed the police eventually pointed and cocked their weapons at the demonstrators.

At the same time, President Nujoma was addressing the National Assembly. He was extremely supportive of the Bill, encouraging Parliament to pass it. He has always been supportive of gender issues and the rights of women and children.

The police action was met with public outrage and resulted in wide coverage of both the demonstration, but more importantly, the Bill. While the incident was detrimental to democratic ideals, it did serve to raise awareness on the issue of domestic violence. Combined with the President's support, the demonstration served to raise public awareness to previously unimagined level.

The Combating of Domestic Violence Bill was passed by Parliament in March 2003, signed in June 2003 and came into force on 17 November 2003.

Namibia Institute for Democracy,
"Namibians Speak Out Against Domestic Violence", 2003.

CASE STUDY

Candlelight Vigil on AIDS by the Treatment Action Forum

On the evening of February 18, 2003, the Treatment Action Forum (TAF) held a candle light vigil in the Parliamentary Gardens in front of the Tintenpalast in Windhoek. Approximately 300 to 400 people attended the vigil. Vigils were also held at the same time in Opuwo, Walvis Bay, Keetmanshoop and Gobabis.

The vigil was organised after TAF members called upon the organisation to stage a public event where the plight of all those living with HIV/AIDS could be highlighted. They also wanted to call on government, the private sector, churches, NGOs and indeed all sectors to work together to find a way in which access to affordable treatment for HIV/AIDS could be made a reality for all Namibians who need it.

The vigil was also intended to be a dignified and peaceful commemoration of all those who have so needlessly died from HIV/AIDS.

Delme Cupido of the Legal Assistance Centre's AIDS Law Unit chaired the vigil. The keynote speaker was David Lush, a journalist and activist living with HIV. The vigil was opened and closed by prayers delivered by Reverend Nakhamela. The Reverend addressed the audience awash in candlelight and prayed, "Lord we need these drugs now."



Speakers at the Vigil. Reverend Nakhamela, Connie Samaria, David Lush & Emma Tuahepa

During the vigil TAF acknowledged the announcement that the Ministry of Health and Social Services will establish a comprehensive prevention of mother-to-child-transmission service and provide anti-retroviral treatment services in all 35 state hospitals. But TAF encouraged all not to lose sight of the fact that more needs to be done to ensure that all Namibians, particularly those infected with HIV, can enjoy their constitutional right to the highest attainable standard of health.

The vigil received good press coverage. The following is an excerpt from an article that appeared in *The Namibian* on 20 February 2003:

Huge turnout at AIDS vigil by Christof Maletsky

About 400 people gathered in Parliament Gardens on Tuesday night to remember the thousands of Namibians lost to AIDS and to send a clear message: treatment for HIV-positive people is a right and not a privilege for a few.

They came for all walks of life: HIV positive and negative, young and old, rich and poor, male and female, heterosexual and homosexual.

All with one message: "We need the drugs now".

Legal Assistance Centre

CASE STUDY

March to Parliament on International Women's Day 2004

The following newspaper story tells about a public march to Parliament on 8 March 2004, organised primarily by the Namibian Girl Child Organisation. One purpose of the march was to thank Parliament for passing new laws on rape, domestic violence and maintenance. The other purpose was to raise concerns about issues in two bills which were being debated in the National Assembly at the time: the Children's Status Bill and the Labour Bill.

Women lobby parliament on key laws

LINDSAY DENTLINGER

Women and schoolgirls, representing more than 15 civil society organisations, took advantage of International Women's Day yesterday to march to Parliament and voice their concerns over two key pieces of legislation being debated in the National Assembly.

Chanting 'We want everything and we want it now', and waving placards reading 'Who is the best parent?' and 'No dual custody', the campaigners demanded that the Children's Status Bill, which aims to provide for the equal treatment of all children, irrespective of their parents; marital status, be referred to a parliamentary committee to allow for public input.

The activists said not all provisions of the Bill, which is also aimed at securing a better deal for children's whose parents and guardians have died, are in the best interests of the child.

In fact, they claimed, some of the provisions on access, custody and guardianship of a child could endanger the lives of children especially in a country where domestic violence was rampant.

In an open letter, handed over to the Secretary of the National Assembly, Moses Ndjarakana [*incorrectly referred to in the original newspaper article as a petition*], the women also take issue with provisions related to discrimination in a new Labour Bill, set to replace the current Labour Act.

The proposed legislation does not specifically outlaw HIV status and pregnancy as grounds of discrimination for employment.

Furthermore, campaigners say the Bill does not take a strong enough stance against sexual harassment and says mere mention that it should not be tolerated is not enough. Furthermore, campaigners say the Bill does not take a strong enough stance against sexual harassment and says mere mention that it should not be tolerated is not enough.

They have called for a special section to be devoted to dealing with this issue.

Carrying posters reading 'You've never seen your child but you have custody' and 'Can a murderer raise my child?', as they marched down Independence Avenue, the campaigners were clear in their opposition to parents' automatic right to joint custody on the child's seventh birthday as provided for in the Children's Status Bill.

They said while both parents had the right to access to the child, the situation of the unmarried parents had to be taken into account when considering custody and guardianship.

They demanded that the Bill be amended to make provision for a father to apply for custody at any stage.

Should a mother contest the application, the courts would have to decide whether to allow joint custody.

The women's rights campaigners also disagreed with awarding equal guardianship to parents of children born outside of marriage.

They believe that sole guardianship should be awarded in accordance with custody, unless the courts decide otherwise.

Such a provision would give decision-making power to the parent who has the most contact with the child.

Another concern is the Bill's position on the custody of a child whose parent has died.

According to the proposed legislation, the sole custody of such a child would rest with his or her surviving parent, even if this parent was previously denied custody by the courts.

While acknowledging that the surviving parent can potentially be a good parent, activists fear for instances where this is not the case.

They propose that a Commissioner for Child Welfare appoint a guardian if none is named in a will.

Pushing for gender equality in all spheres of society, activists yesterday also urged for a revision of the new labour legislation.

While the Bill requires that the Labour Advisory Council balance representation from Government, trade union and employer organisations, there is no requirement for balanced representation of women and men - a situation activists say is necessary to ensure that all labour matters are dealt with in a gender-sensitive fashion.

Accepting the petitions on behalf of the Speaker and Deputy Speaker of the National Assembly, Ndjarakana encouraged the campaigners to make use of all avenues available to them to make their voices heard. "We appreciate your right to exercise what you just did, to petition your elected leaders. Don't stop here. This is your place, you are welcome," he said.

The Namibian, 9 March 2004

The Children's Status Bill was referred to the Parliamentary Standing Committee on Human Resources, Social and Community Development a few weeks later.

COLOUR PHOTOS AVAILABLE FROM DIANNE

Sources

Amnesty International, *Campaigning Manual*, 2001.

NANGOF, *Draft Advocacy Manual*, unpublished.

Provincial Parliamentary Programmes, *Advocacy and Lobbying*, 2000.

CHAPTER 7: USING THE MEDIA

You can use the media to convey a message or to gain publicity for a cause. You can also gather information about your issue from media reports. This chapter will tell you how to build good relationships with the media and how to get effective media coverage for your issue.

1. Why use the media?

Media coverage of your campaign can help you to reach your objectives. You can use many methods to get the media's attention:

- Issue press releases.
- Hold press conferences or media briefings.
- Write opinion pieces or letters to the editor for newspapers about your issue.
- Give interviews to journalists.
- Appear on radio and TV talk shows, such as *Talk of the Nation*.
- Schedule an interview or a panel discussion with the Constituency Channel.

You can also use the media to gather information on your issues.

- Keep track of how the media is covering your issue. You can also see who has commented on the issue. In this way you can use media reports to determine who is supporting your position and who is opposing it.
- You can see what types of arguments have been put forward for and against your issue. This will allow you to prepare responses to the arguments or use them to strengthen your position.
- You can keep articles that have been published on your issue so that you can monitor the progress you are making.
- You may want to respond to a press report on your issue if the facts are wrong, or if you want to put forward a different argument.

IMPORTANT!!!

The media only pays attention to an issue while it is considered current and newsworthy.

The media has inflexible deadlines. If you are told to give them a story on Monday at noon make sure it is there Monday at noon or you will miss the deadline.

2. Establishing a media contact person for your group

It is important to have one person in your organization who acts as the contact person with the media. The media will need to know that what this person says are the views and positions of your organization and not the person's personal views. This person should be encouraged to develop a good working relationship with journalists. This can be done by remembering the following four rules:

- **Be reliable:** If you say you will be available for an interview at noon, be there.
- **Be accurate:** Know your facts and do not exaggerate.
- **Provide service:** Provide useful information and good, clear stories.
- **Do not beg or lecture:** Neither method works.

Note which media are reporting on your issue, and find out which journalists are covering the issue. Establish contact with these journalists and keep them informed of developments that they may want to report on.

Give these journalists a reliable way to contact your spokesperson for comment if there are future developments on your issue. If your organisation's spokesperson cannot be reached, your group's voice will not be heard.

3. Media deadlines

Different types of media have different deadlines. It is important to familiarize yourself with the production schedules of the types of media you intend to use.

Daily newspapers: These have tight deadlines. If the paper is published in the morning the journalist will need to complete the story by late afternoon. Try to contact the journalist in the late morning.

Weekly newspapers: These deadlines may be anything from a few days to six weeks. It is best to ask about deadlines in advance.

Evening television news: Decisions for these programs are made in the early morning. The news director will decide which news conferences to send television crews to at this stage.

If there is a problem with the availability of transport or cameras, see if your group can go to the NBC studios for an interview.

Radio: Production time for radio is usually shorter than for television. A radio journalist may need an interview within an hour of speaking to you. Radio interviews can often be done over the telephone rather than in the studio to save time.

Magazines: These deadlines may be up to three months in advance and the articles needed may be more in-depth and detailed. Inquire well in advance.

4. Press releases

This is a standard way of giving information to the media. A press release can give advance notice of an event you are planning. It can announce the launch of a campaign. It can outline the organization's response to events. It can be a response to a statement or an event that has just been reported in the press. It can provide background information. It can make it easier for journalists to write a story and get the facts right.

Embargo time

If you place an "embargo time" on your press release it makes it clear to the journalist the date and time when the information can be made public or used. You must specify a time and date and put the information at the top of the press release.

Example: EMBARGOED UNTIL 24H00 Local Time 12 FEBRUARY 2004.

This is standard practice in media relations. Embargo times allow you to give advance notice of an event to the media so that they can plan their coverage. It will also guarantee to the media that no other media outlet will "scoop them" and show the item first.

Remember that the embargo time you put on a document will affect when it will appear in the media. An embargo time of 9h00 will mean that the morning papers will not be able to release the story until the next day.

TIPS FOR PRESS RELEASES	
<ul style="list-style-type: none">• Press releases should be sent to ALL MEDIA that cover your area. Do not show favouritism as it may damage your press coverage in the future.• Always use letterhead paper to make the release look professional.• Make sure that there is a contact name and number on the release. This person should be available during the day and in the evening.• If there will be opportunities for good photographs, write "Photo Opportunity" at the top.	<ul style="list-style-type: none">• Always type your releases and double space them if you can.• Keep it short and simple. The press release should be on one piece of paper if possible, and never on more than two.• Always date the release.• Make the heading interesting and put it in capitals or bold.• Try to include a good quote that the media can put straight into the story.

Make the first sentence interesting. You need to "hook" the journalist. If the press release does not immediately attract journalists' attention, they may not read it. You should also try to put the main facts in the first paragraph. To ensure that all the necessary facts are included ask yourself if the press release answers the "5Ws" set out in the box below.

The 5W's

- Who is doing it?
- What is happening?
- Where is it happening?
- When is it happening?
- Why is it happening?

Follow-up

After sending a release, either by post or fax, you should follow up with the journalist to make sure that it was received. The best way to do this is with a phone call.

**SAMPLE PRESS RELEASE
RE: SIDA AND LAC ENTER COOPERATION AGREEMENT
February 11, 2004**

The Swedish International Development Cooperation Agency (Sida) and the Legal Assistance Centre (LAC) today concluded an agreement for financial assistance to the LAC for the period January 2004 to December 2006.

Clement Daniels, Director of the LAC, said that the Swedish government and its people have stood by Namibians during the dark days of oppressive colonial rule and have since Independence in 1990 continued to assist with the development and reconstruction of Namibia. Sida is a long-standing and committed partner of the people of Namibia and has been a partner of the LAC since its establishment in 1988.

He expressed the organisation's gratitude for this assistance - "This is an indication of the value which Sida attaches to the work of the LAC and its trust in our ability to execute our activities in an efficient and cost-effective manner. This is also an indication of Sida's commitment to ensure that democracy, human rights and the rule of law is strengthened in Namibia".

This funding agreement amounts to 6,5 million Swedish Krone and will be utilised to strengthen the existing programmes of the LAC in the areas of human rights and constitutional litigation, legal education and training and law reform and development. The funds will also be utilised to increase the capacity of the LAC to play a more active role in the development of a vibrant civil society in Namibia and to assist the organisation to devise programmes that will make it less dependent on donor support in future.

Mr Goran Hedebrö, Charge d' Affairs, who signed the agreement on behalf of Sida, said that he is delighted that his country could continue to assist Namibia in its developmental activities.

CLEMENT DANIELS
DIRECTOR LAC
11.02.2004

**SAMPLE PRESS RELEASE
RE: CAPRIVI TREASON CASE**

In response to the news report on the Namibian Broadcasting Corporation (NBC) radio today

(12 November 2001) the LAC wishes to issue the following statement:

1. The LAC refutes the allegation in the above news report that it has indicated that it (together with the Law Society of Namibia) would voluntarily represent the Caprivi treason trialists in their upcoming trial.
2. The LAC believes that it is in the interests of justice that the Caprivi treason trialists receive a fair and speedy trial. We further believe that they will only have a fair trial if they have proper legal representation.
3. We further believe that it is the duty and responsibility of the Government of Namibia to ensure that they receive a fair trial.
4. In terms of the LAC's mission and guidelines it does not represent persons in criminal cases and can accordingly not represent the accused in the Caprivi treason trial. The LAC further does not have the time, resources and expertise to defend the accused in this matter.
5. The LAC has been trying to solicit funds from international donors since the Minister of Justice indicated in June 2001 that the Legal Aid Directorate does not have sufficient funds to pay for the legal representation of the accused. The aim of this fundraising initiative was to set up a legal defence fund for the accused, but unfortunately no donations were forthcoming to date.
6. Due to the importance of this matter, the LAC has brought an application on instructions from the accused to obtain a court order for the accused to be provided with legal representation. In short, the following is sought in such application:
 - 6.1 That certain sections of the Legal Aid Amendment Act, Act no. 17 of 2000 be *inter alia* declared unconstitutional in that as it stands at present, the Court has no discretion to order that legal aid be granted in circumstances where an accused's failure to obtain legal representation would more than likely result in a miscarriage of justice;
 - 6.2 A request that the Director of Legal Aid be directed to provide the trialists with legal representation;
 - 6.3 A request that the criminal proceedings be stayed until such time as legal representation has been furnished.
 - 6.4 Costs and other relief.
7. The application has been opposed by Government and will be heard by the High Court on 6 December 2001.

Clement Daniels
Director
12 November 2001

5. Photographs

Using photographs can be an effective way to get information into a newspaper. You can either have the media come to an event and take photos or send in photos of the event yourself. The media is always looking for "photo opportunities". This could be as simple as having a celebrity come to the event and pose for photographs. You could

stage a public event that is very visual, like a tree planting ceremony or the dedication of a building. If you are having a speaker, make sure there is a backdrop behind the speaker that says who your organisation is or the event is about.

Take photographs of your own events. If the media does not show up, offer to send the photographs to the local papers along with captions. Captions should explain who is in the photograph, what they are doing, why they are doing it, where they are doing it, and when the event took place.

INSERT GOOD EXAMPLE OF PHOTO USE HERE

6. Press conferences

A press conference may be a good way to draw attention to your objective. A press conference usually has someone deliver a short statement, answer questions from the media and then be available for follow-up interviews. You should keep the panel of speakers small and the speeches short. Journalists will be most interested in asking questions so they can explore their own angles. The media will want a good reason to come to the press conference. Journalists must feel that they will get something out of the press conference that they could not get out of a press release or telephone interview.

To have a successful press conference you should ensure that a genuine or major news story is to be announced, and that the person making the announcement is someone the media is interested in. If the press conference is to launch a public awareness campaign you may want to have a celebrity such as a prominent politician or a sports star make the announcement.

The timing of your press conference can also help you attract the media. For example if you are lobbying for stiffer penalties for domestic violence you may want to hold your press conference on or before the International Day for the Prevention of Violence Against Women. The press will want to have some articles on violence against women for that day and your press conference will make their job easier.

CHECKLIST FOR PRESS CONFERENCES

✓ **Provide sufficient notice.**

Send out a notice saying when the press conference is, where it is, who will be speaking, what the subject is, and who they can contact for further information. Follow up to ensure that they have received the notice. This will also give you a chance to persuade the journalist to attend.

✓ **Choose a good time.**

The best time will be late morning (10:00 to 11:00) or early afternoon (14:30 to

15:00). Start on time.

✓ **Choose an appropriate venue.**

Is it easy to find? Is there parking? Will there be adequate lighting? Are there enough power points? Is there much background noise? Is there space for television cameras? Determine where you want people to sit and if there will be a backdrop behind the speaker.

✓ **Keep presentations short.**

Keep speeches a maximum of ten minutes long, and much shorter if possible

✓ **Distribute a copy of the keynote statement at the start of the conference.**

This makes it easier for journalists to follow along and to get facts, titles and spellings of names correct

✓ **Avoid having too many speakers.**

✓ **Have a chairperson.**

✓ **Welcome people.**

Have refreshments available if possible. Keep a list of those who attended so you can provide them with other information later on.

✓ **Distribute a follow-up media release.**

Have this ready in advance with the best and most newsworthy quotes from the speech, and with key background information. Distribute this to the media who did not attend as well as to those who are present.

7. Interviews

The key to a good interview is knowing your subject and being prepared.

Before the interview there are steps you can take to ensure that it will go well. You should agree with the journalist on a time and a place. Set a time limit to the interview. Open-ended interviews give journalists the opportunity to wear you down until you say things you did not want to say.

You should talk to the journalist before the interview and try to agree on the subject and define the issues. If it is an interview for television or radio, ask to see the questions in advance. You want to know what is being covered so that you can be prepared with the facts and figures. Once you know the issues, make a list of the information you want to get across. This list should consist of short key words that you can refer to and not a written speech.

You should think about the journalist's audience. Reporters often look for a local angle to appeal to their readers or audience. You should try to anticipate the questions and practice the answers. A practice interview with one of your colleagues may build confidence and help you prepare short and attention-catching statements (sometimes called "sound bites") for the interview. Concentrate on the important points and discuss them first. Check to be sure that you have the latest information.

During the interview stay calm and cool. Try to remember that you are the expert and the journalist needs the story. You should be in control of the interview. Keep your answers short and use plain language. State important facts first. Once you have answered a question stop. Do not go on and on trying to explain what you have already said. Try to keep the interview focused on your key points. Do not let the journalist sidetrack you. If you want more time to think about an answer you can repeat the question back to the journalist before you start to give the answer.

Stay focused. Do not let your answers wander off into other subjects. If there is a point you want to make which has not come up in the interview, mention this to the journalist. If you are on live radio or television, you can always find a diplomatic way to tie your statement to the question you have been asked.

For example, you can connect your point to the discussion underway by saying something like "But the even more important question is..." or "Your question raises another issue which is very important..."

8. Letters to the editor

Letters to the editor are usually in response to a news article or public event. They are a good way to express your opinion and to educate people in your community about issues. You can use a letter to correct facts in a news article or in a previous letter.

Many papers have guidelines that you should follow if you want your letter published. These may include the maximum length allowed for the letter. The editor may reserve the right to reject letters. Editors may edit letters to make them clearer or for accuracy. Editors may shorten letters. Newspapers will not publish anything that attacks private individuals. Newspapers may ask you to limit the number of letters that you send, for example one letter every two weeks. You may be asked to include your phone number and address. They need your phone number so they can make sure that you actually wrote the letter. They want your address because they prefer to print letters from local people. But if you request to remain anonymous, then your address and phone number will not be published in the newspaper.

Begin your letter by mentioning the article or news event on which you are commenting. If you are responding to a previous article, it is helpful to mention the date that it appeared. You should then say why you are writing the letter. If the article gave the wrong facts then you should point out the facts that were wrong, give the correct facts

and explain why the correction is relevant. In concluding the letter you should ask for some action, such as asking the government to do something about an issue.

EXAMPLE OF A LETTER TO THE EDITOR

This letter appeared in *The Namibian* in 2002.

FORCING SEX VERSUS WITHHOLDING SEX A RESPONSE TO THE MINISTER ON THE DOMESTIC VIOLENCE BILL

I would like to comment on some of the issues raised by Honourable Helmut K Angula on the Combating of Domestic Violence Bill in his letter to the editor published in *The Namibian* last week (15 November 2002).

Section 2(b) of the Combating of Domestic Violence Bill makes it possible for a complainant to seek a protection order in a case where a partner obliges him or her to engage in unwanted sexual conduct. If the sexual conduct in question falls within the definition of "sexual act" in the Combating of Rape Act, the wronged partner could also lay a charge of rape – otherwise, the criminal offence would be indecent assault or assault.

In his speech in Parliament, the Honourable Minister proposed that there should be parallel remedies for partners who are continuously denied sexual relations. There is no legal obligation on persons to engage in sexual relations outside of marriage. But, if the Honourable Minister is referring to marriage partners, the civil law already provides a remedy for the partner who is continuously denied sex in the absence of a legitimate health-related reason for abstention – that remedy is divorce. Sexual relations are an expected component of the marital relationship. The long-term denial of sexual relations is a form of desertion and an accepted grounds for divorce under civil law. (This remedy could be extended by statute to customary marriages if it does not already exist in that context.)

But forcing someone to engage in a sexual activity can never be equated with refusing to engage in a consensual sexual activity. To see the logic of this, think of it in another context. Your business partner wants to shake hands with you. You do not want to comply. He grabs you and forcibly seizes your hand, threatening to punch you in the nose if you do not submit. You could charge him with assault for this intrusion on your bodily integrity. But should he be able to lay a criminal charge against you simply because you repeatedly refused to extend the expected hand of friendship? His injury is simply not equal to yours -- commission and omission are not always two sides of the same coin.

Moving on to some of the Minister's other concerns, I agree with him that the Combating of Domestic Violence Bill will not work for everyone. No law on this topic can help everyone, because domestic violence takes so many different forms. To take an extreme example, consider murder-suicides in domestic relationships, where a disgruntled partner shoots his/her spouse and then kills himself/herself. No law on earth is likely to be effective in such a situation. And there will be many people in both urban and rural areas who will not feel comfortable discussing their private lives in court, or who will never use legal remedies because of their hopes for reconciliation.

But the bill has been drafted in a way that tries to be as sensitive to rural settings as to urban ones. For example, the list of personal effects which might be dealt with in a protection order includes agricultural implements and livestock along with credit cards and chequebooks (section 14(2)(f)). Another provision talks about directing the respondent to pay rent for the complainant or "otherwise make arrangements for any other accommodation or shelter" (section 14(2)(d)). The thinking behind this wording was that in rural areas, the most sensible approach to alternative accommodation might be to construct another dwelling in the

homestead. There was certainly an attempt to move beyond the brick and stone house situation.

Minister Angula is also concerned about the plight of Haimbodi, the violent partner of our battered wife Sarah, who can be ordered to leave the joint residence even before he gets a chance to tell his side of the story to the court.

There are several safeguards for Haimbodi in the draft bill. An order giving Sarah the right to exclusive occupation of the joint residence would be available only where an act of physical violence has been committed, and only after the court has considered a number of key factors -- the length of time the residence has been shared, the accommodation needs of the complainant (Sarah) and any other occupants of the residence, and any undue hardship that may fall on the respondent (Haimbodi). And, until the court has heard from Haimbodi, the order is only a temporary one. He will have his chance to try to convince the court that Sarah was lying.

In my opinion, this is fair. Why should the victim of the violence always be the one who has to flee? Why shouldn't the violent party be the one who suffers the inconveniences of relocation?

And yes, Sarah can be given the right to use some or all of the property in the joint residence, but what is wrong with that? If she is the one who has to flee, she is not likely to take more than the clothes she can carry – why should the violent party end up comfortably ensconced in the home with the use of all the household goods?

Another safeguard is that orders for exclusive occupation of a joint residence owned by the other partner can remain in force for a maximum of six months. Such an order is intended only as a short-term measure to give the victim of the violence a fair chance to reorganise his or her life. Haimbodi will suffer some temporary inconvenience, but he is not at risk of losing his ownership of house or furniture.

Certainly, it is possible that false claims may be made under the domestic violence law, but that is no reason to reject the law. People lay false charges of assault and theft from time to time, but this does not stop us from trying to prosecute the guilty. Presenting false information to a court is a serious offence, and those who lie to the court are likely to be caught and punished accordingly.

The alternative proposed by the Minister of drawing a line down the middle of the joint residence so that both parties can remain there seems unworkable (and downright dangerous) in a violent situation.

Domestic violence is a thorny problem. The Bill which is before Parliament is probably not the ideal solution – it is quite likely that no society has found the ideal solution to the problem as yet.

But should Parliament really quibble about sexual deprivation when there are women (and perhaps some men) being cooked and stabbed and burnt and shot by their partners? Let us not lose sight of the magnitude of the problem. The court is specifically directed not to grant protection orders in respect of "minor or trivial acts or incidents of domestic violence" (section 7(2)(b)). The bill is not aimed at arguments over who washes the nappies. It is intended to interrupt the spiral of violence which is common in domestic relationships, in the hope of saving some lives.

Dianne Hubbard
Co-ordinator, Gender Research & Advocacy Project
Legal Assistance Centre

9. Key media contacts in Namibia

The following list contains contact information for local media which was correct as of early 2004. You may update this contact information as time goes by. If you know an individual journalist who deals with your topic, you can send a copy of your news item to that individual as well as to the editor/

LAY-OUT ARTIST: ARRANGE INFORMATION BELOW MORE EFFECTIVELY – PERHAPS GROUPED INTO CHARTS BY MEDIA TYPE

NAMPA

The Namibia Press Agency, (NAMPA), was established in 1991 as a national news agency responsible for the distribution of local, regional, and international news as well as picture services to the local and international media organisations, institutions and individuals.

Nampa

Attention: Mr. T. Katamila News Editor
Cnr Keller & Eugene Marais Street
PO Box 61354
Windhoek
Tel: 061-221-711 or 061-226-368
Fax: 061-221-713
email: news@nampa.org

NEWSPAPERS

Dailies

The Namibian

Attention: To the Editor
42 John Meinert Street
PO Box 20783
Windhoek
Tel: 061- 279 600
Fax: 061- 233 980
email: letters@namibian.com.na
email: news@namibian.com.na

The Namibian Oshakati Office

Tel and Fax: 065-220 246

The Namibian Swakopmund Office

Haus Altona
4 Thomas Hainyeko St.
Tel: 064-463 751

Fax: 064-463-756
email: swakop@namibian.com.na

Die Republikein

Attention: To the Editor
11 Omurambaweg. Eros
PO Box 3436
Windhoek
Tel: 061- 297 2000
Fax: 061- 223 721
email: republikein@republikein.com.na
email: gert@republikein.com.na (editor)
email: chris@republikein.com.na (manager)

Allgemeine Zeitung

Attention: Allgemeine Zeitung
11 Omuramba Road, Eros
PO Box 86695
Windhoek
Tel: 061-225 822
Fax: 061-220 225

Weeklies

Windhoek Observer

Attention: Hannes Smith (Editor and Writer)
PO Box 2255
Windhoek
Tel: 061- 22 1737
Fax: 061- 22 6098

New Era

Attention: To the Editor
Provost Building
Robert Mugabe Avenue
Private Bag 13364
Windhoek
Tel: 061 231 648
Fax: 061-235 419

The Namibian Economist

Attention: To the Editor
7 Shuster Street
PO Box 49
Windhoek

Tel: 061- 22 1925
Fax: 061- 22 0615
email: daniel@economist.com.na

Namib Times

70 Sam Nujoma Ave
PO Box 706
Walvis Bay
Tel: 064-205 854
Fax: 064-204 813
Cell: 081-250 5966
email: namibtimes@namibnet.com (editor)
email: newsdesk@iway.na (news)

Namib Times Swakopmund Office

Tel:061-461 866
Fax: 064-461 866
Cell: 081-129 8707

Namib Times Luderitz Office

Fax: 063-202 561
Cell: 081-284 9229 (Glenn Rispel)

Southern Sun

PO Box 2131
Keetmanshoop
southson@iway.na
Tel: 081-261-7517
email: southsun@iway.na

Caprivi Vision Newspaper

Attention: Postrick Kupulo
Tel: 066- 253 162
Cell: 081-2588781
email: cvnews@iway.na

MAGAZINES

The Big Issue Namibia

Bahnhof Street
PO Box 97140, Maerua Park
Windhoek
Tel: 061-242-216
Fax: 061 242 232
e-mail: bigissue@iway.na

Sister Namibia

Attention: To the editor
163 Nelson Mandela Ave
PO Box 40092
Windhoek
Tel: 061-230 618 or 230757
Fax: 061-236 371
email: sister@iafrica.com.na

RADIO

Namibia Broadcast Corporation Radio Centre

Pettenkofer Street
PO Box 321
Windhoek

NBC Radio has many language services and regional offices. The following list is the contact information for each

NBC Radio Service

General Manager: Rector Mutelo
Tel: 061-291 2144
Fax: 061-231 264
Cell: 081-124 9556

NBC National Radio Service

Manager: Corry Tjaveondja
Tel: 061-291 2440
Fax: 061-291 2142
Dell: 081-124 2762

NBC Afrikaans Radio Service

Manager: Gert Rossouw
Tel: 061-291 2328
Fax: 061-244 646
Cell: 081-240 6034

NBC Damara>Nama Radio Service

Manager: Florence Haifene
Tel: 061-291 2450
Fax: 061-291 2137
Cell: 081-279 7658

NBC German Radio Service

Manager: Michaela Jaeger

Tel: 061-291 2004
Fax: 061-231 889
Cell: 081-127 8321

NBC Otjiherero Radio Service

Manger: Cecil Nguvavua
Tel: 061-291 2032
Fax: 061-291 2135
Cell: 081-122 3154

NBC Tirelo Ya Setswana Radio Service

Manger: Bonnie Mokhatu
Tel: 061-291 2181
Fax: 061-291 2138
Cell: 081-124 2765

NBC Oshiwambo Radio Service

Acting Regional Manager: John Ya-Kananjembo
Tel: 065-220 451
Fax: 065-221 705
Cell: 081-122 3157

NBC Rukavango Radio Service

Regional Manger: Kosmas Muyenga
Tel: 066-255 118
Fax: 066-255 120
Cell: 081-122 3155

NBC Lozi Radio Service

Regional Manger: Francis Sikumba
Tel: 066-253 029
Fax: 066-253 185
Cell: 081-128 5540

NBC Keetmanshoop Radio Service

Head of Centre: Johannes Isaack
Tel: 063-223 233
Fax: 063-223 243
Cell: 081-124 2763

NBC Otjiwarongo Radio Service

Head of Centre: Tabias Kandanga
Tel: 067-303 761
Fax: 061-302 548
Cell: 081-129 7084

NBC /HA' Radio Service

Regional Manger: Patrick Nzundamo

Tel: 067-244 120

Fax: 067-244 094

Cell: 081-129 7084

Radiowave

Attention: Station Manager

PO Box 9953

Windhoek

Tel: 061-242350

Fax: 061-242322

UNAM Radio

Attention: Mr. Robin Tyson – Station Manager

Private Bag 13301

Windhoek

Tel: 061-206 3111

Fax: 061-206-3908

email: rtyson@iway.na

Suzie and Shafa Show – Namibia

The Suzie and Shafa Show is a lifestyles variety show, created by youth for youth between the ages of 15 and 24. The radio programme airs on the University of Nambia (UNAM) Radio 97.4 FM and can be heard throughout Windhoek. The programmes address different types of lifestyle issues that youth face - alcohol and drug abuse, dating, date rape, staying healthy, and avoiding and preventing STD and HIV infection.

According to programme organisers, the aim of the show is to provide youth with the skills and support needed to make healthy choices on lifestyle and behaviour, as well as providing hope that it is possible to avoid HIV infection. The Suzie and Shafa Show is a partnership between young people and various community organisations, which aims to create entertaining, provocative and insightful programs that reach youth.

Source: <http://www.comminit.com/africa/pds32003/sld-402.html>

Namibia Community Radio Network

Matthew Haikali, Coordinator

Contact tel: 081- 255 6295

Katutura Community Radio

Natasha Tibinyane (based at Sister Namibia office)

163 Nelson Mandela Ave

Eros

PO Box 40092

Windhoek

Tel: 061-230 618 or 230757

Fax: 061-236 371

email: sister@iafrica.com.na

Radio Ecclesia (owned by Catholic Bishop Conference)

Attention: Ralf Boll – Station Manager

17 Jan Jonker Road

PO Box 11525

Windhoek

Tel: 061-259 847

Fax: 061-248 126

email: ren@mweb.com.na

Ohangwena Community Radio (owned by the Ohangwena Regional Council)

Attention: Leonard Jona –

Private Bag 3032,

Ondangwa

Tel: 065-263 152

Fax: 065-263 033

email: leonardjona@hotmail.com

Radio Live FM (owned by community members)

Block 253 Alapalace

PO Box 3363

Rehoboth

Tel: 081-279 9662

email: radiolive@iway.na

Channel 7 (owned by an individual)

Hendrik Witbooi Street

Windhoek West

PO Box 20500

Windhoek

Tel: 061-235 815

Fax: 061-240 190

FUTURE RADIO STATIONS

The following are initiatives around the countries where communities are in the process of establishing community radios:

Oshana Community Radio Initiative

Erongo Community Radio Initiative

Karas Community Radio Initiative

Omaheke Community Radio Initiative

Development Through Radio.

The Constituency Channel

The Constituency Channel is a Parliament-based radio and video production house. The channel intends to serve as a source of legislative, public policy and developmental information for community radio stations in Namibia. Its aim is to encourage informed

civic participation in how the country is governed.

The Constituency Channel intends to run a full time FM radio program from Parliament. They hope to have it up and running before the end of 2004. The email address will be:
www.constituencychannel.org.na

Until that time the Constituency Channel will be producing weekly updates on Parliamentary proceedings and public opinion on legislative and policy issues. These updates will be sent to local community radio stations and the Namibian Broadcast Corporation (NBC). Because this is a new initiative, its plans may change. The contact information for the Constituency Channel is listed below.

Democracy Support Centre

Attention: Sarry Xaogus

Parliament Buildings

PO Box 11713, Klein Windhoek

Tel:061-231-334

Fax: 061-245-285

email: sxoagus@hotmail.com

TELEVISION

Namibian Broadcast Corporation News

Attention: Mushitu Mukwame Editor

Cullinan Street Northern Industrial

PO Box 321

Windhoek

Tel: 061- 291 3224

Fax: 061- 217 029

Namibian Broadcast Corporation Talk of the Nation

Attention: Helen Shiimbi

Tel: 061-291 3295

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WHAT TO DO IF THE PRESS IS NOT REPORTING ON YOUR ISSUE

It is unrealistic to assume that the media will cover all of your stories or events. However, if your organisation is falling to receive any media coverage, you may want to find out why. Here are some questions to ask.

- **How is your organisation viewed in the community?**
Does your organisation have an image problem? Is your organisation seen as radical or only representing a very small part of the population? If these are the problems you may want to try to meet editors to give them a better understanding of your organisation.
- **Is the information you are supplying not seen as relevant to the local community?**

Make sure you relate the information you send to the press to local issues. Show how it relates to the government's position or policy, or to local history and culture.

➤ **Do the journalists know whom to contact?**

You can supply journalists with an information package which includes names and contact numbers, background information on your organisation and its current campaigns, and information on who does what in your organisation.

➤ **Has there been a problem with media relations in the past, which is still causing a problem?**

Set up a meeting with editors to try to resolve the problem.

Sources:

Amnesty International, *Campaigning Manual*, 2001.

Idasa, South Africa, *Introduction to Advocacy and Lobbying*, 2002.

NANGOF, *Draft Advocacy Manual*, unpublished.

Provincial Parliamentary Programmes, *Advocacy and Lobbying*, 2000.

CHAPTER 8: COMPUTERS AND OTHER TECHNOLOGY

Computers can help you with each stage of your advocacy campaign. You can use computers to find information, spread information, and network. If you know how to use computers and other kinds of technology, these can be powerful research and communications tools. The technology you use can also include cellular phones and video-conferencing equipment. In this chapter we will explain how you can use computers and other technology for advocacy. We will also explain some simple computer research techniques. This chapter includes information on where you can get access to computers and video-conferencing equipment, sometimes for free.

1. What is the internet?

The internet is a communications system which connects computers together into thousands of networks, which are then joined together into one big network. Individual computers are connected to a local network, which is then connected to the internet. No one owns or supervises the internet.

KEY INTERNET TERMS

internet – a global network of computers

world wide web (sometimes called ‘the web’) – a global database of information accessible through the internet

website – a specific piece of information made available on the world wide web

search engine – a tool that helps you locate information from the internet on particular topics

email - electronic mail which goes from computer to computer

ILLUSTRATION

woman: I often hear people talking about using the internet to get information from websites. What does that mean?

woman: Using your computer to get access to the internet so that you can look at a website is like taking a taxi to the library to get information from a book. You use a “search engine” to find the information you want, in the same way that you would look up a subject in a card catalogue at the library to see what books on that subject are available.

taxi marked computer

library marked INTERNET: World Wide Web

books on shelf marked “Legal Assistance Centre website”, “Government of Namibia website”, “United Nations” website, etc.

card catalogue marked “search engine”.

WHAT DO YOU NEED TO USE THE INTERNET?

1. You need access to a computer and a mechanism for connecting the computer to a telephone line. This mechanism is called a “modem”. Some computers have external modems attached to them, and many computers have internal modems built into them.

2. Your computer must have some “software” in it which includes a “web browser” and an email programme. A computer is just a box of electronic equipment unless it has “software” to make it work. The software for your computer is a bit like the SIM card for a cell phone. It is the ingredient that you need to make the machine functional. A “web browser” is a tool that lets you read information from the Internet. An email programme is a tool which gives you an electronic mailbox for sending and receiving email. Most computers in Namibia are set up with a programme called Microsoft which usually includes a web browser and an email programme. Many people also use a different web browser called “Netscape”.

3. You need to open an account with an Internet service provider. This serves as your door into the internet. In Namibia, some service providers are called “iafrica”, “mweb” and “iway”. You can pay a small monthly fee to these service providers to connect your computer to the internet. Some government offices, NGOs and companies have set up their own mechanisms for connecting to the internet.

ILLUSTRATION OF A LAND LINE TELEPHONE BEING PLUGGED INTO A JACK IN THE WALL: If you want to use a telephone for making and receiving telephone calls, you must pay a monthly fee to Telecom for this service. In the same way, you need to make an arrangement with a service provider if you want to use your computer to connect to the internet.

INTERNET SERVICE PROVIDERS

Here are examples of some companies that provide internet connections with their fees as of 2004.

Africaonline
NAU building
Crn of Robert Mugabe and John Meinert Streets
P O Box 22740
Windhoek
tel: 061-2058111
fax: 061-2058244
website: www.africaonline.com.na
rate: N\$130 per month

Iway
Jan Jonker Road
Private Bag 12039
Ausspanplatz
tel: 0800-202020
fax: 0800-101010
rate: N\$100 per month

Mweb
Kenya House
Robert Mugabe Avenue

P O Box 2
tel. 061-2911000
fax: 061-2911020
email: infonam@mweb.com.na
rate: N\$160 per month

LAYOUT: RE-ARRANGE CONTACT DETAILS SIDE-BY-SIDE

COMPUTERS FOR ALL

Does this all seem complicated? There is an easier way. There are several places which give public access to computers which are already connected to the internet for free, or for a very small fee. (See section 6 below.)

2. How to use the internet for advocacy

Through the Internet you can send and receive email, participate in news groups, join mailing lists, and read newspapers.

The Internet can also be a convenient source of up-to-date information. Using search engines on the internet to do research can give you quick access to information about all sorts of issues. The internet allows you to conduct research all over the world without leaving Namibia or going to libraries. You can sometimes use your computer to print out or save information that you find, so that you do not have to take written notes.

Throughout this manual we have tried to identify websites where you can get information about Parliament and different levels of government. You can also find information on the Namibian Constitution, on different ministries and committees and on some Namibian NGOs. Many websites have helpful information on Namibia, but it is important to remember that some information on the internet may be out of date.

From information on the internet, you may learn that other countries and organizations have dealt with issues similar to your issue. You may find examples of laws that other countries have passed. You may find papers written by experts who have studied similar issues. You may find information on what an organization in another country has done to address the issue you are concerned about. All of these can help with your advocacy campaign.

3. Using email

Email is electronic mail which goes from computer to computer, usually over telephone lines. Email lets you send a message to the other side of the world in seconds, for the price of a local telephone call. You can attach documents and photographs to emails. This allows you to transfer large amounts of information very quickly and cheaply.

When you receive an email from someone else, you can delete it, file it in the computer, print it out onto a piece of paper (if the computer you are using is attached to a printer), reply to it or forward it other people. You can do several of these things in a very short space of time. This flexibility makes email very useful.

FREE EMAIL ACCOUNTS: There are many websites that allow you to sign up for a free email account, such as www.hotmail.com and www.yahoo.com.

KEY EMAIL TERMS

email - electronic mail which goes from computer to computer

attachment – a document or a photograph that is sent along with an email in electronic form

contact group – a group of email addresses you put together in your computer so that it is easy for you to send an email to many people at once

discussion group, list, mailing list, newsgroup – email systems that send messages from anyone in the group to everyone else in the group

You can use email to correspond with other individuals who have email addresses. For example, email is an efficient way to correspond with government authorities and Members of Parliament. In an email you can set out your questions or position and ask for a response, just as you would do in an ordinary letter or a fax. But email is much faster and more convenient than regular mail. And, if you print copies of the emails you have sent, you will have a record of your efforts to obtain information. You can save all emails that deal with a specific subject together in one folder in your computer, so that you have a clear electronic record that is easy to find when you need it.

You can use email to send information, newsletters and notices about events to many people at once. Email can be a good tool for networking with other individuals and groups, or for mobilising large numbers of people every quickly. Sending electronic newsletters to other organisations and individuals is a good way to keep people up-to-date on your activities and advocacy campaigns.

One of the big advantages of email is that it can be used to send a message to many people at one time, without having to pay for mailing, envelopes, stamps, and printing. You pay only for the short local telephone call that enables your computer to send the information.

You can attach documents and digital photos to an email. For example, you could send out the annual report of your organisation by email to anyone who has an email address. Different computer programmes and email services have different methods for attaching documents and photographs. It is not difficult to do this. Ask someone to sit down at the computer with you and show you how.

CASE STUDY

Disseminating information on the Children's Status Act

As soon as the Children's Status Bill was introduced into Parliament in February 2004, the Legal Assistance Centre wanted to send information about it quickly to individuals and groups in

Namibia and other countries who are interested in the topic of children. We have collected the email addresses of many such individuals and groups. We used our computer to type up a short document summarising our concerns about the bill. We also used a piece of equipment called a scanner to turn the actual bill that we got from Parliament into electronic form. We then used email to send this information to 167 different addresses in just a few minutes. We could never have alerted so many people to our concerns about the bill so quickly and cheaply with letters and faxes. Since not everyone who is interested in the topic of children has email, we also sent some information out by letter and fax, to make sure that no one would be left out.

About 15 women's groups used the information from the Legal Assistance Centre to draft a statement which they delivered to the Deputy Speaker of Parliament after a march to commemorate International Women's Day. Other groups used the information as the basis for radio interviews or individual letters to MPs. Organisations in South Africa plan to use the Namibian bill as a point of comparison for law reform on similar issues which are under discussion in South Africa.

Getting information about the bill out quickly helped many groups make more informed input on the bill to decision-makers and to different segments of the public.

Legal Assistance Centre

You can set up your own contact group to make it even easier to send out information to many people at once. A contact group is simply a group of email addresses.

For example, suppose that you have the email addresses of several individuals and groups who are interested in the topic of domestic violence. You can use your computer to group all of these addresses under one name – for example, you might call it “My Domestic Violence Network”. Then, if you have information about domestic violence that you want to send out, you can write one email message addressed to “My Domestic Violence Network”. The information will go to everyone who is listed in this contact group in your computer.

As another example, a contact group can be helpful if your organisation sends out press releases. You can set up a contact group with the email addresses of your media contacts, so that each time you want to share information you only need to write one message and attach the press release.

Many of the members of the Multi-Media Campaign on Violence Against Women and Children have email addresses. The secretary of this group created a contact group on her computer which contains all of these addresses. She uses this contact group to send out notices of meetings to everyone. This is very efficient.

You can subscribe to discussion groups. They are sometimes called “mailing lists” or “lists”, or “newsgroups”. These are email systems that send messages from anyone in the group to everyone else in the group. The internet gives you access to thousands of special interest discussion groups. No matter what topic interests you, there is probably an internet discussion group which covers it.

Discussion groups are sometimes moderated by a person who filters the messages to make sure that they keep to the agreed-upon topic, but this is not always the case. You can join most discussion groups by sending an email saying that you wish to subscribe, in the same way that you would subscribe to a magazine. You will then receive emails from other people in the group. Any member of a discussion group may take part in a conversation or begin a new topic. All of the emails sent through the group go to every member of the group, and anyone in the group can respond. In this way, a discussion group allows you to have an email conversation with people all over the world who are interested in the same topic.

If you want to stop receiving emails from the discussion group, you can usually do this by sending an email message saying that you want to “unsubscribe” (like cancelling a subscription to a magazine). Messages circulated to the discussion groups are sometimes gathered together on a website so that anyone who is interested can read them later on.

EXAMPLE OF AN EMAIL DISCUSSION GROUP

The following excerpt describes a discussion group which ran for a limited time and has now come to an end.

Join UNIFEM's Internet Working Group to End Violence Against Women

End-violence (1998-2000) is a powerful virtual community of over 2,500 people in 120+ countries working to end violence against women. End-violence was a driving force for UNIFEM's global Videoconference, "A World Free of Violence Against Women." End-violence also fed into the Beijing +5 Review Process and reports of UNIFEM and other UN agencies, including the Special Rapporteur on Violence Against Women.

The goals of End-violence are to:

- Provide information and recommendations to UNIFEM and other UN agencies
- Feed into UNIFEM's Report on Progress of the World's Women 2002 and preparations for International Women's Day 2002
- Promote the global visibility of organisations working to end violence against women, especially those in developing countries
- Expand networking among NGOs, government, international agencies, foundations, educational institutions, religious groups, media and others
- Share information about policies, legislation, strategies, cases, best practices, lessons learned.

Don't Miss This Opportunity to Help End Violence Against Women Worldwide!

How to Join the End-Violence Working Group

Anyone with email can join the End-violence Working Group. To join End-violence, please send an e-mail to:

majordomo@mail.edc.org

Do *not* enter a subject. In the body of the message, type:

subscribe end-violence

Do *not* put anything after "end-violence". You will receive a Welcome Letter.

Moderated by EDC, a nonprofit organization, which also contributes to End-violence support...

Results and key debates from the first year of discussion on the End-Violence Working Group are featured in the on-line publication "Women @ Work to End Violence: Voices from Cyberspace" at <http://www.unifem.undp.org/w@work/>.

The videoconference, "A World Free of Violence Against Women," can be seen on the Web at <http://www.unifem.undp.org/campaign/violence/videocon.htm>.

Here is a sample of a message circulated in this discussion group

From: owner-end-violence@phoenix.edc.org on behalf of Muthoni Wanyeki
To: end-violence-mod@edc.org
Subject: The FEMNET Initiative on Reaching Men

We in the African Women's Development and Communications Network (FEMNET) would like to share with you the report of our Men to Men Consultation on Gender Based Violence. The Consultation, which was held in Nairobi from 6-9 Dec 2001, brought together 27 men from Kenya, Malawi, Namibia and South Africa. These men are members of men-only groups that have come together in response to the need for men to come out and break the silence and take action against violence on women and children. Some of these groups have also recognised the need to support men to cope with the changing male roles and responsibilities.

The Consultation, which was timed to coincide with the Sixteen Days of Activism Against Violence on Women, resulted in the formation of the African Network of Men Against Gender Based Violence. FEMNET will work with the groups in the four countries to implement national level as well as regional activities; drawing into the Network men groups from other countries as the programme develops. The Consultation resulted in some ideas for follow-up activities at the national and regional levels; and already follow-up action is underway.

A session on Men and Women Dialogue was held during the Consultation, which pointed to the great value of creating discussion fora for dialogue between women and men; boys and girls; even as we encourage gender specific dialogues. As the strategy for reaching men for support in tackling women's empowerment and gender rights issues gathers momentum, we are conscious that there are some strong reservations about the approach.

FEMNET has worked in the gender arena for the last twelve years, training thousands of women and men together in gender and development programming. Our experience is that we must bring men on board our struggle. While maintaining a focus on our original goal of equality between women and men, we must recognise that men still hold power and authority at all levels; and that we need this same power to change the political, policy, social, economic and other systems and structures; and to cause new power relations.

The strategy to work with men should never replace or be pursued at the expense of our struggle to empower women so that they can enter the mainstream of power sharing with men. Indeed the two-pronged strategy of women-only and gender-based approaches must be perfected if women

are to enter and remain in the mainstream of power and politics, economy decision-making and other power systems.

We enclose herewith the report of the Consultation for those that are interested in the details. [***Moderator's note: If you would like to receive a copy of this report in Word, please send an e-mail to <end-violence-mod@edc.org> and write in the subject line: FEMNET report ***]

Muthoni Wanyeki
Executive Director

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P. O. Box 54562, Nairobi, Kenya.
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E-mail: femnet@africaonline.co.ke
Website: <http://www.africaonline.co.ke/femnet>

End-violence is sponsored by UNIFEM and receives generous support from ICAP
To post a message, send it to: end-violence@mail.edc.org.
To subscribe or unsubscribe, send a message to: <majordomo@mail.edc.org>. In the 1st line of the message type: subscribe end-violence OR type: unsubscribe end-violence.
Archives of previous End-violence messages can be found at: <http://www.edc.org/GLG/end-violence/hypermail/>.

EMAIL ADDRESSES

Many of the addresses given in this manual include email addresses. Email address always contain some text followed by the sign “@”, followed by some more text. You can also find some useful local email addresses in the list of contact addresses at the back of the manual.

ADVANTAGES OF USING EMAIL

Email is quick. Email can go to any part of Namibia or anywhere in the world almost instantly. This means that requests for information can be answered rapidly. It also means that people can be mobilised to take action very quickly.

Email is cheap. It allows you to send messages and documents to many people at once, for the price of a local phone call. You do not need to pay for paper, envelopes or stamps.

Email is convenient. You send it while sitting in front of a computer, and you can store it in the computer as a record of your correspondence.

Email is conversational. Because people can send messages back and forth very quickly, they can respond to each other quickly, or ask for clarity on points they did not understand.

DISADVANTAGES OF USING EMAIL

Email can only be sent to people who have email addresses. It is limited to people who also have access to a computer, a telephone line and a way to connect their computer to the internet.

Email is informal. Because email seems more informal than a normal letter, sometimes people do not take the same care with emails as with normal letters. You will look more professional if you write your email as carefully and clearly as any other communication.

Email is so fast and easy that people sometimes send messages that they may regret later on. If you are writing about a sensitive matter, it is always a good idea to compose your message, then wait a while and re-read it before you send it.

Email does not convey emotions as well as face-to-face meetings or telephone conversations. You must write carefully to be understood.

Basic Email Etiquette

- Write clear, short messages.
- Use greetings and a “signature” just as you would in any other kind of letter.
- Check your email messages regularly.
- Answer your email messages as soon as possible.

4. Finding information on the internet

The internet can be a great source of up-to-date information. Using the internet to do research can save you a great deal of time. The internet allows you to conduct research all over the world without leaving Namibia or going to libraries. You can sometimes use your computer to print out or save information that you find, so that you do not have to take written notes.

Throughout this manual we have identified websites where you can get information on different levels of government and Parliament. You can also find information on different ministries and committees or on the Namibian Constitution. Many websites have helpful information on Namibia, but it is important to remember that some information may be out of date.

use home page from <http://www.opm.gov.na/> as an illustration

You can also search the websites of other governments and NGOs for information on the issue you are concerned about. It is often helpful to find out what is happening on an issue in other parts of the world. This information may give you new ideas for advocacy in Namibia. Information from other places may help you to think of a solution to a problem that you are experiencing.

Evaluating Internet Sources

Not all of the information on the internet is trustworthy or accurate. Remember that anyone with a computer, an internet link and a few computer skills can create a website. Before you rely on information found on the internet ask yourself the following questions:

- Who is the author of the piece, what are their credentials, and are they the original creator?
- Is the information supported by an organisation, and if so do they exercise control over the content of information appearing under their name?
- Is the information up-to-date? When was the website created and when was it last updated?
- How does it compare with other sources of information on and off the internet?

Using search engines

Search engines allow you to search all the websites on the World Wide Web for specific topics, by using “key words”. When you enter key words into a search engine, it will return a list of websites that contain the words you entered.

If you plan to use the internet for research, you should have someone explain how to search the internet before you begin. This can save you time and ensure that your search is more effective.

SchoolNet has published the information that appears on the following pages on its website to help people with internet searches using Google.

TRAINING RESOURCES ON THE INTERNET: If you are not able to find someone to teach you how to search the internet, you can find resources on this topic on the SchoolNet Namibia website at www.schoolnet.na. The Google search engine (www.google.com) also has useful information on searching the web at <http://www.google.com/help/index.html>.

SEARCH ENGINES: There are many “search engines” that you can use to find information on the internet. Google is one of the most popular.

Google	http://www.google.com/
Alta Vista	http://www.altavista.com/
Infoseek	http://www.infoseek.com/
Excite	http://www.excite.com/
Hotbot	http://www.hotbot.com
Yahoo	http://www.yahoo.com/



USING GOOGLE TO FIND FACTS

The following information is a slightly simplified version of information published by SchoolNet on its website to help people with internet searches using Google.

<http://www.schoolnet.na/resources/google/usinggoogle.html>

Google (<http://www.google.com>) is a search engine that finds web pages on the internet according to words users have instructed Google to look for. It is a tool you can use to sort through the world wide web, which has some 3 billion pages.

Excercise 1: A Basic Search

Let's say you've heard that *The Namibian* newspaper has a website, but you don't know how to find it. You could use google to tell you where it is. Go to google and type in

Namibian

Google will go out and search the web, and then come back and tell you how many times it found the word 'Namibian' on the internet. But the top result?

[The Namibian Newspaper - News & Views From Namibia](#)

Namibia : The **Namibian** Newspaper : Daily national news coverage from the newspaper, daily news updates, technology news, sports, reviews. ...
www.namibian.com.na/ - 2k - [Cached](#) - [Similar pages](#)

Click on the blue text to visit the site, or read about the site in the paragraph that appears under the heading. That's *The Namibian* newspaper website. Its address appears in green underneath the heading and description: www.namibian.com.na.

Excercise 2: Combining Search Terms

Google is useful for finding websites as in exercise 1. But it is also helpful for finding information too. Often, though, the information you want to find isn't as simple as finding a website. That's why Google will search not just one word, like 'Namibian', but up to ten words at a time. Those words, when you use them to search, are called keywords or search terms.

Combining keywords is a fast way to narrow down a search. Want proof? Compare the number of hits - pages found by a search engine - with the keyword '*football*' and the keywords '*football Africa Namibia Windhoek premier league Tigers*'. '*Football*' gets about 19,000,000 hits (results). The other search gets about 352. (The number of hits a search returns is listed in the blue bar underneath the search field. It's on the right hand side).

But google doesn't strand you totally, either. Even though the word football appears on about 19 000 000 web sites, the search engine is smart enough to tell the difference between a website that's all about football and one that just mentions it once.

Still, how do 19 000 000 hits make your job any easier? It doesn't. So the best way you're going to search is to find ways to combine search terms to narrow down your hits.

Let's say you have to find out when Nelson Mandela was born. What keywords would you choose to find that out?

You could try '*Nelson*', '*Mandela*', '*birth*', '*birthday*', '*born*' or '*date*', because the meanings of these words are all closely related to the meaning of the answer you're trying to find.

But some keywords are better than others. Let's see how. Go to google.com and compare the results from the following searches. Type in:

Nelson Mandela birthday
Nelson Mandela born on
Mandela birth date

You know you've picked your search terms well when you get the answer you're looking for in the first two or three results on the first page. (Click on the blue text to visit the website, or get a quick idea of what the website is about by reading the description underneath the heading.) Which set of keywords works the best?

How many results do you get for each string? (A sequence of keywords is sometimes called a string).

Google doesn't like one of the words we put in the second search. Which one? Then try these changes: "**Nelson Mandela**" **birthday**. Putting quotes around two or more words forces google to return a hit only when those words appear right next to each other on a page.

Try: **Mandela "born on"**. Putting quotes around 'born on' forces google to search for a term it would normally ignore.

Then try: "**Nelson Mandela**" "**born on**". Compare the top result (the first one on the first page) for each string. How different are they? Which one is the best search string? Why?

Exercise 3 : Using 'site:' to Narrow a Search

Now that you've learned how to use quotation marks and combinations to refine your search, let's try using another method to restrict your search. Suppose a friend told you that there was a great article about butterflies at a site called enchantedlearning.com and you wanted to find it. You could type 'enchantedlearning.com' into your web browser's address bar and visit the site in the hopes of finding the article. But google is probably better at finding it than you are.

Let's use the special instruction **site:** to limit a search to just one site. Go to google.com and type:
butterflies site:enchantedlearning.com

This tells google to visit the site you told it to, and then print out a page that tells you where the word '*butterflies*' appears on that site. Look at your results: all the hits you get take you only to enchantedlearning.com.

News services

There are a number of specialised news search engines which update their indexes on a daily basis, or even more than once a day. Some are devoted to world news in general, while others collect news on a specific topic. You can visit a news service regularly to keep yourself informed about international developments on the topic that interests you.

GENERAL NEWS SERVICES

Here are some examples of general news services include which you can use to keep informed about world events in general. You can also look on the internet for news services which relate to specific topics.

<http://allafrica.com> (covers over 80 African media organisations)

<http://www.anc.org.za/lists/news.html> (covers all South African publications)

<http://www.newsindex.com> (covers over 250 newspapers from around the world, but with access only to current news and no archive for past news articles)

<http://www.cnn.com> (Cable News Network, a widely used source of world news)

<http://www.bbcworld.com/> (world news from the British Broadcasting Corporation)

<http://news.pacificnews.org/news/> (a good alternative to mainstream news sources, with interesting analysis of world news events)

<http://www.un.org/News> (the United Nations News Centre, with news on the activities of the UN and its agencies)

5. Lobbying and networking on the internet

The internet can be an effective way of letting other people know about you, your organization, and your campaign. It can be an effective way of networking and gathering support for your issue. There are many different tools you can use, including websites, email and mailing lists.

Benefits of internet networking

There are many benefits for you and your network if you have access to the internet. These include:

- **Connecting quickly:** Communication can be almost instantaneous with all members of the network, at a low cost.
- **Providing worldwide visibility:** The internet creates the opportunity to inform the public around the world about your concerns and influence public opinion.
- **Giving you free expression:** If you have a website you control what is put on it. You can ensure your message says exactly what you want without being filtered through the media.
- **Strengthening the capacity of a network:** The internet strengthens capacity by increasing access to information.

Your own website

If you are part of an organization you may already have a website. Websites are visual, user-friendly ways to organise information. They can include text, images, movies and

sound. A website can be used to tell people about your organization, how to contact you, what projects you are working on and what publications you have released.

If your organisation does not have a website, this may be something that you would like to include in your next budget. There are a number of individuals and groups in Namibia who will set up a website for you for a reasonable fee.

GETTING HELP TO SET UP A WEBSITE

There are many individuals and companies who will assist with websites. Here are two examples to give you some idea of how much this kind of service costs.

Orusovo.com
P O Box 409
Windhoek
Namibia
Tel :061 264310
Fax : 061 264014

email: PMFord@orusovo.com

website: <http://www.orusovo.com>

As of January 2004, this company was charging a one-time fee of N\$287,50 for each 'page' of 100 kilobytes of information for website development. (A "kilobyte" is a measure of how much space your information takes up in the computer. It is similar to words on a page, but may include graphics, sound, images and photographs. A 100-kilobyte "page" could actually print out on three or more normal-size pieces of paper.) This company also charges a fee of N\$ 90 per 100-kilobyte "page" per year (to be paid annually in advance) for "hosting" the website. ("Hosting" the website means making it available on the internet.) This fee includes an unlimited number of updates to the website based on material that you provide.

Azafrica.com
Alexander Forbes House
PO Box 25525
Windhoek
Tel: 061-245884
Cell: 081 124 2484 or 081 294 9890

email: dalton@azafrica.com

website: www.azafrica.com

The cost for website development by this company depends on the content of the website. In most cases the cost is arrived at after making a needs analysis with the prospective client. The minimum costs for various services as of early 2004 are webpage development starting from N\$3000, hosting of websites starting from N\$100 per month and updating and maintenance of websites starting from N\$300 per hour.

lay-out artist: reproduce lac's home page www.lac.org.na and <http://www.nid.org.na/> as illustrations

USING YOUR OWN WEBSITE FOR ADVOCACY

Advocacy information: You can use your organisation's website to publish information about your advocacy campaign. You can even create a website specifically for your campaign. But both of these options will be useful only if you keep the information up-to-date and relevant.

Links: Find other websites that are relevant to your campaign and ask them to post a link to your site. You can in turn create a link to their site.

Online petition: You can put a petition on your website and have people sign it. This form of petition will probably not be accepted in terms of the requirements for petitions to Parliament, but it might still be a persuasive expression of opinion.

Show support: You can create a logo or signature or slogan that people can download and use in their emails. For example, you might ask supporters of a campaign against violence to add the white ribbon symbol to all of their emails along with the statement "I have promised to do all that I can to stop violence in Namibia – have you?"

6. Access to computers and computer training

Public access to computers and internet

Below is a list of locations where you can get inexpensive or free access to computers and the internet. Some of the organisations listed also provide computer training.

NOLNet - NAMIBIAN OPEN LEARNING NETWORK

NOLNet has provided computers with internet connections to **community libraries** for public access. This means that anybody can use them. As of September 2003, the fees were as follows:

Use of computer (offline): N\$3/hour
Printing (black and white): N\$1/page
Internet connection: N\$10/hour

NOLNet has also provided computers with internet connections to some **Teachers' Resource Centres**. These computers are also available for public use. As of September 2003, the fees were as follows:

Use of computer (offline): N\$3.50/hour
Printing (black and white): N\$2/page
Internet connection: N\$10/hour

For updated fee information contact Ms. Alet Marais, Deputy Director Namibia Library Service:
amarais@mec.gov.na, 061-293 3182.

NIED provides public access to computers and other services for members of the public at its regional Teacher's Resource Centres. As of 2004, the fees for use of computers for internet, email and typing facilities were as follows:

<u>Adults</u>	<u>Students</u>
N\$4 for 15 min.	N\$2 for 15 min.
N\$8 for 30 min.	N\$4 for 30 min.
N\$16 for one hour	N\$8 for one hour

Members of the public can also use NIED libraries for research and study purposes.

CIVIC EDUCATION THROUGH TECHNOLOGY

The Honourable Speaker of the National Assembly has initiated a programme of annual regional visits called "Taking Parliament to the People". During 2003, the theme of these visits was based on civic education through technology. With the assistance of the Parliament's partner, the National Democratic Institute for International Affairs (NDI), computer training was provided for Governors, Regional Councillors and community members. The Honourable Speaker provided computers to a number of communities: Aminius, Gam, Gochas, Khorixas, Okakarara, Okombahe, Ondangwa, Ovitoto, Ruacana and Talismanus. The computer equipment was donated by Microsoft Corporation and COMPAQ Namibia. All of these computers are meant to be shared with the communities so that they can be used to communicate with their elected leaders.

For information on where these computers are in your community,
contact Ms. Wellmann 061-288 9111.

PUBLIC ACCESS TO COMPUTERS AND INTERNET

REGION/TOWN	INSTITUTION	CONTACT DETAILS	COSTS & CONDITIONS OF USE (as of 2004)
CAPRIVI			
Katima Mulilo	Caprivi Regional Education Technology Trainee Centre	066-253570	Computers, printer, internet, digital camera, typing tutor, video conference camera and other equipment available to the public. Fees are charged. Some training is offered.
ERONGO			
Swakopmund	Daures Constituency	Private Bag 5019 Swakopmund	See box on Civic Education Through Technology .
Usakos	Usakos Multi-Purpose Youth Centre	P O Box 181 Usakos tel: 064-530781 fax: 064-530752	Computer-training courses for unemployed youth for 3 months for a fee of N\$50 per month.
Walvis Bay	Main Library and Kuisebmond Library	064-201 3260 Rachelle Duck, Director rduck@walvisbaycc.org.na	See box on NOLNet .
KAVANGO			
Divundu	Frans Dimbare Integrated Youth Development Centre	PO Box 5066 Divundu tel: 066- 258307 fax:258307	Computer-training courses for unemployed youth for 3 months for a fee of N\$50 per month.

Rundu	Rundu District Teacher's Resource Centre	Ms Scholastika Hausiku Private Bag 2143 Rundu tel: 067-255936 or 7 fax: 067-255814 email: hscholastika@mighty.co.za	See box on NIED .
KHOMAS			
Windhoek	American Cultural Centre	Sanlam Centre Independence Ave 061-229801	Free to members. Joining is free. Take 2 passport photos and your ID, and fill in a form. For internet research only. No email.
Windhoek	Maxuilili Community and Learning Development Centre (CLDC) and Community Library, Katutura	Babylon, Okuryangava Katutura 061-217 261	See box on NOLNet .
Windhoek	Rossing Foundation Centre, Khomasdal	061- 211721	See box on NOLNet .
Windhoek	MBEC Resource Centre	Ms Valerie Brecher Private Bag 13186 Windhoek tel: 061-2933004 fax: 061-2933163 email: vbrecher@mec.gov.na	See box on NIED .
Windhoek	Windhoek District Teachers' Resource Centre	Ms Betty Hough Private Bag 15011 Katutura tel: 061-216821 fax: 061-216822 email: wtrc@mweb.com.na	See box on NIED .
Windhoek	Windhoek International Youth Hostel	Private Bag 12291 Windhoek tel: 061- 253370 or 253375 fax: 061-257678	Computer-training courses for unemployed youth for 3 months for a fee of N\$50 per month.
HARDAP			
Mariental	Teachers' Resource Centre	063-242084	See box on NOLNet .
Mariental	Gibeon Constituency Gochas	Private Bag 2017 Mariental	See box on Civic Education Through Technology .
KARAS			
Keetmanshoop	Keetmanshoop District Teachers' Resource Centre	Mr Johan Mostert PO Box 1545 Kronlein, Keetmanshoop tel: 063-222556 fax: 063-223986 jam@iafrica.com.na	See box on NIED .
Keetmanshoop	Keetmanshoop Multi-Purpose Youth Resource Centre	P O Box 836 Keetmanshoop tel: 063-222699 fax: 063- 225972	Computer-training courses for unemployed youth for 3 months for a fee of N\$50 per month.
Mariental	Mariental District Teachers' Resource	Ms E Sheehama PO Box 20	See box on NIED .

	Centre	Mariental tel: 063-242084 fax: 063-242053	
KUNENE			
Khorixas	Khorixas Multi-Purpose Youth Resource Centre	P O Box 510 Khorixas tel: 067-331392 fax. 067-331213	Computer-training courses for unemployed youth for 3 months for a fee of N\$50 per month.
Opuwo	Opuwo District Teachers' Resource Centre	Ms R Tjizu PO Box 101 Opuwo tel: 065-273112 fax: 065-273112	See box on NIED .
Opuwo	Opuwo Teachers' Resource Centre	065-273112	See box on NOLNet
Opuwo	Khorixas Constituency	Private Bag 502 Opuwo	See box on Civic Education Through Technology .
Ruacana	Teachers' Resource Centre	065- 270066	See box on NOLNet .
OHANGWENA			
Eenhana	Multimedia Community Centre, Community Library	065-263166	See box on NOLNet .
Eenhana	Eenhana Constituency	PO Box 13185 Eenhana	See box on Civic Education Through Technology .
OMAKEKE			
Gobabis	Aminuis Constituency Talismanus	Private Bag 2277 Gobabis	See box on Civic Education Through Technology .
Talismanus	Traugott Kandorozi Jnr Primary School	062 -560534	See box on Civic Education Through Technology .
OMUSATI			
Outapi	Community Library Ombalantu Multipurpose Youth Centre	065 -251 076	See box on NOLNet .
Outapi	Ruakana Constituency	Private Bag 523 Outapi-Ombalantu	See box on Civic Education Through Technology .
Outapi	Outapi Youth Centre	P O Box 197 Ombalantu tel: 065-251076 fax: 065-251135	Computer-training courses for unemployed youth for 3 months for a fee of N\$50 per month.
OSHANA			
Ondangwa	Community Library, Rossing Foundation Centre	065- 241261	See box on NOLNet .
Ongwediva	Ongwediva Teachers' Resource Centre	Mr Jason Mbodo Private Bag 5550 Oshakati tel: 065-230057 or 232018 fax: 065-230035 otrc@otrc.schoolnet.na	See box on NIED .
Ongwediva	Teachers' Resource Centre Computer Lab	065 -231059	See box on NOLNet .

Oshakati	Community Library	065-221564	See box on NOLNet .
Oshakati	Ondangwa Constituency	Private Bag 5543 Oshakati	See box on Civic Education Through Technology .
Oshakati	Oshakati International Youth Hostel	Private Bag 5557 Oshakati tel: 065-220354 fax: 065-220310	Computer-training courses for unemployed youth for 3 months for a fee of N\$50 per month.
OSHIKOTO			
Tsumeb	Tsumeb District Teachers' Resource Centre	Mrs Veeza Kasiringua PO Box 411 Tsumeb tel: 067-220156 fax: 067-220314 cell: 081 2424769 Kasi53@hotmail.com ttrc@iway.na	See box on NIED .
Tsumeb	Tsumeb Regional Office	PO Box 116 Tsumeb	See box on Civic Education Through Technology .
OTJOZONDJUPA			
Okahandja	NIED (Head Office)	Voortrekker Road Private Bag 2034 Okahandja tel: 062-502446 fax: 062-502613 email: nrooi@nied.edu.na	See box on NIED .
Otjiwarango	Otjiwarango District Teachers' Resource Centre	PO Box 1283 Orwetoveni Otjiwarango tel: 067-303730 or 30374 fax: 067-302778 cell: 081-2467637	See box on NIED .
Otjiwarango	Okakarara Constituency Omatoko Constituency	PO Box 1682 Otjiwarango	See box on Civic Education Through Technology .

MULTI-PURPOSE YOUTH CENTRES

For more information about the computer training offered at the Multi-Purpose Youth Centres or an updated list of the locations where computer courses are offered, contact:

Ministry of Higher Education

Directorate: Youth

NDC building, Goethe Street

tel: 061-2706111

fax: 061-245939

SCHOOLNET COMPUTERS

SchoolNet is an NGO that helps schools get internet access. As of early 2004, SchoolNet had provided 250 Namibian schools with computers for internet use. Each school involved will decide whether or not to make these computers available to the public. If there is a school in your area with SchoolNet computers, you can ask about their policy on public use. These schools have not been included in the table above.

PARLIAMENT BUS

Parliament has a Mobile Training Unit with 11 computers on board which can be used for training communities anywhere in the country on how to use computers for advocacy. This unit carries its own power so that it can be used even in remote rural areas without telephones or electricity. People can also use these computers to make submissions to Parliament and Parliamentary Committees. If you would like to arrange for the Parliament Bus to come to your area, you can contact:

Parliamentary Information Centre

Robert Mugabe Avenue
Private Bag 13323, Windhoek
tel: 061-2882510
fax: 061-239419
email: parliament@parliament.gov.na
website: www.parliament.gov.na

OR

Democracy Support Centre

Parliament Buildings
PO Box 11713
Klein Windhoek
Tel: 061-231334
Fax: 061-245285

PHOTO OF BUS STILL TO BE SCANNED

INTERNET CAFES

You can also get access to the internet at an “internet café”. This is a place that provides computers all set up for use on the internet or for email. You usually pay a small hourly fee to use the computers at an internet café to get access to the internet. You can often get a drink or a snack at the same place. This is why it is called a “café”. “Internet cafes” are opening in more and more towns in Namibia. There may be an internet café near you.



To give just one example, at the time of writing, internet access was available for a small fee at the Sand Dragon restaurant and gift shop in Omaruru.

Computer training

The NGO Women's Action for Development offers computer training at training centres across Namibia for a minimal cost. The cost varies according to the training centre. The centres are located at the locations shown in the table below.

WOMEN'S ACTION FOR DEVELOPMENT COMPUTER TRAINING PROGRAMS					
Region	Town	Name	Telephone	Fax	Address
Otjozondjupa					
	Okakarara	Tina Katunohange	067-317041	067-317041	PO Box 243 Okakarara
	Mangetti Dune	Mamaki Toromba	067-245009		
Omaheke					
	Otjinene	Siegfriedine (Rosa) Kazapua	062-567577	062-567577	PO Box 11 Otjinene
Hardap					
	Rehoboth	Wilma Maasdorp	062-524329	062-524329	
	Gibeon		063-251192		
	Kalkrand		063-264060		
Omusati					
	Omahenene	Helena Asino	065-250340	065 - 250340	PO Box 144 Oshakati
Erongo					
	Karibib	Else Khaises	064-550436		PO Box 117 Karibib
	Spitzkoppe	Rian Gariseb	064-530879		PO Box 357 Spitzkoppe
Kunene					
	Khorixas	Ida Jimmy	067-331071	067-331071	PO Box 495 Khorixas
Khomas					
	Windhoek	Dr. Meier	061-225568	061-225678	PO Box 1145 Windhoek
	Windhoek	Veronica De Klerk	061-227630	061-236372	PO Box 370 Windhoek
	Windhoek	Penelope Malgas	061-227630	061-236372	PO Box 370 Windhoek
Contact WAD for further information: 061-227 630.					

7. Video-conferencing

Video-conferencing uses technology to allow you to have a face-to-face “meeting” with someone who is in a different place. Video-conferencing equipment is like combining a television with a telephone – it allows you to both see and hear the person you are speaking with, and that person can both see and hear you.

For example, you could go to the Governor’s Office in Opuwo and arrange a video-conference with a government official in Windhoek. You would agree on the time in advance. Then the representative of your group and the government official would speak to each other as if they were talking on a normal telephone. But they would also be able to see each other’s faces on a screen at the same time. This kind of long-distance connection is more personal than telephone calls or faxes.

The Governor’s Offices in all 13 regions have the equipment for videoconferencing. As of early 2004, the Ministry of Regional and Local Government and Housing was still busy drafting guidelines for the use of this equipment by members of the public.

ARRANGING A VIDEO-CONFERENCE

If you would like to arrange a videoconference with a Member of Parliament or a government official in a different place, ask about this at your Regional Governor’s Office. You can also find out more about the video conferencing guidelines from:

Mr Tjipura
Ministry of Regional and Local Government and Housing
tel: 061-2975111

8. Using cell phones for advocacy

Although many people in Namibia have cell phones, it may not have occurred to you that they can be used very effectively in advocacy campaigns. Most cell phones can be used to send short written messages to other cell phones. This kind of message is sometimes called an “SMS” (which stands for “Short Message System”) or a “text message”. Sending an SMS is cheaper than making a telephone call on a cell phone. Using SMS messages can be an inexpensive and effective way to spread information. The box below gives some examples of how this strategy has been used in other countries.

CASE STUDIES Using Cell Phones for Advocacy

SMS and E-Mail in the 2002 Hungarian Election Campaign

Hungary is a country of 10 million people. 53% of those people have cell phones and 15% are internet users.

The Hungarian parliamentary election campaign in April 2002 was a hard fought election with very close election results. In the last two weeks of the campaign, between two rounds of

elections, technology played a very role in mobilizing people. Party supporters exchanged millions of political mobile text messages (Short Message System – SMS) and emails. Daily SMS traffic increased 20-30%. For two weeks political spam (unsolicited messages) became an everyday experience.

SMS and email have four benefits: speed, reliability, personality, and expression of individual style. They also have the quality of allowing a message to be sent to many people very quickly and at low cost. Here are examples of the SMSs that were sent:

- “Sunday at 4pm on Vörösmarty square anti-government voters are holding a peaceful demonstration to show: WE ARE NOT AFRAID! Pass this on to 10 people” (April 14th) This message was sent out to encourage people to attend a public meeting of a political party in a café. This was done independently of political parties.
- “We are building a bridge of light for a civic future. From 8 pm on the 18th on the riverbanks and bridges of Budapest. Come with a lit candle so we can shine far and bright! Pass this on!” (April 18th) This message was to encourage people to attend a candlelight demonstration of one of the political parties by the Danube River before the second round:

Miklós Sukösd – Endre Dányi

<http://web.axelero.hu/aja/SukosdDanyi.PDF>

Text Messages Shape Politics in the Philippines

MANILA- Maricar Quiambao’s fingers hover over the computer keyboard as she prepares to compose a message to Filipino voters.

“Don’t vote for FPJ,” she says, laughing mischievously at her slight against movie star turned presidential front-runner Fernando Poe Jr.

Quiambao, a campaign adviser to politicians linked to president Gloria Macapagal Arroyo, is testing software to send political text messages to thousands of mobile telephones simultaneously.

By the time Filipinos go to the polls on May 10 to elect a president and 17 000 other officials across the archipelago, many mobile phone owners will have received hundreds of messages aimed at influencing their decisions at the polling booth...

The country’s 22 million mobile users, more than a quarter of the population, send an average of seven messages each every day...

Mobiles in Manila buzz with election-related messages...

Richard Baum, *Nampa-Reuters*, 26 March 2004

Sources

Lindsay Maxwell, “Using the internet for research – A guide for WiLDAF members” (June 2001) at http://site.mweb.co.zw/wildaf/resources/int_res.htm.

Marie-Helene Mottin-Sylla, “Networking with the internet”, January 2001 at http://site.mweb.co.zw/wildaf/resources/int_net.htm.

Sangonet, “Advocacy using the internet”, June 2001 at <http://site.mweb.co.zw/wildaf/resources/advocacy.htm>.

CHAPTER 9: HISTORY OF GOVERNMENT IN NAMIBIA

It is useful to understand the different governments which have held power in Namibia throughout history, as some of the laws in force in Namibia have been inherited from the governments which held power in earlier times. This chapter is a brief summary of the different kinds of government which have existed in Namibia and the different methods of transition which have taken place.

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.

Namibian Constitution, Article 140(1)

1. The pre-colonial period

The land which is now Namibia was originally inhabited (lived in) by many different communities of people, each with their own leaders, customs and systems of government.

Traditional councils responded to the needs and demands of the communities. They were known by different names in different Namibian communities. They were often headed by the community's chief, captain or king.

Traditional councils served a law-making function by making basic rules for matters such as sharing resources and regulating relationships among people. They also served a judicial function as the supreme court of the community.

In some communities, traditional councils also dealt with issues such as migration, war and peace, and treaties with other groups. Important political and administrative matters were sometimes referred to a general assembly of the people of the community.

Some communities also had a council of elders which served as a balance to the power of the traditional leader and the traditional council.

2. The colonial period

In the late 1700s and 1800s, white farmers, traders, explorers and missionaries began to come to Namibia to live. These people brought different social customs and different ideas about government from their own countries in Europe.

In 1878, England announced that it would control the area around Walvis Bay. In 1884, Germany made a formal announcement that it would protect some of the communities of

German settlers in the central and southern parts of the country. These two events were the beginning of colonial government in Namibia. (The later dispute between Namibia and South Africa about which country has the right to control Walvis Bay grew out of this history of different colonial governments.)

During this period, many European countries established colonial governments in Africa. Because the customs and the systems of government of the Africans were different from those of the Europeans, the Europeans did not treat them as real laws and real governments. They felt free to move into Africa and establish their own ways of doing things.

In Namibia, the Germans made agreements with some of the people who were already living there, and used force against others. In this way, they were able to gain control over more and more land. The land controlled by Germany became known as "German South West Africa".

The Germans set up government bodies in German South West Africa, but these bodies represented only the German settlers. The settler bodies did not have the power to make laws. They could only make recommendations to the German authorities who made decisions about "German South West Africa".

Some of the communities who had originally lived in the parts of Namibia where the Germans settled -- such as the Herero, the Nama and the Damara -- rebelled against German rule, but they were defeated by the strong power of the German troops.

The government of Namibia changed in 1919 because of a war which had nothing to do with Namibia. Germany was on the losing side in World War I. In the peace treaty which ended this war, Germany was forced to give up all of its former colonies, including German South West Africa. The countries which were on the winning side in the war gave South Africa the power to govern Namibia, which was at that stage called "South West Africa" ("SWA" for short).

In the meantime, England, which was still the colonial power in Walvis Bay, had also set up colonial governments in parts of South Africa. The result was that Walvis Bay was governed as part of South Africa. After South Africa was given control over SWA, it decided to treat Walvis Bay as part of SWA.

South Africa was expected to promote the well-being of the people who lived in SWA, but it did not fulfil this duty. For example, only whites were represented in the government structures set up by South Africa. Most of the people in SWA were opposed to South African rule.

In 1948, the South African government introduced a policy of apartheid in South Africa. Apartheid is an Afrikaans word for "separateness". This policy formalised and extended racist practices which kept whites, "coloureds" and blacks separate in every part of life, with "coloureds" and blacks receiving the worst land, jobs, education, housing, health

care and other services. The ultimate idea of apartheid was that each black ethnic group would have its own small state. This policy was intended to divide the black population so that the white government could remain in control. Apartheid was a horrifying violation of fundamental human rights.

At this time, South Africa began thinking about making SWA into a part of South Africa, instead of treating it as a separate territory. The whites of SWA began sending representatives to the South African Parliament, and some of the laws of South Africa were applied to SWA.

3. The struggle for independence

Namibia's independence was the result of a long struggle for liberation by the Namibian people.

After the Second World War, most of the nations of the world came together to form an organisation known as the United Nations (UN). The UN was supposed to help prevent wars by giving nations a place to meet together to resolve disagreements peacefully. The Namibian people complained to the UN about South Africa's racial discrimination, and about the unfair policies that it imposed on SWA.

The Namibian people also began to form organisations, such as SWANU and SWAPO, which called for the independence of Namibia. SWAPO launched an armed struggle inside Namibia in 1966, hoping to force a change of government by revolution.

In 1966, the UN decided that South Africa should no longer have the right to govern Namibia. It decided that the UN should take control over Namibia until it became completely independent. But South Africa ignored this decision. The UN did not try to force South Africa to obey because some of the most powerful nations in the UN could not agree about what to do.

In 1971, the International Court of Justice (a court which decides disagreements between nations) ruled that South Africa had no right to govern Namibia. South Africa also ignored this decision, so the armed struggle inside Namibia continued.

Because of the resistance of the Namibian people and because of the growing international pressure, South Africa began to realise that it could not stop Namibia from becoming an independent nation. To show this new way of thinking, Namibia became known as "South West Africa/Namibia". South Africa gradually began to change the way it governed SWA/Namibia, but there was still much disagreement about when and how Namibia should become an independent nation.

Many nations were interested in the future of Namibia. Nations around the world are always worried about the balance of power between the nations which are their friends and the nations which are their enemies. At that time, many nations were especially

worried about the balance of power between countries which were friendly with the United States of America (USA), a capitalist country, and countries which were friendly with the Union of Soviet Socialist Republics (USSR), a communist country.

In 1977, some of the most powerful nations in the UN -- the USA, England, Germany, France and Canada -- helped SWAPO and South Africa to negotiate an agreement about the independence process. The plan that was agreed upon was approved by the UN and became known as UN Resolution 435.

While the negotiations were going on, South Africa said that Walvis Bay was really part of South Africa because it once had a different colonial government from the rest of Namibia. South Africa began to treat Walvis Bay as a part of the Cape Province of South Africa, which was hundreds of kilometers away. The UN continued to say that Walvis Bay was part of Namibia.

Soon there were disagreements about how to go forward with UN Resolution 435, and South Africa began to move ahead with its own plan instead.

In 1978, an election was held in Namibia for a Constituent Assembly which was supposed to draw up a new Constitution for Namibia. But this election was controlled by South Africa. It was not free and fair. Some parties (such as SWAPO) refused to take part. So the new Constituent Assembly did not represent all Namibians.

People from inside and outside Namibia complained about the 1978 election, and these complaints stopped the Constituent Assembly from writing a new Constitution. But South Africa was still in control of Namibia. The UN continued to try to get South Africa to agree to UN Resolution 435, and the Namibian people continued to fight against South African rule.

South Africa continued its efforts to keep Namibia divided. In 1980, Namibia was divided along ethnic lines into eleven "population groups", each with its own governmental authority. These authorities were given control over a limited number of issues, including communal land rights, education, health services and social welfare.

Then the question of "balance of power" became important in a new way. In Angola, on the northern border of Namibia, a civil war was being fought, with Cuban support for one side and South African support for the other. The USA and South Africa argued that independence for Namibia should be linked to the withdrawal of Cuban forces from Angola. But many Namibians felt that the question of independence for Namibia should not be tied to issues inside another country.

Finally, several things worked together to make it possible for an agreement to be reached: (1) The Cuban army agreed to withdraw from the war in Angola. (2) The revolution was continuing inside Namibia as the people fought against South African rule. (3) There were more negotiations. (4) The relationship between the USA and the USSR became friendlier, changing international relations around the world.

UN Resolution 435 was put into action on 1 April 1989, starting the process which produced the independent nation of NAMIBIA.

In Namibia's case, the long struggle of our people for self-determination, freedom and national independence triumphed at a time when a fundamental change occurred in the world which was marked by the end of the Cold War and consequently the end of global rivalries between the two then existing superpowers. This new situation and the sense of responsibility of our people gave Namibia a unique opportunity to proceed directly from many years of colonial and racial repression and domination to a democracy based on a democratic Constitution and a multi-party political system.

President Sam Nujoma, 23 August 1993,
Ministry of Information & Broadcasting / State House,
Ten Years of Speeches of the President of Namibia
(March 1990-March 25, 1995), p 316.

HISTORIC PHOTOGRAPH TO ILLUSTRATE THIS SECTION

4. Namibia's first free and fair election

UN Resolution 435 said that there must be a free and fair election for a Constituent Assembly which would represent all the people of Namibia. This Constituent Assembly would then draft a Constitution which would set up a new system of government for Namibia. As soon as the Constitution was finished, Namibia would become an independent nation.

UN Resolution 435 also said that every part of the election must be supervised (watched closely) by the United Nations. The job of the United Nations was to make sure that everything about the election was impartial (which means that all political parties must be treated equally).

The United Nations set up a special group to watch over the Namibian elections. This group was called UNTAG, which stands for "United Nations Transitional Assistance Group" -- the name means that the group assisted (helped) Namibia in the transition (change) from one kind of government to another.

UNTAG included people from many different countries around the world. UNTAG's job was to monitor (watch) everything about the election so that there could be no cheating and to make sure that people were not being intimidated (frightened or injured) by any one else because of their political views.

Special laws were passed to say how registration and voting would take place. The South West African government (which was controlled by South Africa) wrote these laws, but the UN made sure that they were fair.

All Namibians who were 18 years old or older had the right to vote in the election. This included people who had been born in Namibia, people who had a Namibian mother or father, or people who had been living in Namibia for at least four years before the election.

At the time of the election, the future of Walvis Bay had not been agreed upon, and it was still under the control of South Africa. So people living in Walvis Bay had to come to Swakopmund to vote.

Everyone who wanted to vote in the election first had to register -- to come to a registration official with identity documents or other papers showing that they had the right to vote.

Political parties also had to register to take part in the election. Before the election, all of the political parties were free to campaign -- to try to convince people to vote for them by holding rallies, putting up posters, making speeches and so forth. You can see why freedom of speech is very important during a political campaign.

The election was held in November 1989. Everyone voted by secret ballot. Every voter stood alone to make a mark on the ballot paper beside the political party of his or her choice. No one could see how another person had marked his or her ballot, and no one could be forced to tell anyone else how he or she voted. The total number of votes counted was 670 830. A few ballots could not be counted because people had not marked them clearly.

People from all over the world came to Namibia to watch the election take place. It is very difficult to make sure that an election is really free and fair, and many people were interested to see how Namibia's election would work.

At every stage of the election, someone from the UN was looking over the shoulder of each person who was involved in running the election -- including the people who registered voters and controlled the voting process, and the people who transported the ballot boxes and counted the votes. When the election was over, the United Nations announced that it had been a free and fair election.

There are many different ways that an election can be organised. The Namibian election used a system called proportional representation. This means that each voter voted for one political party. Then each political party was given seats in the Constituent Assembly in proportion to the number of votes they received.

This means that the party which got the highest number of votes was given the highest number of seats, the party with the second highest number of votes the second highest

number of seats, and so on. The number of seats for each party matched the number of votes for that party -- but on a smaller scale. Parties which got only a very small number of votes were not given any seats.

It was agreed that there would be 72 seats in the Constituent Assembly. These seats were divided among seven political parties. Each political party decided who it would send to sit in its seats in the Constituent Assembly.

The South West Africa People's Organisation, SWAPO, won 41 seats in the election. The Democratic Turnhalle Alliance (DTA) won 21 seats, the United Democratic Front (UDF) won 4 seats and Action Christian National (ACN) won 3 seats. The Federal Convention of Namibia (FCN), the Namibia National Front (NNF) and the Namibia Patriotic Front (NPF) each filled one seat in the Constituent Assembly.

The Constituent Assembly then started on its task of writing the Constitution.

Coming to terms with the past

Namibia emerged out of a past riddled with successive cycles of conquest, subjecting the country and its people to the worst social, political and economic injustice. The country has been in constant struggle with its conquerors. The population was divided between black and white. The war tore the society further apart. This history could not be brushed away overnight. In the Constituent Assembly, Namibian people from different social, political and economic groupings came together for the first time in Namibian history to draft and adopt the Namibian Constitution. It was a historic moment, when representatives of all Namibian interests came together to act as a Nation and to determine the future of Namibia.

Parliament website, "History", www.parliament.gov.na, November 2003

HISTORIC PHOTOGRAPH TO ILLUSTRATE THIS SECTION

HISTORY OF CIVIL SOCIETY IN NAMIBIA

The establishment of democracy in Namibia had its watershed years in the period following independence in 1990. The first democratically elected Government realised the importance of NGOs in the development and reconstruction of the country. There has accordingly been a rapid growth in the number and size of NGOs. Before independence in 1990, there was little opportunity for civic organisation involvement in Namibia. A number of civic organisations, such as the churches, trade unions, student movement, women's organisations and human rights organisations were active in providing mainly social protection and support in the country whilst being highly critical of the colonial regime. Others, outside the liberation movement were tolerated and at times used as 'fronts' by the colonial administration with no, or very questionable legitimacy. However, it can be argued that the liberation struggle against Apartheid and colonialism in itself was a movement of civil society, which has proven to be highly effective and

eventually has contributed to the end of colonial occupation.

Development policy formulation, immediately after independence, was initiated and driven by Government. The civil society sector emerged fragmented and experienced extremely low levels of capacity. However, the situation changed rapidly within the first years of independence. Due to the establishment of democratic principles and practices and freedom of association, Namibia became a favoured country of international donor agencies, which were eager to support a fast growing civil society sector. This sector started assuming policy lead roles and became increasingly available for partnership in development. A key source of effectiveness was not only the ability to engage with other interests, but also the capacity to form alliances and coalitions. Faith based organisations, community based networks, community based natural resource management networks, women's coalitions and national and regional coalitions of NGOs became key actors, as are trade unions and business representative organisations.

Government of the Republic of Namibia
Draft Policy on Civic Organisation Partnership
22 October 2003

Sources

“Our New Nation”, *Abacus* (a column written by Dianne Hubbard in a supplement to the secondary school syllabus once published monthly in Namibia), 1991-1995.

Parliament website, “History”, www.parliament.gov.na, November 2003.

CHAPTER 10: NAMIBIAN CONSTITUTION

This Chapter gives an overview of the Namibian Constitution. It explains how the Constitution was drafted, and summarises some of its key provisions.

1. What is a constitution?

Most democracies have a constitution, which is a special law that establishes government structures and explains how power will be organised. A constitution explains how the other laws of the country will be made. Also, constitutions usually guarantee that all the citizens of the nation will have certain important rights.

Imagine the constitution as the skeleton of the government – it is the basic framework which gives the government its shape and form.

Because the constitution is the basic law of a nation, all other laws must be tested against it. This means that other laws are valid only if they were passed according to the procedures described in the constitution, and only if they are consistent with the rights protected by the constitution.

For example, the Namibian Constitution says that laws can be made only by Parliament, so if the President tried to pass a law on his own, it would not be valid (it would not really be a law and people would not have to obey it). As another example, the Namibian Constitution says that there shall be no death penalty for any crime, so if Parliament tried to pass a law imposing the death penalty for murder, it would not be valid.

Because a constitution is the most important law of a nation, there are usually special rules about how it can be amended (changed). It is usually more difficult to amend a constitution than to amend any other law, and changing the constitution is treated as a very serious matter. The reason for this is that most democracies want their governments to be stable. With a constitution, although the people who sit in positions of power will change from time to time, the basic structure of the government remains the same over the years.

Not all democracies have constitutions, and not all nations which have constitutions are democracies. For example, both the United States of America and England are democracies, but the USA has a constitution while England does not. Countries which are not democracies sometimes have constitutions which are ignored.

Namibia's constitution has been praised internationally as being one of the best in the world.

2. Writing the Namibian Constitution

UN Resolution 435 included certain guidelines for writing the Namibian Constitution. All of the nations and groups involved in the negotiations about Namibia agreed to these general principles before independence.

These were some of the most important principles:

- * Namibia would be a democratic nation.
- * The Constitution would be the supreme (the highest and most important) law.
- * There would be three branches of government -- an executive branch, a legislative branch and an independent judicial branch which would enforce (make sure that everyone obeys) the Constitution.
- * There would be elections every few years for the leaders of the executive branch and the legislative branch. These elections would be democratic and fair. Every adult Namibian would have the right to vote, and voting would be by secret ballot.
- * The Constitution would protect certain basic human rights, such as the right to life, freedom of speech, freedom of the press, freedom of assembly (being free to meet together), and freedom from discrimination on the basis of race or sex.

All the members of the Constituent Assembly agreed to follow these rules when they started writing the Constitution.

It was also agreed in advance that the new Constitution would have to be accepted by two-thirds of the members of the Constituent Assembly -- this means that 48 out of the 72 members of the Constituent Assembly would have to vote for it. Because a Constitution is the basic law of a nation, it is important for a large number of the citizens of the nation and their representatives to be happy with it.

SWAPO was the political party with the most seats in the Constituent Assembly, but even SWAPO did not have two-thirds of the seats. This meant that the different political parties had to discuss the Constitution and make some compromises (change their ideas a little to reach agreement). This process helped to make our Constitution strong.

The Constituent Assembly chose a committee to work on a draft Constitution. This committee had members from each of the seven political parties in the Constituent Assembly.

The meetings of this committee were secret. In a democracy, it is important for the public to know and discuss what the government does, but in this case the Constituent Assembly thought that the Constitution could be finished more quickly if some of the work was done behind closed doors.

The committee drew on ideas about human rights which have been agreed upon at an international level, such as the Universal Declaration of Human Rights and other agreements between countries that are members of the United Nations.

After this committee agreed on a draft Constitution, the draft was discussed by all the members of the Constituent Assembly.

The hardest things to agree on were what the job of the President should be and how many "houses" Parliament should have (whether it should be one group of people who would all be elected in the same way, or two separate groups of people who would be elected in different ways and meet separately).

CASE STUDY Shaping the Namibian Constitution

Women activists lobbied through their political party structures for strong statements on women's rights in the new Namibian Constitution. In December 1989, during the drafting process, women from church-based groups and prominent female members of the various political parties met with the five female members of the newly-elected Constituent Assembly to discuss their expectations of the new Constitution.

Two more public meetings to discuss women's rights in the new Constitution were held in January 1990. The first meeting, in Khomasdal (Windhoek), brought together 100 people from churches, political parties and community-based groups. At the end of the two-day meeting, this group sent an open letter to all the members of the Constituent Assembly detailing their concerns. For example, the group wanted more clarity in the Constitution on the meaning of the term "family", and they wanted all discriminatory laws and practices to become automatically invalid from the date of independence. They praised other draft clauses on women's rights.

Another well-attended meeting took place a week later in Katutura (Windhoek), where the participants expressed similar views. Once again, an open letter summarising the discussion was sent to all members of the Constituent Assembly.

Not all of the points put forward by women through these channels were addressed in the final Constitution. But the influence of women's input was evident. For example, SWAPO's Constitutional proposal stated that women "need to be encouraged to play a full, equal and effective role in the political, social and cultural life of the nation". Some women complained that this statement did not include a reference to the economic role of women. The final version of this statement which was included in the Constitution refers to "the political, social, *economic* and cultural life of the nation" (Article 23(3)).

The final version of the Constitution uses the non-sexist language of "he or she" throughout. This is also reportedly the result of lobbying by women within their party structures.

information based on Heike Becker,
Namibian Women's Movement to 1992
pages 237-41

The Namibian Constitution was finished in only 80 days. It was accepted unanimously by every member of the Constituent Assembly -- this means that everyone from all of the different political parties voted FOR the Constitution.

The adoption, here today, of the Constitution for the Republic of Namibia is, indeed, a historic milestone and a giant step forward towards the completion of the Namibian people's long, bitter and bloody struggle for independence.

President Sam Nujoma, 9 February 1990,
statement on the adoption of the Namibian Constitution

HISTORIC PHOTOGRAPH TO ILLUSTRATE THIS SECTION – ADOPTION OF THE CONSTITUTION AT TINTINPALAST

The Namibian Constitution came into force on the day that Namibia became independent -- 21 March 1990.

3. A summary of the Namibian Constitution

The Constitution is the most important law in Namibia. It protects the basic rights of all people and guarantees that there will be equal rights for all.

In a democracy it is essential that for all people to know their rights and freedoms. It is also essential that all people's rights and freedoms are protected. By knowing your rights you will have power. You will know what you are constitutionally allowed to do and also what steps to take you if someone violates your rights. By learning about your rights and freedoms and teaching others, you will become a better and more effective advocate for change.

The Constitution begins with an introduction called a "Preamble" which explains why the Constitution is so important.

The Preamble says that everyone should have the right to life, liberty and the pursuit of happiness (the right to try to find ways to be happy) without discrimination. It also says that these rights can best be protected in a democracy --

- * where the people are governed by representatives they have freely elected;
- * where there is a Constitution that says how the government works, which everyone in the government must obey; and
- * where there are independent courts of law that can enforce each person's rights.

PREAMBLE OF THE NAMIBIAN CONSTITUTION

Whereas recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is indispensable for freedom, justice and peace;

Whereas the said rights include the right of the individual to life, liberty and the pursuit of happiness, regardless of race, colour, ethnic origin, sex, religion, creed or social or economic status;

Whereas the said rights are most effectively maintained and protected in a democratic society, where the government is responsible to freely elected representatives of the

people, operating under a sovereign constitution and a free and independent judiciary;

Whereas these rights have for so long been denied to the people of Namibia by colonialism, racism and apartheid;

Whereas we the people of Namibia –

have finally emerged victorious in our struggle against colonialism, racism and apartheid;

are determined to adopt a Constitution which expresses for ourselves and our children our resolve to cherish and to protect the gains of our long struggle;

desire to promote amongst all of us the dignity of the individual and the unity and integrity of the Namibian nation among and in association with the nations of the world;

will strive to achieve national reconciliation and to foster peace, unity and a common loyalty to a single state;

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 therefore, we the people of Namibia accept and adopt this Constitution as the fundamental law of our Sovereign and Independent Republic.

The Constitution begins by saying that Namibia is a "sovereign, secular, democratic and unitary" state. Sovereign means that Namibia is an independent nation which is not under the control of any other nation. Secular means that the government of Namibia does not represent any particular religion. Democratic means that power rests in the hands of the people of Namibia, who elect the government. Unitary means that Namibia is one nation and that the Constitution applies equally to everyone in every part of Namibia.

The Constitution defined Namibia as including Walvis Bay, but this became a practical reality only in 1994 after South Africa's first democratically-elected government came into power. The Namibian government entered into negotiations with the new South African government, and Walvis Bay was officially reintegrated into its rightful place as part of Namibia.

The Constitution establishes (sets up) the three branches of government:

- 1) the executive (the President and the Cabinet)

- 2) the legislature (Parliament)
- 3) the judiciary (the courts of law).

There is a special part of the Constitution that protects fundamental human rights and freedoms. These are the rights and freedoms that are the most important in a democratic society. The rights which are listed in the Constitution must be respected by all government officials, and by all people in Namibia. It is the job of the courts to help enforce these rights. This part of the Constitution is sometimes called the Bill of Rights.

Some of the rights and freedoms included in this section are freedom from discrimination on the grounds of race or sex, freedom of speech, the right to a fair trial, and the right to take part in peaceful political activity. There is a special section on the rights of children.

No one has the power to take away another person's fundamental rights and freedoms -- not a chief or any government official, not even Parliament or the President. People who think that someone has violated their rights can go to a court of law for help, or to a special government official called the Ombudsman.

The fundamental rights and freedoms are "entrenched". This means that they can never be amended (changed) in a way that makes them weaker. They can only be amended to make them stronger and better.

The Constitution also says that because so many Namibians have suffered from discrimination in the past, Parliament can take affirmative action. This means that Parliament can pass laws which will give special help to people who have suffered from race or sex discrimination in the past. If the Constitution did not say that affirmative action was okay, then people might complain that giving special help to blacks was really discrimination against whites, or that giving special help to women was really discrimination against men.

The Constitution contains many other things which we have not discussed here. Some of them are:

- how people become Namibian citizens
- what happens when there is a serious problem in the nation and the President declares a state of emergency
- how important government officials -- such as the head of the police force, the defence force and the prisons -- are chosen
- how the nation's money will be controlled -- for example, by setting up a Central Bank and by making rules about how the nation's money can be spent
- how regional and local governments will be set up
- some of the goals of the government which will guide the government as it makes laws.

There are also rules which make amending (changing) the Constitution very difficult. It can be changed only if:

1) two-thirds of the members of the National Assembly and two-thirds of the members of the National Council vote for the change

OR

2) two-thirds of the members of the National Assembly and two-thirds of all the people in Namibia vote for the change.

The Namibian Constitution is one of the few in the world that uses non-sexist language. Instead of referring to everyone as "he", our Constitution uses "he or she" and "him or her" to remind us all that men and women are equal under the Constitution.

4. The fundamental rights and freedoms

Fundamental human rights and freedoms are the rights that are the most important in a democratic society. The rights and freedoms listed in the Constitution must be respected by all government bodies and officials, and by all people in Namibia. The courts have a duty to help enforce these rights.

Most of the rights and freedoms in the Namibian Constitution apply to every person in Namibia. There are a few rights and freedoms that apply only to Namibian citizens.

NOTE TO LAY-OUT ARTIST: INCORPORATE ILLUSTRATIONS FROM PAGE 11 AND 12 OF KNOW YOUR CONSTITUTION IN APPROPRIATE SIZE AND POSITION

Protection of life (Article 6): Every person in Namibia has the right to life. This means that the death sentence cannot be used in Namibia as punishment for any crime.

Protection of liberty (Article 7): Liberty is the right to be free. No one can take another person's liberty away, unless this is done according to the law. This means that the law must be followed whenever a person is arrested. This helps to make sure that arrests are not misused for political reasons.

Respect for human dignity (Article 8): The dignity of every human being in Namibia must be respected. All government bodies and all courts must treat the people who appear before them with respect. No one can be tortured or punished in any cruel way, not even a person who has been convicted of a crime.

Slavery and forced labour (Article 9): No one in Namibia may be forced to work or held in slavery.

Equality and freedom from discrimination (Article 10): All people in Namibia are equal before the law. This means that nobody may discriminate against you because of your sex, race, colour, ethnic origin religion, creed or social or economic status.

Arrest and detention (Article 11): A person can be arrested only if there is a fair reason and if the right legal steps are followed. Anyone who is arrested must be told the reason for the arrest in a language he or she understands. Anyone who is arrested must be

brought before a magistrate within 48 hours (two days) of the arrest. This will give the person a chance to ask for bail, or to tell the magistrate about any mistreatment.

Fair trial (Article 12): Anyone charged with a crime or involved in a dispute about legal rights and obligations has the right to a fair trial by an independent, impartial and competent court. A court is *independent* when it cannot be told how to decide by anyone, not even by a government official or the President. A court is *impartial* when it is not influenced by factors such as a person's race, sex, politics, ethnic origin, religion, family or political connections. The court must look only at the facts of the case and at the law. A court is *competent* if it has the authority to decide the case. Persons who are brought before a court must have been given a fair chance to tell their side of the story.

Privacy (Article 13): All people have a right to privacy in their own homes. The government cannot open your letters or listen to your telephone conversations without your consent. However, there can be exceptions to this rule for reasons of national security or safety, or for the protection of the community. Searches of homes or persons must be properly authorised by a court, or in accordance with laws designed to prevent abuses of power.

Family (Article 14): All adult men and women have the right to marry and have children, irrespective of their race, colour, ethnic origin, nationality, religion, creed or social or economic status. People, male or female, cannot be forced to marry against their will. Men and women have equal rights in marriage and divorce.

Children's rights (Article 15): All children have the right to a name and nationality. They also have the right to know and be cared for by their parents. The best interests of the child will be the most important factor in any laws on the role of parents. Children are also protected against economic exploitation. Children under the age of 16 cannot do work that is dangerous to their health or well-being, or work that interferes with their education.

Property (Article 16): All people have the right to own land and other kinds of property in any part of Namibia.

Political Activity (Article 17): All Namibian citizens have the right to take part in peaceful political activities. This includes the right to join existing political parties or to form new political parties. It also includes the right to participate in public affairs directly or through elected representatives. Every Namibia citizen who is at least 18 years old has the right to vote. Every Namibia citizen who is at least 21 years old may be elected to political office.

Administrative justice (Article 18): Government officials must act according to the laws of Namibia. Any person who has been treated unfairly by a government official can go to a court for help.

Culture (Article 19): All people in Namibia have the right to their own culture, language, traditions and religion, but no one can use this right in a way that interferes with the rights of any other person or with the national interest of Namibia.

Education (Article 20): Every person in Namibia has the right to an education. Primary education will be provided free of charge by the government. All children must go to school until they have finished their primary education, or until they are 16 years old.

Fundamental freedoms (Article 21): All people in Namibia have the following rights:

- *Freedom of speech and expression:* All people have the rights to say what they like, even if it is a statement that is critical of the government or an idea that is very unpopular. This includes freedom of the press (newspapers, radio and television). Freedom of speech ensures that important issues can be freely discussed and debated by all Namibians.
- *Freedom of thought, conscience and belief:* All people are free to think and believe whatever they wish, as long as this does not interfere with the rights of anyone else.
- *Freedom to practise any religion:* The government cannot prohibit any religion. All people are free to worship as they please.
- *Freedom to assemble peacefully:* People are free to come together for meetings or gatherings, as long as they are peaceful and carry no weapons.
- *Freedom of Association:* This is the freedom to join together with other people for any lawful purpose. It protects the right to form groups such as trade unions and political parties.
- *The Right to Strike:* The government cannot make it a crime for workers to go on strike for better working conditions.
- *Freedom to move freely throughout Namibia:* No one can be restricted to a particular area. Everyone in Namibia is free to travel to any part of Namibia at any time.
- *The right to live in any part of Namibia:* No part of Namibia can be reserved for people of a single ethnic group. Everyone is free to live in any part of the country.
- *Freedom to leave and return to Namibia:* All persons have the have the right to visit other countries and return to Namibia.

- *Freedom to do any kind of work:* All jobs and professions must be open to any person who has the necessary skills, regardless of race, ethnic origin, or sex.

Limitation on fundamental rights and freedoms (Article 22): Parliament can make laws about how these rights are exercised, but it cannot take any of them away.

Apartheid and affirmative action (Article 23): Apartheid and racial discrimination, which caused so much suffering in the past, are outlawed forever by the Namibian Constitution. However, it will not be considered discrimination for Parliament to pass laws that give special help to people who suffered from race or sex discrimination in the past. The Constitution also points out that women have suffered special discrimination in the past. It says that Parliament may need to take special steps to help women play an equal role in all areas of life in Namibia.

... it shall be permissible to have regard to the fact that women in Namibia have traditionally suffered special discrimination and that they need to be encouraged and enabled to play a full, equal and effective role in the political, social, economic and cultural life of the nation.

Namibian Constitution, Article 23(3)

The power to suspend some fundamental rights and freedoms in an emergency (Article 24): The President and the National Assembly can declare a state of emergency when there is a situation that threatens the life of the nation or the existence of the government. During a state of emergency, the President has the power to suspend some fundamental rights and freedoms. The government can detain people during an emergency, but even in an emergency the Constitution provides safeguards to make sure that detained persons are treated fairly and not tortured. And there are some rights that cannot be taken away, even in an emergency -- such as freedom of speech and thought, the right to life and human dignity, the right to consult a lawyer, and the right to go to a court for help.

Enforcement of fundamental rights and freedoms (Article 25): No one has the authority to take away another person's fundamental rights and freedoms, not even Parliament or the President. The Constitution provides ways for people to seek justice if their rights have been violated. People who think that someone has interfered with their rights can go to a court for help, and the court can make an order that will protect them. If there is a law that is in conflict with the Constitution, the court can rule that the law is no longer in force. The court can also award money to people who have suffered damages because their rights have been violated.

People can also make complaints to a government official called the Ombudsman. The Ombudsman is a lawyer or a judge appointed by the President to guard against corruption and injustice in the government and to help protect the fundamental rights and freedoms

of all people. The Ombudsman can look into the problem and take any action that is needed to correct it.

The Constitution is and shall remain forever the supreme law of the Republic of Namibia.
President Sam Nujoma, 31 May 1990

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CHAPTER 11: NATIONAL GOVERNMENT

This chapter gives an overview of the structure of government at the national level.

1. Three branches of government

The Constitution sets up three branches of government:

- (1) The executive (President and Cabinet)
- (2) The legislature (Parliament)
- (3) The judiciary (the courts)

INCLUDE ILLUSTRATION BASED ON PAGE 15 OF KNOW YOUR CONSTITUTION – DISCUSS WITH DIANNE

The legislative branch makes laws, the executive branch puts them into action, and the judicial branch interprets and enforces them.

The power to run the government is divided up among three different branches so that there can be a system of checks and balances. This means that the three branches keep an eye on each other and share duties. This helps to make sure that no one in the government becomes too powerful, and that the government's power is not abused.

The central plank of our Constitution is the separation of powers between the Legislature, the Executive and the Judiciary, with in-built checks and balances. For the proper development of our country, there must be continuous interaction between the three branches of State. All three branches must work in concert to defend and protect our fragile democracy.

President Sam Nujoma, Official Opening
of the National Assembly, 15 May 1990

INTERNET: See “GRN structure” at www.grnnet.gov.na/ for more information on the three branches of government.

2. Executive branch

The executive branch of government consists primarily of the President, the Prime Minister and Cabinet. It puts into action the laws that are made.

President

The President is the Head of State, which means that he or she is in charge of the executive branch of the government. The President is also the Commander-in-Chief of the Namibia Defence Force.

Any man or woman who is at least 35 years old and who was born in Namibia or has a Namibian parent can try to be elected as President.

The President is elected directly by the people of Namibia. The voters cast their ballots for the person they want as President. The President must get more than half of all votes to be elected. The President remains in office for a term of five years. A person can serve as President for only two terms of office.

President Sam Nujoma was able to serve for a third term of office because of a Constitutional amendment which said that the first President of Namibia may serve for three terms. The reason behind this special exception is that Namibia's first election in 1989 was held before the Constitution was written. When Namibia first became independent, the voters elected political parties to form a Constituent Assembly. The representatives of these parties agreed on Namibia's Constitution. The members of the Constituent Assembly became the first National Assembly, and they voted for the first President of Namibia. In all other elections for President, the voters vote directly for the President.

The President appoints the Prime Minister and the Deputy Prime Minister. The President also establishes ministries and appoints Ministers and Deputy Ministers to direct them. All Ministers and Deputy-Ministers must be members of the National Assembly. This means that many of the most important government officials will be people who serve as the representatives of the people.

The President also chooses many other important government officials, such as the Attorney-General and the Ombudsman. Experts must advise the President on what people have the right skills for some government positions.

The President also has other powers and duties, such as welcoming ambassadors from other countries, negotiating and signing agreements with other countries and giving special awards to people who have served Namibia well.

Is the President a Member of Parliament? No. The President attends Parliament on special occasions, such as the opening of Parliament at the beginning of each year, and to give the annual State of the Nation Address. But the President is not a Member of Parliament and has no vote in Parliament.

What happens if the President becomes too ill to function, or dies while in office? The Prime Minister would act as President for the remainder of the term, or until the President was able to resume his or her duties. If the Prime Minister were not available, the job would go to the Deputy Prime Minister. If the Deputy Prime Minister were not available, the job would go to a person appointed by Cabinet.

The President must take an oath to uphold, protect and defend the Constitution as the Supreme Law of Namibia. The National Assembly can remove a President from office if the President disobeys the Constitution or any other law, or does something else which is wrong. Two-thirds of the members of the National Assembly must decide that the President should be removed. (This power to remove the President is one of the ways that the legislative branch keeps a check on the power of the executive branch.)

Any action taken by the President can be reviewed and changed by the National Assembly, if two-thirds of the members of the National Assembly think that this is necessary. This is another part of the balance of power between the executive branch and the legislative branch.

THE PRESIDENT'S OATH

I do hereby swear that I will strive to the best of my ability to uphold, protect and defend as the Supreme Law the Constitution of the Republic of Namibia, and faithfully to obey, execute and administer the laws of the Republic of Namibia; that I will protect the independence, sovereignty, territorial integrity and the material and spiritual resources of the Republic of Namibia; and that I will endeavour to the best of my ability to ensure justice for all the inhabitants of the Republic of Namibia. So help me God.

Namibian Constitution, Article 30

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Fax: 061 22 1780

Prime Minister

The Prime Minister is the leader of government business in Parliament. The Prime Minister co-ordinates the work of Cabinet and advises and assists the President to carry out the duties of government. The Prime Minister is also responsible for the overall management of the public service.

INTERNET: The Office of the Prime Minister has a website at www.opm.gov.na/. This website contains speeches (from 1997-the present), press releases and general information about the work of the Prime Minister. You can send comments to the Prime Minister from this website. Click on "Our Cabinet" at www.grnnet.gov.na/ for a list of Cabinet members.

CONTACT INFORMATION

<u>Prime Minister</u>	<u>Deputy Prime Minister</u>
Honourable Theo-Ben Gurirab	Honourable Rev Hendrik Witbooi

Office of the Prime Minister

Government Building
Private Bag 13338
Windhoek
Tel. 061 287 9111
Fax 061 226 189

Cabinet

The Cabinet is a group of government officials who advise the President. The members of the Cabinet are the President, the Prime Minister, the Deputy Prime Minister and the Ministers of each government department.

Some of the duties of the Cabinet are:

- * to advise the President
- * to supervise the work of Ministries, government departments and parastatals
- * to make a budget for the government each year

- * to make plans for the development of Namibia's economy
- * to give draft laws called "bills" to the National Assembly, which may decide to make them into laws.
- * to make decisions about foreign policy (the political and economic relationships between Namibia and other countries)
- * to advise the president on which international agreements Namibia should agree to
- * to advise the president on matters related to national defence and the maintenance of law and order
- * to make sure that apartheid, tribalism and colonialism never return to Namibia, and it must decide how to help people who have suffered from these wrongs in the past.

Another Cabinet function which is very important for purposes of advocacy is the duty **“to attend meetings of the National Assembly and to be available for the purposes of any queries and debates pertaining to the legitimacy, wisdom, effectiveness and direction of Government policies”**.

Namibian Constitution, Article 40(f)

Members of the Cabinet cannot hold any other jobs. This is to prevent "conflicts of interest". In other words, Cabinet members must think about what is best for Namibia, and not about what might help their private businesses. Cabinet members are not allowed to use their positions to make money in any way. These rules are designed to help prevent corruption in the government.

(1) During their tenure of office as members of the Cabinet, Ministers may not take up any other paid employment, engage in activities inconsistent with the positions as Ministers, or expose themselves to any situation which carries with it the risk of a conflict developing between their interests as Ministers and their private interests.

(2) No members of the Cabinet shall use their positions as such or use information entrusted to them confidentially as such members of the Cabinet, directly or indirectly to enrich themselves.

Namibian Constitution, Article 42

If more than half of the members of the National Assembly vote that they have no confidence in one of the people the President has chosen for the Cabinet, then the President must remove that person from the Cabinet. This is another example of the balance of power between the executive branch and the legislative branch.

Cabinet has a Secretary appointed by the President. This Secretary keeps track of the minutes of Cabinet meetings and other important Cabinet documents. The minutes are not available to the public.

Cabinet sometimes issues media releases and has media briefings about its decisions. If you are interested in receiving Cabinet press releases you can call the Cabinet press officer and ask to be put on the distribution list. You can also get copies of old releases from this office. Cabinet media briefings are held on Wednesday mornings. You can call the Cabinet press officer on Tuesday to ask if a briefing is scheduled for the next day.

Secretary to Cabinet
Frans Kapofi
Private Bag 13338
Windhoek
Tel: 061-2872026
Fax: 061-226189
fkapofi@opm.gov.na

Cabinet Press Officer
Wilma Detleefs
Private Bag 13344
Windhoek
Tel: 061-223016
Fax: 061-230170
wdeetlefs@mib.gov.na

Ministries

Ministries are usually headed by a Minister and a Deputy Minister appointed by the President. The Minister and the Deputy Minister must be Members of Parliament. What if the President wants to appoint someone who is not an MP as a Minister or Deputy Minister? This is not a problem because the President has the power to appoint six non-voting members to the National Assembly on the basis of their special expertise, status, skill or experience.

Each Ministry has a Permanent Secretary, who is responsible for organising the day-to-day business of the Ministry. Correspondence to a Ministry must usually go through the Permanent Secretary, who will channel it to the appropriate person.

There is no set number of ministries. The President has the power to establish and dissolve ministries at will. As of January 2004, there were 20 ministries.

GOVERNMENT MINISTRIES 2004				
MINISTRY	PHYSICAL ADDRESS	POSTAL ADDRESS	PHONE/FAX	WEBSITE
Agriculture, Water and Rural Development	Government Office Park, Luther Street Windhoek	Private Bag 13184 Windhoek	Tel. 061-208-7111 Fax. 061-22 9961	www.op.gov.na/Decade_peace/agri.htm
Basic Education, Culture and Sport	Government Office Park, Luther Street, Windhoek	Private Bag 13186 Windhoek	Tel. 061-293-3111 Fax. 061-22 4277	www.op.gov.na/Decade_peace/b_edu.htm
Defence	Sam Nujoma Avenue Windhoek	Private Bag 13307 Windhoek	Tel: 061-204-2005 Fax: 061-23 2518	www.mod.gov.na/ or www.op.gov.na/Decade_peace/mod.htm
Environment and Tourism	FGI Building Post St Arcade Windhoek	Private Bag 13346 Windhoek	Tel: 061-284-2111 Fax: 061-22 9936	www.met.gov.na/ or www.op.gov.na/Decade_peace/met.htm
Finance	Fiscus Building John Meinert Street Windhoek	Private Bag 13295 Windhoek	Tel. 061-209-9111 Fax. 061-23 0179	www.op.gov.na/Decade_peace/mof.htm
Fisheries and Marine Resources	Brendan Simbwaye Square, Block C corner of Uhland and Goethe Streets Windhoek	Private Bag 13355 Windhoek	Tel: 061-2059111 Fax: 061-23 3286	www.mfmr.gov.na or www.op.gov.na/Decade_peace/mfmr.htm

Foreign Affairs	Government Buildings Robert Mugabe Ave Windhoek	Private Bag 13347 Windhoek	Tel: 061 282 9111 Fax: 061 22 3937	www.mfa.gov.na/ or www.op.gov.na/Decade_peace/mfa.htm
Health and Social Services	Ministerial Building Harvey Street Windhoek	Private Bag 13198 Windhoek	Tel: 061-203-2000 Fax: 061 22 7607	www.healthnet.org.na/ or www.op.gov.na/Decade_peace/health.htm
Higher Education, Training and Employment Creation	Government Office Park, Luther Street Windhoek	Private Bag 13391 Windhoek	Tel. 061-270-6111 Fax. 061-25 3672	www.geocities.com/namhest/ or www.op.gov.na/Decade_peace/h_edu.htm
Home Affairs	Cohen Building Kasino Street Windhoek	Private Bag 13200 Windhoek	Tel: 061-292-2111 Fax: 061-24 2766	www.op.gov.na/Decade_peace/mha.htm
Information and Broadcasting	Government Building Robert Mugabe Ave. Windhoek	Private Bag 13344 Windhoek	Tel: 061-283-9111 Fax: 061-22 2310	www.op.gov.na/Decade_peace/info.htm
Justice	Justitia Building Independence Ave. Windhoek	Private Bag 13248 Windhoek	Tel: 061-280-5111 Fax: 061-22 1615	www.op.gov.na/Decade_peace/moj.htm or www.op.gov.na/namcis.htm
Labour	32 Mercedes Street Khomasdal Windhoek	Private Bag 19005 Khomasdal, Windhoek	Tel: 061-206-6111 Fax: 061-21 2323	www.op.gov.na/Decade_peace/mol.htm
Lands, Resettlement and Rehabilitation	Brenden Simbwaye Building, Goethe Street Windhoek	Private Bag 13343 Windhoek	Tel. 061-285-2111 Fax.061-22 8240	www.op.gov.na/Decade_peace/lands.htm
Mines and Energy	Mines and Energy Building 1 Aviation Road Windhoek	Private Bag 13297 Windhoek	Tel: 061- 284-8111 Fax: 061-23 8643 or 22 0386	www.mme.gov.na/ or www.op.gov.na/Decade_peace/mme.htm
Prisons and Correctional Services	5 th Floor, Brendan Simbwaye Square Goethe Street Windhoek	Private Bag 13281 Windhoek	Tel: 061-284-6111 Fax: 961-27 2487	www.op.gov.na/Decade_peace/prison.htm
Regional, Local Government and Housing	Government Office Park, Cluster D1 West Luther Street Windhoek	Private Bag 13289 Windhoek	Tel: 061-297-5111 Fax: 061-22 6049	www.op.gov.na/Decade_peace/rlgh.htm
Trade and Industry	Block B, Brendan Simbwaye Square Goethe Street Windhoek	Private Bag 13340, Windhoek	Tel: 061-283-7111 Fax: 061-22 0227	www.mti.gov.na/ OR www.op.gov.na/Decade_peace/mti.htm
Women Affairs and Child Welfare	Juvenis Building Independence Ave. Windhoek	Private Bag 13359 Windhoek	Tel: 061-283-3111 Fax: 061-22 3545	www.op.gov.na/Decade_peace/woman.htm
Works, Transport and Communication	Bell Street Windhoek	Private Bag 13341 Windhoek	Tel: 061-208-8111 Fax:	www.op.gov.na/Decade_peace/works.htm

THE OATH TAKEN BY ALL MINISTERS AND DEPUTY-MINISTERS

I do hereby swear that I will be faithful to the Republic of Namibia, hold my office as Minister/Deputy-Minister with honour and dignity, uphold, protect and defend the Constitution and faithfully obey, execute and administer the laws of the Republic of Namibia; serve the people of Namibia to the best of my ability, not divulge directly or indirectly any matters brought before the Cabinet and entrusted to me under secrecy, and perform the duties of my office and the functions entrusted to me by the president conscientiously and to the best of my ability. So help me God.

Namibian Constitution, Schedule 2

INTERNET: Click on “Ministry Index” at www.grnnet.gov.na/ for an updated list of Ministers and their contact details, as well as information about the work of the different ministries. Updated information can also be found in the green pages of the Telecom Namibia phone book.

Public service

Government employees are called public servants, because their job is to serve the public. When we talk about all of these employees as a group, we call them the "public service".

The employees of the different government ministries are all selected by the Public Service Commission. This Commission is a group of people who are nominated by the President and appointed by the National Assembly.

The Constitution says that the Public Service Commission must pay special attention to the balanced structuring of the public service. This means that the Commission must make sure that the public service is a mixture of men and women, people of all races, and people from all the different communities in Namibia.

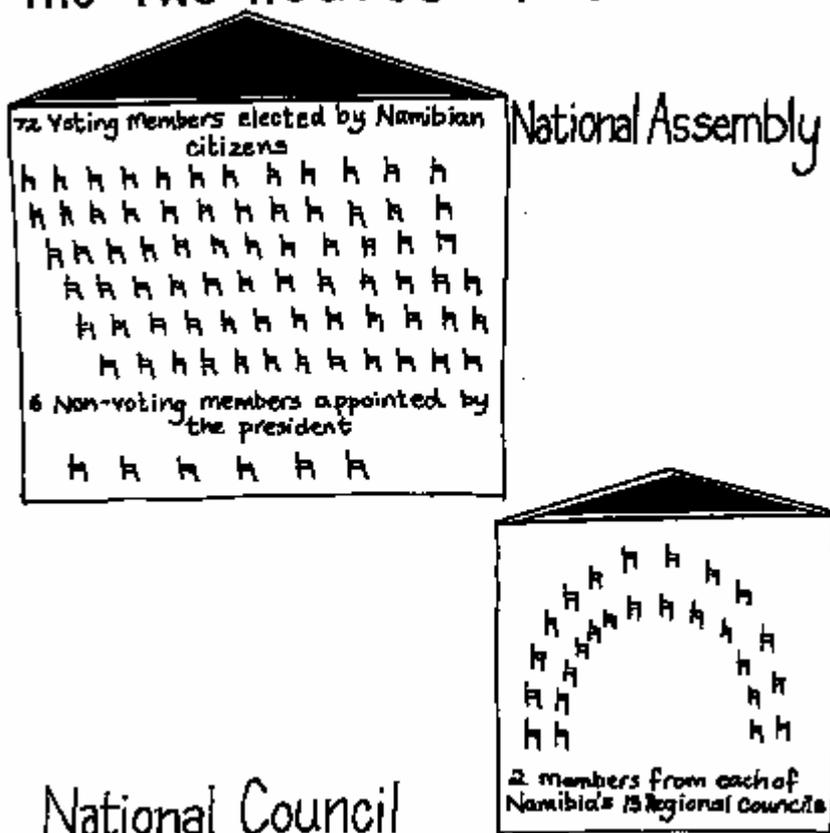
3. Legislative branch

Parliament

Parliament has two parts: the National Assembly and the National Council. Together, they are called Parliament.

MAKE A COMPUTERISED VERSION OF THE ILLUSTRATION BELOW
not a scan, but a new computer picture making the old one more “square” and formal
ALSO ADD COLOUR

The Two Houses of Parliament



National Assembly

The National Assembly has the power to make laws for Namibia. The National Assembly consists of 72 members who represent political parties chosen by the voters, and 6 non-voting members appointed by the President.

The members of the National Assembly must represent all the people of Namibia. They must be guided in their decisions by the Constitution, by the public interest and by their own consciences.

There are 72 members of the National Assembly who are elected every five years on a proportional representation basis. Proportional representation means that each political party submits a list of its preferred candidates before an election. Voters cast their ballots for a party and not for a candidate. After the election, parties will be represented in the National Assembly in proportion to the support they received. In other words, if a political party receives 60% of the vote, it will receive 60% of the seats in the National Assembly.

The advantage of this system is that it makes it possible for small parties to be represented in government. The disadvantage is that members of the National Assembly may have stronger loyalties to their political party than to the voters.

The national government is elected on the principle of proportional

representation. The idea is to give chance and possibilities to even the smallest parties. The aim is to give all sectors of our population a voice at the national level.

President Sam Nujoma, Speech on the Conferment of an Honorary Doctorate of Law Degree, Wilberforce, Ohio, USA, 19 June 1993

Every Namibian citizen who is at least 21 years old can stand for election to the National Assembly, except for people who have committed serious crimes or are unfit for office in other ways that the Constitution describes.

The President chooses 6 other people who have special experience, skills or positions to become members of the National Assembly. These appointed members do not have the right to vote in the National Assembly.

Like the President, all the members of the National Assembly must take an oath to uphold and defend the Constitution.

The members of the National Assembly are the servants of the people of Namibia. They are required to behave with dignity, and they must not do anything to enrich themselves improperly or to separate themselves from the people. Like the members of the Cabinet, the members of the National Assembly may not hold any other jobs while they are in office. This is to avoid "conflicts of interest".

The National Assembly members elect one member to be the Speaker and one member to be the Deputy-Speaker. The Speaker acts as a chairperson of the National Assembly and makes sure that the discussion and debate are orderly. The Deputy-Speaker acts as the chairperson if the Speaker is not present.

The Secretary of the National Assembly is the head of the National Assembly Secretariat. The Secretary manages the administration of the National Assembly and appoints other officials of the National Assembly, including the staff of the Table Office, the Directorate of Legal Services, and the Division of Research. These officials are available to help Members of Parliament in the performance of their official Parliamentary work, but not their political party work.

The Constitution says in Article 61 that meetings of the National Assembly must be open to the public, unless two-thirds of the members of the National Assembly decide that the meetings must be closed for a time, or while a specific issue is being discussed.

When is the National Assembly in Session?

The National Assembly is in session from mid February until the end of April; from the beginning of June until mid July; and from mid September until the end of November.

Ordinary meetings of the National Assembly are from 14:30 to 17:45 on Tuesdays, Wednesdays, and Thursdays. During budget discussions the National Assembly also meets 14:30-17:00 on Mondays, and 9:00 to 12:30 on Fridays. The National Assembly takes a tea break during each meeting. (Rule 20 of the *Standing Rules and Order of the National Assembly*). The Assembly can agree to other meeting days and times.

It is important to know that the length of the meetings of the National Assembly can be changed at the discretion of the Speaker. For example, close to the end of a session the Speaker may allow the debate to run late into the night to ensure that the National Assembly can deal with all matters on the Order Paper before the end of the session. (Rule 21 of the *Standing Rules and Order of the National Assembly*)

To find out when the National Assembly is in session or if the National Assembly will be sitting on a specific date, contact the Speaker's Office at:

Speaker's Office
National Assembly
Parliament Buildings
Private Bag 13323
Windhoek
Tel: +264-61-288-2504
Fax: +264-61-231-326

The National Assembly has the power to make any laws that are in the best interests of the people of Namibia, so long as the laws are not in conflict with the Constitution.

The National Assembly also has the power to approve the budget for the government each year and to decide how much individuals and businesses should be taxed. It must approve all agreements between Namibia and other countries.

The National Assembly must take whatever steps are necessary to uphold and defend the Constitution. It has a duty to make sure that apartheid, tribalism and colonialism do not return to Namibia, and it must decide how to help people who have suffered from these wrongs in the past.

The National Assembly has the power to decide to hold a referendum on questions of national concern. A referendum is a way of consulting all the people of Namibia to find out how they feel about an issue. It is like an election, except that the voters choose an opinion rather than a political party.

For example, voters might be asked a question such as "Should abortion be legal in Namibia?". Then each voter would make a mark next to "yes" or "no".

If the Cabinet advises the President that the government is not able to do its work effectively, the President can dissolve the National Assembly. Then there would be a new election for the National Assembly and a new election for the President. This would give the government a chance to start all over again.

Dissolving the National Assembly is a very serious step. The President would do this only if there were such strong disagreements that the government really could not function. Also, since dissolving the National Assembly means that the President is also out of office, it is unlikely that the President would abuse this power.

National Assembly
Parliament Buildings
Private Bag 13323
Windhoek

Tel: 061-288-9111
Fax: 061-22 6899
E-mail: parliament@parliament.gov.na

National Council

The National Council helps the National Assembly with its task of making laws.

The National Council has two members from each of the 13 regions of Namibia, for a total of 26 members.

Shortly after independence, the President appointed a group of experts called the Delimitation Commission to decide where to draw the boundaries of the new regions. This Commission recommended that there should be 13 regions. This Delimitation Commission also decided how to divide the regions up into constituencies. The President reappoints a Delimitation Commission from time to time to re-examine the division of the regions into constituencies. A Delimitation Commission *must* be appointed between six to twelve years after the last Commission was appointed.

The residents of each region elect people from their region to the Regional Council. Each Regional Council then chooses two of its members to serve on the National Council for six years.

While the members of the National Assembly represent people in every part of Namibia, the members of the National Council represent only the people in their region. This system helps to balance the interests of each part of the nation against the interests of the nation as a whole.

The members, having been elected by the people in the various regions, are the representatives of the people. The establishment of the house means that the power has now truly been taken to the people. Consequently, the representatives of the people, as representatives of the various regions, are directly accountable to the people.

President Sam Nujoma, Inauguration of the
First National Council, 23 February 1993

We, as elected representatives, need to be in constant touch with the people so that we can implement their wishes and decisions.

Hon Kandy Nehova, Chairman of the National Council
Consultative Conference "Towards Increased
and Informed Public Participation", Nov 2002
(Parliament Journal, Aug 2003, p. 5)

Like the President and the members of the National Assembly, the members of the National Council must take an oath to obey and defend the Constitution.

The National Council members elect one member to be the Chairperson and one member to be the Vice-Chairperson. The Chairperson keeps order at the meetings of the National Council. The Vice-Chairperson keeps order if the Chairperson is not present.

The Secretary of the National Council is the head of the National Council Secretariat. The Secretariat's job is to provide effective and efficient service to the members of the National Council. The main functions of the National Council Secretary include keeping custody of all documents of the Council, recruiting and disciplining staff, and giving administrative and procedural support to Committees of the National Council. The Secretary also advises the National Council on procedural matters.

The meetings of the National Council are usually open to the public, but there are no provisions in the Constitution requiring this. If the National Assembly decides that debate on a specific issue should be closed to the public, then they have the power to meet in private.

When is the National Council in Session?

The National Council's work depends largely on the work of the National Assembly. For example, the National Council considers a bill only after the National Assembly has referred the bill to it. The sittings of the National Council will run at the same time as that of the National Assembly. The National Council will continue sitting for as long as is necessary to complete its task of reviewing legislation, as set out in Article 75 of the Constitution. (Rule 5 of the *Standing Rules and Orders of the National Council*)

Except for public holidays, the usual sitting days of the National Council are Mondays, Tuesdays, Wednesdays and Thursdays. The hours of meetings on each sitting day are from 09h30 to 13h00. The National Council has a tea break during each sitting day. (Rule 9 of the *Standing Rules and Orders of the National Council*) The National Council can agree to other sitting days and times.

To find out when the National Council is in session or if the National Council will be sitting on a specific date, contact the National Council's information line at:

National Council
Parliament Buildings
Private Bag 13371
Windhoek
Tel: 061-2803111 or 237561
Fax: 061-226121

The main task of the National Council is to give advice to the National Assembly about the laws that the National Assembly is considering. The National Council does not have the power to make laws on its own. It can only make suggestions to the National Assembly.

Like the members of the National Assembly, the members of the National Council are required to behave with dignity, and they must not do anything to enrich themselves improperly or to separate themselves from the people.

Unlike the members of the National Assembly, the members of the National Council are allowed to hold other jobs while they are in office. But they must be open about their business interests so that everyone will know if their jobs or their investments are affecting their decisions.

THE OATH TAKEN BY ALL MPs

I do hereby swear that I will be faithful to the Republic of Namibia and its people and I solemnly promise to uphold and defend the Constitution and laws of the Republic of Namibia to the best of my ability. So help me God.

Namibian Constitution, Schedule 3

National Council

Parliament Buildings

Private Bag 13371

Windhoek

Tel: 061-2803111 or 237561

Fax: 061-226121

INTERNET: Parliament has a website at www.parliament.gov.na/. This website has texts of some bills in electronic form as well as general information about how Parliament works. It also has a history of law-making in Namibia and information on Parliamentary committees. Click on “National Assembly” or “National Council” for a list of members of each body with photographs and information about their education, career backgrounds and interests. These parts of the website also have the full text of the standing orders (the rules of procedure) of each body.

CONFLICTS OF INTEREST

Conflicts of interest are also covered by the Power, Privileges and Immunities Act 17 of 1996. Section 22 of this law says:

A member shall not in Parliament take part in any proceedings in which such member has any interest, whether direct or indirect, which precludes him or her from performing his or her functions as a member in a fair, unbiased and proper manner.

An MP must disclose in Parliament any interest that might create a conflict of interest. Failure to make the required disclosure could lead to disciplinary action.

Code of Conduct for Members of Parliament

The National Assembly’s Standing Committee on Privileges is responsible for adopting and implementing a Code of Conduct for all Members of Parliament, in both the National Assembly and National Council. The purpose of a Code of Conduct is:

- to provide rules about the disclosure of personal and financial interests
- to provide rules for ethical and moral conduct on the part of MPs
- to promote transparency and acceptable levels of conduct within public life.

One set of rules in the Code covers the disclosure of financial interests. The rules on disclosure apply to MPs, their spouses or permanent companions, their dependant children and their business partners. These rules are designed to prevent MPs from voting or commenting on issues in which they have a personal interest, because this would cause a conflict of interests.

The rules on disclosure require that MPs declare their interests in an asset register. The interests which must be disclosed include

- any interest in a business, partnership, corporation, organization or association;
- all gifts and hospitality received after taking office worth more than N\$1000;
- all positions held in any company, business or other group and any money received for holding such positions;
- any shares or dividends received;
- any salary or income or other money received from any employment or business activity outside Parliament
- any sponsorship received from any source;
- any interests in land; and
- details about any bank accounts held outside Namibia.

The asset register is public in theory, but the Privileges Committee is responsible for deciding whether information from this register can be disclosed or publicised.

Obtaining copies of the Asset Registry

Public Registry: To obtain a copy of the public section of the asset registry contact the Secretary of the National Assembly. You can pick up a copy of the asset registry from the legal division of the National Assembly. Each organization is entitled to only one copy, and you will be asked to sign for the copy you receive. You can also see a copy of this register at the Parliamentary Library.

Confidential Registry: To obtain information that is in the confidential section of the asset registry you must write a letter to the Secretary of the National Assembly motivating why you want to see this information and how you intend to use it. The Secretary will review your reasons with the Speaker of the National Assembly, who will decide if you should be granted permission.

Mr. Ndjarakana
Secretary of the National Assembly
 Room 145 Parliament Buildings
 Private Bag 13323
 Windhoek
 Tel: +264-61-2882501

Long Delays in MP's Submitting Asset Registry Forms

The Code of Conduct is part of the *Powers, Privileges and Immunities of Parliament Act, 17 of 1996*. Although this Act was proclaimed in 1996, it was not until 2003 that the first ever asset register for Members of Parliament (“MPs”) was released. Only after several deadlines had passed in 2003 did MPs finally move forward with the process for disclosing their assets. In the past MPs have claimed that the disclosure forms were too complicated. They also questioned the need to be subjected to public scrutiny.

Eight unnamed MPs missed the final deadline for submitting their forms. The National Assembly reprimanded these eight for breaching the Code of Conduct. The Deputy Minister of Higher Education, Training and Employment Creation, Buddy Wentworth, suggested praising the “87 plus per cent” of lawmakers who submitted their forms on time, instead of punishing those who had not. The COD’s Norah Schimming-Chase criticised Deputy Minister Wentworth stating, “This law was passed seven years ago. If we make a law and don’t adhere to it, how can we expect others to abide by it?”

The asset register for lawmakers in Namibia was released on 25 November 2003. Speaker Tjitendero of the National Assembly was delighted with the publication of the first register. He was quoted as saying, “The fact that you have committed yourself to submit the forms is a great achievement. We are off the ground. Any corrections will be done in flight.”

Tangeni Amupadhi,
“8 MPs face reprimand over asset form delay”,
The Namibian, 5 November 2003 and
“MPs’ assets register released”
The Namibian, 26 November 2003

The Code of Conduct also contains a section on more general rules of behaviour. This part of the Code of Conduct appears in the box below. It is noteworthy that the behaviour prohibited by the Code includes sexual harassment.

CODES OF CONDUCT FOR MEMBERS OF PARLIAMENT

Personal interests and conduct

All members of Parliament agree to maintain minimum standards of ethical behaviour and shall at all times:

- a) Withdraw from voting on any matter in which they have a material, personal or financial interest, OR
- b) Report to the Presiding officer, any such interest and apply for condonation on the grounds that such interest does not in any way conflict with the matter being voted upon by the House.
- c) Act in good faith, at all times
- d) Avoid any behaviour which may compromise his/her standing in the public arena, such as: criminal behaviour, sexual harassment, insolvency, and dishonesty.
- e) Strive for National Unity and reconciliation in the presentation of any issue before the House.
- f) Avoid any misrepresentation of any facts to the House, and to committees.
- g) Conduct all parliamentary proceedings, including Committee hearings in a fair, honest and transparent manner.
- h) Report, to the Standing Committee, any unethical behaviour of other Members.

The Privileges Committee must investigate all reports or complaints about breaches of the Code of Conduct. The Committee must table a report in Parliament on its investigation within six months of receiving the initial complaint. It must make recommendations to Parliament on disciplinary action if it finds that an MP has violated these Code of Conduct.

Can MPs lose their seats?

Yes, they can lose their seats if

- they are convicted of any offence inside or outside Namibia for a crime and sentenced to death or imprisonment of more than twelve months without the option of a fine
- they became paid members of the public service
- they become insolvent (This is a legal procedure which is used when people have debts they cannot pay.)

MPs in the National Assembly lose their seats

- if they become members of the National Council, a regional council or a local authority council
- if the political party which nominated them informs the Speaker that they are no longer members of that political party
- if they miss more than 10 sitting days in a row without being given a leave of absence by the National Assembly

MPs are also free to resign if they no longer wish to serve in Parliament.

Parliamentary Women's Caucus

All women who are elected members of the National Council and National Assembly are part of the Parliamentary Women's Caucus. The purpose of the Caucus is to ensure that gender is considered in all legislation which passes through Parliament. The Caucus usually meets once or twice a month, or when there is a specific need to meet.

Parliamentary Women's Caucus
 The Hon. Teopolian Ndeapo Mushelenga, Chairperson
 Attention: Mr. Cornelius Vejama Kanguatjivi
 National Assembly
 Private Bag 13323
 Windhoek

What do Members of Parliament get paid?

The basic salary for a Member of Parliament is N\$146 554 per year.

If a Member of Parliament sits on a committee they receive N\$20 per hour.

Members of Parliament receive a housing allowance of N\$6 000 per month.

Members of Parliament receive a travel allowance of N\$3 per kilometre.

Members of Parliament are required to pay tax on their salary and benefits.

Members of Parliament are entitled to a pension plan.

Source: Inter-Parliamentary Union, 27 Feb. 2003 at website:
http://www.ipu.org/parline-e/reports/2225_D.htm

4. Judicial branch

The judiciary includes all the courts of law in Namibia -- the Supreme Court, the High Court and the Lower Courts.

These courts can decide criminal cases (when someone has been arrested for committing a crime) and civil cases (disputes between two individuals, such as a divorce or an argument about who should pay for a car accident). They also interpret the law -- that is, they say how to apply the law and the Constitution to everyday life.

All the courts are independent. This means that they follow only the Constitution and the law. No one can tell the courts how to decide a case, not even someone from one of the other branches of the government.

Supreme Court

The highest court in Namibia is the Supreme Court. The head of this court is called the Chief Justice. At least three judges must work together to decide any case in the Supreme Court.

A decision of the Supreme Court must be obeyed by all the other courts and by all people in Namibia. The Supreme Court can hear cases which are appeals from the High Court. (An appeal is when one party to a court case is unhappy with the outcome and asks another higher court to say if the decision was really correct.) It also has the special duty of making final decisions on any questions about the Constitution and the fundamental rights and freedoms that the Constitution protects.

High Court

The next highest court in Namibia is called the High Court. The head of the High Court is called the Judge President. The High Court listens to serious cases and makes decisions on appeals from the Lower Courts.

Supreme Court and High Court judges

The President appoints all the judges for the Supreme Court and the High Court. A group of legal experts called the Judicial Service Commission suggests people who have the right skills to be judges, and then the President makes the final decision.

All judges must take an oath to defend and uphold the Constitution and to fearlessly give justice to all people without prejudice.

All judges serve until they retire at the age of 65. Judges can be removed from the courts earlier only if they are guilty of serious misconduct or are unable to think clearly because of age or illness. Judges cannot be forced to leave their positions just because someone in one of the other branches of the government does not like their decisions.

This means that judges do not have to be afraid to make the right decisions, even if they know that these decisions may upset Parliament or the President. This is another part of the balance of power between the different branches of the government.

Because no one can tell a judge how to interpret the law, we say that our judicial system is independent. And since everyone in the government must obey the law as it

is interpreted by the courts, we say that our nation is governed by the "rule of law". These principles help to make our nation a strong democracy.

OATH TAKEN BY JUDGES

I do hereby solemnly swear that as a judge of the Republic of Namibia I will defend and uphold the Constitution of the Republic of Namibia as the Supreme Law and will fearlessly administer justice to all persons without favour or prejudice and in accordance with the laws of the Republic of Namibia. So help me God.

Namibian Constitution, Schedule I

Lower Courts

Below the Supreme Court and the High Court are the Lower Courts. These courts decide cases that are not too serious. More serious cases will start in the High Court.

Some Lower Courts are **magistrate's courts**. The decision-maker in these courts is a magistrate. Magistrates are appointed by the Magistrate's Commission in terms of the Magistrates Act 3 of 2003. The Magistrates Commission must ensure that magistrates are properly qualified and competent persons. It sets the pay, qualifications, and other conditions of service of magistrates. It is responsible for ensuring that appointment, promotion, transfer and dismissal of magistrates take place without favour or prejudice. It must also ensure that magistrates are not improperly influenced or victimized. This is intended to ensure that all magistrates act impartially and independently when making their decisions.

Other lower Courts are **community courts**. The Community Courts Act 10 of 2003 transforms traditional tribunals into the new community courts. Community Courts have the authority to hear and decide cases arising under customary law. They apply the customary law of the traditional community in the area where they operate.

The Minister of Justice appoints Justices of Community Courts as the decision-makers in community courts. . A justice of a community court must know the customary law in the area where the court will operate. The justice may not be a Member of Parliament, a regional councillor, a local authority councillor or a leader of a political party.

All community court proceedings must follow the principles of fairness and natural justice. There must be written records of all community court proceedings. There is a new right of appeal from community courts to magistrates' courts, and from there to the High Court. This means that traditional courts are now integrated into the overall judicial system of Namibia.

OATH TAKEN BY MAGISTRATES

I do hereby swear/solemnly affirm that in my capacity as a magistrate of the Republic of Namibia I will defend and uphold the Constitution of the Republic of Namibia as the supreme law and will fearlessly administer justice to all persons without favour or prejudice and in accordance with the law of the Republic of Namibia.

Magistrates Act 3 of 2003, section 11(5)

OATH TAKEN BY COMMUNITY COURT JUSTICES

I do hereby swear/solemnly and sincerely affirm and declare that I will in my capacity as a judicial officer of a community court administer justice to all persons alike, without fear, favour or prejudice, and as the circumstances in any particular case may require, in accordance with the laws and customs of the Republic of Namibia.

Community Courts Act 10 of 2003, section 11(1)

Other officials

There are some other officials who are important to the judicial system. The President appoints a legal practitioner to be the **Attorney-General**, who advises the President and the government on legal questions. The Attorney-General must take any actions that are necessary to protect and uphold the Constitution.

The President also appoints a legal practitioner to be the **Prosecutor-General**, who is in charge of conducting all criminal cases for the government.

5. Ombudsman

There is one government official who does not really fit into any one of the three branches of government -- the Ombudsman.

The job of the Ombudsman is to guard against corruption and injustice in all three branches of government, and to help protect the fundamental rights and freedoms of all people.

The Ombudsman, who can be a man or a woman, is a lawyer or a judge who is appointed by the President. The Ombudsman is an independent official who is answerable only to the Constitution and the laws of Namibia. No one can stop the Ombudsman from doing his or her job, not even Parliament or the Cabinet.

Like a judge, the Ombudsman stays in office until he or she retires at the age of 65. And, like a judge, the Ombudsman can be removed from office sooner only if he or she is mentally unfit or guilty of serious misconduct.

This means that the Ombudsman does not have to be afraid to investigate a complaint about anyone in the government -- even a complaint about the President.

The Ombudsman has a duty to investigate any complaints about corruption or abuse of power by government officials. For example, if you see someone using a government car for personal trips, you could tell the Ombudsman. The Ombudsman also has a duty to help protect Namibia's natural resources. For example, if you see a company throwing dangerous chemicals into a river, you could make a complaint to the Ombudsman.

You could also tell the Ombudsman if some government official treats you unfairly or discriminates against you, or if anyone -- whether it is a person or a business or an organisation -- interferes with your fundamental rights. The Ombudsman will then look into the problem and act to correct it if possible.

You could go to a court and bring a case about many of these problems -- but court cases can take a long time, and they can be very expensive. Sometimes it is quicker and easier to solve a problem by making a complaint to the Ombudsman.

LAY-OUT NOTE: POSITION LOGO MORE APPROPRIATELY

Office of the Ombudsman
Private Bag 13211
Windhoek
tel: 061-2073111
fax: 061-226838 or 061-220550
email: office@ombudsman.org.na
website: www.ombudsman.org.na/

MISSION: "The Office of the Ombudsman in Namibia serves to promote and



protect human rights, fair and effective administration, combat corrupt practices and protect the environment and natural resources of Namibia through the independent and impartial investigation and resolution of complaints and by raising public awareness."

6. Auditor-General

Article 127 of the Constitution requires the President to appoint an Auditor-General. The person appointed must be recommended by the Public Service Commission and approved by the National Assembly. The Auditor-General is appointed for five years and can be reappointed. The Auditor-General can be removed from office only if two-thirds of the members of the National Assembly vote for removal on the grounds of mental incapacity or gross misconduct. The Auditor-General is required to audit the use of state funds, and to report on this audit annually to the National Assembly.

The State Finance Act 31 of 1991 outlines the powers and responsibilities of the Auditor-General in more detail. These include investigating, examining, and auditing the account books kept by the Permanent Secretaries of all Ministries in relation to state funds.

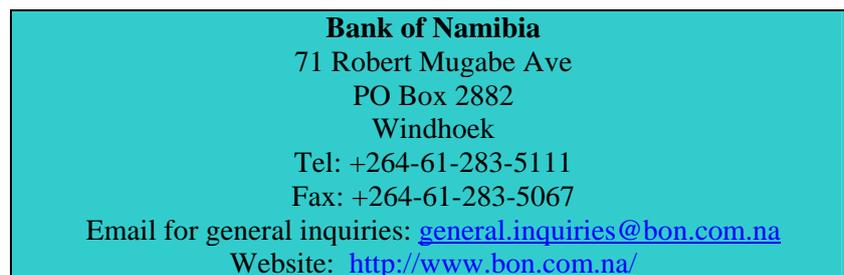
Office of the Auditor-General
Metropolitan Building
Bulow Street
Private Bag 13299
Windhoek
Tel: +264-61-285-8000
Fax: +264-61-22-4301

7. Central Bank

Article 128 of the Constitution says that the government must establish a central bank to control the money supply, make and distribute currency (bills and coins) and oversee Namibia's financial position. Namibia's central bank is called the Bank of Namibia. Its top official is a Governor appointed by the President. The operation of the bank is governed by the Bank of Namibia Act 8 of 1990.

The Bank of Namibia, as the central bank of the nation, is responsible for a number of functions that commercial banks cannot do. The Bank of Namibia is the only bank that has the right to issue the bills and coins used as money in Namibia. It administers the financial accounts of the central government and acts as an advisor on monetary and financial policies. The Bank of Namibia also administers Namibia's foreign reserves and supervises banks and building societies to ensure that they follow sound banking practices.

The Bank of Namibia maintains external relations with the central banks of other countries and with international institutions such as the International Monetary Fund, the World Bank and the African Development Bank.



8. National Planning Commission

Article 129 of the Constitution requires the government to establish a National Planning Commission to make plans for national development. The head of the National Planning Commission is the Director-General, who is appointed by the President. The Director-General is the principal advisor to the president on economic planning. The Director-General can attend Cabinet meetings at the request of the President. The National Planning Commission Act 15 of 1994 contains more details about the operation of this body.

The functions of the National Planning Commission include

- designing and monitoring economic and social plans and policies
- planning for national and regional development
- developing employment strategies
- budgeting
- carrying out economic and social research
- collecting statistics and other data required for planning (such as the regular national population censuses)

- managing and coordinating international aid to Namibia

The National Planning Commission is also in the process of developing a policy on partnership between government and civil society. The draft policy, published in October 2003, contains four objectives:

- to create a greater commitment for civic participation through the promotion and encouragement of active citizenship
- to enhance the environment for civic participation and partnership
- to bring government closer to the people and create partnership opportunities that benefit government, civic organisation and civil society
- to enhance the capacity of partners (government and civic organisations) to enter into partnerships and jointly respond to development challenges and opportunities in an efficient, effective and sustainable fashion.

National Development Plans

The Government of Namibia has adopted the practice of setting out five-year national development strategies. This process is spearheaded by the National Planning Commission

The First National Development Plan (NDP1) covered the period 1995/1996 to 1999/2000. The Second National Development Plan (NDP2) covers the period 2001/2002 to 2005/2006.

NDP1 focused on reviving and sustaining economic growth. It set goals of 5% average growth in the gross domestic product, increasing investment, increasing the real gross national income by 12%, and diversifying export and import markets to reduce the share of trade with South Africa. It also set targets for employment levels, reducing inequities in income distribution and reducing poverty.

NDP2 continues and broadens the plan established in NDP1. The National Planning Commission conducted meetings and workshops with stakeholders to determine the issues and threats to sustainable development in Namibia. The National Planning Commission, line ministries, and stakeholders worked together to create a plan that takes environmental and sustainability issues into account when dealing with sectoral, cross-sectoral and regional development.

NDP2 outlines policies that bring together different sectors of the Namibian economy. Unlike NDP1, NDP2 looks at regional development issues. Finally, NDP2 also deals with other issues not addressed in NDP1 including, poverty reduction, income distribution, HIV/AIDS, science and technology, and private sector development.

SOURCE: <http://www.npc.gov.na>

VISION 2030

Since independence, the Namibian government has regularly adopted 5-year development plans. "Vision 2030" is a more long-term development framework developed by the National Planning Commission. The long-term goal for Namibia is stated in Vision 2030 as follows: *"The VISION for Namibia in 2030 is that the people of Namibia are well developed, prosperous, healthy and confident in an atmosphere of interpersonal*

harmony, peace and political stability; and as a sovereign nation, Namibia is a developed country to be reckoned with as a high achiever in the comity of nations. Namibia enjoys: Prosperity, Interpersonal Harmony, Peace and Political Stability.”

The following eight themes have been identified as the major issues for future planning:

1. Inequalities and social welfare
2. Peace and political stability
3. Human resources, institutional and capacity building
4. Macro-economic issues
5. Population, health and development
6. Natural resources and environment
7. Knowledge, information and technology
8. Factors of the external environment.

Researchers conducted in depth consultations were conducted on these topics, and then mapped out alternative future policies in these areas. The results are contained in a document entitled *Vision 2030: Policy Framework for Long-term National Development*. This document was submitted to Cabinet at the end of 2003 for its consideration. The document should be made public sometime in 2004. The reports can be found on the National Planning Committee’s website at: <http://www.npc.gov.na/>.

National Planning Commission

Government Office Park, Block D2 Luther Street
Private Bag 13356
Windhoek
Tel +264-61- 283-4111
Fax: +264-61-226501
<http://www.npc.gov.na/>

CASE STUDY

50/50 Campaign

Women’s Equal Representation and Full Participation in Politics and Decision Making

Over the past five years Sister Namibia, an NGO promoting women’s human rights, has advocated strongly for women’s equal representation and full participation in politics and decision making. We have developed a national campaign calling for “50/50 Gender Balance” in elected positions at all three levels of government – national, regional and local.

Phase 1 (1999) Development of the Namibian Women’s Manifesto

After presenting the findings of research on women’s participation in politics and decision making at a workshop in March 1999, Sister Namibia was given the mandate by women from Parliament, government and NGOs across the political spectrum to take the lead in collaboratively developing the Namibian Women’s Manifesto promoting the agreed-upon ‘gender agenda’ and calling for gender balanced ‘zebra-style’ candidate lists for the end-of-year National Assembly elections. We produced and published the Manifesto in seven languages and conducted a Training of Trainers workshop for women leaders from regional centres and major towns in all 13 regions of Namibia, who then conducted local workshops to raise awareness on women’s political and human rights and to popularise the 50/50 demand.

Unfortunately we did not achieve the aim of uniting women across party lines through the Namibian Women's Manifesto, as women leaders of the ruling party objected to the inclusion of the equal rights of lesbian women in the document. However, we were able to mobilise many non-governmental organisations to take ownership of the Namibian Women's Manifesto, and participants at the workshops held all over the country took it as their own and began using it as a tool to voice their concerns, and to add additional concerns of their own. Over the past five years thousands of women across the county have begun to realise that they have rights as women, as equal human beings to men. The Namibian Women's Manifesto has thereby served as a much-needed tool in the long and arduous struggle of restoring women's dignity after decades of apartheid and centuries of patriarchal rule.

Phase 2 (2000) The 50/50 Campaign

Phase 2 of the Campaign saw the building of a network of women leaders from towns and villages across the country who participated in broad awareness-raising activities at the local level on the issue of increasing women's participation in politics and decision making, using a pamphlet and two posters developed by Sister Namibia. The campaign called on political parties to include 50 per cent women as candidates on 'zebra' party lists in all future elections, and lobbied Parliament to amend the electoral laws to bring about gender balance in elected positions at all three levels of government. At the national level we held meetings with leaders of political parties and parliamentary standing committees to introduce their demands. We further collected more than 2500 signatures in a short time under a petition calling for laws to put women in 50 percent of all elected positions of government. This petition was handed to the Speaker of the National Assembly after a march to Parliament conducted by the Namibian Women's Manifesto Network and many supporting NGOs. No response to this petition was ever received.

This campaign made Namibia part of the global campaign "50/50 by 2005: Get the Balance Right!" that was launched by NGOs in New York in June 2000, at the time when the United Nations was reviewing the implementation of the Beijing Platform for Action.

Phase 3 (2001-2) Developing and mobilising support for the 50/50 Bill

Phase 3 involved strengthening the call for Parliament to adopt the necessary amendments to provide for gender balance at all levels of government in all future elections. We commissioned research on '50/50 Options for Namibia', which provided a global overview of the use of quotas for increasing women's political representation and recommendations for the relevant amendments to Namibia's laws. Following broad discussion and support for these recommendations we commissioned the Legal Assistance Centre to develop a "layperson's draft" (called the 50/50 Bill) which would ensure gender balance in elected positions at all three levels of government. At the same time we developed a pamphlet containing a simplified version of our demands, which we translated into six local languages. Members of 34 NGOs publicly documented their support for the 50/50 principle in this pamphlet. The facilitators of the Namibian Women's Manifesto Network have used the pamphlet for their local lobbying and advocacy activities.

During Phase 3, women working as Network Facilitators conducted a total of 105 local workshops, directly involving 3500 people (mainly women but also a number of men) in discussions on the importance of women's participation in politics and decision-making. The workshop participants have enthusiastically supported the demands for amendments to the electoral laws to ensure gender balance at all three levels of government in all future elections.

Through activities at the local level, the message of gender balance in government was brought to 70 schools, 88 churches, 9 traditional leaders, 17 regional councillors and 32 local councillors. Members of the Namibian Women's Manifesto Network distributed thousands

of pamphlets and collected hundreds of signatures. They used the media to publicise the campaign, and to mobilise participation and support for local events. They also held local marches to hand over the petition to many different local government representatives.

At the national level Sister Namibia led the NGOs supporting the Manifesto and the 50/50 Campaign in lobbying political parties, Parliamentary standing committees, line ministries and the media. Together we collected signatures, held a march to Parliament and handed a new petition and the 50/50 Bill to the Speaker of the National Assembly on 5 March 2002. This led to a fruitful meeting with members of the Parliamentary Standing Committee on Petitions in May 2002, who agreed in general with our demands. However, in December 2003, more than 18 months after the petition was submitted, we received a letter informing us that our petition had been rejected because we had not exhausted all other legal remedies before approaching Parliament. We were informed that we should have approached the Ministry of Women Affairs and Child Welfare to request that they sponsor the 50/50 Bill, or asked other MPs to present it as a private member's bill.

The aims of the campaign have received vocal support from the Ministry of Regional and Local Government and Housing, the Elected Women's Forum, regional governors and mayors, and from three political parties. An action research report on the first three phases of the Namibian 50/50 Campaign is available from Sister Namibia.

Phase 4 (2003) Engendering local government

Phase 4 of the 50/50 Campaign focuses directly on local government as a site of struggle for gender equality. Many women are getting involved in the forthcoming Local Authority elections by lobbying political parties to take the lead in implementing the 50/50 Bill.

In Namibia, 43% of local councillors are women, largely as a result of affirmative action legislation which applied to the first two local elections. However, the women participating in the campaign feel that it is important to go beyond the concept of "affirmative action", which is usually seen as a temporary measure, and entrench the concept of 'gender balance' as a permanent state of affairs in the interests of gender justice.

Sister Namibia has developed two posters and a pamphlet in four languages calling on political parties to implement 50/50 'zebra' party lists for the local authority elections as well as to include specific time-bound indicators in their party manifestos showing how they will implement the National Gender Policy, CEDAW and the SADC Declaration on Gender and Development at the local level. The campaign encourages women, men and young people to vote only for political parties that have complied with these two demands.

As in the past, Sister Namibia is also using this campaign to strengthen networking between NGOs and build coalitions on the issue of gender and democracy. One goal is to build awareness among NGOs that elections are not only for political parties but that they also provide NGOs with opportunities to campaign for specific issues. Sister Namibia has invited the Gender Advocacy Project, an NGO dealing with the issue of women and local government in South Africa, to share its work and experiences with Namibian NGOs. In this way we are strengthening networking between NGOs at the SADC level.

Sister Namibia

Sources

Abacus, "Our New Nation", 1992 (a column written by Dianne Hubbard in a supplement to the secondary school syllabus once published monthly in Namibia), 1991-1995.

Legal Assistance Centre, *How Laws Are Made*, 1996.

Legal Assistance Centre, *Know Your Ombudsman!*, 1990.

Office of the Ombudsman, *Go to the Ombudsman*, 1996.

Namibia Institute for Democracy, *Democracy and You: A Guide to Better Understanding*, undated.

CHAPTER 12: REGIONAL AND LOCAL GOVERNMENT

This chapter gives an overview of the structure of government at regional and local levels. It also discusses the role of the Council of Traditional Leaders and the government's policy on decentralisation.

1. Regional Councils

Namibia has 13 regions. Each region has a Governor and a Regional Council. The number of people on each Regional Council depends on the number of constituencies in the region. As of 2004, all regional councils have 6-10 members. Each Regional Council sends two representatives to the National Council.

For example, Caprivi is divided into six constituencies. Each constituency elects a councillor. Together these six councillors form the Caprivi Regional Council. The Regional Council chooses two of its six councillors to represent Caprivi in the National Council.

Dividing Namibia into regions

Namibia was divided into 13 regions by a Delimitation Commission appointed by the President. (To "delimit" something means to decide where its boundaries are.) The "seat" of each region is the place where the regional council sits to hold its meetings. As the population of Namibia grows and people move from place to place, the boundaries of these regions may be changed, or new regions may be created.

Each region has been divided into constituencies by the Delimitation Commission. (The "constituencies" make up, or "constitute", each region.) According to the Constitution, there can be 6 to 12 constituencies in each region. So far there is no region with more than 10 constituencies. The boundaries of the constituencies may have to be changed from time to time, and new constituencies may be created.

LAY-OUT: ARRANGE INTO A NICE CHART OR OTHER FORM OF PRESENTATION AND PUT ON ONE PAGE TOGETHER WITH THE MAP

REGIONS AND THEIR CONSTITUENCIES, MARCH 2004

1. Karas:

Berseba

Karasburg

Keetmanshoop Rural

Keetmanshoop Urban

Lüderitz

Oranjemund

2. Hardap:

Gibeon

Mariental Rural

Mariental Rural

Rehoboth Rural

Rehoboth Urban East

Rehoboth Urban West

3. Khomas:

Hakahana
Katatura Central
Katatura East
Khomasdal North
Soweto
Wanaheda
Windhoek East
Windhoek Rural
Windhoek West

4. Omaheke:

Aminius
Gobabis
Kalahari
Otjinene
Otjombinde
Steinhausen

5. Erongo:

Arandis & Henties Bay
Brandberg
Karibib & Usakos
Omaruru
Swakopmund
Walvis Bay Rural
Walvis Bay Urban

6. Kunene:

Epupa
Kamanjab
Khorixas
Opuwo
Outjo
Sesfontein

7. Otjozondjupa:

Grootfontein
Okahandja
Okakarara
Omatako
Otavi
Otjiwarongo
Tsumkwe

8. Oshikoto:

Engodi
Guinas
Okankolo
Omuntele
Omuthiyagwipundi
Onayena
Oniipa
Onyaanya
Tsumeb
Olukonda

9. Kavango:

Kahenge
Kapango
Mashare
Mpungu
Mukwe
Ndiyona
Rundu Rural
Rundu Urban

10. Caprivi:

Kabbe
Katima Mulilo Rural
Katima Mulilo Urban
Kongola
Linyandi
Sibbinda

11. Oshana:

Okakaku
Okatana
Ompundja
Ondangwa
Ongwediva
Oshakati East
Oshakati West
Uukiwiyu
Uuvudhiya
Okatjali

12. Omusati:

Anamulenge
Elim
Etayi
Ongongo
Okahao
Okalongo
Onesi
Ruacana
Tsandi
Uutapi

13. Ohangwena:

Eenhana
Endola
Engela
Epembe
Ohangwena
Okongō
Omundaungilo
Ondobe
Ongenga
Oshikango

the Republic of Namibia, to uphold and defend the Namibian Constitution and the laws of the Republic of Namibia and to perform my duties as member of the regional council for the region diligently, honestly, fairly and to the best of my ability. So help me God.

Regional Councils Act, section 9

Tasks of regional councils

The most important task of each regional council is to elect two of its members to represent the region in the National Council. The members of each regional council vote for two of their members to become members of the National Council. Each representative to the National Council serves on the National Council for 6 years.

While the members of the National Assembly represent people in every part of Namibia, the members of the National Council represent only the people in the region which elected them.

Another task of each regional council is to work together with the National Planning Commission to make a development plan for the region. This development plan must consider the physical, social and economic characteristics of the region. It must take into account the facilities for water, electricity, communications and transport. It must also take into account the resources and needs of the region, as well as its potential for economic development. The development plan must make sure that the natural environment is protected. The regional development plans guide growth and development in each region, and help the central government decide how to allocate the resources of the nation amongst the different regions.

Another task of each regional council is to help local governments in the region. For example, the regional council might help a local authority to carry out its duties -- especially where there is a new local authority in an area which has never before had local government.

Each regional council also has the duty to manage and control places within the region which have been declared "settlement areas". A settlement area is a place which is not part of a local authority. It can be a place which the regional council is developing to become a local authority in the future, such as a small village which is growing rapidly. A settlement area can also be a place where there is a need for some control and regulation to protect the health and welfare of the inhabitants of the area. For example, suppose that a temporary camp is set up in a rural area while a road is being built. The regional authority might need to make sure that there is adequate provision for water and sanitation in the camp. Since there is no local authority in a settlement area, the regional council is given powers similar to those of a local authority as a temporary measure.

Regional councils manage their own budgets, as well as the money they receive from the central government for use in the region. Regional Councils also receive 5% of their budgets from the revenue of the local authorities in the region.

The President or Parliament can assign other duties to regional councils as necessary.

If any regional councillor, or a spouse or relative or household member or business partner of the councillor has a financial interest in a business contract relating to the council or in any matter under the control of the council, then that regional councillor must disclose full information about this interest. The councillor in question must not vote on the matter, or even be present when the vote takes place. Failure to follow this rule is a criminal offence.

Regional Authorities Act, section 16

Governors and regional management committees

Each regional council has a governor and a management committee. The regional councillors elect the governor and the management committee from the members of the regional council. If the regional council has less than nine members the management committee will consist of the governor and two other members. If the regional council has nine or more members the management committee will consist of the governor and three other members. The governor is also the chairperson of the management committee.

Contact details for governors are listed below.

Regional governors and members of the regional management committee are important contacts for lobbying on regional issues.

Chief regional officers

Each regional council also has a chief regional officer. The regional council appoints the chief regional officer after consulting the Minister of Regional and Local Government and Housing. The chief regional officer is an administrator rather than an elected official.

The chief regional officer is a good point of contact if you have any questions about the regional council. Contact details for regional officers are listed below.

Meetings of regional councils

Meetings of regional councils are always open to the public expect for the following situations:

- when the council is dealing with the employment or discipline of officers or employees
- meetings dealing with tender offers
- meetings dealing with legal proceedings; or
- where two thirds of the councillors have voted in favour of excluding the public from a debate about a specific issue.

Minutes of meetings that were open to the public can be examined at the Regional Council Office during ordinary office hours. If you want, the office will make copies for you, but you will have to pay for the copies.

At the beginning of each year, the Regional Management Committee in each region decides on the dates, times and locations of the Regional Council meetings for the whole year. The Regional Council then approves this schedule. You can find the schedule for meetings by contacting your Chief Regional Officer or the councillor for your constituency.

Public meetings

Regional councils can hold public meetings, to give the general public a chance to share its views on a subject. Public meetings are supposed to be announced in local newspapers and through other channels, so that as many people as possible will know the date, time, place and topic.

You can request a public meeting on any matter of public interest. If you or your organization collects the signatures of 10 percent of the registered voters in your region supporting this request, then the regional council must hold a public meeting.

CONTACT DETAILS FOR REGIONAL COUNCILS				
Region	Governor	Chief Regional Officer	Address/ Email	Tel./Fax
Caprivi	Mr. B. Sibalatani	Mr. P. Mapenzi	Private Bag 35002 Katima Mulilo	Tel: (066) 259046 or 253016 Fax: (066) 253619
Erongo	Mr. S. Nuuyoma	Mr. T.D. !Gonteb	PO Box 5019 Swakopmund iczmerc@iafrica.com.na	Tel: (064) 405 420 or 405 413 Fax: (064) 405 418
Hardap	Mr. P. Boltman	Ms. T. Basson	Private Bag 2017 Mariental hardaprc@iafrica.com.na	Tel: (063) 240 673 or 240 728 Fax: (063) 240 527
Karas	Mr. S. Goliath	Mr. J. Stephanus	P.O. Box 384 Keetmanshoop karasrc@iafrica.com.na	Tel: (063) 222 068 Fax: (063) 223 538
Kavango	Mr. S. Karupu	Mr. A.T. Makonga	Private Bag 2028 Rundu kavregco@iway.na	Tel: (067) 255 396 Fax: (067) 255 036
Khomas	Mr. J.A. Pandeni	Ms. K. Hainan	P.O. Box 3379 Windhoek krc@mweb.com.na	Tel: (061) 221 441 or 221 442 Fax: (061) 220 317
Kunene	Mr. S. Tjongarero	Mr. E. Nganjone	Private Bag 502 Opuwo kunenerc@iway.na	Tel: (065) 273 139 Fax: (065) 273077
Ohangwena	Mr. B. Mwaningange	Mr. D. Kashikola	Private Bag 2032 Ondangwa	Tel: (065) 263 021 or 263 039 Fax: (065) 263 033
Omaheke	Ms. McClaud	Mr. P.U. Tjihoreko	Private Bag 2277 Gobabis tjihoreko@omrcouncil.com.na	Tel: (062) 563 191 Fax: (062) 562 432
Omusati	Mr. S. Kayone	Mr. G. Shivolo	Private Bag 523 Ombalantu	Tel: (065) 251 019 Fax: (065) 251 078
Oshana	Mr. C. KASHUUPULWA	Mr. B. Munalye	Private Bag 5543 Oshakati onarcadm@osh.namib.com	Tel: (065) 220 927 or 220 440 Fax: (065) 221 292
Oshikoto	Mr. V. Kamanya	Ms. S. Mupopiwa	P.O. Box 1116 Tsumeb oshikoto@iway.na	Tel: (067) 221 435 or 221 484 Fax: (067) 22 0729
Otjozondjupa	Mr. G. Uushona	Mr. O. Kazombiaze	P.O. Box 1682 Otjiwarongo orregion@iafrica.com.na	Tel: (067) 302 702 Fax: (067) 302 760

INTERNET: Information about each regional council can be found at the website of the Association of Regional Councils, www.arc.org.na/. This website has maps of each region showing the constituencies, a list of all regional councillors and governors, and the contact details for each Governor and Region Officer. However, at the time of writing, this website had not been updated since May 2000.

Association of Regional Councils

PO Box 3379

Windhoek

tel: 061-246628

fax: 061-220317

email: arc@mweb.com.na

website: www.arc.org.na/

This group seeks to enhance the image of the Regional Councils, and strengthen the activities of the National Council. It also helps to coordinate activities at the national, regional and local level.

I also urge the people to become more involved in the affairs of their regions. You must define and articulate your needs and present them to your regional councillors. You have the right to demand from your elected representatives to host regular meetings with you so that they can listen to your problems. It is also of critical importance that all people participate in these discussions and search collectively for solutions to problems. This is what democracy is all about. Remember that regional government means participatory democracy and bringing government closer to the people.

President Sam Nujoma, New Year's Message, 31 December 1998

2. Local authorities

Local authorities operate within regions. There are three categories of local government: villages, towns and municipalities. The Minister of Regional and Local Government decides how to classify each local authority, by looking at what services the local authority is able to provide to its residents, and what financial resources are available to it. A local authority can be re-classified as it changes and develops.

As of the beginning of 2004, there were 37 local authorities in Namibia – 16 municipalities, 10 towns and 11 villages.

Electing local authority councils

Elections for local authority councils are held every 5 years.

All Namibian citizens who are at least 18 years old are eligible to vote for the council of the local authority where they live, if they have been living in that local authority for at least 1 year. When people register to vote in a local authority, they must bring proof that they have been there for at least 1 year.

Namibian citizens who are at least 21 years old are eligible to stand for election to a local authority council, if they are registered voters for that local authority. This

means that candidates for a local authority council must also have been living in that local authority for at least 1 year.

Perhaps you are wondering why there is a one-year residency requirement for the local authority elections, but not for the regional elections. Not everyone in Namibia lives in a local authority, but everyone lives in a region -- and you will remember that each regional council sends representatives to the National Council, which is part of Namibia's Parliament. So it is important for every Namibian citizen to vote in one region or another, to make sure that every citizen is represented on the National Council. If there were a one-year residency requirement for the regional elections, people who had recently moved would be left out. Local authorities do not send representatives to the national level. So only people who have lived in a local authority long enough to understand its issues and its needs have the right to vote for the local authority council.

Party list system for local authorities

Local authority elections are held on the basis of party lists. Before the election takes place, each political party that wishes to participate must compile a list which states the names of the individuals who will represent it on the local authority council. The voters in each local authority cast their ballots for a political party. Each party then takes people from its party list to fill the number of seats on the local authority council which is proportional to the number of votes received by the party. This is the same system that is used for elections to the National Assembly.

Associations and organisations can also register as "political parties" for local elections. They can put forward candidates for a local authority council if they can show that at least 250 members of the association or organisation who are registered voters for that local authority support their decision to participate in the election.

After the first local authority elections, the original plan was to divide each local authority into wards, just as regions are divided into constituencies. Then, in all future local authority elections, voters in each ward would vote for an individual to represent them on the local authority council instead of voting for a political party. But the Local Authorities Act was amended in 1997 to extend the party list system to the second local authority elections. The idea of dividing local authorities into wards has now been abandoned. In terms of a 2002 amendment to the law, all future local authority elections will be held under the party list system unless the law is changed again.

The 1997 amendments also altered the number of council members in the different categories of local councils. Municipal councils, originally composed of 7-12 members, were increased to 7 to 15 members. Town councils remain the same at 7-12 members. Village councils remain at 7 members each for the second local government elections, but decrease to 5 members with effect from the third local government elections.

REASONS FOR MAINTAINING THE PARTY LIST SYSTEM

The party list system has been criticised, as it can mean that candidates' first allegiances are with political parties, organisations and associations. When the Local Authorities Amendment Bill was introduced in the National Assembly on 16 October 2002, Deputy Minister of Regional, Local

Government and Housing, Gerhard Totemeyer explained the motivation for retaining the party list system at the local level. He said that while the winner take-all system had the advantages of direct representation, it was unfair to minorities. The party list system is the one that voters are familiar with. It is less expensive, because seats that are vacated can be filled with the next candidate on the party list, eliminating the need for by-elections. The party list system is also a better vehicle for affirmative action to ensure greater gender representation.

Debates of the National Assembly, 16 October 2002 at pages 293-298

Affirmative action for women in local authority elections

"Affirmative action" is a positive step to help a group of people who have been disadvantaged in the past. Because women have suffered special discrimination in Namibia in the past, there are special measures to help women gain seats on local authority councils.

Each political party which wants to participate in the local authority elections must put forward a full slate of candidates. For example, if there are 7 seats on a town council, each political party participating in that election must have 7 names on its party list. The law requires that a certain number of the individuals on every party list must be women.

For the first local government elections after independence, the Local Authorities Act 6 of 1992 said that party lists had to include at least two women for local authority councils with 10 or fewer members, and at least three women for councils with 11 or more members. (Any political party is, of course, free to include more women on its party list if it wishes.)

The Local Government Amendment Act 3 of 1997 amended the Local Authorities Act to strengthen the affirmative action provision for women in the second local elections by increasing the minimum number of women required on each party list. The amendment raised the minimum from two or three women, depending on the size of the council, to three women on party lists for councils of 10 or fewer members and five women on party lists for councils of 11 or more members.

Because of this rule on affirmative action, in the 1998 local elections a total of 462 women were put forward, out of 978 candidates. This is equal to 47%. Both SWAPO and DTA made a public commitment to "zebra" lists of alternating male and female candidates. About 42% of SWAPO's party lists substantially followed the "zebra" format, as compared to a compliance rating of about 20% for the DTA. A total of 136 women were among the 329 persons who actually took seats in the 1998 local elections, which constitutes about 41%. Because some vacancies have been filled since then, as of 2003 the percentage of women on local authority councils has risen to 43%.

Powers and duties of local authorities

The powers of local authorities are also divided into three tiers: (1) *All local authorities* -- villages, towns and municipalities -- are given certain powers automatically. (2) There are other powers which *towns and municipalities* are given automatically. But villages may exercise these powers only when the Minister of Local Government and Housing thinks that they are ready. (3) There are still other

powers which *municipalities* are given automatically. But towns and villages may exercise these powers only when the Minister thinks that they are ready.

This system is designed to help villages grow into towns and towns grow into municipalities, by making it possible for local authorities at each level to receive increased responsibilities as they are ready to handle them. For example, a village can be given additional powers until it is doing almost all of the things that a town has the power to do automatically -- then the village will be ready to be re-classified as a town.

The following chart lists the areas in which powers can be exercised by the different local authorities:

LAY-OUT ARTIST – ORGANISE INTO A CLEAR AND EYE-CATCHING CHART.

THE POWERS OF LOCAL AUTHORITIES

1. VILLAGES, TOWNS AND MUNICIPALITIES

supply water	cemeteries
sewerage and drainage	streets and public places
refuse disposal	markets
bands and orchestras	pounds
beautification of local areas	promotion of tourism
power to accept donations from sources inside Namibia	
power to buy and sell land and buildings	
power to set fees for services provided	
power to operate farms on the townlands	

2. MUNICIPALITIES AND TOWNS , plus VILLAGES WITH MINISTER'S APPROVAL

supply electricity and gas	dipping tanks
ambulance services	fire brigades
construct and maintain community buildings and structures	
power to buy and sell property other than land and buildings	

3. MUNICIPALITIES, plus TOWNS AND VILLAGES WITH MINISTER'S APPROVAL

public transport services	quarries
housing schemes	abattoirs
museums and libraries	aerodromes
plant nurseries	parking areas
bursaries	railway sidings
traffic services	
storage of perishable goods (goods which may spoil)	
power to confer honours for service to community	
power to enter into joint business ventures	
power to privatise functions and services	

4. ALL LOCAL AUTHORITIES, BUT ONLY WITH THE APPROVAL OF CENTRAL GOVERNMENT

power to borrow money from any source inside Namibia	
power to loan money to sports clubs and charities	
power to accept donations from sources outside Namibia	
power to make grants or donations	

Local authorities also have the power to make regulations on a wide variety of matters. Other powers can be assigned to local authorities in future by laws passed by Parliament.

The list above talks about the things which local authorities can do, but there are also certain things which local authorities *must* do. All local authorities must supply water, sewerage and refuse removal to all communities which have been formally established as residential areas. This includes neighbourhoods where the local authority has laid out streets and divided the land up into plots so that people can buy it to build houses on it. Towns and municipalities must also establish and maintain cemeteries for all formally-established residential areas.

Central government can step in to help towns and villages that are having trouble providing adequate services to their residents. When any local authority is unable to perform the duties and functions which are its responsibility, central government may take whatever steps are necessary to deal with the problem.

OATH OF LOCAL COUNCILLORS

I do hereby swear and solemnly and sincerely promise to be faithful to the Republic of Namibia, to uphold and defend the Namibian Constitution and the laws of the Republic of Namibia and to perform my duties as member of the local authority council of diligently, honestly, fairly and to the best of my ability. So help me God.

Local Authorities Act, section 10

CONFLICTS OF INTEREST

The rules on conflict of interest are the same at the local level as at the regional level. If any local councillor, or a spouse or relative or household member or business partner of the councillor has a financial interest in a business contract relating to the council or in any matter under the control of the council, then that local councillor must disclose full information about this interest. The councillor in question must not vote on the matter, or even be present when the vote takes place. Failure to follow this rule is a criminal offence.

Local Authorities Act, section 19

Mayors and deputy mayors

Each municipal council and town council elects a mayor and a deputy mayor from amongst its members. The mayor and deputy mayor serve as the chairperson and vice-chairperson of the council.

The mayor and deputy mayor are responsible for formulating planning and development policies, promoting employment, and monitoring the implementation of the council's policies. The mayor and deputy mayor are accountable to the people who live in the area of the local authority. They have responsibility for the social well-being of the people who live in the local authority. They also have a duty to investigate and try to solve any issues relating to the local authority.

A village council elects a chairperson and a vice-chairperson. These officials play a similar role as the mayors and deputy mayors in larger local authorities.

Management committees

Municipal and town councils each elect a management committee from amongst their members. The mayor and deputy mayor are always members of the management committee. If the council has less than nine members the management committee will consist of the mayor, the deputy and three other members. If the council has 10 members the management committee will consist of the mayor, the deputy and four other members. If the council has 11 or more members the management committee will consist of the mayor, the deputy and five other members.

The management committee is responsible for seeing that the decisions of the local authority are carried out. The management committee prepares and compiles estimates of how much money the local authority will have for its budget and how much it will spend on programs and services. The management committee also controls the spending of the local authority's money. The management committee can ask the local authority council to reconsider a decision it has made in light of factors pointed out by the management committee.

The members of the management committee are important contacts for lobbying on local issues.

Chief Executive Officers

Each municipal and town council appoints a clerk. Village councils appoint village secretaries. These clerks and secretaries act as the chief executive officers of the local authority. They are administrators rather than an elected officials. The chief executive officer is a good point of contact if you have any questions about the local authority.

Meetings of local authorities

Meetings of local authorities are always open to the public expect for the following situations:

- when the council is dealing with the employment or discipline of officers or employees
- meetings dealing with tender offers
- meetings dealing with legal proceedings; or
- where two thirds of the councillors have voted in favour of excluding the public from a debate about a specific issue.

You can find out when the next local authority meeting is being held by calling the local authority office.

In Windhoek, the municipal council meets on the last Wednesday of every month.

Minutes of meetings that were open to the public can be examined at the local Authority Office during ordinary office hours. If you want, the office will make copies for you, but you will have to pay for the copies.

Public meetings

Like regional councils, local authorities can hold public meetings, to give the general public a chance to share its views on a subject. Public meetings are supposed to be

announced in local newspapers and through other channels, so that as many people as possible will know the date, time, place and topic.

You can request a public meeting on any matter of public interest. If you or your organization collects the signatures of 10 percent of the registered voters in your local authority, then the local authority must hold a public meeting.

ORGANISATIONS THAT WORK WITH LOCAL AUTHORITIES

There is not enough space to list information about all of Namibia's local authority councils. The following organisations may be helpful.

Association of Local Authorities of Namibia (ALAN)

P.O. Box 2721
Windhoek
tel: 061-240914 or 5
fax: 061-240929
email: alan@iway.na
website: www.alan.org.na/

ALAN seeks to build capacity and awareness amongst its members. It brings together individual local authorities into one body to represent their interest and priorities, and to identify common solutions to shared problems. The ALAN website has links to some websites of the various local authorities.

National Mayors' Forum

CLLR King Mandume Muatunga
Walvis Bay Municipality
Private Bag 5017
Walvis Bay
Tel: 064-201-3268
Fax: 064-20-0804

The National Mayors' Forum brings together the mayors of local authorities so that they can share ideas and experiences, to prepare them for the challenges of rapid urbanisation. The Chairperson of the National Mayors' Forum at the end of 2003 is the Mayor of Walvis Bay, whose contact details are given above.

National Association of Local Authorities Officers (NALAO)

P.O. Box 59/ 80 Independence Avenue
Windhoek
tel: 061-290-2543
fax: 061-290-2344
email: nalao@windhoekcc.org.na

NALAO is a professional body of local authority staff members which works to improve local authority administration.

TIMING OF ELECTIONS

Knowing when elections are coming is important for lobbying, because an election campaign can provide a good opportunity for raising issue of concern.

The Constitution sets the term of office for members of the National Council at six years (Article 70). This is in contrast to members of the National Assembly and the President, who

hold office for five-year terms (Articles 29 and 50). Consequently, the term of office for regional councillors is six years, while the Local Authorities Act sets the term of office for local authority councillors at five years.

The first local elections took place simultaneously with the first regional elections from 30 November to 2 December 1992.

The second local government elections were initially scheduled for 2 December 1997, but were postponed to 16 February 1998 after a technical defect relating to the time period for filing party lists was discovered. The second regional council elections were held from 30 November-1 December 1998.

The third local authority elections were initially scheduled for February 2003, but were postponed to February 2004. The third regional elections were set to take place in December 2004, along with the national elections for the National Assembly and the President which will take place in 2004, 2009, 2014, 2019 and so on.

In 2002, Dr Nicky Iyambo, Minister of Regional and Local Government and Housing proposed that the third local and regional elections should be held simultaneously in 2003. He also proposed that the terms of office of those elected in 2003 should be cut to three years to allow simultaneous regional and local elections in future, with a two-year break between these elections and the national ones. This would have meant that the fourth elections for regional and local councils would have taken place in 2005, and then every five years after that. Iyambo said that grouping the elections in this way would but government expense and reduce “election fatigue”. However, the new plan would have required a Constitutional amendment.

When objections to this plan were raised, SWAPO proposed that the third local authority elections should be held by March 2005. However, the opposition parties demanded that the next local elections take place by June 2004. A compromise was reached, with the next local elections now being set to take place not later than 31 July 2004, and at intervals of five years thereafter.

The third regional elections are still set to take place simultaneously with the national elections in December 2004.

Further adjustments to election scheduling are likely to take place in future.

Local Authorities Amendment Act 27 of 2003

3. Traditional Leaders

Designating traditional leaders

The Traditional Authorities Act 25 of 2000 has introduced a formal system for designating traditional leaders.

Members of a traditional community may follow their customary law to name one person from the royal family of that traditional community as the chief or head of the community. If there is no royal family, the members may name any member as chief or head of that traditional community. A community that wants to designate a traditional leader must apply in advance to the Minister of Regional and Local Government and Housing for approval. The application must include the name and area of the traditional community, the number of members in the community, the

reasons for the designation, the name, office and traditional title of the candidate, and the applicable customary law.

If the Minister is satisfied that the designation meets the requirements in the Traditional Authorities Act, he or she notifies the President. The President will recognize the designation by publishing the information in the Government Gazette.

Chiefs or heads of traditional communities may not hold political office unless they take leave of absence from their positions as chief or head.

The central government provides allowances to the chief or head of a traditional community, and for up to six senior traditional councillors and six additional traditional councillors.

Role of traditional leaders

The chief or head of the traditional community is the custodian of the customary law of the community. The chief or head is required to exercise powers and perform duties in accordance with that customary law. This chief or head appoints traditional councillors to assist with these power and duties.

The chief or head of the community also has the power to appoint a Chief's Council or a Traditional Council to help with the administration of the traditional authority. The chief or head can also assign one or two senior traditional councillors to assist the Council.

If the community consents, traditional authorities have the power to collect contributions for Community Trust Funds which can be used to finance community projects and cover the administration costs of the traditional authority.

Traditional leaders are bound to give support to the policies of central government, regional councils and local authorities. They must help the police to prevent and investigate crimes if necessary, and they must make sure that natural resources are used in a sustainable way.

In general, traditional authorities must administer customary law and preserve the culture, language, traditions and traditional values of the community.

Traditional leaders are not allowed to apply any custom, practise or tradition that is discriminatory or violates the Constitutional rights of any person. They must also be sure that their political opinions or allegiance to any particular political party does not influence their functions as traditional leaders.

GENDER EQUALITY IN TRADITIONAL AUTHORITIES

Traditional authorities have a duty *“to promote affirmative action amongst the members of that traditional community as contemplated in Article 23 of the Namibian Constitution, in particular by promoting gender equality with regard to positions of leadership”*.

Traditional Authorities Act 25 of 2000, section 3(1)(g)

Council of traditional leaders

Article 102 of the Constitution requires government to establish a Council of Traditional Leaders. This Council's function is to advise the President on the control and use of communal land and on other matters referred to it by the President.

According to the Council of Traditional Leaders Act 13 of 1997, each traditional authority may send two representatives to the Council. One of these representatives should be the chief or a senior traditional councillor. The other can be a senior traditional councillor or a traditional councillor, or any other member of the traditional community. Councillors are appointed for five years. They can be reappointed. They may not be Members of Parliament, Regional Councillors or leaders of a political party.

The Council of Traditional Leaders elects a chairperson and a vice-chairperson. The Council must keep minutes of all its meetings. The meetings are not open to the public, and the minutes of the meetings are not available to the public.

Any draft legislation that deals with communal land must be shown to the Council of Traditional Leaders for consideration and recommendations before it is introduced in the National Assembly. The Council of Traditional Leaders has 90 days to review the proposed legislation.

The overriding function of the Council is to act as a bridge between modernity and tradition, and to ensure that the values of hard work, honesty, family, integrity and community are imparted to our society, especially the youth.

President Sam Nujoma, State of the Nation Address, 30 April 1999

COUNCIL OF TRADITIONAL LEADERS

The secretariat for the Council of Traditional Leaders is based at the Ministry of Regional and Local Government and Housing.

Ms. Anyolo
Council of Traditional Leaders
Ministry of Regional and Local Government and Housing
Government Office Park, Cluster D21
West Luther Street
Windhoek
Tel: 061-297-5111
Fax: 061-22 6049

4. Decentralisation

Namibia has adopted a policy of decentralisation. Decentralisation is when the central government transfers some of its powers to regional and local governments. Decentralisation will give regions and local authorities more control over economic, cultural and social development in their areas.

The four goals of decentralization are:

1. to extend, enhance and guarantee participatory democracy
2. to ensure and safeguard rapid sustainable development

3. to transfer power to the regional councils and local authorities based on national ideas and values and
4. to improve the capacity of regional and local governments to plan, implement, manage and monitor the delivery of services to their constituents.

The process of decentralisation is being supervised and implemented by the Directorate of Decentralisation Coordination within the Ministry of Regional and Local Government.

Decentralisation in Namibia aims to ensure economic, cultural and socio-economic development, provide people at the grass-root level the opportunity to participate in their own decision-making and extend democracy to them as a right based on national ideals and values.

Ministry of Regional and Local Government and Housing

In terms of the Decentralisation Enabling Act 33 of 2000, the Minister responsible for regional and local government matters may transfer the responsibility of a specific government function from the “line ministry” to a regional or local authority. A “line ministry” is the ministry of the central government responsible for that function. The Minister must consult with other members of the Cabinet and the line ministry before transferring the function.

There are two kinds of transfer which can take place. The first is “**delegation**”. In the case of delegation, the line ministry is still responsible for funding the function in question, but the function is implemented the region or the local authority. In this type of decentralisation, the region or the local authority acts as an agent on behalf of the line ministry.

The second form of transfer is “**devolution**”. In the case of devolution, the region or the local authority takes full responsibility for the function, including financial responsibility. .

The Minister can withdraw the delegation or devolution of a function at the request of the regional council or local authority. The Minister can also withdraw a transfer of functions if the regional council or local authority is unable to perform the new tasks properly.

To help regions and local authorities cope with their increased responsibilities, decentralisation of personnel will accompany the decentralisation of functions. This means that some government officials will be transferred from line ministries to regions and local authorities as necessary.

CASE STUDY **Namibia Women’s Voice**

Namibia Women’s Voice has branches in Erongo, Kunene, Omaheke, Omusati, Otjizondjupa and Rehoboth. Its members take up a combination of local, regional and national issues.

For example, the Rehoboth group has been active in monitoring the local magistrate’s court and police to ensure that human rights are understood and observed. They have visited the local police cells to make sure that children are not being held together with adults. They

have held public marches to protest against parents who do not pay maintenance, and maintenance officials who do not enforce the maintenance law effectively. They have also marched to protest violence against women and children in their community, as well as against illegal shebeens and the general level of crime in the region. The group has become a recognised and respected force in the local community.

At the same time, the Rehoboth branch has joined the other branches of Namibia Women's Voice to lobby at the national level for the passage of gender-related laws, with petitions and public marches.

The experience of this group shows how a single group can successfully engage in advocacy at different levels of government.

Based on information from Rachel Cloete,
Chairperson, Namibia Women's Voice

Sources

Abacus, "Our New Nation", 1992 (a column written by Dianne Hubbard in a supplement to the secondary school syllabus once published monthly in Namibia), 1991-1995.

Legal Assistance Centre, *Affirmative Action for Women in Local Government in Namibia: The 1998 Local Government Elections*, 1998.

Legal Assistance Centre, *How Laws Are Made*, 1996.

CHAPTER 13: HOW LAWS ARE MADE

This chapter explains the different sources of law in Namibia. It also explains how Parliament makes new laws, step by step. Understanding the process is important if you want to influence the shape of new laws in Namibia.

1. Three kinds of law

The Namibian Constitution is the Supreme Law of Namibia. No one, not even the President, can act against the Constitution. All laws that are passed must be in line with the Constitution to be valid.

There are three kinds of law in Namibia:

Statutes are laws that have been passed by Parliament since independence, or the laws that were passed by other legislative bodies before independence. Other words for statutes are “legislation” and “Acts of Parliament”. Parliament can also make changes to statutes which have already been passed. These changes are called amendments. Every statute and amendment which is passed by Parliament is published in a government publication called the *Government Gazette*.

Laws and their amendments are published separately in Namibia. It is sometimes difficult to figure out what a statute says if it has been amended several times over the years. As of 2003, there is no publication yet in place which contains updated versions of all our statutes which their amendments included. The Legal Assistance Centre publishes a list of all the statutes in force in Namibia called *Namlex*. You can consult this document at the Legal Assistance Centre, or at some law offices and libraries.

Common law is the law developed over time through the decisions of judges in individual court cases. It is also called “Roman-Dutch law” because it has its roots in the law of ancient Roman and Dutch times, which was brought to South Africa and Namibia along with colonialism. Common law can be found in written form in reported court cases and in textbooks on law. It is usually necessary to examine several court cases on a topic decided over time to understand the common law on that topic. This is why textbooks which summarise legal developments are helpful. Parliament can change the common law by passing statutes that say something different.

For example, most crimes are "common law crimes". Suppose that you accidentally bump into someone. You are arrested for assault. You get out on bail and quickly run to the nearest law library to find out what the crime of assault really is. You read a few of the judgments from cases where other people were arrested for assault. Soon you will see that the definition of assault is "to unlawfully and intentionally apply force to another person's body". You see that

in other cases where there was an accidental bump, people were all found "not guilty" and did not have to go to gaol. Now you can predict what the court will decide, and you are not worried any more.

Customary law is the law that has developed over the years in different communities in Namibia. Traditional courts, chiefs, headmen or other traditional leaders usually decide questions involving customary law. Customary law is not normally written down. Parliament can change customary law by passing a statute that applies to all communities in Namibia.

Customary marriages take place in terms of customary law. Here is another example of customary law in action. Suppose that you get into an argument with your neighbour, who hits you very hard and breaks your arm. You make a complaint to your headman, who decides that your neighbour must give you a goat as compensation for your injury.

An example of an area of customary law which has been changed by statute is stock theft. In 1990, Parliament passed a statute which says that stock theft will no longer be dealt with under customary law. The statute has new rules about stock theft which apply everywhere in Namibia.

An example of an area of customary law that Parliament might change in the future is inheritance. This is because the current law on inheritance does not treat women and men equally, so it might be found to be unconstitutional.

USE THE ILLUSTRATION BELOW BUT WITH TYPED CAPTIONS REPLACING THE HANDWRITTEN ONES AS FOLLOWS

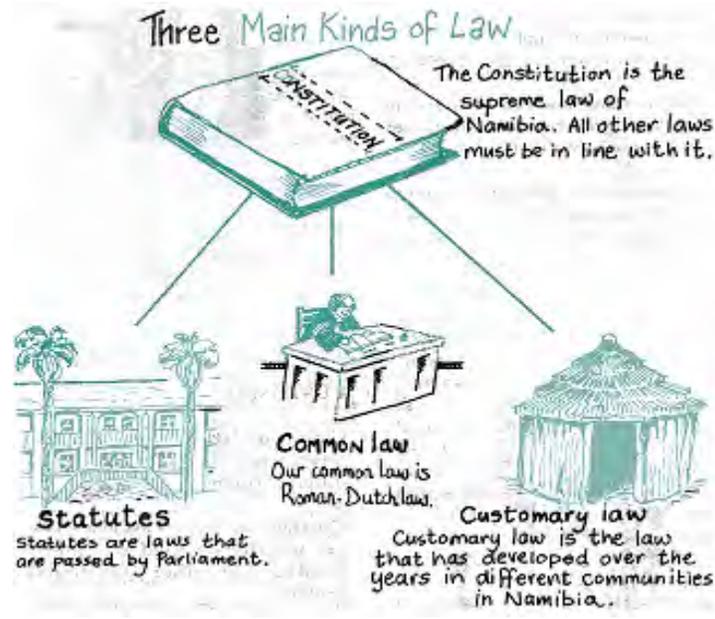
THREE KINDS OF LAW

The **Constitution** is the supreme law of Namibia. All other laws must be in line with it.

Statutes: Statutes are laws that are passed by Parliament.

Common law: The common law is law that comes from court rulings in individual cases over time.

Customary law: Customary law is the law that has developed over the years in different communities in Namibia.



Policy and law

Most ministries are guided by a mixture of policy and law. There is an important difference between these two things.

A **policy** is a statement of a set of principles or a course of action adopted by government. Policies state what government *intends* to do to address certain issues or problems, but they are not binding.

Laws are binding rules which can be enforced by the courts. Laws are usually passed to put policy into action.

2. Testing laws against the Constitution

The Constitution is the Supreme Law of Namibia. This means that all other laws must be tested against the Constitution. Any law that is in conflict with the Constitution is unconstitutional. In other words, it is not valid -- it cannot remain a law. It is the job of the courts to decide whether a law is unconstitutional.

For example, there are statutes saying that a person convicted of a crime can be punished by being struck with a cane. This is called "corporal punishment". But the Constitution says that everyone must have respect for human dignity. It says that no persons can be punished in any way that is cruel, inhuman or degrading. So the Supreme Court said that the statutes which allow corporal punishment are

unconstitutional. This means that these statutes are invalid – they do not apply to people in Namibia anymore.

Common law can also be tested against the Constitution. For example, the common law used to have a concept called marital power, which gave husbands powers over their wives in civil marriages in community of property. For example, because of marital power, the common law said that women married in community of property could not be sued in court – a person who had a dispute against them would have to sue their husbands instead. The High Court found that the common law on marital power is unconstitutional because it is really sex discrimination. It also violates the constitutional promise that women and men must have equal rights during marriage. The court decided that the common law rule on marital power became invalid when the Constitution came into force.

Customary law can also be tested against the Constitution, but we do not any examples of this yet in Namibia (as of the beginning of 2004).

When a new law is being considered by Parliament, it is the job of the Attorney-General to say if the law seems to be in line with the Constitution. All draft laws go to the Attorney-General for this opinion before they go to Parliament. But, even if the Attorney-General predicts that a law will be in line with the Constitution, the courts might still decide otherwise one day. The courts have the final say on this question in Namibia.

3. Creating statutes: how a bill becomes a law

BILLS AND ACTS

BILL: A draft of a proposed law presented for approval to a legislative body.

ACT: A legal document, such as a statute, codifying the result of a decision by a legislative body.

Before we look at each step of the law-making process in detail, here is an overview. Before a bill becomes a law it goes through many steps. In each step the bill is reviewed to ensure that it will accomplish its purpose. A new bill starts when someone, usually a **Minister**, decides a new law is needed. The idea is discussed and then a bill is drafted. The draft bill goes to the **Cabinet Committee on Legislation** for consideration, and then to the full **Cabinet** for approval. If Cabinet approves the bill, then the **Attorney-General** must certify that it appears to be consistent with the Constitution and the laws of Namibia. The bill will then be “introduced” or “tabled” (officially “put on the table” for discussion) in the **National Assembly**. The National Assembly will debate the bill as it goes through three “readings” (three different levels of debate). Many bills are sent to a committee of the National Assembly for special study. If the National Assembly approves the bill, it is sent to the **National Council**. The National Council follows a

similar process of three “readings” and sometimes a committee stage. If the National Council approves the bill, it is sent to the **President** for his “assent”, which means approval. The bill is then published in the **Government Gazette**. It is now an “act” which is part of Namibian law.

INSERT DIAGRAM OF THIS PROCESS HERE – BASED ON DIANNE’S HANDWRITTEN DRAFT

STEP 1: Shaping the bill

The first step in law-making process is to prepare a bill, which is a proposal for a law.

The idea for a bill can be suggested by the President, by Cabinet, by a Minister, by any Member of Parliament, by the Law Reform and Development Commission, or even by a non-governmental organisation or an interested member of the public (working through a Minister or an MP).

In practice, the law-making process usually starts when a Minister, working in consultation with staff at the ministry, decides that a new law is needed.

(a) Role of ministries

Consulting the Attorney-General: The Ministry can go to the Attorney General’s Office for legal advice if it is unclear whether the bill will be consistent with Namibian law. The Attorney General is the principal legal advisor to the government and is responsible for ensuring that a proposed bill is consistent with the Constitution and other laws of Namibia.

Policy papers: Policy papers are sometimes used by government to present ideas on a specific topic to the public at an early stage for comment.

A ministry may decide to publish a “Green Paper” or a “White Paper” before a bill is drafted. A Green Paper is a discussion document on policy options. The ministry will put forward its proposals in a Green Paper and ask interested parties to submit comments and ideas by a specific date. The Green Paper and the public feedback are then used to draft a White Paper, which is a broad statement of government policy.

The procedure on this point is not standard. Policy papers are not always published before a bill is proposed. White Papers are sometimes published without a Green Paper coming first. Ministries decide upon a course of action depending on the nature of the issue involved.

Government is not required to use the Green Paper and White Paper process. Each ministry can decide what process to follow in each case. This means that advocacy organisations have to be alert, always looking out for signs that government is planning

to introduce a new policy or law. Forming links with people in government is vital to create an early warning system on issues of interest.

CASE STUDY **National Land Policy**

In 1991, Government organised a National Land Conference which brought together delegates from all over the nation to discuss the future of land reform in Namibia. In 1994, several NGOs became concerned that the resolutions taken at this conference were still not being implemented. They organised an NGO meeting which became known as the Mariental People's Conference. The Namibia Non-Governmental Organisations Forum (NANGOF), which is an umbrella organisation for a range of NGOs, was asked to take the lead in continued advocacy for land reform. NANGOF established an NGO Working Committee on Land Reform, which brought together representatives of key NGOs that were working on land issues, to discuss policy issues in more detail. The Working Committee on Land Reform developed a NANGOF Position Paper which summarised the NGO position. Individual MPs were lobbied to support the NANGOF Position Paper. Some of the recommendations from the NANGOF Position Paper were incorporated into the Government's National Land Policy, which served as the basis for the Communal Land Reform Bill. The NGO Working Committee on Land Reform continued to lobby on the basis of the NANGOF Position Paper as the Communal Land Reform Bill was debated in various forums. The bill was finally passed by Parliament in 2002 and became law on 1 March 2003.

Layperson's draft: After the policy papers (if these are used), the ministry will usually prepare a first draft of the proposed law. This draft is usually prepared by a lawyer, or by someone who knows the law.

A "layperson" is someone who does not have special training in a topic such as law. The layperson's draft is meant to be understandable to laypersons who might be consulted.

Sometimes the ministry will ask a lawyer from outside the government to assist it in preparing the bill, such as a local, regional or international expert on the issue in question. Sometimes it will use legally-trained people employed by the ministry, or legal drafters from the Ministry of Justice.

The layperson's draft is intended to set forth the main ideas in the bill. Although many of the details are included at this stage, the bill still needs to be fine-tuned.

Some ministries circulate the layperson's draft for public comment. Some ministries arrange meetings to get public input from interested parties. But this practice differs from ministry to ministry. The degree of consultation depends in part on the subject matter of the proposed law. Not all ministries inform stakeholders about the bills they are planning to put before Parliament.

For example, experts from the International Labour Organisation helped the Ministry of Labour to prepare the Labour Bill. Drafts of this Bill were discussed at meetings attended by government, trade unions and employers' organisations.

Detailed policy instructions may be prepared instead of a layperson's draft.

Technical draft: After the ministry proposing the bill has approved it in principle, the layperson's draft will go to legal drafters at the Ministry of Justice. The legal drafters will fine-tune the bill's details before it goes to Cabinet.

Explanatory memorandum: The ministry proposing the bill will prepare an Explanatory Memorandum outlining the background to the bill and explaining its key provisions. This memorandum will accompany the bill to Cabinet, so that Cabinet members will understand exactly why the new law is being proposed. Unfortunately, the explanatory memorandum is not usually made available to the public. But an interested group could ask the ministry to give them a copy, as there is no rule requiring secrecy.

(b) Role of Law Reform and Development Commission (LRDC)

The Law Reform and Development Commission was established by the Law Reform and Development Commission Act 29 of 1991.

The LRDC must consist of the following members:

- a full-time Chairperson appointed by the President
- the Ombudsman
- two legal practitioners appointed by the President after consultation with the Law Society of Namibia
- a staff member of the Ministry of Justice, nominated by the Minister of Justice and appointed by the President
- up to three other persons appointed by the President.

Changes to the LRDC

In 2004, it is expected that a bill will go to the National Assembly to change the constitution of the LRDC. One change will be that the commission will be required to have only one legal practitioner. This is to reflect the changes to the legal profession that removed the distinction between advocates and attorneys.

The law which sets up the LRDC gives it the following objectives:

- to repeal laws that are no longer used or needed
- to consolidate any branch of the law, or take steps to make a branch of the law more accessible (such as putting rules from many different laws together in one law for easier access)
- to integrate and harmonise customary law with common law and statute law
- to put in place better procedures for administering laws and seeing that justice is done

- to advise the Minister of Justice on any matters referred to the LRDC by the Minister.

The Law Reform and Development Commission is not responsible for all law reform in Namibia. It focuses on areas of the law that will not necessarily get attention from the Ministries. For example, the LRDC initiated a number of gender-related law reforms before the Ministry of Women Affairs and Child Welfare was created, because there was no ministry dealing with women's issues at that stage.

Sometimes the Law Reform & Development Commission publishes a discussion paper for comment by members of the public in general. Sometimes it circulates a draft report or a draft bill to specific stakeholders for comments instead of making it available to everyone. Once the LRDC has decided on a set of recommendations on a particular law reform, it will publish a report explaining its proposals. These reports will usually include draft bills.

The bills proposed by the Law Reform and Development Commission are submitted to the appropriate ministry, so that the bills can be taken through the usual steps in the law-making process.

**TOPICS ADDRESSED
BY THE LAW REFORM AND DEVELOPMENT COMMISSION**

Many of the official reports of the Law Reform and Development Commission deal with gender issues. The LRDC has published reports which have led to law reform on **equality in marriage** (Married Persons Equality Act), **rape** (Combating of Rape Act), and **domestic violence** (Combating of Domestic Violence Act). The LRDC also produced a report on **maintenance**, which influenced the Maintenance Act proposed by the Ministry of Justice.

The LRDC has also made recommendations on the establishment of **small claims courts** (informal courts which could deal with disputes involving small amounts of money), but this issue has not been followed up with law reform as of the beginning of 2004.

The LRDC is busy working on recommendations for law reform on the following topics as of the beginning of 2004:

- **succession and estates** (inheritance)
- **customary law marriage**
- **divorce**
- **control of pornography** (obscene picture, videos, etc)
- **public gatherings and demonstrations**
- **codification of the criminal law**
- **compensation to crime victims**
- **obsolete statutes** (old laws which should be repealed or replaced)
- **consumer issues** (such as false advertising and regulations for hire-purchase agreements)
- **criminal defamation** (saying or writing untrue things about another person which can damage their reputation).

Law Reform and Development Commission

Secretary
Private Bag 13302
Windhoek
tel: 061-280-5299
fax: 061-280-51111
email: lawreform@moj.gov.na

In 2003, the members of the LRDC were

- Mr UD Nujoma, Chairperson
- the Ombudsman (vacant at the time of writing)
 - Mr A Vaatz, legal practitioner
 - Adv D Sauls, legal practitioner
- Mr GM Mutwa, Deputy Chief: Legislative Drafting
 - Mr GN Ndauendapo, legal practitioner

CASE STUDY

Combating of Domestic Violence Act

The process which led to the Combating of Domestic Violence Act shows how government, communities and non-governmental organisations can all be involved in the law reform process. It also shows how law reform can be a very long process.

The Law Reform and Development Commission (LRDC) began its research into the issue of violence against women and children seven years before the Combating of Domestic Violence Act became law.

Materials on domestic violence from institutions all over the world were consulted, including model legislative approaches prepared by the United Nations Special Rapporteur on Violence against Women. In preparation for the bill, government officials made a number of visits to other countries, to see how domestic violence is handled elsewhere.

The LRDC also held regional hearings in 19 locations in Namibia during 1996 and 1997, as well as a national hearing in 1997 which heard views from a wide range of interested parties. The Namibia National Women's Organisation (NANAWO) assisted the LRDC by holding preparatory workshops in the different regions to mobilise community input.

The regional and national hearings collected a range of ideas and information about violence. It was a good thing to have such a broad consultation. But the hearings came before the development of specific proposals for reform on rape and domestic violence, so they did not give members of the public an opportunity to discuss the details of possible law reforms. As a result, the input on law reform from the hearings was rather vague. The information gathered in the hearings was not really a "consultation" on law reform proposals, since no draft proposals were put to the public in the course of the process. They rather formed a background of general information which was used to guide later law reform on violence against women.

The LRDC also commissioned a series of research papers, including three different studies into the profile of the problem in Namibia. One of these studies was published jointly by the LRDC and Legal Assistance Centre in 1999. This was a study of domestic violence cases reported to the Namibian police. The other two studies were compiled by academics based in Namibia. One examined community attitudes and practices relating to domestic violence. The other examined the nature and extent of domestic violence in Namibia through interviews with medical personnel, community leaders and victims of domestic violence. These two studies were not published.

The LRDC asked the Legal Assistance Centre to assist it by compiling a study of domestic violence laws in other countries. This study compared strategies to combat domestic violence in other countries, and tried to find out what worked well in practice and what did not. The Legal Assistance Centre published this study in 1998 and circulated it widely.

The Legal Assistance Centre hosted two workshops in Windhoek for people who work with victims of domestic violence, to discuss the recommendations which grew out of the study and to look at South Africa's experience with laws on domestic violence. Representatives of the LRDC attended these workshops and took note of the feedback from the different stakeholders and experts.

The LRDC established a subcommittee on domestic violence in May 1999 to develop the ideas gathered into a draft law on domestic violence. The recommendations of the subcommittee were considered by the full LRDC, which refined the draft bill. A report containing a proposed draft bill was published in December 2000. This draft bill served as the basis for the Combating of Domestic Violence Bill introduced in the National Assembly by the Minister of Justice on 22 October 2002.

The Bill was referred to a Standing Committee of the National Assembly on 25 November 2002. This Committee sent the bill back to the National Assembly in March 2003, without any changes. The National Assembly passed the bill on 27 March 2003, with some amendments proposed by the Deputy Minister of Justice in response to concerns raised by various MPs during the Parliamentary debate. The Bill was tabled in the National Council on 28 April 2003. The National Council debated the Bill but made no changes to it. The Bill was passed by the National Council on 12 May 2003.

The Act was signed by the President on 25 July 2003. It was then published in the Government Gazette. Regulations and forms to be used with the Act were then drafted by the Ministry of Justice and published in the Government Gazette a few months later. The Act came into force on 17 November 2003.

Legal Assistance Centre

(c) Private Member's Bill

A Private Member's Bill is a bill introduced by a member of the National Assembly who is not a Minister. Both government and opposition members have the right to introduce a Private Member's Bill.

A Private Member's Bill does not require Cabinet or CCL approval. These are political bodies and they have no power to amend or alter legislation proposed as a Private

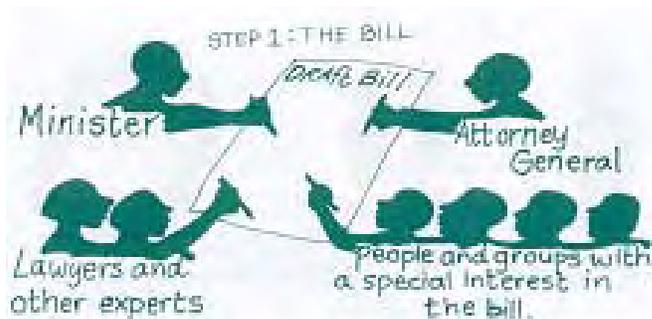
Member's Bill. Once introduced, a Private Member's Bill is still required to go through the three readings and committee stages in both the National Assembly and the National Council. It is up to the National Assembly or the National Council to propose amendments.

Only one Private Member's Bill has been introduced into Parliament since Namibia's independence. This was the Language Bill introduced by Hon Kosie Pretorius of the party Action Christian National (ACN). Its aim was to permit the use of languages other than English in Namibia, and to set appropriate requirements for language skills. This bill did not pass. No Private Member's Bill has ever become law in Namibia.

(d) Getting a copy of a draft bill

Once a bill is tabled it becomes a public document. But you will be able to make input at an earlier stage if you can get a copy of a draft bill earlier in the process, before it goes to Parliament. The best avenue is usually to contact the Permanent Secretary of the ministry you think might have responsibility for the bill.

**REVISE ILLUSTRATION BELOW BY REMOVING AG
ALSO USE TYPED LABELS INSTEAD OF HANDWRITTEN ONES FOR CAPTION**



STEP 2: Cabinet

All bills must be approved by Cabinet before they go to Parliament. As noted above, the ministry proposing the bill will normally prepare an Explanatory Memorandum on the bill which will accompany the bill to Cabinet. As noted above, the Explanatory Memorandum is not usually made available to the public but can be requested.

(a) Cabinet Committee on Legislation (CCL)

The ministry first sends the Bill and the Explanatory Memorandum to the CCL. The CCL is a subcommittee of Cabinet which screens bills before they go to the full Cabinet. The members of the CCL are government ministers, but membership changes from time to time. As a matter of custom the Attorney-General and the Minister of Justice are

always members of the CCL, along with a few other Ministers. The members of the CCL are usually chosen for their experience and expertise not because of the Ministry portfolio they hold.

The Minister who is proposing the bill will meet with the CCL to discuss the bill, usually along with other staff members from the ministry who can help explain the background of the bill. The CCL meetings are not open to the public, and minutes of these meetings are not published.

The CCL must approve a bill before it can go to Cabinet. The CCL sometimes will decide that the issues need further legal advice or that additional consultations are necessary.

No bill goes forward until it has the approval of the CCL. This means that the CCL is a very powerful body in the law making process.

CABINET COMMITTEE ON LEGISLATION

At the beginning of 2004, the following persons were members of the CCL:

- Attorney General
- Minister of Justice
- Minister of Finance
- Minister of Labour
- Minister of Higher Education
- Deputy Minister of Home Affairs
- Deputy Minister of Regional and Local Government and Housing

(b) Cabinet

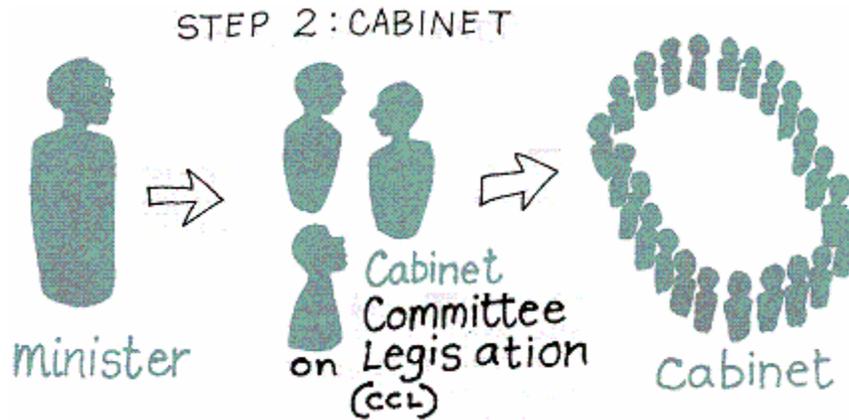
Once the CCL has approved the draft bill, it must be approved in principle by the entire Cabinet. This means that Cabinet must approve the main points of the bill, but does not consider the smaller details. As in the case of the CCL, Cabinet meetings are held in private and the minutes are not made public.

The draft bill, the explanatory memorandum and the Cabinet resolution approving the bill are then sent to the Ministry of Justice. The Ministry of Justice arranges for legal drafters to scrutinize and fine tune the bill. For example, any changes requested by Cabinet must be incorporated into the bill.

Once Cabinet approves a bill, only the Minister who is proposing the bill has authority to make it available to the public. You can request a copy of a bill approved by Cabinet from the Minister in question, through the Permanent Secretary.

It is important to try to get information about the bill at this stage. Otherwise, you will see it again only when it becomes a public document after being tabled in Parliament – and you may be surprised by unexpected changes to the draft.

ADAPT WITH TYPED LABELS



STEP 3: Legal drafters and certification by Attorney-General

After Cabinet has approved the bill it is sent back to the Ministry of Justice so that legal drafters can finalize the wording of the bill. It is then sent to the Attorney General. It is the responsibility of the Attorney General to “certify” that a bill is consistent with the Constitution and the laws of Namibia before it can be tabled in Parliament. This job sometimes requires specialised research.

(a) Legal Drafters

The Ministry of Justice has a Legislative Drafting Directorate. The legal drafters in this directorate are responsible for scrutiny and final drafting of all bills coming from various government ministries. The Legislative Drafting Directorate is also responsible for drafting all regulations, subordinate legislation, public notices, and general notices.

(b) Attorney General

After the legal drafters have finished their job, the bill is submitted to the Attorney-General for certification.

The Attorney General provides a legal opinion about the bill. If the Attorney General is of the opinion that the bill is unconstitutional or not legally sound, he or she can refuse to certify the bill. The National Assembly and the National Council can still proceed and pass the bill if they wish. However there would be little purpose in this because the President will not pass a bill if the Attorney General has not certified it.

If the Attorney General is satisfied that the bill is consistent with the Constitution and the laws of Namibia, he or she will notify the Minister that the bill has been certified.

The certified copy of the final bill is sent to the Secretary of the National Assembly, who prepares the bill for tabling in Parliament.

NEW ILLUSTRATION SHOWING ONE PERSON MAKING A TICK ON THE BILL WITH THE CONSTITUTION AT THE SIDE

STEP 4: National Assembly

After the bill has been approved by Cabinet, it goes to the National Assembly.

Notice: A Minister or other MP who is intending to table a bill must first give notice of this intention. The Minister will stand up in the National Assembly and give notice that on a specific date he or she will ask for leave to introduce a specific bill. The notice must state the general objectives of the bill to be introduced. When notice is given to introduce a bill, the Secretary gives each member a printed copy of the bill.

The bill cannot be introduced on the same day that this notice is given, unless the Assembly gives unanimous agreement to this. But the bill must be introduced within 14 sitting days of the notice.

Leave to introduce a bill: On the day stated in the notice, the Minister who is sponsoring the bill makes a motion in the National Assembly that leave be given to introduce the bill. The Minister then tables the bill in Parliament. This term comes from the fact that the bill is literally laid on the table for everyone to see and consider. This step is also referred to as “introducing” the bill in the National Assembly.

First Reading (*announcing the bill*): The title of the bill is read out. There is usually no debate at this stage. The bill will usually be distributed to the media at this point.

The printed copy of the bill which is distributed at this stage must contain the name of the member who introduced it. This will help you know who to contact if you want to get more information.

The bill is now a public document and is available to any member of the public who requests it. Anyone can request a copy of a tabled bill from the Deputy Secretary’s office.

Deputy Secretary’s Office

Mr. F. Harker
National Assembly
Parliament Buildings
Private Bag 13323
Windhoek

Second Reading (*approving the main ideas or principles*): At the second reading, the title of the bill is read out again. The Minister who is presenting the bill will usually give a speech summarising the bill and explaining why it is needed. The National Assembly will then discuss the main ideas in the bill. All of the members of the National Assembly may participate in the debate. The discussion of the bill will often take place over several days, as it can be adjourned and resumed (sometimes with other business taking priority in-between). At the end of the debate, the Minister presenting the bill usually gives a speech responding to the questions and concerns raised by other MPs.

According to the Standing Rules and Orders, unless the members of the National Assembly unanimously agree, not more than one stage of a bill can take place on the same sitting day. This means that the first reading and the second reading will not usually happen on the same day.

Two things can happen after the second reading:

- (a) If the bill is approved by more than half of the members of the National Assembly, the bill will go straight from second reading into committee stage.
- (b) The National Assembly can decide that the bill should not go forward as it stands. If this happens, the bill is “off the table”. The Minister can re-introduce the bill after thirty days in the same form or with some changes.

Committee Stage (*examining the bill in detail*): After the bill has been read for a second time, it goes to the committee stage. Unless there is unanimous agreement by all MPs, the committee stage cannot be on the same sitting day as second reading.

The Bill may be referred to a committee that has already been established, such as the Standing Committee on Human Resources, Social, and Community Development. The National Assembly can also set up a temporary committee to look at the bill.

[The chapter on Parliamentary Committees will give you more detailed information about this part of the process.](#)

The bill may be referred to the “Committee of the Whole”, which means the Committee of the Whole Assembly – in other words the entire membership of the National Assembly.

During the Committee Stage, the provisions of a bill are examined in detail, clause by clause. If the bill goes to one of the committees established by the National Assembly (instead of to the Committee of the Whole), that committee will examine the bill and return it to the National Assembly with a report summarising its recommendations. It has the power to hold public hearings on the bill if it wishes, or to consult interested parties in some other way. After it has considered the bill, it might suggest some amendments. It

might suggest that the bill be passed as it is. It might suggest that the bill should be abandoned altogether.

The Chairperson of the committee can present the committee report to the National Assembly. The report can be reviewed clause by clause and the Assembly can accept, amend or reject the recommendations by the Committee. If the report is dealt with in this way the Assembly proceeds to the third reading stage of the bill. The National Assembly may also choose to function as a Committee of the Whole to consider the bill clause by clause at which time it can review the suggestions of the committee.

When the National Assembly is sitting as a Committee of the Whole, all other business is suspended. The Speaker no longer presides. The Chairperson of the “Committee of the Whole” is the Deputy Speaker.

The “Committee of the Whole” goes through the proposed bill clause by clause (which means section by section). Any MP can discuss the clause which is being considered, and any MP can propose an amendment to the bill at this stage. Any interested person or group who would like to propose a change to the bill could ask any MP to suggest the change at this point. Each section is approved individually, and all of the suggested amendments are voted on while the National Assembly is sitting as the “Committee of the Whole”.

After the “Committee of the Whole” has finished going through the bill, the “Committee of the Whole” session comes to an end and the MPs present are once again functioning as the National Assembly under the direction of the Speaker. The bill is presented to the National Assembly once again by the Chairperson of the “Committee of the Whole”, who will indicate if the bill is being returned to the National Assembly with or without amendments. Any approved amendments are reported to the National Assembly. This is the last chance for any members of the National Assembly to propose changes or to oppose the bill.

If there is disagreement amongst the MPs at any stage, the issue will be put to a vote. All issues (except amendments to the Constitution) are decided by majority vote—which means at least half of the MPs with voting rights who are present, plus one more.

Amendments to the Constitution must be agreed to by a larger majority of at least two-thirds of the all the members of the National Assembly, along with two-thirds of all the members of the National Council.

ILLUSTRATION – TIE VOTE

Speaker: I see that the 30 MPs have voted for the amendment to clause 3, and 30 MPs have voted against it. I must break the tie with my casting vote. I vote for the amendment, so it is accepted.

Third Reading (*final approval*): The final stage in the passage of a bill is called the third reading. If no amendments were proposed during the committee stage of the bill, then the Third Reading can happen immediately. But if any amendments were considered

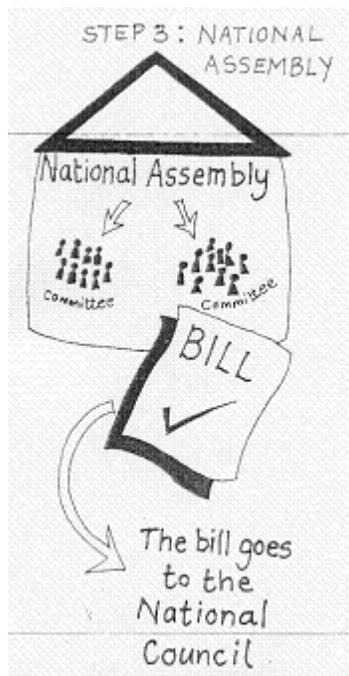
(regardless of whether or not they passed), then the Third Reading cannot happen on the same day as the committee stage.

At the Third Reading, the title of the bill is read out for a third time. If there is still controversy, an MP might make a motion that the bill be referred back to the Committee of the Whole at this stage. Amendments which were proposed at the second reading can be suggested again, but no new amendments may be proposed.

No further debate can take place after the third reading of the bill is complete. Any bill that reaches this stage is understood to have the approval of the majority of the members of the National Assembly. At this stage the bill has been “passed” by the National Assembly.

Observers may find this part of the procedure confusing. No one announces that the bill has been “passed”. There is no fanfare. The Minister who sponsored the bill will move that the bill be read a third time, and someone will second that motion. That is the end of the process. There may be some concluding comments, or the National Assembly may just move on to the next item of business.

ILLUSTRATION OF THIS STEP BASED ON PAGE 11 OF HOW LAWS ARE MADE BUT WITH SOME ALTERATIONS TO SHOW ACTION BY BOTH THE HOUSE AND BY A COMMITTEE



STEP 5: National Council

After the National Assembly approves a bill, it must send the bill to the National Council for review. The National Council can take up to three months to study the bill. The National Council follows similar steps to those in the National Assembly, with a first, second and third reading of the bill.

Like the National Assembly, the National Council can send the bill to a committee for special study if it wishes. The committees of the National Council can hold public hearings if they wish. Because the National Council represents the different regions, they may decide to take a bill to the regions to get comments.

For example, the National Council held regional hearings on the Married Persons Equality Bill to find out how people in different parts of Namibia felt about the bill.

The National Council can take three different kinds of actions:

- (a) The National Council can approve the bill as it is. This is called “confirming” the bill.
- (b) The National Council can make suggestions for changes to the bill and send it back to the National Assembly. The National Assembly does not have to agree to all of the changes that the National Council suggests, but it must vote on the bill again after it has heard the suggestions from the National Council.
- (c) The National Council can object to the “principle” or basic idea behind the bill and send it back to the National Assembly. The National Assembly must then vote on the principle of the bill. If two-thirds of the members of the National Assembly still approve the bill, then it can go forward. If less than two-thirds of the members of the National Assembly approve the bill, it cannot become a law.

ILLUSTRATION OF THIS STEP BASED ON PAGE 13 OF HOW LAWS ARE MADE WITH TYPED HEADINGS.

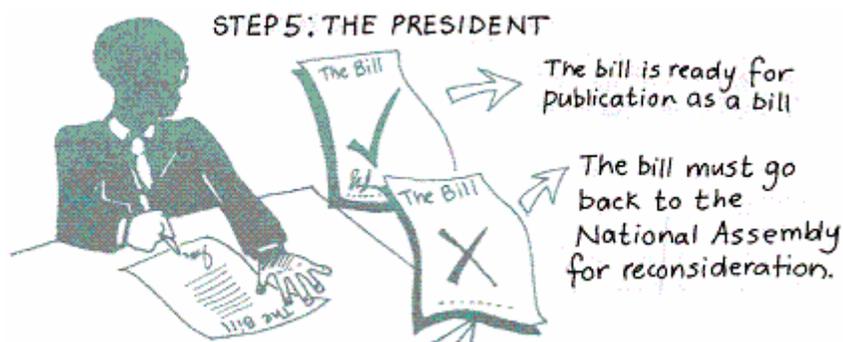


STEP 6: The President

All bills must be signed by the President before they can become laws. If the President agrees with a bill, then he or she will sign it. The President *must* sign a bill if it has already been approved by two-thirds of the members of the National Assembly.

If the President disagrees with a bill and refuses to sign it, then the National Assembly must vote on the bill again. At this stage, the National Assembly might decide not to make the bill into a law, or it might make some changes to the bill. But if the bill is approved as it stands by at least two-thirds of the members of the National Assembly, then the President cannot stop it from becoming a law.

ILLUSTRATION OF THIS STEP BASED ON PAGE 14 OF HOW LAWS ARE MADE WITH TYPED HEADINGS



STEP 7: Courts (in some cases)

If the President refuses to sign a bill because he or she thinks the bill is in conflict with the Constitution, the courts may be asked to decide this question.

If the courts decide that the bill is in line with the Constitution, then the bill can go forward in the same way as other bills. If the courts decide that the bill is in conflict with the Constitution, then the bill cannot become a law.

Even if a bill has already become a law, it is still possible for the courts to look at it. Anyone who is affected by the new law can ask a court to decide if it is in line with the Constitution.

If the court decides that the new law is in conflict with the Constitution, then the law is not valid any more. It is no longer a law which people have to obey.

The High Court or the Supreme Court must decide questions about the Constitution. The Supreme Court in a process called an “appeal” can check decisions about the Constitution made by the High Court. The Supreme Court has the final say on whether a law is in line with the Constitution.

This is how the judicial branch may sometimes become involved in the law-making process.

ILLUSTRATION OF THIS STEP BASED ON PAGE 15 OF HOW LAWS ARE MADE WITH TYPED HEADINGS



STEP 8: Government Gazette

A law can come into force only after it has been published in the *Government Gazette*. This is a document containing laws and legal notices which is published regularly by the government. Anyone can subscribe to it for a small fee. It is available in Namibia's major libraries.

A law usually comes into force on the day that it is published in the *Government Gazette*. But sometimes the law itself says that it will come into force on another day. For example, laws sometimes say that they will come into force on a day which will be announced by the Minister. This announcement must also be published in the *Government Gazette*.

ILLUSTRATION OF THIS STEP BASED ON PAGE 16 OF HOW LAWS ARE MADE but use Communal Land Reform Act as the basis for the picture



GOVERNMENT GAZETTE
OF THE
REPUBLIC OF NAMIBIA

N\$7.00 WINDHOEK - 12 August 2002 No.2787

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Government Notice

OFFICE OF THE PRIME MINISTER	
No. 137	2002

**PROMULGATION OF ACT
OF PARLIAMENT**

The following Act which has been passed by the Parliament and signed by the President in terms of the Namibian Constitution is hereby published in terms of Article 56 of that Constitution.

No. 5 of 2002: Communal Land Reform Act, 2002.

CHECKS AND BALANCES

Before a bill becomes a law, people in all three branches of government may examine it. This system is one way to make sure that bills are considered very carefully before they become the laws of Namibia. It also helps to make sure that the interests of all the people of Namibia are protected.

Because the different government bodies and branches have different duties, they may think about an idea for a new law in different ways.

For example, the members of the National Assembly are elected by all the people in Namibia, so they may think more about the interests of Namibia as a single nation. The members of the National Council all come from Regional Councils, so they may think more about the needs of the different parts of Namibia.

The people in the executive branch, such as the President and the members of Cabinet, may be in a better position than the people in the legislative branch to think about how a new law will be put into practice.

The courts in the judicial branch have the proper expertise to make sure that a new law will be in line with the Constitution.

A democratic nation cannot allow the law to be some mysterious riddle which is understood only by a privileged few. The law belongs to everyone, and it is our duty to make them accessible to everyone who makes up our nation.

President Sam Nujoma, Launch of Educational Materials on Women's and Children's Rights, Legal Assistance Centre, 23 September 1993

Sources

Abacus, "Our New Nation", 1992 (a column written by Dianne Hubbard in a supplement to the secondary school syllabus once published monthly in Namibia), 1991-1995.

Idasa, South Africa, *Introduction to Advocacy and Lobbying*, 2002.

Law Reform and Development Commission, *Report on Activities from 1994 to 2002*, February 2003.

Legal Assistance Centre, *How Laws Are Made*, 1996.

CHAPTER 14: PARLIAMENTARY PROCEDURES

In this chapter we will explain some of the rules and procedures that are followed in Parliament. This will help you better understand what is happening in Parliament if you attend in person.

ILLUSTRATE THIS CHAPTER WITH PHOTOS OF MAIN PART OF TINTINPALAST AND THE NC BUILDING – THIS WILL SERVE EDUCATIONAL FUNCTION OF HELPING PEOPLE KNOW IF THEY ARE IN THE RIGHT PLACE.

1. Procedural rules

When you first attend a session of the National Assembly or the National Council, it may appear confusing. Learning about the procedures followed by each House of Parliament will help.

The National Assembly and the National Council are the two ‘houses’ of Namibia’s Parliament. When you see the word “House” in a discussion of Parliament, this means the full membership of either the National Assembly or the National Council. For example, you will hear expressions such as “We will put the question to the House” or “The motion was debated by the House”.

There are many rules of procedure that the Members of Parliament are required to follow when they are debating matters in either House of Parliament. These rules are meant to make the work of Parliament more organized.

The National Assembly and the National Council both have their own sets of Standing Rules and Orders. They explain the procedure followed in each house in detail. You can obtain a copy of the Standing Rules and Orders at the Parliamentary Library or through the Speaker’s Office.

INTERNET: The National Council’s Standing Rules and Orders can also be found on the Parliamentary website <http://www.parliament.gov.na/default.asp>. Click on the National Council heading, then click on Important Documents in the left hand menu. As of early 2004, the National Assembly’s Standing Rules and Orders were not available on their website.

2. Sessions and sittings

The *session* is the period between when the National Assembly or the National Council first meets until it is suspended for recess. The National Assembly usually meets for three sessions each year, with the first session beginning around the middle of February. The sessions of the National Council vary, depending on when the National Assembly refers legislation to it for review.

The *sitting* is the period from the time when the Presiding Officer sits in front of the National Assembly or the National Council, and the time when business is adjourned (officially ended) for that day. Thus means that a sitting is essentially one day's business in Parliament.

The ordinary sitting hours of the National Assembly when it is in session are from 14h30 to 17h45 on Tuesdays, Wednesdays and Thursdays and from 9h00 to 12h30 on Fridays. It can schedule extra meetings as necessary. The ordinary sitting hours of the National Council when it is in session are from 09h30 to 13h00 on Mondays, Tuesdays, Wednesdays and Thursdays.

Both Houses usually break for tea during each day's sitting. At tea time, MPs often walk through public areas of the buildings where they meet. You may find an opportunity to speak to an MP about the issue that concerns you at this time.

Proceedings in both Houses of Parliament are conducted in English.

The rooms where the National Assembly and the National Council meet are sometimes referred to as "chambers".

3. The mace

The proceedings in both Houses of Parliament begin after the Sergeant-At-Arms leads the presiding officer into the chamber while carrying the mace.

The mace is a ceremonial staff which symbolises the authority of the Presiding Officer over Parliament. The Sergeant-At-Arms leads a ceremonial procession of the Speaker or the Chairperson, the Deputy Secretary and the Parliamentary Clerks.

When the presiding officer is chairing Parliament, the mace is placed in the upper set of brackets in front of the table where the presiding officer sits. When another MP is chairing the meeting – such as when the House acts as the Committee of the Whole – the mace is moved to the lower set of brackets.

When the day's sitting has been adjourned, the Sergeant-At-Arms takes the mace and leads the processions out of the chamber. This procedure gives an air of formality to the proceedings of Parliament and emphasises the importance of the work of Parliament.

Parliamentarians stand when the Speaker or Chairperson enters the chamber. Members of the public in the visitor's gallery are not required to stand, but some do to show respect.

ILLUSTRATE WITH PHOTOS OF MACES.

The mace used in the National Assembly was donated to Namibia by the British Minister for International Development shortly after independence.

The mace used in the National Council has an engraving representing the 13 regions. It is made entirely of materials from Namibia, including wood from the Okavango Region and diamonds from the Karas region.

4. Quorums

A *quorum* is the minimum number of MPs who must be present for the National Assembly or the National Council to be able to function.

The National Assembly has a quorum of 37 members (50% of the voting members plus one person). The 37 members do not include the Speaker (or any presiding officer who is chairing the meeting on behalf of the Speaker).

The National Council has a quorum of 14 members (50% of the voting members plus one person). This is the minimum number of MPs who must be present for the National Council to be able to function. In the National Council, the presiding officer is counted in determining if a quorum is present.

When a quorum is present the presiding officer takes the chair. If there is no quorum half an hour after the session is scheduled to begin, the presiding officer takes the chair and adjourns the Assembly until the next sitting day. A Member can draw the attention of the presiding officer to the fact that there are not enough Members present for a quorum, and call for a count. When the National Assembly or National Council is adjourned because there is no quorum, the time of the adjournment and the names of the Members present are recorded in the minutes.

Members of the National Assembly will lose their seats if they are absent from the meetings of the assembly for ten consecutive days being granted leave. Although it is important for Members of the National Assembly to be present in the House, sometimes official business requires them to miss sitting days. The Assembly can grant leave to Member for their own illness, the illness or death of their next of kin, urgent matters, or any other adequate reason. A Member asks for leave by making a motion without notice in the National Assembly stating the cause and period of absence. A Member of the National Council can make a motion in the National Council for leave to be present in the same way as in the National Assembly.

CASE STUDY

Quorums

The following story illustrates how individual members of the public lobbied the National Assembly on the question of quorums, by making statements to the press.

Democratic process just doesn't add up ... again

PETROS KUTEEUE

THE National Assembly has been forced yet again to cut short its proceedings - for the third consecutive day - due to lack of a quorum.

Deliberations on several important issues, including the Criminal Procedure Amendment Bill, the debate on land acquisition and resettlement, and a motion on housing provision, were suspended on Friday and rescheduled for tomorrow - numbers permitting.

On Wednesday the Assembly did not sit for business because there were too few members in the House, and on Thursday it adjourned prematurely after most MPs failed to return from their tea break.

The same problem resurfaced on Friday when, in the midst of proceedings, it was realised that only 32 members were present.

The House needs at least 36 members for a quorum...

"The importance of the quorum is for the legality of the decision we [MPs] take... We cannot take a decision without a quorum," Deputy Speaker Willem Konjore explained.

Announcing yet another premature adjournment of the House's business, an irate Konjore reminded the parties' Chief Whips of their responsibility to ensure that their members were present at all times.

The latest 'no-show' trend has also irked the public.

Some members of the community who often attend parliamentary proceedings demanded that the names of all those who went AWOL should be publicised, as one said, "so that they can start to respect their work and take it seriously.

"We cannot tolerate a situation where people (leaders) who are supposed to lead by example behave like this ... they just neglect the national responsibility we entrusted to them," said one man approached by *The Namibian*.

Another said: "Even those (MPs) present did not seem worried by the lack of a quorum. Immediately when it was announced, they just started reaching out to their briefcases, ready to leave".

Other issues slated to be discussed by the Assembly on Friday were ratification of the SADC Mutual Defence Act, and the United Nations' role in Iraq, the Bills of Exchange Bill, Transfer Duty Amendment Bill and Magistrates Bill.

The Namibian, 17 November 2003

Lack of a quorum can interfere with Parliament's ability to complete its work. In this case, the National Assembly made efforts to compensate for the days missed for lack of a quorum:

On November 19, the National Assembly met until 19:15 to finish work they were unable to attend to because of the lack of quorum.

Minutes of Proceedings of the National Assembly,
Wednesday, 19 November 2003

5. Standard agenda

The standard agenda is the daily routine of business in the National Assembly and the National Council.

This is the standard agenda in the National Assembly:

- 1) Prayers and Affirmation
- 2) Introduction of new members
- 3) Announcement by the Speaker
- 4) Petitions
- 5) Reports of select committees
- 6) Other reports and papers
- 7) Giving notices of motions
- 8) Message from the Head of State
- 9) Ministerial Statements
- 10) Notices of question
- 11) Presentation of bills

- 12) Request for leave to move the adjournment of the Assembly on matters of urgent public importance
- 13) Order Paper

This is the standard agenda in the National Council:

- 1) Prayer and Affirmation
- 2) Petitions
- 3) Reports of select committees
- 4) Other reports and papers
- 5) Notices of motions
- 6) Order paper

6. Order Papers

The Order Paper lists the items that the National Assembly or the National Council will deal with on a specific day.

In the National Assembly, the Order Paper is printed on blue paper and is available right outside the public gallery of the National Assembly. If you cannot find an Order Paper there, you can ask the security guards in the public gallery to get one for you.

The National Council intends to follow the National Assembly and provide copies of the Order Paper outside the public gallery.

According to the Standing Rules, the Speaker of the National Assembly and the Chairperson of the National Council are allowed to arrange the proceedings on the Order Paper in whatever order they think fit. This means that they can change the order in which the National Assembly or the National Council discusses the matters listed on the Order Paper. Matters that are listed on the Order Paper but not dealt with before the adjournment of the National Assembly or the National Council are postponed until the next sitting day.

In both houses of Parliament, if there are matters on the Order Paper that are not dealt with on the last day of a session, the matter is considered to “lapse”.

For example, if a debate on a bill is on the order paper in the National Assembly and it is not dealt with by the end of the session, the bill lapses. This means that the bill will not be considered in the next session of the National Assembly unless it is introduced again. If it is introduced again, it must go through all of the stages of making a bill a law from the beginning.

SAMPLE ORDER PAPER FOR THE NATIONAL ASSEMBLY

Thursday, 20 November 2003

No. 74-2003

EIGHTH SESSION, THIRD PARLIAMENT

REPUBLIC OF NAMIBIA

**ORDER PAPER
OF THE
NATIONAL ASSEMBLY**

THURSDAY, 20 NOVEMBER 2003
(14:30 – 17:45)

ORDERS OF THE DAY:

- I. Resumption of Debate on Land Acquisition and Resettlement – [Attorney General]
 - II. Resumption of Debate on Motion on UN – Role in Iraq – [Minister of Defence].
 - III. Resumption of Committee Stage – *Additional Appropriations Bill* – [B.24-2003] – [Minister of Finance].
 - IV. Resumption of Debate on Second Reading – *Bills of Exchange Bill* – [B.19-2003] – [Mr. Chata].
 - V. Resumption of Debate on Second Reading – *Transfer Duty Amendment Bill* – [B.16-2003] - [Mr. De Waal].
 - VI. Resumption of Debate on Charter of the AU and relevant matters – [Mr. Gurirab].
 - VII. Resumption of Debate on Second Reading – *Criminal Procedure amendment Bill* – [B.25-2003] – [Deputy Minister of Home Affairs].
 - VIII. Resumption of Debate on Second Reading – *Magistrates Amendment Bill* – [B.32-2003] – [Mr. Moongo].
 - IX. Resumption of Debate on Second Reading – *Agricultural (Commercial) Land Reform Second Amendment Bill* – [B.20-2003] – [Mr. Kaura].
 - X. Resumption of Debate on Motion on Housing – [Mr. Venaani].
-

SAMPLE ORDER PAPER FOR THE NATIONAL COUNCIL

PARLIAMENT OF THE REPUBLIC OF NAMIBIA

NATIONAL COUNCIL

ORDER PAPER

Monday August 13, 2001

(09:30 – 13:00)

No. 30-2001

ORDERS OF THE DAY

1.0 DEBATE ON SECOND READING

1.1 Resumption of Debate on Second Reading – *Forest Bill* [B.22–2000]
[Hon. Hishikushitja]

1.2 Resumption of Debate on Second Reading – *Education Bill* [B.22–2000]

2.0 DEBATE ON COMMITTEE STAGE

Debate on Committee Stage – *Namibia Film Commission Amendment Bill*
[B.4 –2001]

TUESDAY, AUGUST 14, 2001

ORDERS OF THE DAY

1.0 DEBATE ON SECOND READING

Resumption of Debate on Second Reading – *Environment Investment Fund of Namibia Bill* [Hon. Hishikushitja]

7. Understanding the basic procedures

Debate

Debate is a discussion of a “question” or motion that has been presented to the House. The topic of the motion can be a bill, a policy or an issue. There are many rules governing debates in Parliament to ensure that the process runs smoothly.

Members have the right to speak:

- a) on a question before the House, or a question before a Committee of the Whole
- b) on amendments proposed to a question
- c) on a question or amendment which the Member has moved or is going to move
- d) on a question on a point of order or a question of privilege.

There are specific rules on the number of times and length of time that a Member is allowed to speak on a question before the house.

The Member of Parliament “who is charged with the business before the House”, meaning the Member who introduces the motion, can speak for one hour when introducing the motion. Other Members may speak once for 45 minutes on the motion.

In the Committee of the Whole, the Member charged with the business before the committee may speak as often and for as long as he or she wishes. Other Members can only address the house a total of four times, for 15 minutes each.

On third reading the Member charged with the business may speak for any length of time. Other Members can speak once for 10 minutes.

MISBEHAVIOUR IN THE HOUSE

The presiding officer can stop Member from continuing to speak if their arguments are irrelevant or repetitive. If a Member's conduct is grossly disorderly, the presiding officer can order the Member to leave the chamber for the remainder of the sitting day. If the presiding officer feels that a one-day suspension is not enough, he or she can ask the Standing Committee on Standing Rules and Orders to review the matter. The committee may recommend that the Member be suspended for seven days. If the behaviour is repeated the Member can be suspended for 14 days and on a third repetition for 21 days.

A Member who has been suspended may submit a written "expression of regret", which means an apology. If the presiding officer approves the expression of regret, it is put before the House. A motion is then brought forward and if the House accepts the expression of regret the Member will be allowed to return to the House.

When business is being conducted in the House, Members are not supposed to have private conversations with other Members. They are not supposed to read newspapers or any other material not related to the business under discussion.

No Member is allowed to interrupt another Member when they are speaking except for a few limited purposes:

- a) to call attention to a point of order, a point of information or a question of privilege;
- b) to call attention to the absence of a quorum;
- c) to call attention to the presence of strangers; or
- d) to move the closure of debate.

A Member may also interrupt another Member to ask a question to the Member who is speaking. The presiding officer will ask if the Member will accept a question. The Member who is speaking does not have to let the other Member pose a question.

For example, in the debate of the Children's Status Bill, Hon. Namises rose to ask Hon. Sioka the following question, "Do you think that there are degrees of raping? Rape is a violent act."

WHAT IS A POINT OF ORDER?

A point of order is an interruption by a Member for one of the following purposes:

- a) to allege that one of the rules and orders has been violated
For example, a Member may raise a point of order if another Member is speaking for a longer time than the Rules allow.
- b) to point out some other irregularity occurs in the proceedings
- c) to give an explanation relating to the discovery of a clerical error in a bill after it has been passed but before it has been sent to the President for signature

For example, there might be a spelling mistake which someone has just noticed.

d) to seek clarification on a procedural matter.

A Member may raise a point of order at any time, regardless of whether he or she has previously spoken. The presiding officer can give a ruling on the matter right away or after deliberations.

WHAT IS A POINT OF INFORMATION?

A point of information is an interruption by a Member to explain or correct some information that the Member who is speaking has given.

For example, in the debate on the Children's Status Bill, Hon. Sioka was speaking about the definition of rape. The Hon. Schimming-Chase stood on a point of information and stated, "This country has laws as regards rape. Let's not try and find other definitions. Our laws are supreme."

WHAT IS A QUESTION OF PRIVILEGE?

There are two types of questions of privilege.

One type is a 'question of privilege of the House'. Such questions have to do with the rights, safety, or convenience of Members, or of the Assembly or Council itself.

For example, a Member of Parliament could raise a question of privilege if he or she saw a journalist in the press gallery acting in a disruptive manner, or if he or she had information that a document which was distributed to the Members was fraudulent in some respect.

The other type of question or privilege relates to the personal privileges of a Member. Such questions relate to the member's rights, reputation, conduct, safety or convenience as a Member of Parliament.

For example, a Member of Parliament could raise a question of personal privilege to respond to allegations of corruption made in public.

A question of privilege is dealt with in a similar way as a point of information or a point of order. The Member raising the question of privilege addresses it to the Speaker. The Speaker rules whether it is a proper question of privilege. If it is ruled that it is, then it will be dealt with before any other business.

THE PRESENCE OF STRANGERS

Persons other than Members of Parliament and Parliament staff are not allowed to be inside the Chamber where the House meets, except in the visitors' gallery. If unauthorised persons are present, the Presiding Officer can order them to leave. If they fail to leave voluntarily, the Serjeant-at-Arms will remove them.

If anyone in the visitor's gallery is behaving in any way that is "offensive to the dignity of the House", the Presiding Officer can ask that person to stop the offensive behaviour. If the visitor does not behave properly, the Serjeant-at-Arms will remove them.

For example, a visitor should not talk loudly inside Parliament or do anything that might distract Members of Parliament from their work.

“When we debate we have to continue to show accountability and responsibility beyond the Chamber, because we should speak with straight faces to our friends outside and throughout the country.”

Speaker, 21 November 2002
debate on Combating of Domestic Violence Act

THINGS THAT CANNOT BE SAID

There are a few general restrictions on what a Member of Parliament may discuss during debates. A Member may NOT:

- speak against or reflect upon any previous decision or act of the House except for the purpose of moving that it be rescinded
- start speaking about a matter on the Order Paper before the presiding officer calls for discussion on that subject
- use the name of the President or Acting President in a disrespectful manner during a debate or to influence the House in its deliberations
- call another Member directly by his or her name. Members must refer to other Members as, "The Honourable Member or Comrade (then stating his/ her name)" or as the Honourable Member or Comrade sitting in a particular part of the House, or as the Honourable Member or Comrade who spoke at a certain period of the debate
- use offensive or unbecoming words against the House or proceedings or in reference to any Member
- refer to any matter on which a judicial decision is pending
- refers to anyone outside Parliament by name, unless the name is necessary to make the discussion clear.

Tabling documents in Parliament

To “table” a document means to put it before a group for consideration. In the National Assembly and the National Council, the document is actually laid on the table in front of the Presiding Officer’s chair. Once a document is tabled in Parliament, it becomes a public document.

All documents presented in Parliament are tabled. This includes petitions, reports of standing and select committees, other reports and papers, notices of motions, notices of questions, and bills. If you want a copy of a document that has been tabled contact the Speaker’s Office at the National Assembly or the Chairperson’s Office at the National Council.

Motions

A motion is a proposal by a Member of Parliament that Parliament should discuss something or make a decision on something.

For example, a Member of the National Assembly may make a motion that the debate on a certain bill be adjourned until the next sitting of the house.

A Member must give “notice” – written notification – that he or she intends to bring a motion. This is called a “notice of motion”. The notice must say on what day the Member intends to bring the motion. The date must be within 14 consecutive sitting days after the notice is given.

For example, a Minister may give notice that on a specific day the he will make a motion that the National Assembly should discuss the European Union’s ban on the

importation of Namibian beef. The Member must table the notice after reading it in the House.

Every motion requires notice, with the following EXCEPTIONS:

- a motion by way of an amendment to a question already put from the chair;
- a motion for the adjournment of the House or of a debate;
- a motion made in the Committee of the Whole;
- a motion raising a point of order or a question of privilege;
- a motion discharging a Member from attendance of a select committee;
- a motion for the postponement or discharge of an order of the day;
- a motion which is expressly excluded from notice by the Standing Orders;
- a motion to grant leave of absence to a Member;
- any motion where all the Member of Parliament present agree unanimously to dispense with the requirement of notice
- a motion referring a Bill to a Select Committee.

Once a Member makes a motion, the presiding officer will ask for another Member to second the motion. By seconding a motion a Member supports the motion and allows the motion to go to a vote of the entire National Assembly or National Council.

Once a motion has been seconded, the motion is placed before the Assembly or Council. The Speaker of the National Assembly or Chairperson of the National Council will ask the Members to vote on the motion.

Voting

In Parliament decisions are often made by unanimous agreement. For example when a Minister asks for leave to present a bill, the motion is seconded and then the presiding officer asks if any Member opposes the motion. If no Member says they oppose the motion, the presiding officer takes that to mean that there is unanimous support.

When the question is put to the House by the presiding officer, any Member may ask that his or her opposition or his or her party's opposition be formally recorded in the minutes.

A Member who has voted and is in the minority may demand a "division" of the house. If at least two Members support the demand for division, the division bells are rung. Two minutes after the bells are rung, the doors of the house are locked. The presiding officer then put the question again. The "Ayes" (those in favour of the question) stand and the "Noes" (those against the question) remain seated. The Secretary then calls out the names of those standing and the Assistant to the Secretary records the name of each Member who is standing. The Ayes then sit and the Noes stand and have their names called out and recorded. The votes are counted and the presiding officer announces the result of the division. A Member would ask for division if he wants a record of those who supported the motion and those who were against it.

A motion can be voted on by a "personal vote" or secret ballot if the majority of the Members present consider that the subject of a vote is to be treated as a conscience issue. In a personal vote, the bells are rung for four minutes, after which the doors are

looked. The Table Clerks give each Member a ballot and place a ballot box on the table. Members do not have to vote. The Members are directed to pass the ballot box in single file and cast their ballots. The Table Clerks count the votes and the presiding officer declares the results to the house.

Table clerks are administrative officers assigned to a Chamber of Parliament, to assist with the work of the House.

In both Houses of Parliament, the presiding officer does not vote on questions before the house unless there is a tie. If there is a tie the presiding officer has a “casting vote” which is used to break the tie.

GETTING COMMENTS TO MEMBERS OF PARLIAMENT

If you want to send comments on a bill or materials about your campaign to Members of Parliament there are certain steps you need to follow:

- All mail for Ministers and Deputy Ministers must go to the Ministry’s Office. This is because the Minister’s Private Secretary reviews all material before the Minister reads it.
- Mail for government Members who are not Ministers and opposition Members can be delivered to the National Assembly. At the National Assembly you will need to take it to the Table Office. It is best to keep the envelopes unsealed. The Speaker’s Office will review the material before it is distributed to the Members.
- Mail for National Council Members can be taken to the National Council Table Office. Leave the envelopes unsealed so the material can be reviewed before it is distributed to the Members.

As this article shows, it is important that the material that you send to the MPs is appropriate and related to the business of Parliament.

Now you’ve got mail, MPs: oh no, you don’t

Lindsay Dentlinger

A MYSTERIOUS letter circulated to National Assembly MPs calling for President Sam Nujoma to be impeached had the House in a tizz yesterday afternoon, on what may well have been its last sitting day of the year.

As MPs were settling down to business, Lands Minister Hifikepunye Pohamba rose to express his disgust at the “scandalous document” that had been delivered to his desk.

He demanded that Speaker Mose Tjitendero explain the procedures for circulating mail in the chamber.

Tjitendero was also taken aback by the letters, which were delivered in sealed white envelopes bearing each member’s name.

“I am as surprised as you are. This is a document with very serious implications that has no status in this chamber,” he said.

Many members had not yet opened their envelopes but, when the objection was raised, members were seen rummaging through their piles of mail and other documents to see for themselves what had caused

Pohamba's and Tjitendero's distress.

Before many could work out for themselves who had issued the letter, the Speaker ordered that as a "matter of national concern" the clerks collect them all again.

"We are responsible people making laws, we can't be sidetracked by vendettas of individuals," said Tjitendero, without mentioning the letter's source.

The Minister of Higher Education, Training and Employment Creation, Nahas Angula, complained about being "bombarded by literature", and requested an explanation for procedures regarding mail delivery in Parliament.

"Is this a post office or what?" said Angula.

The Speaker assured the House that the letter's source would be tracked down and that procedures for letters entering the chamber would be tightened...

The Namibian, 27 November 2003

8. Question time

Question time in the National Assembly is when MPs can ask Ministers questions about government activities and receive replies. Questions can be an important way to obtain information about an issue if other avenues of seeking that information have not been successful. They can also a way of calling attention to a problem or an issue that concerns you.

In the National Assembly, question time takes place on Thursday afternoons. This means that MPs respond to questions which have been put to them before the National Assembly discusses any other matters on the Order Paper. On Thursdays, a list of questions is prepared and printed on green paper. The paper is titled "Questions", and it lists the questions that will be answered that day. It can be obtained in the visitor's gallery, or outside the National Assembly Chamber.

Members of Parliament who want to ask questions must give advance written notice of the questions in Parliament so that the Minister can be ready to respond. Once notice is given, the Member can then put the question to the Minister on the next Thursday after the notice of the question was given.

If the Minister is present, he or she may answer the question or state that the question will be answered at some later date. If the Minister is not present, another Member of Parliament may have been designated to answer the question. If no Member is able to answer the question, the question will be held over until the next Thursday's question time.

In practice, questions usually come from Member in the opposition parties, although any MP has the right to put a question.

SOME EXAMPLES OF PARLIAMENTARY QUESTIONS

...On 3 December 2001, the Deputy Minister announced that post-exposure prophylaxis for HIV rape survivors is being provided at hospitals countrywide.

(1) Can the Minister tell this House and the Namibian women --

(a) At precisely which state hospitals is post-exposure prophylaxis for HIV for rape survivors available and at what cost?

(b) How many rape survivors have had the benefit of post-exposure prophylaxis for HIV provided by state hospitals to date?

(c) What measures have been taken to ensure that medical staff at state hospitals are aware of the availability of post-exposure prophylaxis for HIV?

Excerpt from question put by Hon. Namises to
Minister of Health & Social Services, Debates of the National Assembly,
Volume 63, 13 November-26 November 2002

How is it possible for a hospital in Windhoek, the Katutura State Hospital, to run out of water for two days, on 3 and 4 September 2003, leaving toilets blocked? Surgery could not take place, nurses could not wash their hands, patients could not take their tablets because there was no water.

Question put by Hon. Kaura to
Minister of Health & Social Services, Debates of the National Assembly,
Volume 69, 16 September -21 October 2003

1. What is the current total estimated costs of the State House Project and how is it made up?
2. What is the amount owed to the Municipality of Windhoek for the land occupied by the State House project and when will it be paid?
3. What will happen to the private residential properties that are currently being expropriated/ Will they be put to good use without compromising the security of State House and if so, how will it be done, or will they be demolished?
4. How many Namibian workers are employed at the State House project?
5. Will the Minister now ensure that the current total estimated costs as well as the correct figure for actual expenditure up to date be included in the current 3-year rolling budget?

Question put by Hon. De Waal to
Minister of Works, Transportation & Communication, Debates of the National Assembly,
Volume 69, 16 September -21 October 2003

How many murders were committed with firearms during the last five years in Namibia?

Excerpt from question put by Hon. Pretorius to
Minister of Home Affairs, Debates of the National Assembly,
Volume 67, 16 April -24 April 2003

EXAMPLES OF PARLIAMENTARY QUESTIONS AND ANSWERS

QUESTION

Hon Garoëb asked the Minister of Home Affairs –

Whether the Special Field Force members who are raiding houses in Katutura in the late hours for stolen items, like TVs, hi-fi sets, video machines, and who are confiscating everything for which you cannot produce proof of ownership without themselves issuing receipts for what they have seized:

- (1) Are they doing this lawfully, and if so, in terms of which law?
- (2) How are the police accounting for these items, which are seized without issuing receipts by SFF members who do not even wear nametags?
- (3) What remedy does the public have if such items got missing or damaged in police custody?
- (4) What remedy does the public have to reclaim property for which they, for instance, do not have proof of ownership because it was a cash transaction more than ten years ago or a birthday present?
- (5) Is the issuing of search warrants no more applicable?

ANSWER

MINISTER OF HOME AFFAIRS (HON EKANDJO): Cde Speaker, Hon Members, I would like to respond to the questions of Hon Justus Garoëb as follows:

1. It is important for Hon. Garoëb to know that the Special Field Force Unit of the Namibian Police is only one of the police units and when the members conduct operations, particularly in urban centres, including in Katutura, they do this in conjunction with their colleagues from other divisions or units.
2. The Namibian Police Force as a whole is guided by the Namibian Constitution, the Police Act (Act 19 of 1990), as amended, and the regulations made under the Act. They are, therefore, expected to display the highest level of discipline, diligence, seal and respect for the values and morals of our society. When individual police officers do not display these vital elements in their conduct or make themselves guilty of any violation of the Police Act, or the Supreme Law for that matter, they face the consequences, which may include expulsion from the Force.
3. Regarding confiscation of goods, police officers carry pocket books, known as Pol. 593, in which they record anything that may require their attention. This includes confiscated or seized items too.
4. As to the first question of the notice by Hon. Garoëb, I have already responded.
5. The second question was responded to when I referred to pocket books. On name tags, these are usually provided but, I was informed, they are not yet issued to all members of the Namibian Police Force, due to some difficulties of technical nature, but it is expected that all of them will have these important items of identification.
6. Regarding question 3, I should only remind the Hon. Member that the Namibian Police is part of the Namibia state organs and, therefore, where a citizen feels wronged by the State he/she is entitled to seek legal redress.
7. The police can only refuse to hand back items to those who claim ownership if there is reasonable ground to believe that such claims are false. The officers are reasonable and a reasonable explanation is sufficient for them.
8. The issuing of search warrants is applicable, However there are instances in which the police does not have to present a search warrant, as provided for in the Police Act which this august House,

including Hon. Garoëb, passed in 1990.

9. Let me thank Hon Garoëb for his interest in police work, albeit misconstrued, and encourage him to promote a good relationship between the Namibian Police, with all its units, including the Special Field Force Unit, and his constituency, at least for the sake of crime prevention and community policing.

Debates of the National Assembly, Volume 63,
13 November-26 November 2002

QUESTION

Hon Pretorious asked the Minister of Basic Education, Sport and Culture –

(1) How many unqualified teachers are still in public schools?

(2) What percentage of schools, respectively in the 13 political regions, still need the necessary classrooms, toilets, running water, electricity and telephone connections, against respectively?

ANSWER

After emphasising the disparities in wealth which are the legacy of the apartheid era, the Minister of Basic Education, Sport and Culture, Hon Mutorwa, gave statistical information from the Educational Management Information System for 2002. He provided regional breakdowns on the percentages of unqualified and under-qualified teachers, on percentages of schools without sufficient classrooms, on percentages of schools with sufficient ablution blocks, on percentages of school without water supply, on percentages of school without electricity and on percentages of schools without telephones. The information highlighted regional disparities. It could be used as the basis for a follow-up question in time, to see if the gaps between the various regions are narrowing over the years.

Debates of the National Assembly,
Volume 67, 16 April -24 April 2002

USING QUESTIONS FOR ADVOCACY

A Parliamentary question can be used

- to focus attention on an issue of concern
- to get information on a policy or an event
- to find out the cost of a particular government activity
- to get access to statistics which are otherwise unavailable.

5. Role of parties, caucuses and party whips

As explained in the chapter on national government, the National Assembly is elected on a proportional representation basis. The voter votes for a party and not for an individual candidate. The political parties supply a list of people who will be their parties' representatives if they receive enough votes to earn a seat.

Parties

A political party is a group of people with similar ideas or interests which seeks to gain political power so that it can put its ideas into action. Parties are important in

political life because they set policy agendas and nominate candidates for public office.

Because of the proportional representation electoral system for National Assembly and local authority elections, political parties are particularly important in Namibia. In proportional representation, every political party intending to run in the elections provides a list of candidates, and voters cast their votes for the party rather than for a specific individual.

Many parties issue a manifesto prior to elections. A manifesto is a written declaration of principles and priorities. The manifestos allow voters to know the goals of the various parties. Manifestos often explain what the party's priorities will be if its candidates are elected to office.

The parties that have seats in Parliament in 2004 are:

- SWAPO (South-West Africa People's Organisation)
- DTA (Democratic Turnhalle Alliance)
- COD (Congress of Democrats)
- UDF (United Democratic Front)
- MAG (Monitor Action Group)

POLITICAL PARTIES IN PARLIAMENT	
National Assembly	National Council
1990-1994	
SWAPO 41 (South-West Africa People's Organisation)	
DTA 21 (Democratic Turnhalle Alliance)	
UDF 04 (United Democratic Front)	
ACN 03 (Action Christian National)	
NNF 01 (Namibian National Front)	
FCN 01 (Federal Convention of Namibia)	1993-1998
NPF 01 (National Patriotic Front)	SWAPO 18
	DTA 06
1995-1999	
SWAPO 53 (South-West Africa People's Organisation)	
DTA 15 (Democratic Turnhalle Alliance)	
UDF 02 (United Democratic Front)	
MAG 01 (Monitor Action Group)	
NPF 01 (National Patriotic Front)	1999-2004
	SWAPO 22
2000-2004	DTA 03
SWAPO 55 (South-West Africa People's Organisation)	UDF 01
DTA 07 (Democratic Turnhalle Alliance)	
COD 07 (Congress of Democrats)	
UDF 02 (United Democratic Front)	
MAG 01 (Monitor Action Group)	

Source: Republic of Namibia, Background to the Namibia Parliament

CONTACT INFORMATION FOR POLITICAL PARTIES

SWAPO (South West Africa People's Organization)
PO Box 1071
Windhoek
Tel: 061-238364
Fax: 061-232368

COD (Congress of Democrats)
8 Storch Street
PO Box 40509
Windhoek
Tel: 061-256952
Fax: 061-256980

DTA (Democratic Turnhalle Alliance)
PO Box 173
Windhoek
Tel: 061-238530
Fax: 061-226494

UDF (United Democratic Front)
Office 169, National Assembly Building - Parliament
Robert Mugabe Avenue
Windhoek
Tel: 061-2882610
Tel: 061-2882541
Contact person: Gustavine Tjombe

MAG (Monitor Action Group)
PO Box 80808
Windhoek
Tel: 061-25008
Fax: 061-229242

You may want to contact a party office to obtain a list of the candidates running in the next election. You may want to obtain a copy of their manifesto. You may also want to obtain a list of any events the party is organising during election campaigns.

Election campaigns offer many opportunities to lobby. Parties want your vote and most will be willing to talk. You may want to send material on your issue to parties and ask them where they stand on the issue. You can pass this information on to your friends or the members of your organisation, and they can consider it when they go to vote.

Party caucuses

All elected members of one party make up that party's caucus. For example, all elected members of Parliament who are SWAPO members form the SWAPO Caucus. A party's caucus holds private meetings to discuss Parliamentary business and matters of policy.

Party whips

Any party that has more than eight seats in the National Assembly is entitled to have a party whip. Whips are elected by the caucuses of the political parties.

A whip is a senior member of a party whose duties include the following:

- maintaining party discipline, co-ordinating the presence of party members at sittings of Parliament, and allocating turns to speak in Parliament
- co-ordinating the legislative work of the House
- giving notice of motions for granting leave of absence for a Member of Parliament who cannot be present at a sitting for some good reason
- supervising the work of the secretary of the political party.

The whips are primarily responsible for the orderly control and discipline of MPs within their parties. The whip is responsible for making sure that the MPs are in the National Assembly and National Council for important debates and votes on bills. The whip may also make sure that MPs vote with their parties on certain issues. For example if the party supports the budget, the whip will ensure that all the party's MPs vote in favour of the budget.

The whips also meet with the Secretary and the Secretary's clerks to agree on various procedural issues and on the order of certain matters before the House.

10. Finding out what happens in Parliament

Attending Parliament in person

You should try to attend Parliament when it is debating an issue that is important to you. If you are outside Windhoek, your organisation could send representatives to observe on the organisation's behalf. Perhaps Members of Parliament will be more accountable about what they say in Parliament if they see the people they are supposed to represent sitting in the visitor's gallery in person.

Sessions of the National Assembly and National Council are open to the public. You do not need permission to attend sessions. In fact because Namibia is a democracy it is your right to watch the debates in Parliament.

When you arrive at the National Assembly and the National Council you will be required to sign in. You will receive a visitor's pass that you are required to wear while in the building and return when you leave. Ask the guards at the door to direct you to the visitors' gallery.

GOOD MANNERS FOR VISITORS TO PARLIAMENT

You are not required to wear any particular clothing to visit Parliament. For example, you do not have to wear a suit or a dress. Of course, you will make a more professional impression if you are neat. It is acceptable to wear traditional dress.

You are not allowed to interfere with the debates of the house. You are not allowed to demonstrate in the visitors' gallery, wave posters or signs, or speak to the Parliamentarians present.

When you are in the visitors' gallery you are supposed to be there to watch the debate. You are not supposed to read newspapers or materials unrelated to the debate. You are not allowed to eat or drink in the visitors' gallery.

It can be difficult to know whether the Members will discuss all the matters listed on the Order Paper. If the matter is the first or second item on the list, it will most likely be discussed. If it is the ninth or tenth item on the list, the Members may run out of time before dealing with it. In that case, it will be held over to the next sitting day.

The amount of time needed for each item on the list is unpredictable because it is not possible to know in advance how many people will want to speak on each item.

REPRODUCE MAP FROM BACK OF PAMPHLET "KNOW YOUR PARLIAMENT"

Watching Parliament on television

There is regular coverage of Parliamentary proceedings in the National Assembly on NBC television. A programme covering the previous day's debate usually runs on Mondays, Wednesdays, Thursdays and Fridays from 6h30 to 7h00 when Parliament is in session. There may be extra programmes to report on special events such as the presentation of the budget. NBC News may also contain statements about Parliament or portions of key debates in Parliament.

Listening to Parliament on radio

Parliamentary Reports are broadcast Mondays to Fridays on the different NBC language services at the times shown in the table below.

PARLIAMENTARY REPORTS ON RADIO	
Damara / Nama Service	18h40 – 18h45
German Service	18h35
Rukavango Service	06h05 – 06h30
Tirelo Ya Setswana	13h30 – 14h00 repeated at 18h10
Otjiherero Service	17h30 – 18h00
Afrikaans Service	13h00 – 13h30
Lozi Service	13h45 – 14h00
National Service	after the 13h00 news

The Constituency Channel

The Constituency Channel is a parliament-based radio and video production house. The channel intends to serve as a source of legislative, public policy and developmental information for community radio stations in Namibia. Its aim is to encourage informed civic participation in how the country is governed. The Constituency Channel intends to run a full time FM radio program from Parliament. They hope to have it up and running before the end of 2004. The email address will be: www.constituencychannel.org.na. Until that time the Constituency Channel will be producing weekly updates on Parliamentary proceedings and public opinion on legislative and policy issues. These updates will be sent to local community radio stations and the Namibian Broadcast Corporation (NBC). You can contact the Constituency Channel by contacting:

Democracy Support Centre
Attention: Sarry Xaogus
Parliament Building PO Box 11713
Klein Windhoek
Tel:061-231-334
Fax: 061-245-285
email: sxoagus@hotmail.com

Reading records of Parliamentary proceedings

The Secretaries of the National Assembly and National Council are required to take Minutes of the Proceedings. The Minutes are a very brief description of what went on during that sitting of Parliament. They will list the matters from the Order Paper that were dealt with. They will list any questions put to the Assembly or Council, which member asked the question, which member seconded the question and the result of the question. The Minutes are usually available at the next sitting, outside the National Assembly and National Council Chambers where you pick up the Order Paper. Minutes for the National Assembly and the National Council are also available in the Parliamentary Library. The Library collects copies of the minutes and binds them.

The minutes do not contain many details of what was said and who said it. If you want a complete record you should look in the Hansard reports. Everything said in every session of the National Assembly and National Council is recorded by the Hansard office. The Hansard office then types up official transcripts of everything that is said and publishes the transcripts so that the public can review them.

The official names of the transcripts are *The Debates of the National Assembly* and the *Hansard Official Report of the Debates of the National Council*. People refer to them informally as “the Hansard”.

The report of the full proceedings of Parliament is not usually ready for several months. You can find copies of the Hansard reports at the Parliamentary Library, the National Library and the National Archive. You can also contact the Hansard office directly.

LAY-OUT: PLACE TWO CONTACT ADDRESSES SIDE-BY SIDE

as an illustration, scan cover of hansard on typical green colour, or use digital photo of someone holding it. (hansard provided for this purpose)

Contact information for Hansard Services

National Council
Charity M. Mwiya
Editor, Hansard Services
Parliament of Namibia
National Council
Private Bag 13371
Windhoek

Tel: 061-2028165
Fax: 061-2028146
Email: c.mwiya@parliament.gov.na

National Assembly
Table Office
Parliament Buildings
Private Bag 13323
Windhoek
Tel: 061-2882528

As representatives of the people, parliamentarians must endeavour to provide leadership and show the way that our country must take. It is incumbent upon all of us to provide this leadership. This we can only do if we keep in constant contact on grassroots level. As leaders, we must know our people's needs, their aspirations, expectations, desires and anxieties.

President Sam Nujoma, Official Opening of the
First Session of Parliament, 25 February 1997

Sources

National Assembly of the Republic of Namibia, Standing Rules and Orders.

“National Council of the Republic of Namibia: Standing Rules and Orders”, posted on the Parliamentary website <http://www.parliament.gov.na/default.asp>. .

CHAPTER 16: TRACKING BILLS

One of your most difficult tasks in lobbying may be tracking the bill through the steps it takes to become a law. This chapter give you suggestions on how to track a bill.

1. The importance of lobbying at early stages

If you want to influence the shape of a law or a policy, it is vital to make input at the earliest possible stage. As a draft policy or a bill moves forward, compromises between parties with competing interests are usually made all along the way. As a policy or a bill moves forward in the process, decision-makers often become less open to suggestions for change, because they may be reluctant to disturb agreements that have already been reached. They are also increasingly likely to become worried about delaying the process and having to go back to the beginning.

For example, a Minister may convene meetings inside the ministry so that officials from different departments within the ministry can give input on a proposed law or policy. Different departments within the ministry may have different concerns, and proposals may be adjusted and refined in an effort to balance those concerns. The ministry proposing a bill may also hold meetings with officials from other ministries to see how they will be affected by the proposal. The ministry will probably assess the financial implications of the proposed policy or law. As more and more of these steps are taken, ministers will understandably become more and more reluctant to reconsider key aspects of the proposal.

It is never too late for advocacy, but as the decision-making process moves forward decision-makers often become less open to suggestions from outsiders. This is why you should try to give your input at the earliest possible stage, while ideas and proposals are at their most flexible.

QUESTIONS TO ASK WHEN TRACKING A BILL

- **Which Ministry is tabling the bill?**
- **What is the official title of the bill?**
- **Has the bill been tabled?**
If yes, you can get a copy from the Table Office or the Deputy Speaker's office of the National Assembly
- **Is the National Assembly sending the bill to a committee?**
If yes, will the committee be holding public hearings or accepting written submissions?
- **Has the bill been passed by the National Assembly and sent to the National Council?**

- **Has the bill been passed by both the National Assembly and National Council?**
- **Has the bill been signed by the President?**
If yes, the law will appear in the Government Gazette.

2. Getting information about a bill BEFORE it is tabled

The best time to lobby is *before* the bill is “tabled” or handed from the ministry proposing it (the “line ministry”) to the National Assembly.

It is often difficult to know when a ministry is proposing new legislation. You can contact the Permanent Secretary of the relevant ministry to ask if the ministry is planning to introduce a bill containing a new law or amendments to an existing law. You could also ask the Permanent Secretary if the ministry in question has a legal advisor. If so, this person may be a good source of information about forthcoming bills.

If you regularly work on a specific set of issues, it will be helpful if you establish good contacts within the ministries that are relevant to your concerns. This will help you know who to ask about laws and policies at an early stage.

Sometimes individual Ministries (who are “tabling” proposed bills) will consult the public about proposed laws in advance.

If a Ministry is proposing a bill on the issue, it will sometimes be written about in newspapers. The name (or “title”) of the bill is usually cited, so take note of it. The name of the bill may not be an obvious one.

For example, the bill which provided special procedures for children and other vulnerable witnesses in court was called the Criminal Procedure Amendment Act. The name did not give members of the public a good idea of what the bill was about.

Knowing which Ministry is proposing a bill, as well as the correct name of the bill, is important for effective lobbying. Clear information will help you get accurate feedback. Also, having accurate information will make you sound more informed when you are lobbying.

Proposed bills should be announced on the Parliament Internet site and often in newspapers. In practice, however, this is rarely the case. The general public is not usually informed about proposed bills before they are debated and passed. So you must be vigilant about following the process.

You can usually find information about forthcoming bills by telephoning Parliament. Sometimes the National Assembly and the National Council will have lists of which bills will be discussed in the following weeks. But predictions made in advance are not

always accurate. Plans for Parliament are often altered to deal with changing priorities. You must keep checking regularly to update your information.

Mr. F. Harker
Deputy Secretary of the National Assembly
Room 133 National Assembly
Parliament Buildings
Private Bag 13323
Windhoek
Tel: 061-288-2507
Fax: 061-256-425

Mr Ephraim G. Jane
Senior Assistant Clerk: National Council
Parliament Buildings
Private Bag 13371
Windhoek
Tel: 061-280-3230
Fax: 061-226-121

3. Getting information about a bill AFTER it is tabled

You can get information from Parliament about the status of a bill that has already been introduced – such as whether it has been referred to committee, or which stage of the procedure has been reached.

Once a bill has been tabled in the National Assembly, a copy of the bill will be available from the Table Office. The Table Office will keep a copy of the bill throughout the process. The Table Office is responsible for, among other things, the preparation and proofreading of bills to be tabled and the receipt and distribution of all documents in the National Assembly. Bills sometimes go through some changes before they are tabled, but since this is the last Office to read and edit the bill before it is tabled, it should always have a final copy of the bill in the form read in the National Assembly.

This office should also have copies of any amendments to the bill that have been tabled.

To obtain a copy of a tabled bill, contact:
Table Office of the National Assembly
Parliament Buildings
Private Bag 13323
Windhoek
Tel: 061-2882528

If Parliament is debating an issue that interests you, you can often find out more from articles in newspapers, news stories on the radio or from the Parliamentary Report on NBC-TV. You can also find out which journalists write news about stories cover

Parliament. They may observe the proceedings in Parliament and collect information which they do not publish right away. You could telephone one of these journalists to see if they can give you information about the bill you want to follow.

As explained in the previous chapter, you can attend Parliament in person to observe the discussion for yourself. You can also find out what Parliament did by checking the minutes. The minutes will be available the next sitting day, but will not contain many details.

You can also check the official transcripts published by the Hansard Services of Parliament. The transcripts record everything that was said in Parliament. They are called *The Debates of the National Assembly* and the *Hansard Official Report of the Debates of the National Council*. The report of the full proceedings of Parliament is not usually ready for several months. See the previous chapter on “Parliamentary Procedures” for details.

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www.constituencychannel.org.na

Until that time the Constituency Channel will be producing weekly updates on Parliamentary proceedings and public opinion on legislative and policy issues. These updates will be sent to local community radio stations and the Namibian Broadcast Corporation (NBC). You can contact the Constituency Channel by contacting:

Democracy Support Centre
Parliament Building PO Box 11713
Klein Windhoek
Tel:061-231-334
Fax: 061-245-285

REPRODUCE THE DIAGRAM FROM PAGE 8 OF NDI ANALYSING LEGISLATION – SAMPLE OF A BILL COVER PAGE.

4. Getting information about a bill that has been passed

Even if a bill has already been passed, there may still be issues which you want to raise. In many cases, some of the finer details about the law are put into regulations which are sometimes drafted and approved at a later stage. You may want to offer suggestions for these regulations. You may want to raise concerns about the implementation of the new law, or about training for the officials who must enforce the new law.

Once a bill has become a law, it must be published in the Government Gazette. The Government Gazette is a regular government publication that publishes all new laws and regulations, as well as other important government announcements and information. The version of the bill that is published in the Government Gazette will be its final form. It will contain any amendments made by Parliament to the bill that was originally tabled.

The Government Gazette Office is managed by the Legal Support Services Directorate of the Ministry of Justice. It is responsible for publishing the Government Gazette. The Government Gazette Office has the most up to date information on bills that have already been passed. For information on bills that have been passed, you can contact the Government Gazette Office by phone or by post. For example, this office would be able to tell you if the Government Gazette containing the bill you are looking for has already gone to the printer to be reproduced, or if it is still being prepared for publication.

Government Gazette Office
contact: Ms Isaacs
Private Bag 13302
Windhoek
Tel: 061-239 280
Fax: 061- 221 233

There is usually a delay of 3-4 weeks between the time a bill is passed by both Houses of Parliament and the time that it is published. Once the Gazette is published, it is possible to order a copy from the publisher. You cannot order a copy of a new law on its own – you must request the Government Gazette which contains the law. The cost of a single Government Gazette varies depending on the content – longer Government Gazettes cost more than those with fewer pages. The prices ranges from N\$2 – N\$70.

You can subscribe to the Government Gazette so that you will receive it regularly by post. As of 2004, it costs N\$457.68 for a quarterly subscription or N\$1 664.30 for an annual subscription. Postage is extra and the cost will vary depending on where you live.

To order a copy of a bill that has already been passed by
Parliament contact:

Solitaire Press
13 Industrial Park Newcastle Street
Northern Industrial Park
PO Box 1155
Windhoek
Tel: 061-223466

Note: The publisher is chosen by government tender and changes from time to time.

The National Library also retains copies of bills, once they have been passed and published in the Government Gazette.

National Library
Eugene Marais Street
Private Bag 13349
Windhoek
Tel: 061-293-5111
Fax: 061-293-5321

TRACKING A BILL BY POST OR BY PHONE

1. Contact the Permanent Secretary of the ministry responsible for tabling the bill.
2. If the bill has been tabled, you can obtain a draft copy of the bill from the Table Office or the Deputy Speaker.
3. If the bill has been passed but has not yet appeared in the Government Gazette, you can get information from the Government Gazette Office.
4. A few weeks after the bill has been passed, you can obtain a copy of the final law from the publisher of the Government Gazette.

Internet Search for Bills

1. Go to www.parliament.gov.na.
2. Click on "Bills in Parliament".
3. Scroll down the screen to look at the last 10 Bills tabled.
4. If the bill is on the list, remember that the list is often out of date. You should call the ministry responsible for the bill or the Table Office to confirm the information.
5. If the bill is not on the list remember that the list is often out of date. Call the ministry responsible for the bill or the Table Office to make sure that the bill is not coming up.

CASE STUDY

Tracking the Community Courts Bill

An intern with the Legal Assistance Centre tells how she dealt with a request to find out the status of the Community Courts Bill.

Through internet technology:

Firstly I took advantage of my access to the internet to check the Parliament internet site www.parliament.gov.na under the "Bills in Parliament" section of the table of contents, on the

left side of the screen.

Clicking on the “Bills in Parliament” section will open the page dedicated to the list of the ten last Bills tabled, and their status in Parliament. It is possible to search for the bill by name in the search index option at the top of the screen, or to scroll down the screen to find the name of the bill.

Not all bills are listed in the database since it is not updated very regularly. Fortunately, the Community Courts Bill was listed. The list also showed its status as “Bill in the National Council”, which means that the National Council is reviewing it.

The website contained basic information on the bill (such as the bill number, tabling date and official title). It was also possible for me to download an “electronic” copy of the bill from the website. The bill number, however, was listed incorrectly as 10-2001, instead of the correct number 10-2003.

Tracking the Bill by post or by phone

Another way to track a Bill is to contact the line ministry, either by post or by phone. Phone numbers and postal addresses for each Ministry can be found in this manual. Communications by post should be addressed to the Permanent Secretary.

Since I know that the list on the Internet is not always up to date, I also contacted the Permanent Secretary of the Ministry of Justice by telephone to get an update on the status of the bill. I knew logically that a bill about courts would come from this line ministry.

I was told that the bill was actually no longer with the National Council, but had been passed. It turns out the list on the Internet site had not been updated for this bill. The Ministry of Justice referred me to the Government Gazette Office for more information.

Through the Government Gazette Office, I was able to find out the most recent information on the Bill, including its Government Notice Number (185), and its Government Gazette reference number (3044). Government Notices are numbered in order started from 1 at the beginning of each year. So this was Government Notice 185 of 2003.

The Government Gazettes are numbered in order starting from when they were first published in 1990. So this means information can be found in the 3044th Government Gazette that has been published.

I was also able to find out from the Deputy Secretary's Office in the National Assembly and the Senior Assistant Clerk in the National Council that no amendments had been made to the bill while it was in Parliament.

Getting a copy of the Bill

I had obtained a copy of the bill from the Internet site. Since I now knew that no amendments had been made to the bill in Parliament I knew that the bill as it was tabled was the same as the final law.

I got a copy of the final law from Solitaire Press. I called Solitaire Press and asked for a copy of the Community Courts Bill, Government Gazette Number 3044. It is important that you know the Government Gazette number. I was told it would cost N\$5. If you live in Windhoek you can pick up a copy from office of Solitaire Press. If you live outside Windhoek, Solitaire Press will

post or courier the document you want for an additional cost.

CHAPTER 17: PARLIAMENTARY COMMITTEES

Bills that are being considered by the National Assembly or the National Council are often referred to Parliamentary Committees for study and consultation. This can be an important opportunity for lobbying. This chapter explains how Parliamentary Committees work.

1. The role of Parliamentary committees

Parliamentary committees are small groups of MPs who look closely at specific issues such as bills, reports of government agencies or citizen petitions. The National Assembly and the National Council have 7 permanent standing committees each. Both Houses of Parliament also have the power to establish temporary committees for particular purposes.

The term “standing committee” means that the committee stands in place, as opposed to being formed from time to time only for a specific purpose. A temporary Parliamentary Committee is sometimes referred to as a “select committee”, which is selected for a special purpose. If a committee of the National Assembly and a committee of the National Council meet together to consider a matter, this is referred to as a “joint committee”.

The National Assembly and the National Council appoint the members of their respective committees. A typical committee for the National Assembly can have anywhere from 3 to 15 members. The committees of the National Council have either 5 or 6 members.

According to the Draft Rules for Committees of the National Assembly, committees are supposed to contain members of each political party that has seats in the House, with due regard to the principle of proportional representation: and gender balance.

There are no written rules for the committees of the National Council. Instead the National Council relies on the Standing Rules and Orders for the National Council and the Namibian Constitution for guidance.

The quorum for committees in the National Assembly is at least $\frac{1}{3}$ of their members, representing at least two political parties. The quorum for committees in the National Council is $\frac{1}{2}$ of the members plus one.

Each committee of the National Assembly and National Council elects a Chairperson and a Deputy Chairperson from amongst its members.

Committees make decisions by majority vote, with the Chairperson of the committee having an extra casting vote in case of a tie.

Committees may set up subcommittees from amongst their members if they feel this is necessary.

WHAT DO PARLIAMENTARY COMMITTEES DO?

Committees of Parliament do not only examine bills. They have a broader responsibility to assess and monitor the work of government on the issues each committee addresses. This means that you could take your concerns or complaints or suggestions about government to the appropriate Parliamentary Committee.

The functions of Parliamentary Committees include:

- studying bills referred to committee
- recommending changes to bills referred to committee
- studying policy documents and statements from government offices, ministries and agencies relevant to the committee's work
- consulting with representatives of government offices, ministries and agencies on their work;
- receiving information from the public about the work of government bodies
- organising meetings between the public, MPs and government officials to discuss the work of government bodies and the effects on communities and groups in society
- holding hearings on bills or other matters relevant to the committee's work
- recommending to government bodies ways to improve their work.

Parliament of Namibia
Parliamentary Committee
Quick Reference Guide
undated (page 2).

The standing committees give Parliament the opportunity to get more public input on a bill. When a bill is referred to a committee, the committee will usually examine the bill to see in detail how it will affect the public. The committees send out invitations to the public and organizations for submissions on the bill. It is usually possible to make written submissions. Sometimes the committee will hold hearings and invite people to come in person and make oral submissions. The committee may travel to regions outside of Windhoek to hear public input on the bill. After reviewing the bill and submissions, the committee can make recommendations to Parliament on changes to the Bill.

The minutes of public hearings and meetings that are open to the public are available from the clerks of the committees at the addresses below.

The **Clerk** of a Committee is the administrative head of the group. The Clerk is the contact person for more information about Committee activities, public hearings and Committee initiatives.

2. Standing Committees of the National Assembly

Parliamentary standing committees specialize in certain topics such as education, agriculture and economics. As of the beginning of 2004, the National Assembly has

seven permanent standing committees. These committees and the contact details for their clerks are listed in the chart below. :

Meetings of these committee are normally open to the public, with the exception of the Committee on Privileges and the Committee on Standing Rules and Orders. But any committee can vote to exclude the public and the press from specific meetings or portions of meetings for good reasons, such as national security, public safety or the protection of witnesses.

STANDING COMMITTEES OF THE NATIONAL ASSEMBLY

1. Standing Committee on Economics, Natural Resources and Public Administration

This Committee is responsible for government economic policy and promoting the economic development of Namibia. It deals with issues concerning Agriculture, Water and Rural Development; Environment and Tourism; Finance; Fisheries and Marine Resources; Lands, Resettlement & Rehabilitation; Labour; Mines & Energy; National Planning Commission; and Trade and Industry.

Clerk: Mr. B. Karuombe, Mr. G. Lututu, Mr. S. /Uirab

Tel: 061-288-2540

Email: b.karuombe@parliament.gov.na, g.lututu@parliament.gov.na,
s.uirab@parliament.gov.na

2. Standing Committee on Public Accounts

This Committee examines and makes recommendations on how the Government spends money. Its areas of concern include local authorities; statutory institutions; Trade & Industry and Works & Transport

Clerk: Mr. I. Nehoya and Ms. M. Hamunghete

Tel: 061-288-2548

Email: i.nehoya@parliament.gov.na , m.hamunghete@parliament.gov.na

3. Standing Committee on Foreign Affairs, Defence & Security

This Committee is responsible for all security matters and related government offices including the Ministry of Defence; the Ministry of Prisons and Correctional Services; the Prosecutor General; Home Affairs; and Namibian Central Intelligence Services (NCIS).

Clerk: Mr. M. Zeraeua, Mr. K. Tjikuzu, and Mr. J. Haikali

Tel: 061-288-2535

Email: m.zeraeua@parliament.gov.na, k.tjikuzu@parliament.gov.na, j.haikali@parliament.gov.na

4. Standing Committee on Rules and Orders

This Committee regulates the rules and general conduct of business of the National Assembly. It reports to the Speaker of the National Assembly, who acts as the Chairperson. The Clerk for this Committee is the Secretary of the National Assembly.

Clerk: Mr. M. Ndjarakana

Tel: 061-288-2501

Email: m.ndjarakana@parliament.gov.na

5. Standing Committee on Constitutional and Legal Affairs

This Committee is responsible for government operations including those of the Ministry of Justice; the Attorney-General; the Electoral Commission; Information and Broadcasting; the Ombudsman; Petitions; and Regional & Local Government and Housing

Clerk: Mr. M. Zeraeua, Mr. A. Mutonga, Mr. E. Rheis
Tel. 061-288-2582

Email: m.zeraeua@parliament.gov.na, a.mutonga@parliament.gov.na,
e.rheis@parliament.gov.na,

6. Standing Committee on Privileges of the National Assembly

This Committee investigates and reports on the conduct of MPs of the National Assembly. It reports to the Speaker of the National Assembly, who acts as Chairperson. The clerk of this Committee is the Secretary of the National Assembly.

Clerk: Mr. M. Ndjarakana
Tel: 061-0288-2501

Email: m.ndjarakana@parliament.gov.na

7. Standing Committee on Human Resources, Social and Community Development

This Committee promotes and protects the rights of citizens including those relating to Education & Training; Sport & Culture; employment creation; Health and Social Services; Regional and Local Government & Housing; Women Affairs & Child Welfare.

Clerk: Mr. C. Kanguatjivi and Mr. C. Tjirera
Tel: 061-288-2610

Email: c.kanguatjivi@parliament.gov.na , c.tjirera@parliament.gov.na

3. Standing Committees of the National Council

As of the beginning of 1994, the National Council has a total of 7 standing committees. Four of them deal with “portfolios”, that is issues affecting public policy, while three address “domestic” or internal issues about the functioning of the National Council. “Domestic” committees are not open to members of the public except by special invitation. The relevant committees of the National Council for lobbying are the “portfolio” committees. The portfolio standing committees of the National Council are listed in the chart below:

As in the case of the National Assembly, these committees can hold public meetings to consider issues brought before the National Council, including bills, policies, issues and citizen grievances. The committees are empowered to subpoena persons to appear before Parliament.

The meetings of National Council committees are closed to the public and their minutes are not available. Public hearings are obviously open to the public and it is possible to

obtain copies of the minutes of the public hearings from the clerk of the committee. If the committee tables a report in the National Council, that document becomes public. You can obtain a copy of a committee report from the clerk of the committee or the Chairperson's Office at the National Council.

PORTFOLIO COMMITTEES OF THE NATIONAL COUNCIL

1. Standing Committee on Public Accounts and Economy

This Committee examines annual reports of the Auditor General, scrutinises the government's financial proposals and fiscal policies, and responds and deliberates on issues falling within the responsibility of the Ministries of Trade and Industry; Fisheries and Marine Resources; Mines and Energy; and Environment and Tourism. It also deals with economic and financial matters.

Clerk: D. Fransman

Tel: 061-202-8136

Email: d.fransman@parliament.gov.na

2. Standing Committee on Constitutional and Legal Affairs

This Committee deals with constitutional, legal, judicial and legislative matters. It deals with affairs that fall under the Ministry of Justice; Office of the Attorney General; Ombudsman; Courts of Law; Legal Profession; Judicial Service Commission and Law Reform and Development Commission.

Clerk: A. Shali

Tel: 061-202-8008

Email: a.shali@parliament.gov.na

3. Standing Committee on Regional Development and Reports

This Committee works with the Association of Regional Councils (ARC) and Association of Local Authorities in Namibia (ALAN); responds and deliberates on issues falling under ministries and other bodies concerned with Health and Social Services; Youth and Sports; Education and Culture; Science and Technology; National Planning; Public Service; Works & Transport; Posts & Telecommunication Services; women and children, the disabled, unemployment and labour relations; Agriculture, Water and Rural Development; Regional, Local Government & Housing; and Information and Broadcasting.

Clerk: M. Bessinger

Tel: 061-202-8132

Email: m.bessinger@parliament.gov.na

4. Standing Committee on Foreign Affairs, Defence and Security

This Committee responds and deliberates on legislation, issues and policies falling within the ambit of the Ministries of Foreign Affairs; Home Affairs, Police, Prisons and Correctional Services; and Defence and Security.

Clerk: V. Nauyoma

Tel: 061-202-8134

Email: v.nauyoma@parliament.gov.na

4. How to lobby through committees

Committees are a direct link between the public and the government. Committees can organize meetings between the public, MPs and government officials to discuss the work of government bodies and the effects of that work on communities and groups in society. They can also provide a channel for input on bills being considered by Parliament.

Oral and written submissions on a proposed bill

One of the most important jobs that Committees have is their responsibility for reviewing bills. Some bills are passed from the National Assembly to committees so they can examine and discuss them in detail. *Not all proposed bills pass through committees.* Bills are referred to committees when the bill has a major impact on society or significant sectors of society, or if the bill is controversial. A bill can also be referred to committees if members of the National Assembly require more information on the issue before voting on it.

When a bill is passed to a committee, the committee can invite experts, interested groups, “stakeholders” or the general public to make oral or written statements about the bill. The committee may also ask for submissions from international experts and members of similar committees in neighbouring countries.

If a proposed bill has been referred to a committee and there has been an invitation for written submissions, you should post your submission to the following address:

Secretary of the National Assembly

Mr. M.K. Ndjarakana
Private Bag 13323,
Windhoek
Tel: 061-2882501

Public hearings

Committees may also hold public hearings to discuss bills. Anyone can attend a public hearing.

In order to decide on the feasibility of conducting a public hearing, a Committee shall first determine what information is required, what issues need to be addressed and whether a public hearing is the most effective way to secure the required information.

Rule 37(1), Draft Rules for Committees
of the National Assembly (Edition Four)

Public hearing announcements *should* be published at least five days before the hearing, but this may not always be the case. The announcement *should* include:

1. the place, time and subject matter of the hearing;
2. the number and title of the proposed bill;
3. the name of the committee and contact information for the clerk.

Announcements of public hearings must be advertised in at least three newspapers in Namibia, and given to the television and radio stations. However, because the announcement do not run repeatedly, it is easy to miss them. You should note that announcements of public hearings are not published in *The Namibian*. (This is because the government has placed an internal ban on government advertisements in *The Namibia*, on the grounds that this newspaper has been too critical of government.)

Announcement of public hearings should be posted on the Parliament website but *this is usually not done, so do not rely on the website for this purpose.*

LAY-OUT: PUT TITLE ON LINE BELOW INSIDE BOX

EXAMPLE OF A PUBLIC HEARING ANNOUNCEMENT



Private Bag 13323
Windhoek
Republic of Namibia

Public Hearings on the Affirmative Action Loan Scheme

The Parliamentary Standing Committee on Economics, Natural Resources and Public Administration herewith wishes to announce and invite the public to the hearings on the Affirmative Action Loan Scheme.

Purpose

The hearings are primarily aimed at giving Affirmative Action Loan Scheme beneficiaries, prospective beneficiaries and the broader public an opportunity to relate their personal experiences and views about the scheme so that their input could be included in the possible revision of the scheme.

Day	Date	Time	Place	Centre
Thursday	21-08-2003	09:00-17:00	Windhoek	Parliament Building, (Blue Room)
Monday	25-08-2003	09:00-13:00	Karasburg	Erenst Jager Hostel
Monday	25-08-2003	09:00-17:00	Katima-Mulilo	LA. Hall
Monday	25-08-2003	10:00-13:00	Omuthiya	Omuthiya Centre
Wednesday	27-08-2003	09:00-13:00	Keetmanshoop	Multi-Purpose Centre
Wednesday	27-08-2003	09:00-17:00	Rundu	SOS Club
Wednesday	27-08-2003	10:00-13:00	Eenhana	To be confirmed
Thursday	28-08-2003	09:00-13:00	Mariental	Persianer Hall
Thursday	28-08-2003	09:00-13:00	Tsumkwe	
Thursday	28-08-2003	09:00-16:00	Oshakati	Ongwediva Trade Centre
Friday	29-08-2003	09:00-13:00	Rehoboth	Hermanus V/ Wyk Hall
Friday	29-08-2003	09:00-13:00	Grootfontein	Multi-Purpose Hall
Friday	29-08-2003	09:00-13:00	Opuwo	Opuwo Comm. Hall
Saturday	30-08-2003	09:00-17:00	Gobabis	Epako Hall
Saturday	30-08-2003	09:00-13:00	Otiwarongo	Swane Velder Hall
Saturday	30-08-2003	09:00-13:00	Khorixas	Damara Raad Hall

Please note that this is the final programme and the earlier programme is therefore cancelled and should be ignored. Our humble apologies for any inconvenience this change of programme may cause.

Members of the public, civic groups, Affirmative Action Loan Scheme beneficiaries (and prospective beneficiaries), farmers and trade unions and their affiliates, and all other interested parties and stakeholders are kindly requested to attend the hearings and make their contributions.

Written submissions should be submitted latest by **Monday, 1 September 2003** to:

Secretary: National Assembly
Parliamentary Committee on Economics, Natural Resources, and Public Administration,
P/ Bag 13323, Windhoek. Fax (061) 224327.

Email: barney@parliament.gov.na
Enquiries: B. Karuombe (061) 2882106 (0812489499) / G. Lututu (061) 2882608

Remember that public hearings are not always advertised and that the announcements are easy to miss. If you know that a bill has been referred to a committee but you have not seen an

announcement for a public hearing, call the clerk of the committee at the phone number listed in the tables above.

Public hearings are usually held in Windhoek. Most public hearings in Windhoek are held in the Parliament building. Public hearings may also be held in several locations around the country, particularly if the issue is controversial or important. The location of the public hearing will be stated in the announcement.

Some hearings last for several hours. They may be held over a period of several days. All testimony at the hearings is recorded, so committee members can review it later.

Attending hearings on a bill will give you an opportunity to express your views on the bill before it is voted on in Parliament. You will be more effective if you are well informed about the proposed bill, the changes you want made and the reasons you think changes are necessary.

HOW TO PREPARE FOR A PUBLIC HEARING

1. Follow your bill through the National Assembly: If you are interested in a bill that is in the National Assembly, follow its progress. You may have to attend sittings of the National Assembly or call the Office of the Clerk of the National Assembly to find out what is happening to the bill.

Secretary of the National Assembly,
Mr. M.K. Ndjarakana
Private Bag 13323,
Windhoek
Tel: 061-2882501

2. Find out if it is referred to Committee: If the bill is referred to a standing committee, find out if the committee will be holding hearings or accepting written submissions. You can call the clerk of the committee and watch the newspapers.

3. Do your research: Get a copy of the draft bill. Bills are only referred to committees after they are tabled, so you can get a copy of the bill from the Table Office or the Speaker's Office of the National Assembly at this stage. If you disagree with an aspect of the bill, be prepared to explain why you disagree and what you think the bill should say. If possible, refer to specific sections of the bill.

Table Office of the National Assembly
Parliament Buildings
Private Bag 13323
Windhoek
Tel: 061-2882528

4. Plan your comments: If you are going to make an oral presentation you should write a summary of what you are planning to say, to make your input as clear as possible. Your summary should include:

- your name, your place of residence, and the name of your organization (if you are representing one)
- whether you support or oppose the bill in general

- a summary of any changes that you are suggesting.

5. Make copies: You should make copies of your comments to give to the committee if possible. If this is not possible, give one copy to the chairperson of the committee.

6. Stick to the time limits: If the committee gives you a time limit (usually five minutes), make sure that your presentation can be given in that time. Make your important points first to ensure the committee hears them before you run out of time. Sometimes the committee allows people to have as much time as they need for their input. Find out in advance if there will be time limits.

7. Be prepared for questions: The committee may want to ask you questions after your presentation. If you rely on facts in your presentation, such as ‘20% of people in Namibia are infected with HIV’, be prepared to tell the committee the source of the facts.

How to participate in a public hearing

Plan your comments in advance. It may help to write them out completely, so you can be as clear as possible when you present them to the committee. If possible, make copies of your written comments and distribute the copies to committee members. If you are distributing written information or written copies of the comments you will present, you can do this before the hearing begins. You can also give your written comments to the Clerk of the committee the day before the public hearing.

If you are not able to attend a public hearing in person, you can still send written input to the Committee Clerk. Make sure that your written comments reach the Clerk by the day before the hearing begins.

When you arrive at the site of the public hearing, there should be an identified place where you must register. You can usually do this about an hour before the hearing begins. The registration list has a space to enter your name, the bill you are speaking on or the subject under discussion, and an indication of whether you are for or against the bill or subject. This registration puts you on the list of speakers, so you will get a turn to give your comments.

After registration, you may be seated in the hearing room, or you may return to the hearing room when the hearing is set to begin.

Remember that if you are attending the hearing as part of a large group, it is a good idea to tell the committee clerk as early as possible. Also tell the committee clerk if you have any special needs, such as wheelchair accessibility. The committee may not always be able to accommodate your special requests, but they will try to help.

The chairperson is the person who presides over the hearing. The chairperson will call speakers from the registration list. Usually, the Members of Parliament who attend the public hearing speak first. The next speakers are usually other officials, representatives from government ministries and agencies, or invited experts and guests.

The standard procedure is that the remaining speakers will be called in the order in which their names appear on the registration list. However, some committee chairpersons prefer to call speakers randomly.

Usually large groups who attend the public hearing together should designate one or two speakers to represent the whole group. This saves time, and also makes the group's suggestions clearer. But a large presence from an organisation can emphasise the degree of support for the group's position.

If several organisations have similar views, they could join forces and choose one or two speakers on behalf of all of them. This can sometimes be an effective way to add emphasis to particular points. If a single suggestion is proposed by 10 or 15 different interested groups, then the committee is likely to consider it very seriously.

Hearings are formal occasions. When others are presenting their views it is expected that the whole audience will listen and not interrupt their presentation.

When your name is called, you will be asked to sit at the speaker's table. If you wish, you may begin your presentation by addressing "Mr. Chairperson", if it is a man or "Madame Chairperson" if it is a woman, then "and members of the committee". This is a formality and not required, but it is polite to do so.

You then should introduce yourself clearly. Mention your place of residence, and the title of the bill or the subject you will be speaking on. Indicate right away whether you support or oppose the bill, and whether you are offering suggestions to change the bill. Then present your comments as you have prepared them.

You should usually keep your comments short. The committees recommend about 5 minutes per speaker, but this will depend on the hearing. If there are formal time limits, they will be announced at the beginning of the hearing.

When you have finished, stay at the table in case committee members or other guests wish to ask questions about your presentation. Once your presentation is finished and you have answered any questions, you can return to your seat and listen to other speakers.

If I make recommendations, will the committee listen?

Both members of the National Assembly and National Council are accountable to the voting public. Therefore they have to do everything in their power to accommodate the public's views and feelings. That does not mean that every suggestion must be included in the final bill. But it means that input from the public is usually considered carefully before the bill moves forward.

5. Follow-up action

After receiving input, the committee studies the bill and the recommendations made to it by experts, the public, and its own members. The committee then prepares a report with

suggestions on changes to the bill, if there are any. This Committee report will be tabled in Parliament.

COMMITTEE REPORTS

Reports from committees of the National Assembly on bills referred to them should contain:

- names of the committee members
- bill number and title
- date the bill was referred to the committee
- issues discussed
- summary of any hearings conducted
- observations
- minority opinion (if any)

Where the committee is split on some issue, the minority group may want to give its reasons for disagreeing with the majority in the report.

- recommendations and reasons for the recommendations
- signatures of all the committee members
- where there was disagreement on some issue, the question voted on by the committee, the name of the member who put the question to the committee, and how the members voted

You should try to get a copy of the official committee report as soon as possible. You can request it from the clerk of the committee. Once it is tabled, you can get a copy from the Table Office. You can then check the report to see if your recommendations have been reported accurately, and if the committee recommended the changes you want.

Table Office of the National Assembly

Parliament Buildings
Private Bag 13323
Windhoek
Tel: 061-2882528

Even if you have not suggested any changes to a bill, you should still check the committee report. The committee have proposed changes to the bill which you might want to oppose.

If you are not happy with the committee's recommendations, then you can lobby Members of Parliament directly -- by requesting meetings with individuals MPs, by making press statements, by writing letters or by distributing a response to the committee's report directly to MPs. If the bill is still before the National Assembly, you can prepare for additional lobbying in the National Council.

CASE STUDY Combating of Rape Bill

Do committee reports really have an impact on a bill? They can. A good example is the Combating of Rape Bill.

The Combating of Rape Bill was tabled in the National Assembly on 3 June 1999. On 11 June 1999, it was referred to the Standing Committee on Human Resources.

The Legal Assistance Centre worked together with the NGOs that are members of the Multi-Media Campaign on Violence Against Women and Children to lobby on this bill.

To alert the public to the contents of the bill, the Legal Assistance Centre published two newspaper articles on the bill while it was before Parliament. They appeared in The Namibian newspaper and were reprinted in Sister Namibia magazine in English & Afrikaans. Copies of these articles were also distributed to Parliamentarians and policy-makers.

In July 1999, the Legal Assistance Centre convened a workshop to explain and discuss the final bill with interested parties. Representatives of 13 groups attended, primarily from the NGO community and the Woman and Child Protection Units. At the workshop, a facilitator from the Legal Assistance Centre went through the bill section by section, to make sure that everyone understood what the bill meant. Then the participants shared their ideas for improving the bill. This exercise workshop revealed that there were many points in common. The workshop decided to draft a single set submissions for presentation to the committee.

The Legal Assistance Centre took minutes at the workshop and then drafted submissions on the common points of agreement. (On points where there was not unanimous agreement, the workshop participants agreed that their groups would lobby independently if they wished.)

The submissions were circulated to all the members of the Multi-Media Campaign on Violence Against Women and Children. They were endorsed by additional members of the NGO community and the Department of Women Affairs (as it then was). The submissions were eventually supported by 20 different organisations.

In the meantime, the Legal Assistance Centre prepared a background document on rape for the Parliamentary Committee dealing with the bill. This document explained the existing law on rape and presented some statistics on rape which had been compiled by the Legal Assistance Centre. This document did not discuss the bill. It was intended merely to offer a factual background which might assist the committee to engage in well-informed discussions.

Public hearings on the Combating of Rape Bill were held in Windhoek in September 1999. The committee advertised that it was willing to hold hearings in regions that submitted formal requests. No requests were received. However, the group submissions included input from organizations outside of Windhoek.

A representative of the Legal Assistance Centre was chosen to give testimony on behalf of the 20 organisations who were making the joint submission. Many of these organisations sent representatives to demonstrate their support for the input. Some people came from outside Windhoek to show that the support was widespread. These statements were the *only* testimony presented to the Committee at the public hearings. The decision on the part of the NGOs to join forces in this way simplified the committee discussion.

The report of the Parliamentary Committee adopted most of the recommendations contained in the group submission. The committee even incorporated portions of this submission word-for-

word into the official committee report. Most of the changes proposed in the group submission and supported by the committee became part of the final law.

The final version of the Combating of Rape Bill was significantly different from the version that was introduced into the National Assembly. This is an example of a situation where a Parliamentary committee was extremely influential in shaping the final form of a bill.

Information provided by the Gender Research & Advocacy Project
of the Legal Assistance Centre

Committees play a vital role in our parliamentary system. It is in committee that much of the work of the Parliament takes place. Committee have to debate policies, help make better laws and oversee the executive. Indeed, committee are critical opportunities to have people's voices heard and to promote good governance.

Hon Kandy Nehova, Chairperson of the National Council
Parliament of Namibia, *Parliamentary Committees,*
Quick Reference Guide, undated.

Sources

NANGOF, *Draft Advocacy Manual*, unpublished.

Parliament of Namibia, *Parliamentary Committee Quick Reference Guide: Tips for Committee Chairpersons and Committee Clerks on Effective Management of Parliamentary Committees;* undated.

CHAPTER 18: THE NATIONAL BUDGET

One issue which always inspires much debate in Parliament is the approval of the national budget each year. All laws and policies have costs, so the national budget will be important to virtually every issue. This chapter will help you understand some of the basics about the national budget. Regional and local budgets work similarly.

1. What is a budget?

A budget is a financial plan of action for some future period. The period is usually one year. The year can either be a calendar year (1 January to 31 December) or a year which begins on some other date, which is called a financial or “fiscal” year. In Namibia the financial year runs from 1 April until 30 March.

On one side of the budget is the expected income or “revenue” and on the other side the planned expenditures.

If the revenue is larger than the expenditures, the government will have a surplus of funds (some money left over). The budget should explain what would be done with the surplus.

If the revenue is smaller than the expenditures, the government will have a deficit of funds (it will need more money than it will have). The budget should explain how the money to pay for the deficit will be obtained.

WHAT IS THE NATIONAL BUDGET?

- a plan for how the government will spend money
Should the government spend money on national defence, education, or health care?
- a plan for how the government will pay for its activities
How much money will the government raise through different kinds of taxes?
- a plan for government borrowing
If the government needs more money to pay for activities then it expects to receive, how will it raise the extra money?
- a historical record
How did the government spend money in the past and how was past spending financed?

2. Function of the national budget

A democratically elected government is accountable to the voters to explain how taxes are spent. The country’s bookkeeping must be open, transparent and comprehensible so that taxpayers and voters can see if their money is being spent wisely.

The government can also use the budget to direct the country's economy. The budget will influence such things as economic growth, employment, the distribution of income amongst the nation's citizens and inflation (the increase in prices over time).

The budget also provides a system of accountability and control over the actions of government. It sets limits on the government's activities and the possibilities for corruption.

A clear budget improves "transparency" and accountability in government. It clearly spells out what is to be done with the available funds. This means that it will be more difficult for politicians and officials using public funds to further their own interests.

3. The budget cycle

The financial year for Namibia runs from 1 April to 31 March. The budget for the next financial year is usually made public just before the new financial year begins, during February or March. The work that goes into preparing a budget starts towards the end of July in the previous calendar year.

Some of the bodies responsible for the different stages of the budget process include the Ministry of Finance (MOF), Directorate of Economic Policy Advisory Services (EPAS), National Planning Commission (NPC), Bank of Namibia (BON), Office of the Prime Minister (OPM), Auditor General (AG), and the Government Garage (GG). The table below shows the role of these bodies in the budget cycle.

THE BUDGET CYCLE			
Stage in Budget Process	Activities	Bodies Responsible	Timetable: Main Budget
1. Policy Framework	1. Outlines the broad goals for the next budget based on current and expected economic conditions.	MOF, NPC, BON, OPM	July
	2. Presentation of policy framework to Cabinet	MOF, EPAS	July
2. Preparation of preliminary estimates	1. Circulate budget to line ministries to prepare and submit estimates of expenditures for fiscal year	MOF	July
	2. Treasury makes own preliminary estimates of requests and ceilings, also of development/capital expenditures on basis of NDP1	MOF	July/Aug
	3. Individual ministries interviewed; requests and ceilings re-adjusted where necessary	MOF, NPC	August
	4. Presentation of guidelines to Cabinet Treasury Committee and Cabinet as a whole	MOF, NPC, OPM, GG	August
	5. Approval of guidelines by Cabinet	Cabinet	August/September
	6. Budget circular and instructions to line	MOF, NPC	September

	ministries to prepare and submit final estimates of recurrent/capital expenditures for FY		
3. Preparation of final estimates	1. Line Ministries prepare final estimates inside guidelines and submit them to MOF	MOF	October
4. Preparation of budget for submission to Parliament	1. Check consistency of estimates; consolidate and update background information	MOF	October
	2. Final tying up of loose ends with line ministries	MOF	October/November
	3. Consolidations and summaries drawn up	MOF	November
	4. Budget document sent to printer	MOF	January
	5. Preparation of budget speech for Minister of Finance	MOF	Jan/Feb
5. Legislation	1. Submission of budget to the National Assembly	MOF	February
	2. Submission of budget to National Council	MOF	March
6. Implementation	1. Issue of warrants; issue of instructions where necessary	MOF	April 01-March 02
7. Auditing	1. Books closed; appropriation accounts drawn up, with justification for over expenditures	MOF	September
	2. Appropriation accounts and supporting documentation submitted to Auditor General	MOF	September
	3. Auditor General reports to National Assembly	AG	March
8. Legislative	1. AG's report referred by National Assembly to Standing Committee on Public Accounts	National Assembly	
	2. Standing Committee on Public Accounts reports back to the National Assembly	Standing Committee on Public Accounts	

The Ministry of Finance, National Planning Commission, Bank of Namibia and Office of the Prime Minister analyse economic conditions and outline broad goals for the next budget. This policy framework is approved by Cabinet. Individual ministries then prepare estimates of their financial needs. Cabinet works together with the Ministry of Finance to refine the estimates so that they will be in line with overall goals and ceilings on expenditures, and consistent with the National Development Plan prepared by the National Planning Commission. Then final estimates of expenditures are prepared by the ministries and checked by the Ministry of Finance, and the budget is ready for submission to Parliament. The budget is usually debated extensively before it is approved. When Parliament has approved the budget, it passes a law called the Appropriations Act which says how much money will go to each ministry.

Additional appropriations

Additional budgets are often announced half way through a financial year. Additional budgets are based on more accurate revenue and spending estimates. This

information becomes available later in the year when updates become available on the state of the economy.

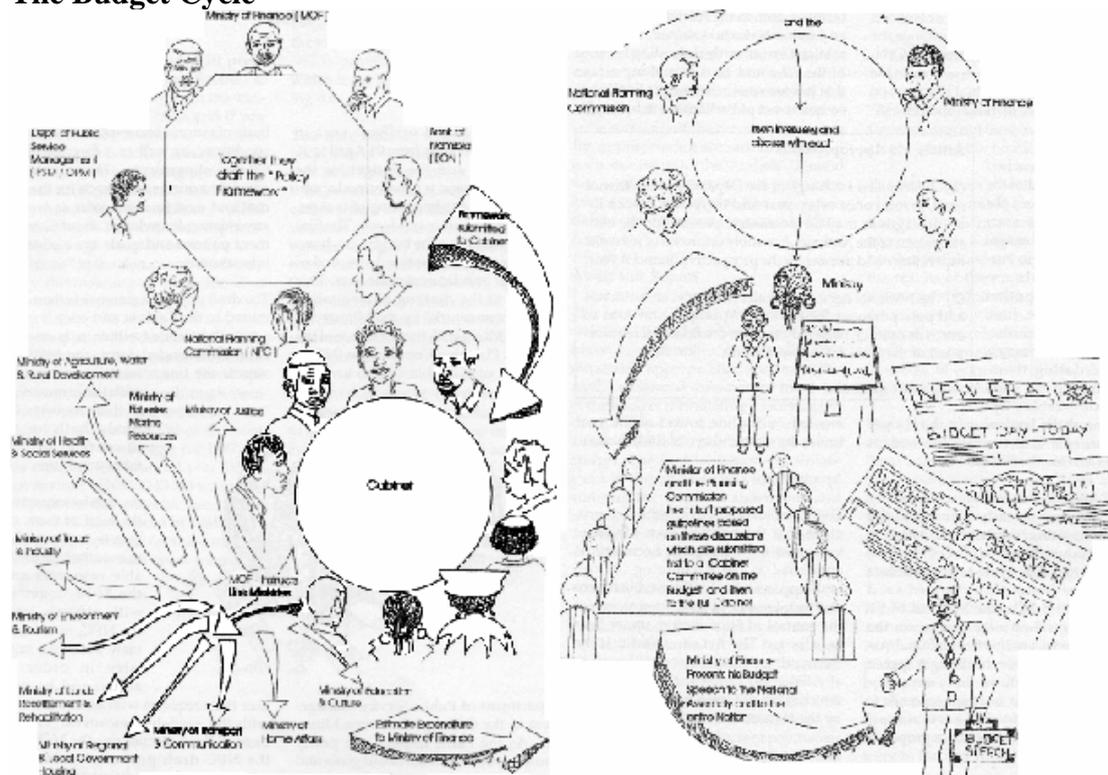
If it becomes obvious that there have been unforeseen changes in circumstances that have affected the forecast of resources and needs, the Finance Minister will table an additional appropriations bill. This bill goes through the same steps as the initial budget. The Ministry of Finance prepares preliminary estimates and then final estimates, with help from the line ministries. Legislation is then drafted and tabled for debate in Parliament. If Parliament passes the bill it becomes an Additional Appropriations Act that covers the time remaining until the next national budget is passed.

Audits

At the end of the financial year, each ministry closes its accounting books, and the year's income and expenditure is audited by the Auditor General. The Auditor-General presents a report on the audit to Parliament.

SIMPLIFIED ILLUSTRATION BASED ON THE ONE BELOW

The Budget Cycle



4. Where does Government get its money?

Most of the government's money comes from the general public of Namibia. The government collects these funds from the public in order to provide services that might not otherwise be available, such as education and police protection. The money that the government receives from the public is called "revenue".

The government's most important source of revenue is taxes. Taxes are payments based on individuals' income and transactions that must be paid over to Government.

For example, the PAYE (Pay As you Earn) payment which is subtracted from most employees' pay-cheques is income tax. The VAT (Value-Added Tax) which is added to the price of your groceries is also a form of tax which is paid to government.

Tax receipts fall mainly into two categories: direct taxes and indirect taxes. Direct taxes are paid directly to Government by individuals or companies. Individuals pay income tax and companies pay company tax. Indirect taxes are added to the prices of goods and services and paid over to Government by the seller. The two major forms of indirect tax in Namibia are value-added tax (VAT) and the levy on fuel.

VAT (Value-Added Tax) is a tax collected at each stage of a process, but only on the value added to the product at that stage of the process. A person who sells flour to a baker adds VAT for the process of transforming the wheat into flour. The baker who provides bread to a shop adds VAT for the value added to the flour by baking it into bread. The shop-owner who sells the bread to the public adds VAT for the value added to the bread by making it available to customers. Each person in the process who collects VAT from the next person in line must pay that VAT over to Government.

A third form of tax is customs and excise duties. Customs duties are taxes on goods which come into Namibia from countries outside of the Southern African Customs Union (SACU). For example, if a television is made in Japan and sold in Namibia, the company that brings the television into Namibia must pay a tax to Government. Excise duties are taxes on certain goods which are produced in Namibia. Excise taxes are often charged on alcoholic beverages, tobacco or fuel (petrol and diesel). The cost of customs and excise duties is usually passed on to the consumer (the person who buys the product) by being taken into account in the sales price.

The Southern African Customs Union (SACU) is an agreement between Botswana, Lesotho, Namibia, South Africa and Swaziland. These five countries form a common customs area. All trade within this area is completely free, but a tax (in the form of customs duties) must be paid on goods entering any of these countries from outside the common customs area. The income is paid into a customs pool and divided between the five members according to a formula the countries have agreed upon.

The government also gets revenue from many other sources. For example, when you pay a fee to get a passport or a driver's licence, this money goes to Government to help fund these services. Companies who mine diamonds and precious minerals in Namibia must pay taxes on these activities.

Government also gets revenue by borrowing money from other countries or from international institutions, and from foreign aid -- donations given by other countries for a specific purpose, usually from developed countries to less-developed countries.

ADAPT ILLUSTRATION BELOW (FROM BUDGET BOOK AT PAGE 26)



5. How Government uses its money

Government must set priorities when it is deciding how to use the money collected from taxes and other sources. Hard choices and trade-offs have to be made.

Hard Choices

- What resources are available or could be created?
- Where should the emphasis be in the allocation of resources?
- What should be done now, what later and what not at all?
- What *can* be done now? Who should benefit and who should do without?
- How can the available resources best be used to meet people's needs?

It is important for government to work according to a rational plan of action. This will ensure that the most important things get done, and that the most urgent things get done first.

You must remember that resources are small in relation to the size and the number of needs. Government will never have enough revenue to do everything that it would like to do. This means that trade-offs must be made. When one category of expenditure receives more, something else gets less. This means the relative importance and urgency of different issues have to be weighed up against each other.

For example, when old age pensions get an increased allocation, there might be less money for schools or hospitals or low-cost housing.

This applies not only between different ministries and functions, but also within ministries. For example, within the Ministry of Health and Social Services, there might be a trade-off between primary and secondary health care. Within the Ministry of Foreign Affairs, there might be a trade-off between establishing new foreign missions and upgrading existing ones.

EXPENDITURE POLICIES

... The demand for additional resources for socially beneficial programmes and projects far exceeds what can be funded sustainably with existing resources. It is, therefore, essential that any additional monies are clearly focused on the Government's priorities Cabinet has also decided to take further measures to avoid unnecessary pressures on scarce resources by:

- *ensuring that proposals with expenditure implications do not reach Cabinet before they have been subject to proper scrutiny by a Committee set up for the purpose;*
- *reducing non-essential expenditure and, in particular, restricting office equipment and furniture to a standard list of items;*
- *announcing a temporary freeze on non-essential vacancies;*
- *instructing Ministries to curb overtime and S&T expenditure, and*
- *reduce overseas travel by 50 percent.*

Within the limited funds available, the Government gives priority to addressing problems of poverty and exclusion. In this regard, Cabinet has already directed that Ministries should give priority, within their ceilings, to HIV/AIDS and human resource development. In this Budget, additional monies have also been made available to:

- *increase the level of social pension by N\$50. (Provision was made in the 2003 Budget to enable the backlog of applications to be cleared.);*
- *improve access to health treatment;*
- *maintain and enhance the operation of the system used to register orphans and other vulnerable children and ensure payments to all entitled to receive them.*

A major cause of poverty is joblessness and lack of economic opportunities in large sections of the population. Government can take steps to stimulate sectors of the economy that are likely to provide increased employment. This year additional funds have been found for:

- *initial mobilization for the Green Scheme to stimulate horticultural production;*
- *funding for the Namibia Tourist Board, which should be supplemented by funding from the industry;*
- *continuing the feasibility studies into waterfront developments.*

Waste, inefficiency, fraud and corruption reduce the amount that the Government can spend on reducing poverty and exclusion. This is particularly important at a time when resources are tightly constrained. To that end, Government has provided additional resources to:

- *enable the Corporate Governance Agency to reach full operating capability;*
- *establish, and mobilise, an Anti-Corruption Commission;*
- *enable the Auditor General to improve the coverage of, and speed-up, his audits.*

In addition, Government has been able to find resources:

- *to improve road safety through the provision of additional vehicles and traffic offices for the Police;*
- *to enable Namibia to play its proper part in the Liberia peacekeeping operation.*

(Those costs should be offset by additional receipts.);

- *to ensure the 2004 elections are run effectively and that all Namibians are encouraged to participate;*
- *in support of a business plan so that Air Namibia can continue to provide access to the country for tourists and those seeking to do business.*

Government of the Republic of Namibia
Medium Term Expenditure Framework 2004/5-2006/7

6. Understanding the budget

If the purpose of the budget is so that voters can see what the Government intends to spend taxpayers money on, why is it so complicated? This is because it is a very detailed document. The budget is a record of all of the money the government intends to spend. The government is a large body with many different ministries and departments. This all adds to the complexity of the document.

Once the Appropriations Bill has been tabled in the house you can get a copy of it from the Table Office. But this bill is only a short summary of the full budget documents. It will not give you much information. If you want to obtain a summary of the budget documents or the budget documents themselves, the easiest way to do that is to contact the Institute of Public Policy Research (IPPR).

You can also get information about economic issues from the Namibian Economic Policy Research Unit (NEPRU).

Institute of Public Policy Research (IPPR)

IPPR is a not-for profit organisation with a mission to deliver independent, analytical, critical yet constructive research on social, political and economic issues that affect development in Namibia. IPPR is independent of government, political parties, business, trade unions and other interest groups.

IPPR has complete sets of budget documents that you can look at in their offices. IPPR also writes summaries of the budget and budget documents. IPPR's research is available to everyone free of charge by email, through the Internet and as printed papers.

IPPR

14 Nachtigal Street

PO Box 86058

Windhoek

Tel: 061- 240 514

Fax: 061- 240 516

Email: info@ippr.org.na

Website: www.ippr.org.na

The following is an excerpt from IPPR's commentary on the 2004/5 budget:

Vote 02 Office of the Prime Minister

The largest single increase of nearly N\$9 million is due to independence celebrations. For the first time the Anti-Corruption Commission and the Central Governance Agency receive allocations of N\$1.9 million and N\$8.5 million respectively. Nothing is allocated to the National Emergency Disaster Fund. The President's Economic Advisory Council continues to receive funding to the tune of just under N\$1 million despite the fact that it appears to be dormant.

Robin Sherbourne, *National Budget 2004/05: Election Fever?*
IPPR Opinion No. 12, March 2004

Namibian Economic Policy Research Unit (NEPRU)

NEPRU was set up in 1990 and is an autonomous NGO that undertakes applied socio-economic, policy-related research for and on behalf of the Government as well as other local and international institutions. NEPRU has an extensive library that is open to the public and a comprehensive website. NEPRU conducts research on Namibian society and economy, and its reports are available to the public.

NEPRU

59 Bahnhof Street

PO Box 40710

Windhoek

Tel: 061-277 500

Fax: 061-277 501

Email: library@nepru.org.na

Web: www.nepru.org.na

General information

The budget is the government's financial plan of action for the year. You can see the government's priorities by looking at the public programmes the government intends to fund. You can also see how the government intends to fund the programmes, whether through taxes or public borrowing. The budget provides you with an opportunity to voice your agreement or disagreement with the government's priorities.

ANALYSING THE NATIONAL BUDGET

The following are some facts about the 2002/3 budget. You can see how examining the budget can tell you about Government priorities:

- The Government's estimated expenditure for the 2002/03 was N\$10.8 billion.
- The Government decided to spend N\$4.77 billion or 44.2% of the budget on social expenditures (education, health and other social services).
- Education was the government's top priority. It accounted for 22.7% of the National Budget or N\$2.5 billion.
- Health and Social Services accounted for 12.7% (N\$1.37 billion) of total expenditure.
- The Ministry of Women Affairs and Child Welfare was allocated N\$96 million, or 0.8% of the National Budget.

- Interest payments on Namibia's ballooning debt increased from N\$650 million to N\$760 million, representing 7% of the national budget.
- Allocation for development projects reached N\$1.6 billion, representing 10% of the total budget in 2002/3.

National Democratic Institute for International Affairs,
Budget 2002/03: A Guide for Elected Officials, April 2002

The speech that the Minister of Finance makes when he or she introduces the budget in Parliament usually highlights significant features of the budget. This speech is usually well-reported in the press. You can get copies of it from Parliament. After the speech has been read in the National Assembly it will be available at the Table Office. The speech is also available through IPPR. It is usually posted on the Parliamentary website.

7. Influencing the budget process

There are no formal avenues for the public to provide input into the budget. At the initial stages of its formulation, the process takes place behind closed doors.

KEY QUESTIONS FOR BUDGET ADVOCATES

- What happens when in the budget cycle? (Refer to the table above.)
- What are the needs of your group, and how should they be prioritised?
- Who can deliver the good or services identified as needed?
- Which other groups share the same or related needs?
- What groups are likely to have different views?

The following is a list of people you can lobby about the budget:

- line ministries
- members of Cabinet
- National Assembly, National Council and their committees
- the media.

President's Economic Advisory Council (PEAC)

In 1997 Cabinet instituted the President's Economic Advisory Council as an avenue for dialogue between the Executive and representatives of regional authorities, business, labour, media, academia, women and youth groups. The PEAC is scheduled to meet twice a year.

President's Economic Advisory Council
 Brendan Simbwaye Square
 Goethe Street

Private Bag 13338
Windhoek
Tel: 062-205 6111
Fax: 061-257 529

Unlike many other countries where the Budget is made public before it is presented in Parliament, the budget in Namibia is made public for the first time when it is tabled in the National Assembly. It is debated and passed by the National Assembly. The National Council discusses the budget only after it has been provisionally adopted by the National Assembly.

The lack of public consultation on the budget will make attempts to influence the budget process challenging. However, the national budget has an effect on most parts of your daily life from roads to education to health care. It is important that citizens learn how the government spends their tax money. It is equally important that citizens tell the government if they disagree on its spending priorities.

8. A new approach to the budget process

[perri-be sure to add this new heading to contents]

The Government is shifting the budget process to a new focus on “outcomes”, which means the benefits to nation’s citizens resulting from the money that is spent.

MOVING FROM DOLLARS SPENT TO OUTCOMES ACHIEVED

In His Excellency President Sam Nujoma’s State of the Nation Address 2001, the President emphasised the need “*to change the budgetary debate from how many millions of dollars each ministry should get*” to a focus on “*the benefits that will accrue to our citizens as a result of outcome-focussed resource allocation decisions*”.

...Poverty reduction and sustainable economic development are among the topmost priorities of the Government of the Republic of Namibia. These objectives are closely linked with positive economic growth, raising the level of employment and reducing inequalities in income distribution amongst our citizenry. My Government firmly believes that economic change encompasses far more than just numbers and statistics.

It should bring about the desirable positive changes in people’s lives. It must change the lives of our people for the better. It is only then that we can talk about socio-economic development.

State of the Nation Address, 4 April 2001

Government has prepared a Medium Term Expenditure Framework which sets out Namibia’s policy and expenditure priorities for the next three years (2004/5-2006/7). All ministries are now required to prepare “Medium Term Plans” which explain in detail how public spending by that ministry will contribute towards achieving Namibia’s national development objectives. Expenditures by each ministry must be motivated on the basis of the impact that the expenditure will have on the economic and social well-being of Namibia’s people. The goal of this approach is to move away from a focus on finances alone, to a more in-depth examination of the results of particular expenditures by analysing the effectiveness of the activities undertaken by different ministries.

For example, the Medium Term Plan for the police component of the Ministry of Home Affairs lists two overall objectives:

Objective 1: To ensure the maintenance of internal security, law and order

Objective 2: To minimise road accidents

There are four priorities for the three-year period which is covered by the plan:

- violent crime
- youth crime
- organised crime
- road offences

There are five programmes which will be implemented to address these priorities. Each programme is presented in terms of the impact it will have in terms of indicators set forth in the Performance and Effectiveness Management Programme (PEMP).

:

Programme 1: Combating of Crime

The purpose of this programme is to ensure community safety and crime reduction. The programme constitutes the core function of the police. Many units involved in crime reduction, which are the backbone of the police, form part of this programme.

The major cost driver is the personnel related expenditures, staffing constitute 67% of the total expenditure of the programme and the relevant goods and services provided to the police for daily running of the institution. Investment in Capital project is one of the major cost drivers.

It is obvious that the strategic goal of community safety and crime reduction will have a positive impact on the PEMP. The projected impact is the increase in the prevention, intelligence, detection, investigation and safety. For example, reduction in serious crime, increase in cases successfully solved and shorten the clearance time for serious crime.

Programme 2: Border Control

The purpose of the programme is to combat crime by border patrol, provide assistance during state of emergencies, possible subversive activities and disasters.

The unit is mainly staffed with ex-combatants. Like most of the programmes, the main cost driver is personnel expenditure and supply of meals.

The Border Control is expected to continue playing a major role in the prevention and detection of border crime. The border crime has been reduced and is expected to continue reducing in the MTEF period, thus impacting positively on the PEMP.

Programme 3: Protection Services

The purpose of this programme is to render protection to His Excellency The President of the Republic of Namibia, visiting Head of States, protection of Prime Minister, Deputy Prime Ministers, all Cabinet Ministers, Political Office Bearers, VIPs as well as protection of key Government installations.

The major cost drivers of the programme are personnel expenditure, meals and other equipment. The sub-programme of improving mobility of the V.I.P. Protection Unit is expected to increase the expenditure over the MTEF period.

The expected PEMP impact will be the adequate protection of very important persons and their properties.

Programme 4: Road Traffic Control

The main purpose of this programme is to minimize road accident. Analysis shows that speed and alcohol are key contributions to road accidents, and these accidents can be reduced through enforcement activity.

The Traffic Police Unit is staffed with approximately one hundred and forty three (143) police officers. The major cost driver is personnel expenditure. Three units are expected to be established in three regions in line with government decentralization policy over the MTEF period. The establishment of new units will contribute to the reduction of road accidents.

The implementation of the road traffic management system coupled with the road safety strategy will lead to the attainment of goals as set in the PEMP.

Programme 5: Administration

The purpose of this program is to advise and assist the Minister of Home Affairs through the Permanent Secretary on relevant laws and order activities, and exercise, control and manage the force in terms of structures, resources, development, administration and operations.

Personnel Expenditure constitutes the highest cost. The top structure of the force is constituted in this programme, thus contributing to higher personnel expenditure costs. The development of staff through existing Police Training Colleges is another major cost driver.

Expected programme changes during MTEF Period: More restructuring of the organisation to realign with the constant changing environment is expected over the MTEF period. For example, the establishment of the gender desk to over-see the implementation of the gender policy and HIV/AIDS programmes.

Projected impact on PEMP: * Improved management and administration through the implementation of proper recording management system. *Improved Service delivery *Improved staff competency and reduced staff days lost through sickness.

The Medium Term Plan lists the total cost of each programme, as well as a breakdown of the costs of each programme. We have reproduced the breakdown for Programme 4 as an example:

PROGRAMMES					
N\$	2002-03	2003-04	2004-05	2005-06	2006-07
Combating of Crime	286 593 000	284 180 000	361 618 000	317 415 000	285 774 000
Border Control	286 596 000	227 075 000	293 039 000	307 780 000	281 623 000
Protection Services	30 744 000	88 414 000	34 604 000	38 656 000	60 228 000
Road Traffic Control	9 397 000	10 731 000	10 690 000	11 166 000	10 360 000
Administration	79 587 000	80 330 000	52 257 000	56 667 000	54 652 000
Total	692 918 000	690 730 000	752 208 000	731 684 000	692 637 000

4. ROAD TRAFFIC CONTROL PROGRAM	2004/2005	2005/2006	2006/2007
4.1 Road Safety Activities	5,416,000	5,650,000	5,243,000
4.2 Road Offences Prevention Activities	5,274,000	5,516,000	5,118,000
GRAND TOTAL	10,690,000	11,166,000	10,361,000

There are specific output indicators for each programme that will be used to measure the effectiveness of the programme. For example, the indicators for Programme 4: Road Traffic Control are:

- number of road accidents
- number of people killed on the roads
- % of traffic fines paid
- % of vehicle occupants not wearing safety belts
- % of road accidents involving substance/alcohol abuse
- number of license checks performed
- % of drivers without licenses
- % of vehicles inspected classified by action taken
- number of traffic accidents where drivers tested for substance abuse

- number of school children trained in road safety
- number of vehicles prosecuted for speeding
- % of traffic law violations successfully prosecuted
- % of available traffic officers time spent on patrol

The plan is to look at these indicators each year to see if the programme is effective in achieving the objective of minimizing road accidents.

The Medium Term Expenditure Framework and the Medium Term Plans of each ministry are published by the Ministry of Finance. These documents are written in a way that is more accessible to members of the public than other budget documents. The Government's new approach to budgeting should encourage more public input into the process.

MEDIUM TERM EXPENDITURE FRAMEWORK AND MEDIUM TERM PLANS

The Medium Term Expenditure Framework and the Medium Term plans of each ministry can be obtained from the Ministry of Finance. Public input is invited:

As part of the policy of openness and accountability, readers are invited to raise queries on the information contained in individual Medium Term Plans with the Ministry concerned.

It is the Government's intention that the quality Medium Term Plans, and the date they contain will improve over time. As part of that effort to improve quality, comments on the format of the Medium Term Plans and the information they contain would be most welcome. They should be addressed to:

Ministry of Finance
Fiscus Building
John Meinert St
Private Bag 13295
Windhoek
email: cclaassen@mof.gov.na

MAINSTREAMING GENDER PERSPECTIVES IN NATIONAL BUDGETS

The work undertaken to bring gender perspectives to bear on national budgets since the mid 1980s has often been rather loosely defined. Initially the initiatives were called "women's budgets"; later they were called "gender budgets" to reflect the ongoing shift from a focus on women to the focus on gender and the relations between women and men. Another commonly used term is "gender sensitive budgets". More recently there is broader use of the term "mainstreaming gender perspectives into national budgets", which is a more appropriate term since the objective is not to produce a separate gender budget but to incorporate relevant gender perspectives into national budget processes.

The objectives of the initiatives have also evolved over time. At the basis of all the initiatives is the need to make national budget processes more accountable from a gender perspective, to ensure that policy and budget decisions take gender perspectives into account and that policies on gender equality are matched with adequate resource allocations. A related objective is to increase women's participation in economic processes.

Mandates

There is a very clear mandate on incorporating gender perspectives into budget processes. For example, the outcome document of the twenty-third special session of the General Assembly to follow-up implementation of the Platform for Action in June 2000 (A/S-23/10/Rev.1) clearly states:

"65. The realization and the achievement of the goals of gender equality, development and peace need to be supported by the allocation of necessary human, financial and material resources for specific and targeted activities to ensure gender equality at the local, national, regional and international levels as well as by enhanced and increased international cooperation. Explicit attention to these goals in the budgetary processes at the national, regional and international levels is essential."

"73 (b). Incorporate a gender perspective into the design, development, adoption and execution of all budgetary processes, as appropriate, in order to promote equitable, effective and appropriate resource allocation and establish adequate budgetary allocations to support gender equality and development programmes that enhance women's empowerment and develop the necessary analytical and methodological tools and mechanisms for monitoring and evaluation;"

Historical development of the initiatives

The attempts to link gender perspectives to national budgets began in Australia in the mid 1980s. The initiative was undertaken within government and was pushed by the national machinery for gender equality. An important feature of the Australian initiative was, however, the fact that all line ministries were required annually to prepare a report on the implications of their expenditure (and sometimes also revenue) for women and men respectively. At the height of the process such reports were prepared for the Federal Budget as well as for the budgets of all states and territories. There was, however, little involvement of civil society in this process and this is often given as one of the main reasons for the decline in interest in the budget initiative - i.e. the lack of demand from outside government. Currently only one territory continues the work. The Australian initiative, however, provided inspiration for many other countries. In 1993 an NGO in Canada undertook a one-off initiative - the development of a women's budget. This initiative was closely linked to releasing resources tied up in the military for development purposes. Canada has no formal budget initiative on gender equality but has done some assessment of the gender perspectives of taxation, as has the United Kingdom.

In the mid 1990s an initiative on budgets was started in South Africa by NGOs, academics and parliamentarians. A "women's budget" was prepared annually for four years and a series of reports prepared in the fifth year. In 1997 some very innovative work was initiated in Tanzania by an NGO - Tanzanian Gender Networking Project (TGNP). This NGO was interested in working in the area of budgets only if the Ministry of Finance was also actively involved. This is probably the best example of real collaboration of government and civil society on bringing attention to gender perspectives in the national budget. Other countries around the world have been involved in similar initiatives in budget processes at different levels throughout the 1990s. It is estimated that efforts have been made to influence budget processes from a gender perspective in many different ways in a total of 42 countries globally. (These include Australia, Austria, Bangladesh, Barbados, Botswana, Brazil, Canada, Chile, El Salvador, Fiji, France, Germany, India, Ireland, Israel, Italy, Kenya, Lebanon, Malawi, Mauritius, Mexico, Mozambique, Namibia, Norway, Peru, Philippines, Russia, Rwanda, St Kitts and Nevis, Scotland, South Africa, Spain, Sri Lanka, Switzerland, Tanzania, Thailand, Uganda, United Kingdom, United States, Vietnam, Zambia, and Zimbabwe. There may be more work carried out in other countries- small initiatives at local level, for example - which is not documented.)

Evolution of approach

Over the 15 years these initiatives have been undertaken, there has been a clear evolution of approach - from, for example, a completely government-led approach in Australia and an externally-initiated approach in South Africa, to a collaborative (joint government and NGO) approach in Tanzania. Initially the focus on analyzing how the budget would impact on both women and men. A further development was the attempt to link the budget to policy statements on gender equality - to point out glaring gaps in allocation of resources to match policy goals. The initial focus in many initiatives was also on the budget at national or state levels but increasing attention is being given to local-level resource allocation processes. The early approaches focused on analyzing the budget already formulated. In recent years there has been a shift to trying to influence the actual formulation of budgets. There has also been a move from an almost exclusive focus on expenditures to including a focus on revenues, including taxation.

An alternative approach to the institutionalization of this work has been developed in the Philippines. Since 1996 every government-related agency is required to allocate at least five percent of their budget for gender equality work. The risks of specifying such a small proportion of the budget have, however, been raised as this could reinforce the marginalization of women in relation to access to resources. Specific support is provided to agencies by the national machinery for gender equality to facilitate implementation of the five percent goal. In other countries, for example in USA, there has been a strong focus on training individuals and groups in civil society, including women's groups and networks, on analysis of budgets and lobbying techniques to influence the formulation of budgets at different levels.

What has become very clear is the need for broad involvement of many actors - government, NGOs, civil society groups, academics, parliamentarians, etc. The need for the Ministry of Finance and other such bodies to be actively involved has also been well established. Since an important basis for the work is a sound knowledge of the gender issues in relation to different sectors, the involvement of women's groups and networks and academics is essential. A number of different activities are involved in the process of applying gender perspectives to national budgets, including research, development of analytical frameworks, development of guidelines and other tools and development and provision of training programmes.

Support for these initiatives

Most of the early work was funded by bilateral development cooperation agencies or other foundations such as Ford Foundation. The Commonwealth became involved in supporting this work in the mid-1990s and has initiated similar initiatives in a number of Commonwealth countries, such as Barbados, Fiji, St Kitts and Nevis, Sri Lanka and South Africa. UNDP and UNIFEM began supporting this work in the mid-1990s. A conference, organized by the Government of Belgium, Nordic Council of Ministers, Commonwealth Secretariat, IDRC and UNIFEM, in Brussels in 2001, called for a global effort to bring greater attention to gender perspectives in national budgets.

UN Office of the Special Adviser on Gender Issues
and the Advancement of Women, January 2001

<http://www.un.org/womenwatch/osagi/gmtoolsnatlbudgets.htm>

CASE STUDY

Women's Budget Initiative in South Africa

Inspired by experience in Australia, only one year after South Africa's first democratic elections in 1995 some of the new female members of parliament and representatives of the NGOs Institute for Democracy in South Africa (IDASA) and Community Agency for Social Inquiry (CASE) got together to found the Women's Budget Initiative (WBI)... In spite of its name, the Women's Budget Initiative does not aim to have a separate budget for women drawn up, but to analyse the **entire national budget** from a gender perspective, and on this basis to change economic and social-policy priorities, and shift funds accordingly in the interests of women.

WBI performs **analysis and lobby work**. Within the framework of gender analyses, women are not seen as a homogenous group, but are differentiated on the basis of other categories such as social class, and racial and regional background. The focus is on poor women. On the basis of data gathered on the life situation and working conditions of (poor) women, WBI examines the expenditure and revenues of all 27 ministries covered by the national budget, and the revenue and expenditure policies of selected lower level bodies for their impacts on (poor) women and men. The results of these studies are published every year. Since 1997, the Ministry of Finance has incorporated the results of the WBI's work in its preparatory work on the budget. The reports on national expenditure policy in terms of various sector authorities are already indicating initial changes in focus in the form of **greater gender and poverty orientation**.

Another important field of work of the Initiative is **sensitisation and training** for state and civil society actors. The main results have been published in three brief, easy to understand brochures entitled "Money Matters", which target the general public. In conjunction with the NGO Gender, Education and Training Network (GETNET) **training modules** have also been developed for workshops on topics such as how to read budgets, how a budget comes to be, instruments for gender analyses and lobby and advocacy techniques...

WBI has achieved renown both in South Africa and at international level, not least because of the extensive documentation it produces on its work. The training programmes and consultancy work of WBI are in great demand from various NGOs and members of parliament at regional level and from gender budget initiatives in other countries. There are, however, also shortcomings in the work of the Initiative, especially in the field of advocacy. A possible reason for this is the sheer scope of sectors in which it operates. Another reason is seen as the inability of civil society organisations to retain an appropriate level of contact with state actors, and thus influence policy-making.

http://www.gtz.de/gender-budgets/english/budgetinitiative_SA.html



Sources

Government of the Republic of Namibia, *Medium Term Expenditure Framework 2004/5-2006/7*.

National Democratic Institute for International Affairs, *Budget 2002/03: A Guide for Elected Officials*, April 2002.

Namibian National Chamber of Commerce and Industry and the National Democratic Institute for International Affairs, *Understanding the National Budget*, 1998.

NANGOF, *Draft Advocacy Manual*, unpublished.

PAGES WHICH CAN BE USED FOR ILLUSTRATION

try to use at least one set

(1) NATIONAL COUNCIL, MEDIUM TERM PLAN

pages 117-121 of attached acrobat document

(2) MWACW, medium term plan

pages 122-127 of attached document

DICTIONARY OF KEY ADVOCACY TERMS

This is a short explanation of some key terms for handy reference. You will find more detailed explanations of most of the terms in the different chapters of the manual.

A

- accountability:** being responsible to another person or group, or to the public
Members of Parliament represent the public. This means that they have a duty to the public to do a good job, and to report back to the public on their actions and decisions.
- act:** a law passed by Parliament
A bill becomes a law when it has been passed by both Houses of Parliament, signed by the President and published in the Government Gazette.
- adjourn:** to end the day's business in a House of Parliament
- adjournment:** when a sitting of a House of Parliament comes to an end
- advocacy:** an effort to influence a law, a policy or some other decision
- agenda:** the order of business for a meeting
The agenda for a meeting will say what things the group will discuss during the meeting, and the order in which these things will be considered.
- ambassador:** a person appointed by the head of a nation to represent that nation in other countries
- amendment:** a proposal to change a law (or some other document or decision), or a change that has already been made
For example, after a Minister proposes a bill, other MPs may suggest amendments.
- appropriation:** authority to spend public money for specific uses
The money for the national budget is approved by Parliament each year in an Appropriation Act.
- assent:** to agree to something
- Attorney-General:** the chief legal adviser to the President and the government
The Attorney-General has a special responsibility to make sure that all laws are in line with the Constitution.
- Auditor-General:** a government official appointed by the President who monitors government expenditure and prepares an annual report for the National Assembly on instances of funds being unlawfully or unwisely spent

B

- backbencher:** a Member of Parliament who is not a Minister or a Deputy Minister
Such members usually sit on benches in the back of the chamber, while MPs who are Ministers or Deputy Ministers sit at the front.
- ballot:** the official paper listing parties or individual candidates in an election
Voters mark their ballots in private and place them in a sealed box at the polling place. Election officials count the ballots later to see how many votes each party or each candidate received.
- bureaucracy:** a system which uses fixed rules and a chain of authority, often characterized by delays or inaction
- bill:** a proposed law
- budget:** an annual financial plan showing expected income and expenditure
The Minister of Finance presents a national budget every year.

C

- Cabinet:** a group of high-ranking government officials who advise the President
In Namibia, the Cabinet is composed of the President, the Prime Minister, the Deputy Prime Minister, and the Ministers appointed by the President.
- candidate:** a person who stands for election to office

casting vote: a vote that can be used to break a tie vote

Casting votes work differently in the houses of Parliament and in committees. In both the National Assembly and the National Council, the presiding officer votes only when there is a tie. In committee, the chairperson has a regular vote, and an extra casting vote in the case of a tie. This is because of the small number of members on committees.

caucus: a closed meeting of MPs who belong to a particular party or a particular subgroup (such as women MPs) to discuss specific matters

Chairperson: * in Parliament, the main presiding officer of the National Council * in other contexts, the person who keeps order at a meeting

The MPs in the National Council elect the Chairperson at the first meeting of a newly-elected National Council. They also elect a Vice-Chairperson to act in the Chairperson's absence.

chamber: the room where an elected body meets

The National Assembly and the National Council meet in chambers at the Parliament Buildings in Windhoek.

citizenship: a status where an individual has a duty to be loyal to a country and is entitled to the rights and protections provided by the government

Persons born in Namibia are automatically citizens of Namibia. People from other countries can apply to become citizens of Namibia by naturalisation if they meet the requirements for Namibian citizenship.

civil society: all the organisations and associations that are independent of the government

Civil society includes the independent media, trade unions, human rights organisations, churches, community-based organisations and other non governmental organisations.

clause: a numbered section of a bill or a law

When discussing a bill, the group may consider it clause by clause.

clerk-at-the-table: the most senior administrative official present in Parliament when it is meeting

This official sits at a table at the front of the chamber.

coalition: a combination of two or more political parties for a particular purpose

COD, UDF, DTA and MAG might form a coalition to oppose a bill amending the Constitution.

committee: a small group of MPs who meet together to discuss bills and other decisions concerning specific topics

For example, the National Assembly has one committee that deals with human resources, equality and gender development.

committee report: written recommendations from a Parliamentary committee about a bill

committee stage: the stage after a second reading of a bill when the National Assembly or the National Council examines a bill in detail, clause by clause

community-based organisations (CBOs): groups which are formed by members of the public to address issues which are relevant to their own communities

common law: a body of legally binding rules developed over time through the decisions of judges in individual court cases

constituency: an electoral district where voters cast their ballot for an individual representative in an elected body

In Namibia, regions are divided into constituencies. The voters in each constituency cast select an individual to represent their constituency.

Constitution: the Supreme Law of Namibia

All laws passed by Parliament must be in line with the Constitution.

D

debate: a discussion of a bill, a policy or an issue

decentralisation: a policy where many forms power and responsibility are shifted from the national government to regional and local governments

democracy: a system of government where supreme political power rests with the citizens of the country

demonstration: a public march, meeting or gathering intended to show support for or against an issue

diplomat: an official appointed to represent a nation in other countries

E

electorate: all persons who are entitled to vote

enforce: to make sure that a law is obeyed or put into action

A law against drunk driving will not prevent accidents if it is not enforced.

executive: one of the three branches of government in Namibia--the President and Cabinet

F

first reading: the first stage in passing a bill – the formal introduction of a bill into Parliament

fiscal year: an annual accounting period which is not necessarily the same as the calendar year

In Namibia, the fiscal year runs from the beginning of March until the end of the next February.

foreign policy: the position that a nation takes in its political and economic relationships with other countries and in world affairs

G

gallery: areas for the public to watch the National Assembly or the National Council in action

gavel: a small hammer used by the presiding officer, who taps it on the table if necessary to get MPs' attention

general election: nationwide election for members of the National Assembly and the President

Government Gazette: a government publication which publishes all laws and regulations, as well as other important information

Any member of the public can subscribe to the Government Gazette.

grassroots: the members of the public whose lives will be affected by a law, a policy or a decision -- the local communities which make up a society

Grassroots organisations "grow" from the ground up. They draw their strength from the communities where they are based.

green paper: a statement of the government's first stage of thinking on a particular policy; an explanation of the government's intentions designed to encourage interested persons and groups to give feedback

The proposals in a Green Paper will often be revised after input is received from various stakeholders. A Green Paper will usually be followed by a White Paper. Ministries are not required to publish Green Papers or White Papers before they propose a law.

H

Hansard: a written record of everything said in the National Assembly and the National Council

Any member of the public can ask to see the Hansard at the Parliamentary Library in the Parliament buildings in Windhoek. Some other libraries, such as the National Library in Windhoek, also order copies. Individuals and organisations can order copies from the Hansard office at Parliament.

Honourable: a title given to an MP so show that he or she is a Member of Parliament

If you are writing a letter to an MP, the polite way to address the letter is to "The Honourable NAME SURNAME".

House of Parliament: one of the bodies which make up Parliament

In Namibia, Parliament has two Houses: the National Assembly and the National Council.

human rights: the fundamental rights which belong to all human beings

I

introduce a bill: place a bill before Parliament for consideration

J

joint committee: a committee of the National Assembly and a committee of the National Council meeting together (jointly) to consider a matter

judiciary: one of the three branches of government in Namibia – the courts

The courts apply and interpret laws passed by Parliament.

L

law: binding rules which govern society

Laws are enforced by the courts.

Leader of the Government Business: the leader of the political party with the most seats in Parliament, elected to manage proceedings in a House of Parliament on behalf of the government

Leader of the Official Opposition: the leader of the political party with the second most seats in Parliament, elected to manage proceedings for that party in a House of Parliament

legal practitioner: a person who is qualified to practice law in Namibia

Both attorneys and advocates are legal practitioners. The legal profession in Namibia is informally divided into attorneys and advocates. Attorneys represent clients directly. Advocates are more specialised legal practitioners who are sometimes asked by attorneys to assist with specific cases.

legislation: laws passed by Parliament

legislature: one of the three branches of government in Namibia--Parliament

lobbying: presenting an opinion to a decision-maker, in an effort to influence the final decision

M

mace: the ceremonial staff which symbolises the authority of the Presiding Officer over Parliament

The National Assembly and the National Council begin their work for the day after the mace is placed on the table in front of the presiding officer.

maiden speech: the first speech of a new member of Parliament

majority: more than half of the people voting

majority party: the political party that wins the most seats in a House of Parliament

manifesto: a written statement of principles and priorities issued by a political party

Voters could read the manifestoes of the different political parties to help them decide which party to vote for.

media: newspapers, radio, television and other forms of public communication

Minister: an MP appointed by the President to head a ministry

Ministers can be chosen from the six non-voting Members of Parliament appointed by the President. They are accountable to Cabinet, to the President and to Parliament.

Ministry: an arm of government created by the President for administering some of the functions of government

The President can adjust the number of ministries and their areas of responsibility from time to time.

MP: a Member of Parliament

motion: a proposal by an MP that Parliament should discuss something or make a decision on something

N

non-governmental organisations (NGOs): groups which are outside government

NGOs are often formed to address a specific issue. Some examples of NGOs are trade unions, groups that provide support services to persons with HIV/AIDS, and human rights groups such as the Legal Assistance Centre.

notice of motion: a notice by an MP of an intention to put a motion before Parliament

O

official opposition: the political party that wins the second most seats in a House of Parliament, after the majority party

All the political parties other than the majority party are known as opposition parties. The official opposition party is the largest opposition party.

Ombudsman: an independent government official who investigates complaints against the government or complaints concerning constitutional rights

order paper: the agenda of business in Parliament for a particular day

orders of the day: the items of business on the order paper

P

parastatal: a company or other body which is partly owned by government

Nampower and Namwater are examples of parastatals in Namibia.

Parliament: the national law-making authority in Namibia, which is made up of the National Assembly and the National Council

Parliamentary privilege: special rights and protections which MPs have to make it possible for them to carry out their duties without interference

The details of these rights and protections are explained in the Powers, Privileges and Immunities of Parliament Act 17 of 1996.

party whip: (also known as a “whip”) an MP elected by his or her party to enforce order and discipline amongst party members

petition: a document signed by members of the public (usually more than one) requesting a particular action or decision

politics: an area of activity aimed at influencing or controlling government and government decisions

polling place: the place where voters go to vote during elections

point of order: an interruption by an MP to raise an issue about the procedures which should be followed in the discussion which is taking place

presiding officer: the official who plays the role of a chairperson by controlling a meeting or some other proceeding

In the National Assembly, the presiding officer is ordinarily the Speaker. In the National Council, the presiding officer is ordinarily the Chairperson.

press gallery: the area set aside for the news media to watch the National Assembly or the National Council in action

principle of a bill: the main aims of a proposed law

private member’s bill: a law proposed to Parliament by an ordinary MP, rather than by a Minister

private sector: individuals and groups outside of government which produce or provide goods and services

proclamation: an official announcement by the President in writing, on something which is within the President’s authority to decide

The dates for each national election are announced by the President in a Proclamation.

promulgation: official publication of a law

A law cannot come into force in Namibia until it is promulgated by being published in the *Government Gazette*. This is because information on laws must be available to everyone – a law cannot be secret.

proportional representation: when voters select a party rather than an individual candidate in an election, and each party sends a number of representatives to the elected body based on the number of votes it received

In Namibia, the National Assembly and local authorities are elected by means of proportional representation. Regional councils are elected on a constituency basis.

Prosecutor-General: the official who is in charge of all criminal prosecutions on behalf of the government

public hearings: open meetings of a committee of Parliament (or some other government body) where members of the public and experts on a particular topic are invited to come and give their views

Q

question time: the time in Parliament when MPs can ask Ministers questions about government activities, and receive replies

MPs who want to ask questions must give advance notice of the questions in Parliament so that the Minister can be ready to respond.

quorum: the minimum number of persons required for a sitting of Parliament or some other meeting to take place

The quorum for the National Assembly is 37 of the 72 voting members. The quorum for the National Council is 14 of the 26 members.

R

readings: the stages a bill passes through in Parliament

No one reads aloud the entire bill at the first, second or third “readings” -- only the title of the bill is read aloud.

recess: the period between sessions of Parliament, when Parliament is not meeting

referendum: a process for deciding a matter through a public vote by registered voters

A national referendum could be used to seek public opinion on a controversial issue.

regulation: a rule issued by an authority in terms of a law

Specific issues that are likely to change from time to time, such as fees for government services, are usually contained in regulations instead of in laws. This way, they can be changed by the body that administers the law without the need for an amendment to the law by Parliament. Regulations, like laws, must be published in the Government Gazette.

repeal: to cancel a law

representative democracy: a country where decisions are made by the people's elected representatives, also known as a republic

republic: a representative democracy, which is a country where decisions are made by the people's elected representatives

resolution: a decision taken by a body such as Parliament

ruling: in Parliament, this term means an official decision taken by the presiding officer on a question about procedure

Sometimes the Speaker rules that certain comments by MPs are out of order because they are not relevant to the debate.

ruling party: another term for the majority party

The political party which controls the government is known as the ruling party.

S

second reading: the second stage in passing a bill – this is the time when MPs consider the general principles behind the bill

Secretary: in Parliament, this is the most senior member of the administrative staff

The Secretary of the National Assembly and the Secretary of the National Council deal with administrative matters. If you have a question about Parliament, one of these Secretaries may be able to help.

section: another word for clause, which means an individual numbered part of a bill or a law

Some laws have over 100 sections, while others have only a few.

select committee: a temporary committee of the National Assembly or the National Council, selected for a special purpose

Sergeant-at-Arms: the officer who leads the presiding officer in and out of the chamber and carries the mace

session: the period between the time when the National Assembly or the National Council first meets until it is suspended for recess.

The National Assembly usually meets for three sessions each year, with the first session beginning around the middle of February.

sitting: the period from the time when the Presiding Officer sits before the National Assembly or the National Council and the time that business is adjourned for the day

A sitting is essentially one day's business in Parliament.

Speaker: the main presiding officer of the National Assembly

The MPs in the National Assembly elect the Speaker at the first meeting of a newly-elected National Assembly. They also elect a Deputy Speaker to act in the Speaker's absence.

stakeholders: persons or groups with a particular interest in an issue

Trade unions, employers' associations and government are all stakeholders on labour matters.

standing committee: a permanent committee of the National Assembly or the National Council

statute: a law passed by Parliament

A law passed by Parliament can be called an "act" or a "statute" or "a piece of legislation". The laws passed by Parliament are spoken of in a group as "acts", "statutes" or "legislation".

state of the nation address: an annual speech by the President to a joint sitting of the National Assembly and the National Council, outlining the state of affairs in the country and the intentions of the government on key issues

The President of Namibia usually makes the state of the nation address on the day that Parliament opens in February.

T

table: to table a document means to put it before a group for consideration

In the National Assembly and the National Council, the document is actually laid on the table in front of the Presiding officer's chair. Once a document is tabled in Parliament, it becomes a public document.

table clerks: administrative officers assigned to a Chamber of Parliament, to assist with the work of the House

They may also be referred to as "Clerks of the Table".

third reading: the final stage of the passage of a bill in Parliament

V

vacating a seat: when an MP ends his or her membership in Parliament, because of death, resignation or some other reason

veto: the President's power to reject a bill passed by Parliament

The President cannot veto a bill that has been passed by at least two-thirds of the members of the National Assembly.

vote: * to choose a candidate or a party in an election * to take a stand for or against an issue in any situation where it has been agreed that the will of the majority will decide the issue *the different parts of the national budget are called votes; for example, each Ministry will be called upon to explain its own 'vote' before the Appropriations Bill that allocates money for the budget is passed by Parliament

vote of no confidence: in Parliament, this is when MPs express their distrust in the ability of an MP or a political party to continue with its duties

W

whip: (also known as a "party whip") an MP elected by his or her party to enforce order and discipline amongst party members

White Paper: a government document outlining a policy on some issue

A White Paper is a detailed policy plan which often forms the basis of legislation. But there is no requirement that a ministry publish a White Paper before proposing a law. White Papers sometimes follow Green Papers, but there is no requirement that a Green Paper be published first.

COMPUTER TERMS

attachment – a document or a photograph that is sent along with an email in electronic form
contact group – a group of email addresses you put together in your computer so that it is easy for you to send an email to many people at once
discussion group, list, mailing list, newsgroup – email systems that send messages from anyone in the group to everyone else in the group
email - electronic mail which goes from computer to computer
internet – a global network of computers
search engine – a tool that helps you locate information from the internet on particular topics
website – a specific piece of information made available on the world wide web
world wide web (sometimes called ‘the web’) – a global database of information accessible through the internet

BUDGET TERMS

budget: an estimate of future income and expenses
Governments, regions, local authorities, companies, organisations and families all use budgets.

capital expenditures: money spent on permanent physical things, such as roads, schools and hospitals
The money spent in building the new State House in Windhoek is an example of a capital expenditure.

current expenditures (or recurrent expenditures): money spent on administration and services; operating costs
Money spent on the salaries of government employees, telephone services and lights and water are examples of current expenditures. Current expenditures usually occur over and over again, which is why they are also called recurrent expenditures.

customs duties: taxes on goods which come into Namibia from another country.
For example, if a television is made in Japan and sold in Namibia, the company that brings the television into Namibia must pay a tax to Government.

excise duties: taxes on certain goods which are produced in Namibia.
Excise taxes are often charged on alcoholic beverages, tobacco or fuel (petrol and diesel).

fiscal year: an annual accounting period which is not necessarily the same as the calendar year
In Namibia, the fiscal year runs from the beginning of April until the end of the next March.

inflation: a gradual increase in the prices of most goods and services over time
For example, inflation occurs when a loaf of bread that cost \$3.00 last year costs \$4.00 this year, and the prices of other goods have risen similarly.

debt: the sum total of money that the government owes to creditors

deficit: the amount of annual government spending in excess of that year's tax receipts, which is usually paid for by borrowing money

Gross Domestic Product (GDP): the value of the total final output of goods and services produced by a nation within a given period, usually a year, not including goods and services produced by its domestic firms in foreign countries.
In recent years GDP has become more commonly used than GNP, to get a truer picture of how a geographical nation is doing.

Gross National Product (GNP): the value of the total final output of goods and services

produced by a nation within a given period, usually a year, including goods and services produced by domestic firms in foreign countries.

revenue: the income that Government receives from the public through taxes and other payments

surplus: the amount of annual government revenue (from taxes and other sources) which is in excess of that year's expenditure; the money which will be left over at the end of the financial year

tax: compulsory payments levied by government on the income and transactions of individuals and companies. Government uses the revenue from taxes for financing its operations.

VAT (Value Added Tax): a tax on consumer goods that is collected at each stage of the production process. VAT is based on the amount of value added to the product at each stage of production, not on the total value of the finished product. VAT is also charged on certain services.

In Namibia, the receipt that you get when you buy something in a shop is supposed to show how much of the price you paid is VAT.

Sources

Parliament of Namibia, *Glossary of Parliamentary Terms*, July 2003.

Parliament of Namibia, *Parliamentary Terms*, www.parliament.gov.na/parliament/ImpDocs/Glossary, November 2003.

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GOVERNMENT MINISTRIES 2004

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Agriculture, Water and Rural Development	Government Office Park, Luther Street Windhoek	Private Bag 13184 Windhoek	Tel. 061-208-7111 Fax. 061-22 9961	www.op.gov.na/Decade_peace/agri.htm
Basic Education, Culture and Sport	Government Office Park, Luther Street, Windhoek	Private Bag 13186 Windhoek	Tel. 061-293-3111 Fax. 061-22 4277	www.op.gov.na/Decade_peace/b_edu.htm
<u>Defence</u>	Sam Nujoma Avenue Windhoek	Private Bag 13307 Windhoek	Tel: 061-204-2005 Fax: 061-23 2518	www.mod.gov.na/ or www.op.gov.na/Decade_peace/mod.htm
<u>Environment and Tourism</u>	FGI Building Post St Arcade Windhoek	Private Bag 13346 Windhoek	Tel: 061-284-2111 Fax: 061-22 9936	www.met.gov.na/ or www.op.gov.na/Decade_peace/met.htm
<u>Finance</u>	Fiscus Building John Meinert Street Windhoek	Private Bag 13295 Windhoek	Tel. 061-209-9111 Fax. 061-23 0179	www.op.gov.na/Decade_peace/mof.htm
<u>Fisheries and Marine Resources</u>	Brendan Simbwaye Square, Block C corner of Uhland and Goethe Streets Windhoek	Private Bag 13355 Windhoek	Tel: 061-2059111 Fax: 061-23 3286	www.mfmr.gov.na or www.op.gov.na/Decade_peace/mfmr.htm
<u>Foreign Affairs</u>	Government Buildings Robert Mugabe Ave Windhoek	Private Bag 13347 Windhoek	Tel: 061 282 9111 Fax: 061 22 3937	www.mfa.gov.na/ or www.op.gov.na/Decade_peace/mfa.htm
<u>Health and Social Services</u>	Ministerial Building Harvey Street Windhoek	Private Bag 13198 Windhoek	Tel: 061-203-2000 Fax: 061 22 7607	www.healthnet.org.na/ or www.op.gov.na/Decade_peace/health.htm
<u>Higher Education, Training and Employment Creation</u>	Government Office Park, Luther Street Windhoek	Private Bag 13391 Windhoek	Tel. 061-270-6111 Fax. 061-25 3672	www.geocities.com/namhest/ or www.op.gov.na/Decade_peace/h_edu.htm
<u>Home Affairs</u>	Cohen Building Kasino Street Windhoek	Private Bag 13200 Windhoek	Tel: 061-292-2111 Fax: 061-24 2766	www.op.gov.na/Decade_peace/mha.htm
<u>Information and Broadcasting</u>	Government Building Robert Mugabe Ave. Windhoek	Private Bag 13344 Windhoek	Tel: 061-283-9111 Fax: 061-22 2310	www.op.gov.na/Decade_peace/info.htm
<u>Justice</u>	Justitia Building Independence Ave. Windhoek	Private Bag 13248 Windhoek	Tel: 061-280-5111 Fax: 061-22 1615	www.op.gov.na/Decade_peace/moj.htm or www.op.gov.na/namcis.htm
<u>Labour</u>	32 Mercedes Street Khomasdal Windhoek	Private Bag 19005 Khomasdal, Windhoek	Tel: 061-206-6111 Fax: 061-21 2323	www.op.gov.na/Decade_peace/mol.htm
<u>Lands</u>	Brenden Simbwaye	Private Bag 13343	Tel. 061-285-2111	www.op.gov.na/Decade

Resettlement and Rehabilitation	Building, Goethe Street Windhoek	Windhoek	Fax.061-22 8240	_peace/lands.htm
Mines and Energy	Mines and Energy Building 1 Aviation Road Windhoek	Private Bag 13297 Windhoek	Tel: 061- 284-8111 Fax: 061-23 8643 or 22 0386	www.mme.gov.na/ or www.op.gov.na/Decade_peace/mme.htm
Prisons and Correctional Services	5 th Floor, Brendan Simbwaye Square Goethe Street Windhoek	Private Bag 13281 Windhoek	Tel: 061-284-6111 Fax: 961-27 2487	www.op.gov.na/Decade_peace/prison.htm
Regional, Local Government and Housing	Government Office Park, Cluster D1 West Luther Street Windhoek	Private Bag 13289 Windhoek	Tel: 061-297-5111 Fax: 061-22 6049	www.op.gov.na/Decade_peace/rlgh.htm
Trade and Industry	Block B, Brendan Simbwaye Square Goethe Street Windhoek	Private Bag 13340, Windhoek	Tel: 061-283-7111 Fax: 061-22 0227	www.mti.gov.na/ OR www.op.gov.na/Decade_peace/mti.htm
Women Affairs and Child Welfare	Juvenis Building Independence Ave. Windhoek	Private Bag 13359 Windhoek	Tel: 061-283-3111 Fax: 061-22 3545	www.op.gov.na/Decade_peace/woman.htm
Works, Transport and Communication	Bell Street Windhoek	Private Bag 13341 Windhoek	Tel: 061-208-8111 Fax:	www.op.gov.na/Decade_peace/works.htm

PARLIAMENT

Parliamentary Information Centre
Robert Mugabe Avenue
Private Bag 13323, Windhoek
tel: 061-2882510
fax: 061-239419
email: parliament@parliament.gov.na
website: www.parliament.gov.na

NATIONAL ASSEMBLY

National Assembly
Parliament Buildings
Private Bag 13323
Windhoek
Tel: 061-288-9111
Fax: 061-22 6899
E-mail: parliament@parliament.gov.na

Secretary of the National Assembly

M. NJdjarakana.
National Assembly
Parliament Buildings
Private Bag 13323
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Tel: 061 288-2501
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Deputy Secretary of the National Assembly

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Speaker's Office

National Assembly
Parliament Buildings
Private Bag 13323
Windhoek
Tel: +264-61-288-2504
Fax: +264-61-231-326

STANDING COMMITTEES OF THE NATIONAL ASSEMBLY

1. Standing Committee on Economics, Natural Resources and Public Administration

This Committee is responsible for government economic policy and promoting the economic development of Namibia. It deals with issues concerning Agriculture, Water and Rural Development; Environment and Tourism; Finance; Fisheries and Marine Resources; Lands, Resettlement & Rehabilitation; Labour; Mines & Energy; National Planning Commission; and Trade and Industry.

Clerk: Mr. B. Karuumbe, Mr. G. Lututu, Mr. S. /Uirab
Tel: 061-288-2540
Email: b.karuumbe@parliament.gov.na, g.lututu@parliament.gov.na,
s.uirab@parliament.gov.na

2. Standing Committee on Public Accounts

This Committee examines and makes recommendations on how the Government spends money. Its areas of concern include local authorities; statutory institutions; Trade & Industry and Works & Transport

Clerk: Mr. I. Nehoya and Ms. M. Hamunghete
Tel: 061-288-2548
Email: i.nehoya@parliament.gov.na , m.hamunghete@parliament.gov.na

3. Standing Committee on Foreign Affairs, Defence & Security

This Committee is responsible for all security matters and related government offices including the Ministry of Defence; the Ministry of Prisons and Correctional Services; the Prosecutor General; Home Affairs; and Namibian Central Intelligence Services (NCIS).

Clerk: Mr. M. Zeraeua, Mr. K. Tjikuzu, and Mr. J. Haikali

Tel: 061-288-2535

Email: m.zeraeua@parliament.gov.na, k.tjikuzu@parliament.gov.na, j.haikali@parliament.gov.na

4. Standing Committee on Rules and Orders

This Committee regulates the rules and general conduct of business of the National Assembly. It reports to the Speaker of the National Assembly, who acts as the Chairperson. The Clerk for this Committee is the Secretary of the National Assembly.

Clerk: Mr. M. Ndjarakana

Tel: 061-288-2501

Email: m.ndjarakana@parliament.gov.na

5. Standing Committee on Constitutional and Legal Affairs

This Committee is responsible for government operations including those of the Ministry of Justice; the Attorney-General; the Electoral Commission; Information and Broadcasting; the Ombudsman; Petitions; and Regional & Local Government and Housing

Clerk: Mr. M. Zeraeua, Mr. A. Mutonga, Mr. E. Rheis

Tel. 061-288-2582

Email: m.zeraeua@parliament.gov.na, a.mutonga@parliament.gov.na, e.rheis@parliament.gov.na,

6. Standing Committee on Privileges of the National Assembly

This Committee investigates and reports on the conduct of MPs of the National Assembly. It reports to the Speaker of the National Assembly, who acts as Chairperson. The clerk of this Committee is the Secretary of the National Assembly.

Clerk: Mr. M. Ndjarakana

Tel: 061-0288-2501

Email: m.ndjarakana@parliament.gov.na

7. Standing Committee on Human Resources, Social and Community Development

This Committee promotes and protects the rights of citizens including those relating to Education & Training; Sport & Culture; employment creation; Health and Social Services; Regional and Local Government & Housing; Women Affairs & Child Welfare.

Clerk: Mr. C. Kanguatjivi and Mr. C. Tjirera

Tel: 061-288-2610

Email: c.kanguatjivi@parliament.gov.na , c.tjirera@parliament.gov.na

NATIONAL COUNCIL

National Council

Private Bag 13371
Parliament Buildings
Windhoek
Tel: 061-2803111 or 237561
Fax: 061-226121

Secretary of the National Council

P. Shimutwikeni
National Council
Parliament Buildings
Private Bag 13371
Windhoek
Tel: 061 202-8015
Email: p.shimutwikeni@parliament.gov.na

Senior Assistant Clerk: National Council

Mr Ephraim G. Jane
Private Bag 13371
Parliament Building
Windhoek
Tel: 061-280-3230
Fax: 061-226-121

PORTFOLIO COMMITTEES OF THE NATIONAL COUNCIL

1. Standing Committee on Public Accounts and Economy

This Committee examines annual reports of the Auditor General, scrutinises the government's financial proposals and fiscal policies, and responds and deliberates on issues falling within the responsibility of the Ministries of Trade and Industry; Fisheries and Marine Resources; Mines and Energy; and Environment and Tourism. It also deals with economic and financial matters.

Clerk: D. Fransman
Tel: 061-202-8136
Email: d.fransman@parliament.gov.na

2. Standing Committee on Constitutional and Legal Affairs

This Committee deals with constitutional, legal, judicial and legislative matters. It deals with affairs that fall under the Ministry of Justice; Office of the Attorney General; Ombudsman; Courts of Law; Legal Profession; Judicial Service Commission and Law Reform and Development Commission.

Clerk: A. Shali
Tel: 061-202-8008
Email: a.shali@parliament.gov.na

3. Standing Committee on Regional Development and Reports

This Committee works with the Association of Regional Councils (ARC) and Association of Local Authorities in Namibia (ALAN); responds and deliberates on issues falling under ministries and other bodies concerned with Health and Social Services; Youth and Sports; Education and Culture; Science and Technology; National Planning; Public Service; Works & Transport; Posts & Telecommunication Services; women and children, the disabled, unemployment and labour relations; Agriculture, Water and Rural Development; Regional, Local Government & Housing; and Information and Broadcasting.

Clerk: M. Bessinger
Tel: 061-202-8132
Email: m.bessinger@parliament.gov.na

4. Standing Committee on Foreign Affairs, Defence and Security

This Committee responds and deliberates on legislation, issues and policies falling within the ambit of the Ministries of Foreign Affairs; Home Affairs, Police, Prisons and Correctional Services; and Defence and Security.

Clerk: V. Nauyoma
Tel: 061-202-8134
Email: v.nauyoma@parliament.gov.na

POLITICAL PARTIES

SWAPO (South West Africa People's Organization)
PO Box 1071
Windhoek
Tel: 061-238364
Fax: 061-232368

COD (Congress of Democrats)
8 Storch Street
PO Box 40509
Windhoek
Tel: 061-256952
Fax: 061-256980

DTA (Democratic Turnhalle Alliance)
PO Box 173
Windhoek
Tel: 061-238530
Fax: 061-226494

UDF (United Democratic Front)
Office 169, National Assembly Building - Parliament
Robert Mugabe Avenue
Windhoek
Tel: 061-2882610
Tel: 061-2882541

Contact person: Gustavine Tjombe

MAG (Monitor Action Group)
PO Box 80808
Windhoek
Tel: 061-25008
Fax: 061-229242

CAUCUSES

Parliamentary Women's Caucus
The Hon. Teopolian Ndeapo Mushelenga, Chairperson
Attention: Mr. Cornelius Vejama Kanguatjivi
National Assembly
Private Bag 13323
Windhoek

COPIES OF TABLED BILLS

Table Office of the National Assembly
Parliament Building
Private Bag 13323
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Charity M. Mwiya
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Parliament of Namibia
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Email: c.mwiya@parliament.gov.na

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Table Office
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Tel: 061-2882528

GOVERNMENT GAZETTES

Government Gazette Office

contact: Ms Isaacs
Private Bag 13302
Windhoek
Tel: 061-239 280
Fax: 061- 221 233

Solitaire Press

13 Industrial Park Newcastle Street
Northern Industrial Park
PO Box 1155
Windhoek
Tel: 061-223466

The publisher is chosen by government tender and changes from time to time.

National Library

Eugene Marais Street
Private Bag 13349
Windhoek
Tel: 061-293-5111
Fax: 061-293-5321

OTHER KEY GOVERNMENT OFFICIALS AND INSTITUTIONS

Office of the Ombudsman

Private Bag 13211
Windhoek
tel: 061-2073111
fax: 061-226838 or 061-220550
email: office@ombudsman.org.na
website: www.ombudsman.org.na/

Office of the Auditor-General

Metropolitan Building
Bulow Street
Private Bag 13299
Windhoek
Tel: +264-61-285-8000
Fax: +264-61-22-4301

Bank of Namibia

71 Robert Mugabe Ave
PO Box 2882

Windhoek
 Tel: +264-61-283-5111
 Fax: +264-61-283-5067
 Email for general inquiries: general.inquiries@bon.com.na
 Website: <http://www.bon.com.na/>

National Planning Commission
 Government Office Park, Block D2 Luther Street
 Private Bag 13356
 Windhoek
 Tel +264-61- 283-4111
 Fax: +264-61-226501
<http://www.npc.gov.na/>.

REGIONAL COUNCILS

CONTACT DETAILS FOR REGIONAL COUNCILS				
Region	Governor	Chief Regional Officer	Address/ Email	Tel./Fax
Caprivi	Mr. B. Sibalatani	Mr. P. Mapenzi	Private Bag 35002 Katima Mulilo	Tel: (066) 259046 or 253016 Fax: (066) 253619
Erongo	Mr. S. Nuuyoma	Mr. T.D. !Gonteb	PO Box 5019 Swakopmund iczmerc@iafrica.com.na	Tel: (064) 405 420 or 405 413 Fax: (064) 405 418
Hardap	Mr. P. Boltman	Ms. T. Basson	Private Bag 2017 Mariental hardaprc@iafrica.com.na	Tel: (063) 240 673 or 240 728 Fax: (063) 240 527
Karas	Mr. S. Goliath	Mr. J. Stephanus	P.O. Box 384 Keetmanshoop karasrc@iafrica.com.na	Tel: (063) 222 068 Fax: (063) 223 538
Kavango	Mr. S. Karupu	Mr. A.T. Makonga	Private Bag 2028 Rundu kavregco@iway.na	Tel: (067) 255 396 Fax: (067) 255 036
Khomas	Mr. J.A. Pandeni	Ms. K. Hainan	P.O. Box 3379 Windhoek krc@mweb.com.na	Tel: (061) 221 441 or 221 442 Fax: (061) 220 317
Kunene	Mr. S. Tjongarero	Mr. E. Nganjone	Private Bag 502 Opuwo kunenerc@iway.na	Tel: (065) 273 139 Fax: (065) 273077
Ohangwena	Mr. B. Mwaningange	Mr. D. Kashikola	Private Bag 2032 Ondangwa	Tel: (065) 263 021 or 263 039 Fax: (065) 263 033
Omaheke	Ms. McClaud	Mr. P.U. Tjihoreko	Private Bag 2277 Gobabis tjihoreko@omrcouncil.com.na	Tel: (062) 563 191 Fax: (062) 562 432
Omusati	Mr. S. Kayone	Mr. G.	Private Bag 523	Tel: (065) 251 019

		Shivolo	Ombalantu	Fax: (065) 251 078
Oshana	Mr. C. Kashiupulwa	Mr. B. Munalye	Private Bag 5543 Oshakati onarcadm@osh.namib.com	Tel: (065) 220 927 or 220 440 Fax: (065) 221 292
Oshikoto	Mr. V. Kamanya	Ms. S. Mupopiwa	P.O. Box 1116 Tsumeb oshikoto@iway.na	Tel: (067) 221 435 or 221 484 Fax: (067) 22 0729
Otjozondjupa	Mr. G. Uushona	Mr. O. Kazombiaze	P.O. Box 1682 Otjiwarongo orregion@iafrica.com.na	Tel: (067) 302 702 Fax: (067) 302 760

Association of Regional Councils

PO Box 3379
Windhoek
tel: 061-246628
fax: 061-220317
email: arc@mweb.com.na
website: www.arc.org.na/

LOCAL AUTHORITIES

There is not enough space to list information about all of Namibia's local authority councils. The following organisations may be helpful.

Association of Local Authorities of Namibia (ALAN)

P.O. Box 2721
Windhoek
tel: 061-240914 or 5
fax: 061-240929
email: alan@iway.na
website: www.alan.org.na/

National Mayors' Forum

CLLR King Mandume Muatunga
Walvis Bay Municipality
Private Bag 5017
Walvis Bay
Tel: 064-201-3268
Fax: 064-20-0804

National Association of Local Authorities Officers (NALAO)

P.O. Box 59/ 80 Independence Avenue
Windhoek
tel: 061-290-2543
fax: 061-290-2344
email: nalao@windhoekcc.org.na

COUNCIL OF TRADITIONAL LEADERS

COUNCIL OF TRADITIONAL LEADERS

Ministry of Regional and Local Government and Housing
Government Office Park, Cluster D21
West Luther Street
Windhoek
Tel: 061-297-5111
Fax: 061-22 6049

INFORMATION ON THE NATIONAL BUDGET

IPPR

14 Nachtigal Street
PO Box 86058
Windhoek
Tel: 061- 240 514
Fax: 061- 240 516
Email: info@ippr.org.na
Website: www.ippr.org.na

NEPRU

59 Bahnhof Street
PO Box 40710
Windhoek
Tel: 061-277 500
Fax: 061-277 501
Email: library@nepru.org.na
Web: www.nepru.org.na

President's Economic Advisory Council

Brendan Simbwaye Square
Goethe Street
Private Bag 13338
Windhoek
Tel: 062-205 6111
Fax: 061-257 529

MEDIA

Nampa

Attention: Mr. T. Katamila News Editor
Cnr Keller & Eugene Marais Street
PO Box 61354
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Fax: 061-221-713

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PO Box 20783
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email: news@namibian.com.na

The Namibian Oshakati Office

Tel and Fax: 065-220 246

The Namibian Swakopmund Office

Haus Altona
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Fax: 064-463-756
email: swakop@namibian.com.na

Die Republikein

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email: republikein@republikein.com.na
email: gert@republikein.com.na (editor)
email: chris@republikein.com.na (manager)

Allgemeine Zeitung

Attention: Allgemeine Zeitung
11 Omuramba Road, Eros
PO Box 86695
Windhoek
Tel: 061-225 822
Fax: 061-220 225

Windhoek Observer

Attention: Hannes Smith (Editor and Writer)
PO Box 2255
Windhoek
Tel: 061- 22 1737
Fax: 061- 22 6098

New Era

Attention: To the Editor

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Robert Mugabe Avenue
Private Bag 13364
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Tel: 061 231 648
Fax: 061-235 419

The Namibian Economist

Attention: To the Editor
7 Shuster Street
PO Box 49
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Tel: 061- 22 1925
Fax: 061- 22 0615
email: daniel@economist.com.na

Namib Times

70 Sam Nujoma Ave
PO Box 706
Walvis Bay
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Fax: 064-204 813
Cell: 081-250 5966
email: namibtimes@namibnet.com (editor)
email: newsdesk@iway.na (news)

Namib Times Swakopmund Office

Tel:061-461 866
Fax: 064-461 866
Cell: 081-129 8707

Namib Times Luderitz Office

Fax: 063-202 561
Cell: 081-284 9229 (Glenn Rispel)

Southern Sun

PO Box 2131
Keetmanshoop
southson@iway.na
Tel: 081-261-7517
email: southsun@iway.na

Caprivi Vision Newspaper

Attention: Postrick Kupulo
Tel: 066- 253 162
Cell: 081-2588781
email: cvnews@iway.na

The Big Issue Namibia

Bahnhof Street
PO Box 97140, Maerua Park

Windhoek
Tel: 061-242-216
Fax: 061 242 232
e-mail: bigissue@iway.na

Sister Namibia

Attention: To the editor
163 Nelson Mandela Ave
PO Box 40092
Windhoek
Tel: 061-230 618 or 230757
Fax: 061-236 371
email: sister@iafrica.com.na

Namibia Broadcast Corporation Radio Centre

Pettenkofer Street
PO Box 321
Windhoek

NBC Radio Service

General Manager: Rector Mutelo
Tel: 061-291 2144
Fax: 061-231 264
Cell: 081-124 9556

NBC National Radio Service

Manager: Corry Tjaveondja
Tel: 061-291 2440
Fax: 061-291 2142
Dell: 081-124 2762

NBC Afrikaans Radio Service

Manager: Gert Rossouw
Tel: 061-291 2328
Fax: 061-244 646
Cell: 081-240 6034

NBC Damara>Nama Radio Service

Manager: Florence Haifene
Tel: 061-291 2450
Fax: 061-291 2137
Cell: 081-279 7658

NBC German Radio Service

Manager: Michaela Jaeger
Tel: 061-291 2004
Fax: 061-231 889
Cell: 081-127 8321

NBC Otjherero Radio Service

Manger: Cecil Nguvavua

Tel: 061-291 2032
Fax: 061-291 2135
Cell: 081-122 3154

NBC Tirelo Ya Setswana Radio Service

Manger: Bonnie Mokhatu
Tel: 061-291 2181
Fax: 061-291 2138
Cell: 081-124 2765

NBC Oshiwambo Radio Service

Acting Regional Manager: John Ya-Kananjembo
Tel: 065-220 451
Fax: 065-221 705
Cell: 081-122 3157

NBC Rukavango Radio Service

Regional Manger: Kosmas Muyenga
Tel: 066-255 118
Fax: 066-255 120
Cell: 081-122 3155

NBC Lozi Radio Service

Regional Manger: Francis Sikumba
Tel: 066-253 029
Fax: 066-253 185
Cell: 081-128 5540

NBC Keetmanshoop Radio Service

Head of Centre: Johannes Isaack
Tel: 063-223 233
Fax: 063-223 243
Cell: 081-124 2763

NBC Otjiwarongo Radio Service

Head of Centre: Tabias Kandanga
Tel: 067-303 761
Fax: 061-302 548
Cell: 081-129 7084

NBC /HA' Radio Service

Regional Manger: Patrick Nzundamo
Tel: 067-244 120
Fax: 067-244 094
Cell: 081-129 7084

Radiowave

Attention: Station Manager
PO Box 9953
Windhoek
Tel: 061-242350

Fax: 061-242322

UNAM Radio

Attention: Mr. Robin Tyson – Station Manager
Private Bag 13301
Windhoek
Tel: 061-206 3111
Fax: 061-206-3908
email: rtyson@iway.na

Namibia Community Radio Network

Matthew Haikali, Coordinator
Contact tel: 081- 255 6295

Katutura Community Radio

Natasha Tibinyane (based at Sister Namibia office)
163 Nelson Mandela Ave, Eros
PO Box 40092
Windhoek
Tel: 061-230 618 or 230757
Fax: 061-236 371
email: sister@iafrica.com.na

Radio Ecclesia (owned by Catholic Bishop Conference)

Attention: Ralf Boll – Station Manager
17 Jan Jonker Road
PO Box 11525
Windhoek
Tel: 061-259 847
Fax: 061-248 126
email: ren@mweb.com.na

Ohangwena Community Radio (owned by the Ohangwena Regional Council)

Attention: Leonard Jona –
Private Bag 3032,
Ondangwa
Tel: 065-263 152
Fax: 065-263 033
email: leonardjona@hotmail.com

Radio Live FM (owned by community members)

Block 253 Alapalace
PO Box 3363
Rehoboth
Tel: 081-279 9662
email: radiolive@iway.na

Channel 7 (owned by an individual)

Hendrik Witbooi Street
Windhoek West
PO Box 20500

Windhoek
Tel: 061-235 815
Fax: 061-240 190

Namibian Broadcast Corporation News

Attention: Mushitu Mukwame Editor
Cullinan Street Northern Industrial
PO Box 321
Windhoek
Tel: 061- 291 3224
Fax: 061- 217 029

Namibian Broadcast Corporation Talk of the Nation

Attention: Helen Shiimbi
Tel: 061-291 3295
Fax: 061-215 349

MORE INFORMATION ON ADVOCACY

Legal Assistance Centre

4 Körner Street
P O Box 604
Windhoek
tel: 061-223356
fax: 061-234953
email: info@lac.org.na

Keetmanshoop Office
Complementary Learning Centre
Cnr Suiderweg & Main Road, Kronlein
Keetmanshoop
tel: 063-223187
fax: 065-223758
email: khpa@iafrica.com.na

Ongwediva Office
ELCIN Centre, Ongwediva
Private Bag X5534, Oshakati
tel: 065-230178 / 230444
fax: 065-230443
email: hrc@osh.namib.com

The Legal Assistance Centre was founded in 1988 by lawyers, church leaders, trade unionists and student leaders who were concerned about the human rights situation in Namibia. The LAC is a public interest law centre and is the only Namibian organisation currently active in this field. As a public law centre, the Legal Assistance Centre seeks *to make the law accessible to those with the least access through education, law reform, research, litigation, legal advice, representation*

and lobbying, with the ultimate aim of creating and maintaining a human rights culture in Namibia.

Democracy Support Centre

Parliament Buildings

PO Box 11713

Klein Windhoek

Tel: 061-231334

Fax: 061-245285

The Democracy Support Centre (DSC) is a partnership of government institutions, academic institutions and civil society, including:

- Parliament of the Republic of Namibia
- Ministry of Regional and Local Government and Housing
- Centre for Public Service Training (UNAM)
- Namibia Media Women Association (NAMWA)
- Namibia Community Radio Network (NCRN - MISA Namibia)
- Namibia Institute for Democracy (NID)
- Legal Assistance Centre (LAC)

The main objectives of the Democracy Support Centre (DSC) are to support and strengthen Parliamentary democracy in Namibia and to foster civil society participation in the policy and decision making process. The DSC seeks to promote a democratic and pluralistic political culture in Namibia, and, most importantly, to challenge citizens to take an active role in society. The DSC will function as a Namibian division of the National Democratic Institute for Democracy in International Affairs.

Ladies and gentlemen, the biggest threat to democracy does not come from the weakness of an Opposition, but from the ignorance of the public about their role in the legislative process. Non-governmental organisations have a very special role to play when it comes to inculcating a democratic culture in society. Knowledge of democratic principles is a pre-requisite for meaningful popular participation. As we move towards the year 2000, and as our people become more politically and socially aware, we will see an upsurge in advocacy groups interested in lobbying to make an active input into the parliamentary process. With this increase in legislative interest comes greater public pressure upon the individual members to “produce the goods” which will satisfy the needs of the citizens. It is therefore, our responsibility as citizens to make a conscious effort to move towards this common goal.

Hon. Dr. Mosé P. Tjitendero, Speaker of the National Assembly
(Opening Address at the Conference on *Building Democracy Perceptions
and Performance of Government and Opposition in Namibia*,
Namibia Institute for Democracy, Windhoek, 30 November 1996)