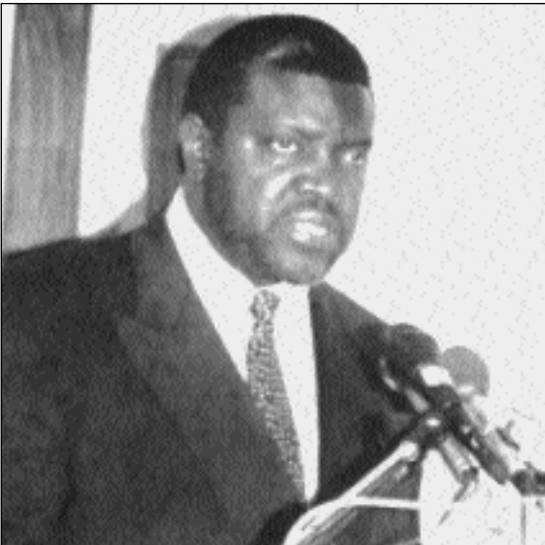


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## **DECENTRALISATION\***

**by the  
Rt. Hon. Prime Minister H.G. Geingob**

As a starting point, we need to ask ourselves some questions: Why do we need to decentralise. Is it because it is in vogue. Or do we see definite benefits accruing from decentralising. Is decentralisation an exercise in democratisation or neo-liberalism or both.



The Rt. Hon. Prime Minister Hage Geingob

I recall that when we were deliberating on Namibia's constitution, we opted to make Namibia a unitary state to promote the concept of one Namibia one nation, as opposed to the concept of balkanisation promoted by the occupation regime. In a country where apartheid had created enormous divisive tendencies in the creation of the so-called homelands, there was a need for the people to identify with one country, Namibia. However, that did not mean that we were against delegation or

decentralisation of authority.

In a unitary state, decentralisation is not automatic as is the case in a federal state. Therefore, for Namibia, as a unitary state, it is a policy issue whether to decentralise or not. But we have opted for decentralisation to enhance democratic participation at the regional and local levels and our commitment is clearly evident from the fact that we have facilitated the enactment of the Regional Councils Act and the Local Authorities Act.

These two acts and the constitution, thus, provide for the devolution of power to regional and local levels within the overall authority of a unitary state. We made these provisions to bring democracy closer to the people so that they

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\*Address delivered at the Ministerial Seminar on Decentralisation on 12 September 1996.

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may have a say in what affects them at the regional and local levels. Ideally, we would like to develop the regional and local authorities' competence to enhance their capacity to manage their affairs. There is certainly a desire in the regions to manage their own affairs. In fact, during my visit to the regions, I have found that the people are demanding more power. We are sympathetic to that. However, there are impediments. We don't have enough technical people at the moment for service delivery, and other infrastructure is not in place in the regions. For instance, if we were to decentralise the issuing of passports, we would need strong-rooms to keep the relevant documents. But such strong-rooms are non-existent in the regions at the moment.

To put the debate in its proper perspective, let us trace the history of decentralisation. The concept of decentralisation was promoted in an area of undemocratic authoritarian regimes. To paraphrase one scholar: Undemocratic authoritarian regimes often promoted inequitable, undemocratic economic and social policies that favoured the interests of the power-holding elite and which centralised decision-making in the hands of authoritarian regimes. Grass-roots movements, local community development organisations, and other non-governmental organisations grew in number as a response to unmet social needs of the economically and politically marginalised. This background also ensured the commitment of democratic countries to decentralisation because they believed that democracy and decentralisation go hand in hand. It should therefore be no surprise to anyone that the founders of Namibia saw it fit to enshrine the democratic principles and the concept of decentralisation in the country's constitution.

Similarly, the business community increasingly advocated neo-liberal economic model which promotes a liberalisation of markets and a reduction in state intervention in the economy. Reduction of state intervention has generally been seen as a precondition to liberalisation.

Thus, both the business community and other communities see reduced state intervention as the best tool for achieving social, economic and political goals. On the other hand, critics of decentralisation claim that at the local level, there is dearth of administrative or technical capacity to take on the responsibility of service delivery and revenue-raising. Further, if mechanisms for widespread participation in policy making are not in place, decentralisation only creates a local elite power base. Also, regional and economic imbalances make decentralisation more attractive to wealthier

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municipalities than to the poorer municipalities. Finally, it may not be more efficient to decentralise service delivery in every sector. Everyone of these criticisms of decentralisation is valid and will need to be addressed at this seminar.

In our context, we must also address the question of whether we, as a society, are ready for decentralisation now, or must we go through the process of deconcentration, delegation and selective devolution before decentralisation becomes a reality.



In Namibia, decentralisation is a constitutional requirement and therefore, it is the government's policy to work towards decentralisation. As I have already stated, decentralisation was enshrined in our constitution because Namibians had been the victims of authoritarian regimes. At the time of independence, we were faced with having to change society overnight from a racist to a non-racist society, from dictatorship to democracy, from colonial government to independent government, and from one which caters for a

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minority to one which caters for all its citizens. Therefore, decentralisation is, for us, synonymous with democracy.

The critics of decentralisation, too, have a point because apartheid has left in its wake scars of socio-economic imbalances which will take years to correct, and impoverishment which even developed economies would have a hard time to redress. And yet, that is what we have to do. However, not everything can be done at the central level, nor should it be because social, economic and political goals at local level can be achieved more efficiently and effectively if we involve those closest to the problem, those directly working on the solution. How, you ask.

Well, it has been observed by social scientists that, and I paraphrase: Decentralised institutions are far more flexible because they can respond quickly to changing local needs. If decisions are made by going up and down, the response time becomes slow. Second, decentralisation institutions are more effective because they are composed of the people who are close to the problem and have knowledge and authority to effect the quality and speed of service delivery. Third, decentralised institutions are more innovative as they have less cumbersome bureaucracies. Fourth, decentralised institutions are more productive, have higher worker morale and greater employee commitment. If workers are given the tools and the authority to do their jobs better, they will. In summary, decentralisation of authority is the key to the effectiveness of our government institutions, from the central government on down to the local level.

That is why I am very pleased that the Minister of Regional and Local Government and Housing has initiated a policy review which has resulted in the draft you are going to discuss today.

I am also very pleased that this process has been and continues to be a highly consultative one, with the regional councils, sector ministries, permanent secretaries and now all ministers being part of the consultative process before formal submission to Cabinet. Participative policy making is the only way to make a successful policy.

I am sure that you will emerge from the seminar with a common understanding of issues that are relevant to our condition, an agreement on how to move forward, and what each ministry has to do to ensure that the process is not hampered by unnecessary bureaucracy. I know that many

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independent sectoral policy initiatives are proceeding in different ministries. There should therefore be rationalisation of such initiatives, including legislative changes, where necessary, to ensure that decentralisation, as we want it, proceeds without hindrance.

As I have already mentioned, your task is not debate whether or not to decentralize but how to go about it, how fast, and with what resources.

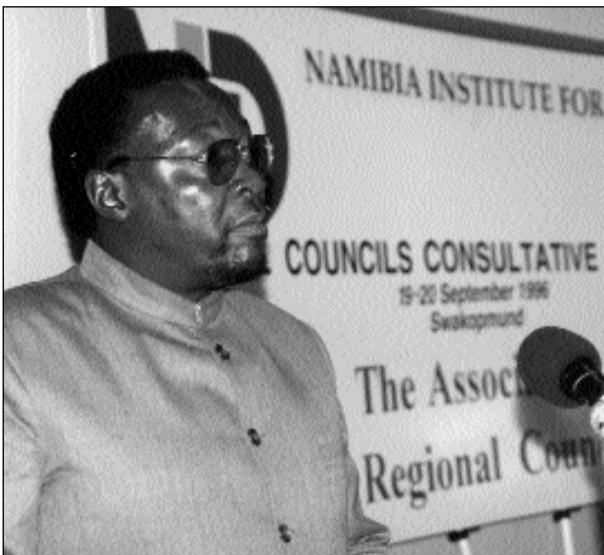
I do not wish to pre-empt any discussion you are going to have, but I find the comprehensiveness and depth of the draft policy document reassuring. While policy making and review are an on-going process, this will certainly give us a good start in the implementation of the policy of decentralisation.

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## WELCOMING SPEECH

**Hon. A.K. Kapere**  
**Governor: Erongo Region**

- \* Master of Ceremonies
- \* Honourable Minister of Regional, Local Government and Housing, Comrade Nickey Iyambo
- \* Honourable Minister of Lands, Resettlement and Rehabilitation Comrade Pendukeni Ithana
- \* Honourable Chairperson of the National Council Comrade Kandy Nehova
- \* Honourable President of the Association of Regional Councils in Namibia and the Governor of Khomas
- \* Honourable President of the Association of Regional Councils in Namibia and the Government of Khomas Regional Council Cde John Pandeni
- \* Honourable Governors, and Councillors from various regions
- \* Honourable Members of the Executive Association of Regional Councils
- \* Professor Gerhard Tötemeyer
- \* Members of the Diplomatic Corp and NGO's represented here
- \* Members of the Press
- \* Distinguished Guests, Ladies and Gentlemen,



As the host to this conference, the people of Erongo Region and myself are proud that Swakopmund, one of the beautiful towns of Erongo Region has been selected as a suitable venue for this very important and historic conference of the Association of Regional Councils in Namibia.

Hon. A.K. Kapere  
Governor: Erongo Region

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Your presence here today is held in very high regard. Therefore, I deem it a privilege and honour to extend a most cordial welcome to you all, most particularly the Minister of Regional and Local Government and Housing Dr. Nickey Iyambo and in the same vein congratulate him for his new portfolio.

I also convey my warm welcome to the Honourable Minister of Lands, Resettlement and Rehabilitation Cde Pendukeni Ithana, who despite her busy schedule decided to come to this conference. The same heartfelt welcome is extended to all highly esteemed invited guests and participants. Without your presence here, this conference would not be going to take place and we are grateful for your positive response, thereby making this conference a success.

This Regional Consultative Conference of the Association of Regional Councils has just come at the right time when the Government of the Republic of Namibia is entering a crucial phase towards the finalisation of decentralisation policy.

The Regional Council's system is turning four years at the end of this year, meaning that the Regional Councils system has taken root and that Regional Councillors and officials are by now familiar with the way in which the Regional governments function.

Therefore, to strengthen the democratic machinery the Regional Councils here in Namibia are ready and prepared to accommodate the process of decentralisation and/or the devolution of power by the Central Government.

This readiness by the Regional Councils to embrace the process of decentralisation in practical terms is of importance for the following reasons:

1. The Councils will be responsible in the decision making process in terms of planning, budgeting, facilitation of programmes and will be accountable for whatever results accrued from such decisions and actions.
2. Regional, local authorities and sectoral governmental departments will co-operate and co-ordinate their planning activities.
3. Participatory democracy will be enhanced, bringing the Government closer to the people for self determination and dignity.

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Master of Ceremony, the expectations of Regional Councils do not differ from that of the Central Government. They are both geared towards the upliftment of the socio-economic status of the Namibian people. The only limiting factor is that the line ministries up to date have concentrated on the process of deconcentration, rather than decentralisation. This causes frustration and despair amongst the Councillors.

It is my sincere belief to say that the decentralisation process is the ultimate solution to popular participation, meaning that the process of bottom-up planning will be a total reality.

The argument might be that all Regional Councils are not ready yet, that the Central Government could more effectively exercise its authority through the regulation of behaviour and the allocation of resources, (i.e. human, material, and financial) to the Regions.

But I would like to say that the argument is a deliberate attempt to ignore or to underplay the relevance of Regional Council's, thus preventing democracy at the local levels which also hampers development in general.

Master of Ceremonies, I trust that this conference will frankly discuss, debate and touch the points of grave importance, and come up with the recommendations and conclusions that will assist the Central Government to make the process of decentralisation in practical terms a reality.

I thank you.



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## WELCOMING REMARKS

**Dr. B.K.H. Dobiey**  
**Konrad Adenauer Stiftung**

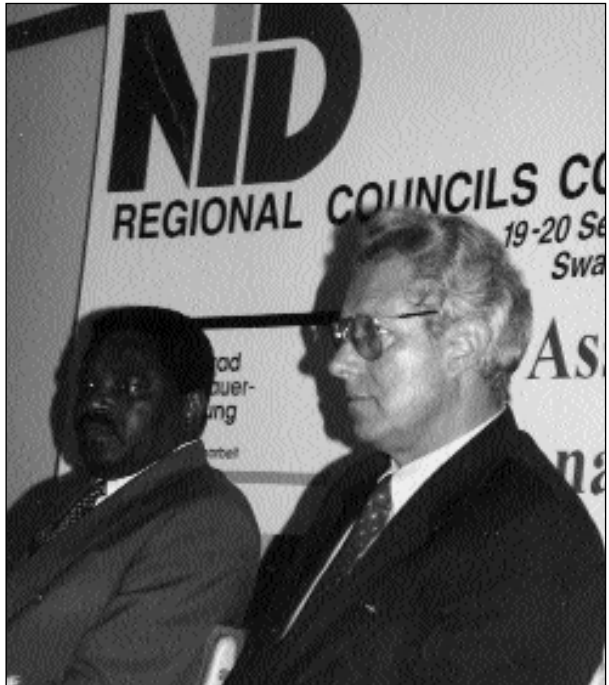
I am very pleased to have the opportunity to make some remarks today on behalf of the Konrad Adenauer Foundation at the beginning of this conference.

As many of you will know, the Konrad Adenauer Foundation sponsored the launching congress of the Association of Regional Councils in Namibia (ARC) in Tsumeb last year as well as the handbook on this historical event.

Already at that time I promised that my Foundation will remain committed to the goal of decentralisation and will continue to support the interests of the Association of Regional Councils.

Therefore, I am very happy that our partner, the Namibia Institute for Democracy - in co-operation with ARC - has initiated this Consultative Conference.

In my opinion, the timing of this conference could not have been a better one: Last week a ministerial seminar in Windhoek discussed a draft on the decentralisation policy of the government, and



Hon. Dr. N. Iyambo,  
Dr. B.K.H. Dobiey

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today the newly-appointed Minister of Regional, Local Government and Housing, Hon. Dr. Nickey Iyambo, is here with us and will certainly outline his policy on decentralisation in his keynote address.

I am convinced that today's conference can and will contribute substantially to the future shaping of decentralisation in Namibia.

Please let me emphasise that the Konrad Adenauer Foundation is strongly committed to the principle of decentralisation - and I would also like to point out that the Friedrich Ebert Foundation shows the same commitment in its work in Namibia.

This is not just a coincidence since decentralisation, devolution of power and subsidiarity are deeply embedded in the German political system.

The principle of decentralisation is a fundamental one for the structure of the Federal Republic of Germany and it contributes decisively to the stability and success of this country. The main reasons for this are the following:

- Decentralisation brings self-administration and self-governance closer to the people, thus making use of the talents and expertise of many people at grass-roots level who know best their local problems and also the path to their solution.
- Decentralisation takes into account the fact that there is diversity in unity, meaning that different regions, different groups of people with different interests do exist - which means that special measures have to be taken to accommodate their respective needs. By addressing the different interests in an appropriate way as well as making full use of local expertise, public services can be delivered in an optimal way. As a result, a country and its society enjoy an increase in efficiency and stability.

That is why the people in Germany embrace the principle of decentralisation as beneficial and as serving their interests.

Last but not least, decentralisation leads to a high degree of human participation, thus strengthening the issue of democracy and development by participation:

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- In a democracy the people are the most important holders of power.
  - Decentralisation aims at people getting directly involved in their own regional and local affairs.
  - Therefore, it can be said that decentralisation is the best school for democracy.

Let me conclude with the words of Hon. Prime Minister Hage Geingob, spoken at the ministerial seminar of last week, where he referred to the constitutional, legal and political commitment of the government towards a policy of decentralisation, saying (and I quote):

“We made these provisions to bring democracy closer to the people so that they may have a say in what affects them at the regional and local levels”.  
(end of quote)

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## OPENING REMARKS

**Governor John Pandeni**  
**President: ARC**

- The Honourable Minister of Regional, Local Government and Housing, Hon. Dr Nickey Iyambo
- Honourable Minister of Lands, Resettlement and Rehabilitation
- Hon. Pendukeni Ithana
- National Council Chairman, Cde. Kandy Nehova
- Honourable members of the CEC of ARC
- Honourable Governor of the Erongo Region, Cde Kapere
- Honourable Governors/Councillors
- Prof. Tötemeyer, The Director of Elections
- President of ALAN, Rev. P. Goagoseb
- Representative from the Konrad Adenauer Foundation, Dr. B. Dobiey
- Executive Director of NID, Mr. T. Keulder
- Members of the Media
- Comrades and Friends
- Ladies and Gentlemen



Now that we all have received a warm welcome from the Governor of our host Region I would like to use this opportunity in my capacity as President of ARC to welcome all of you once again in your respective capacities for availing yourselves and your services by attending this consultative conference.

John Pandeni - President: ARC

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Your presence here today is a demonstration on the importance you attach to the deliberations you are about to start as well as your commitment to entrench Democracy and Development at the grass-roots of our people.

Honourable participants, allow me at this point in time on your behalf and indeed on behalf of the Association to congratulate the Honourable Dr. Iyambo for his new appointment at Minister of Regional, Local Government and Housing. Honourable Minister, we feel very much honoured to have you in our midst at a very crucial moment when the issue of decentralisation is the centre of discussions at National as well as Regional levels.

This conference therefore comes at an opportune moment when the MRLGH is busy preparing the necessary policy framework in order to implement the process of decentralisation. The essence of our Democracy lies in the principles of community participation in development. The National Development Goals and Targets as contained in NDP1 stipulating the following goals:

- \* Reviving and sustaining Economic Growth
- \* Creating Employment
- \* Reducing Inequalities in Income Distribution
- \* Reducing Poverty

are geared towards successful implementation if and when the human person is placed at the centre of it. In our opinion, what central Government has in mind as objectives to reach those goals such as creating employment is to have the required institutional establishment resource allocations and implement specific programmes in order to address issues like:

- \* increase formal employment by a certain percentages or number.
- \* increase informal employment including subsistence agricultural employment.
- \* reducing population growth rate.
- \* empowering women, youth and other marginalised/disadvantaged groups.

If that is the correct interpretation then the issue of decentralisation will help to realise those ideals.

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## **Capacity of Regional Councils**

Decentralisation will take decision making functions, financial support mechanism, administrative technical and professional know-how as well as the planning capacity support base to the Regions and therefore closer to the people. This in itself will create and improve the capacity of Regional Councils through the cooperation and closer consultation with line Ministries parastatals and to a certain extent with NGO's and the Private Sector.

## **Sources of Revenue of Regional Councils**

The success of the process of decentralisation depends on the extent at which central government is prepared to devolve functions and services coupled with the essential personnel who are having the required skills and know-how on the one hand while the other financial support base needs to be made available to the Regions to enable them to finance those decentralised functions and services.

In other words the implementation of the process of decentralisation requires central Government and in particular the MRLGH's attention in terms of planning and Budgeting. Decentralisation cannot be tackled at Regional level because the question might arise. Decentralised where to and from where?

Sources of finance to the Regions at the moment is not only inadequate but to some Regions is non-existent. However, this problem cannot be successfully tackled through a system of pooling together the inadequate sources and hope to make them adequate.

From the above it requires to be clear that the implementation of Article 108 of the Constitution of the Republic of Namibia, the acceptance and implementation of the long overdue Swakopmund Report on Sources of Revenue for Regional Councils and the idea to establish a special fund in addition to the existing available source of finance remains crucial to a successful decentralisation.

This conference is expected to deliberate and come up with clear policy guidelines which are central to the issue of decentralisation.

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Regional Councils by Act are to undertake the planning of the development of their regions with a view to the general land utilisation pattern to mention some of its duties.

The presence of the Honourable Minister of Lands, Resettlement and Rehabilitation the Hon. Pendukeni Ithana is a crystal clear demonstration of her Ministry's recognition of the important role regional Councils can play in the process of land utilisation and distribution.

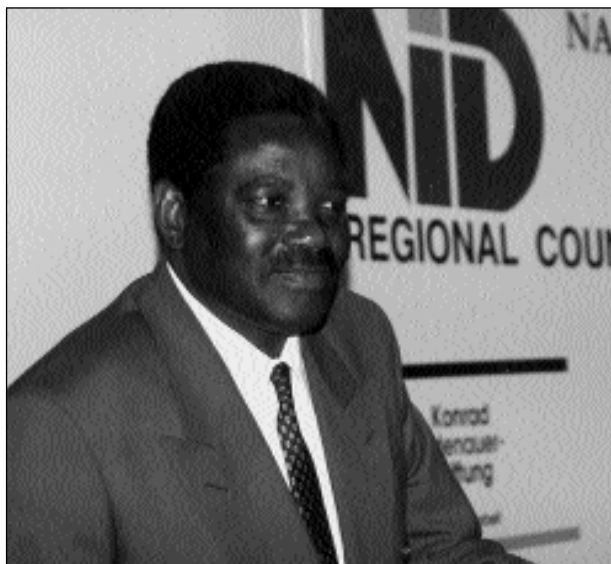
This conference was made possible by the generous sponsorship of the Konrad Adenauer Foundation which through the NID has clearly demonstrated their support on all efforts aimed at entrenching Democracy at grass- roots level to ensure community participation. We thank them very much and would like to indicate on the onset your organisations have indeed invested in the people of Namibia.

Having said this it is now my honour to introduce once again our guest of honour Hon. Dr. Nickey Iyambo, who has been invited to deliver a key note address at this important conference and in conclusion wish all participants constructive deliberations.

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## **ADDRESS BY THE MINISTER OF REGIONAL, LOCAL GOVERNMENT AND HOUSING: HON. DR. NICKEY IYAMBO**

- Mr. Chairman, Chairman of the Association Regional Councils
- Chairman of the National Council
- Honourable Governors
- Regional Councillors
- Permanent Secretary of the Ministry of Regional Local Government and Housing
- Ladies and Gentlemen



Hon. Dr. N. Iyambo, Minister of Regional and Local Government and Housing

As you can see I am not Dr. Libertina Amathila whom you have invited, although of course I am the Minister of Regional Local Government and Housing, hence I am here. I am pleased to honour her appointment with you as I am sure she is honouring my appointment with other people right now.

This is an exiting time to join this ministry as a minister given all the developments that have been going on in terms of policy.

From the briefing I have received and what I know from the vantage point of

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my former Ministry, this policy process is a first in our system in terms of the approach adopted. The Ministry set up a task force within the Ministry to examine the entire basis of decentralisation and the progress of its implementation since the enactment of the relevant acts reviewed the main obstacles to implementation through extensive consultation, and set out to develop the way forward.

I am advised that a consultative meeting with Regional Governors and Regional Officers was held in July 1996. In this meeting, the representatives of the Regional Councils came out with a draft outline policy, containing not only all the functions which they believed could be immediately decentralised, but also those which they felt should be considered for medium and long term decentralisation, as well as suggestions for coordination at regional level of those functions not immediately made the direct responsibility of the regions. At this reportedly successful consultation, following agreement on all the key issues, all the participants, except one, endorsed the agreement and undertook to brief their colleagues directly and through ARC and urged the Ministry to proceed with haste to enact the policy. The Ministry, in its turn promised that, while it did not guarantee that the suggestions would be accepted as they were, the Ministry would do all in its power to steer the proposals through the Governmental system until consensus was built around the thrust proposed by the Regional Councils and by and large endorsed by the Ministry.

This consensus building throughout the system has taken place. Although necessarily rapidly, it was exhaustive. Numerous meetings and consultations have been held with central and line ministries and government agencies, discussing both the policy proposal in general and detail related to functions being decentralised which affect them. The result is that there is now more understanding of and support for decentralisation than ever before. A seminar for Permanent Secretaries was held in August 1996 at which there was endorsement of the proposed policy. All written submissions received, apart from specific questions or comment on detail, were extremely supportive of the policy proposal. In this regard I must acknowledge the written submission of ARC, which expressed overall support for the policy proposals. The specific issues raised therein we have agreed with and have made necessary adjustments, except of course the issue of resource sharing at the national level where there is still a difference of approach although the objective appears to be shared.

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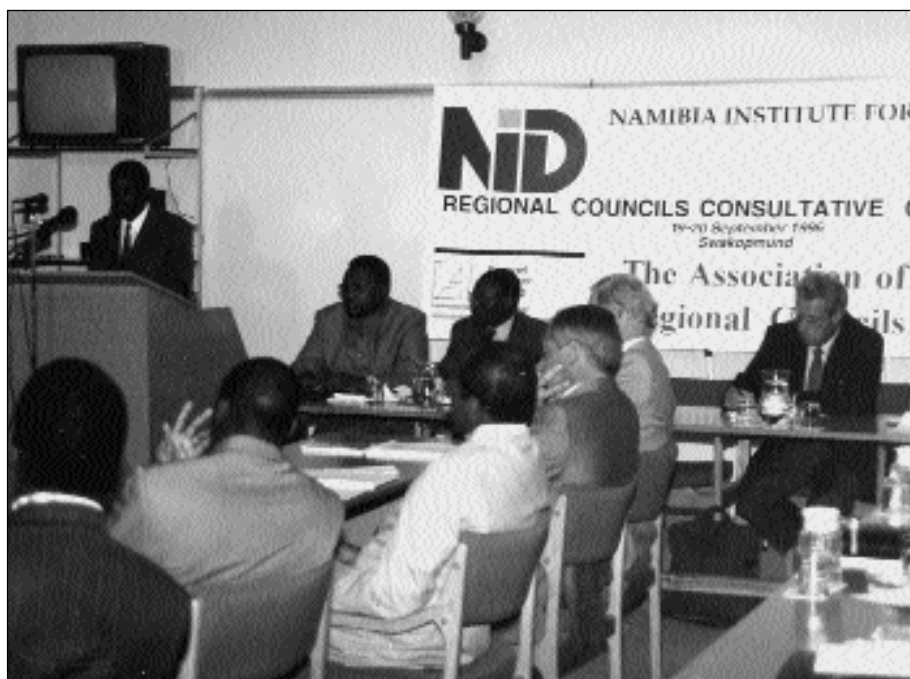
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The last thing my colleague did before she left was holding one of the most important consultations of them all, a ministerial seminar on the decentralisation policy. I am pleased to inform you that even though I was not there personally, most of the Ministers attended and there was a resounding endorsement of the policy by the Right Honourable Prime Minister and all the Ministers present and the National Planning Commission.

There are therefore very few stakeholders who can claim to have been left out.

So what we have today is a document, the core substance of which originated in a seminar for Regional Councils, organised and funded by the Ministry of Regional, Local Government and Housing, for the purpose of policy making, and which document has obtained massive consensus at regional and national level.

Let me therefore highlight to you the key elements of this policy: First on analysing the constitution and studying the various options of decentralisation open to us, it has been concluded that, for Namibia the



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choice of model of decentralisation is devolution of power to regional and local authorities within the context of a unitary state.

Because devolution is not easy and capacity building is necessary, the decentralisation process will be done in phases and systematic stages within these phases but once launched it will be continuous.

Institutional and organisational change at both regional and central levels will be necessary and will be carried out as soon as possible.

Because decentralisation will necessitate several changes in the entire government, there will be legislative change and other rationalisations to ensure that both the decentralisation law and the sectoral enabling laws are in accordance with the policy.

Decentralisation is envisaged to be cost effective in that, in the long run it will be cheaper than central government delivering services from the centre.

I think it is appropriate at this juncture to thank and congratulate the Regional councils for the vital role they have played in this exercise, in particular the seriousness with which they have treated this whole process, which set the tone for the rest of the process. It is not easy in the policy process to come out at the end with everything which one has asked for. In this case, as far as decentralisation is concerned, you have.

Let me remind you that the policy process is a continuous one, which does not close. So we should not be desperate to put in everything under the sun in case we never have another opportunity.

In our decentralisation programme the Regional Councils are very important because they represent the areas where our people mostly live and because our history has been neglected. It is therefore important for the government to maintain an active developmental dialogue with your councils and I as Minister of Regional and Local Government and Housing and on behalf of Central Government will keep my doors open for interaction with you.

I look forward to Cabinet adoption of this policy and finally to its successful implementation. In conclusion I wish you a successful seminar.

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## **SPEECH BY THE MINISTER OF LANDS, RESETTLEMENT AND REHABILITATION MS PENDUKENI IIVULA-ITHANA**

- Honourable President of the Association of Regional Councils in Namibia
- Honourable Regional Councillor's
- Invited Guests
- Ladies and Gentlemen

It gives me pleasure to be here amongst you today to talk about an issue close to all of us, namely the crucial issue of Land reform and Land administration.

Since 1990 my Ministry has been tasked to deal with all land-related matters and to resettle the landless people in our country. We all know that the struggle for independence was about land. However, to ensure proper administration of land there is a need to create a proper legal framework within which the questions of land acquisition, land redistribution, land management and allocation will be addressed. The aim of the Policy is to



provide the basis for national consultation, from which a clearly spelled out land policy for Namibia can be adopted. An extensive Programme of consultation has begun through which we envisage to get, at the end of the day, consensus opinion that will guide us in formulating a truly National Land Policy for Namibia.

Hon. Pendukeni Iivula-Ithana  
Minister of Lands, Resettlement  
and Rehabilitation

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Consultation with all relevant parties cannot be over emphasised. We need to make the land issue a joint venture between the people of Namibia and their Government.

The Draft National Land Policy is divided into TWO (2) main parts – namely Urban Land and Rural Land.

1. Urban Land is defined as all land under human settlements of any size under the jurisdiction of a separate authority other than a traditional authority, such as a municipality or village council.
2. Rural land is defined as all other land such as communal land and commercial farm land.

Allow me firstly to elaborate on Urban Land:

The National Land Policy requires the establishment and proclamation of Urban areas as townships and municipalities to promote decentralisation and the close involvement of communities in their own administration, of course the present proclamation procedures will be reviewed and amended to speed up the process of proclaiming areas as towns or villages. Whilst the main aim of the re-drafting will be to streamline the process, particular attention will be paid to the establishment of a transparent, flexible and fully consultative local authority planning system, together with discretionary development regulations. To decentralise land administration, Government will begin to develop the necessary human capacity with the placement of Land Officers in Regional centres to service groups of Local Authorities within the Region.

While the more complicated situations may still have to be referred to the Ministry of Regional, Local Government and Housing much of the work will have to be handled regionally. This again, Mr. Chairman, is to support the decentralisation of functions of Government to the Regions.

The existing land delivery system in urban areas administered by local authorities under the Ministry of Regional, Local Government and Housing has historically concentrated on providing serviced land to middle and upper

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income individuals and business concerns. The very poor and disadvantaged people were totally ignored in this regard.

Currently there is an urgent need to make land available for the people. The problem of squatters in towns and villages is now reaching a proportion where the authorities concerned do not have any control over them any more.

Mr Chairman, I would like to talk about Rural Land, an issue affecting you as Regional Councils directly. Rural land as I said above encompasses communal land and most of the commercial farm land. But for the purpose of our meeting I will concentrate on communal land.

When we are talking about communal land, the question of the legal status of such land comes into play. In this dispensation communal land is addressed under Article 100 of the Namibian Constitution which reads as follows: "Land, water and natural resources below and above the surface of the land in the Continental Shelf and within the territorial waters and exclusive economic zone of Namibia shall belong to the State if they are not otherwise lawfully owned."

The proposed approach in the Draft Land Policy for the administration of Communal Land, is the creation of Regional Boards.

These Boards will be comprised of:

- a) 4 representatives of the people of the Region, to be proposed from the Regions.
- b) 1 person nominated by the Land Use and Environmental Board.
- c) 2 persons nominated by the Minister on the grounds of relevant technical skills on their representation of particular interest groups including NGO's. In each Region as well as Local Land Boards traditional authorities will have to be represented.
- d) Two (2) ex-officio members representing relevant Ministries such as the Ministry of Regional, Local Government Housing, the Ministry of Agriculture, Water and Rural Development or the Ministry of Environment and Tourism.

Regional Officers, as chief executive officers of Regional Councils will be

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allowed to attend Regional Land Board meetings in order to promote co-operation between these two critical institutions.

Funding for the Land Boards will be provided for by the Ministry of Lands, Resettlement and Rehabilitation. The Land Boards will work closely with the traditional authorities in matters of land allocation in order to avoid land dispute arising from e.g. double allocation etc.

Traditional Authorities will and advisory role through the Council of Traditional Leaders which will be established in accordance with Article, 102(5) of the Constitution to advise the President on the control and utilisation of communal land.

The aim of the government will promote equitable distribution of Land to all those Namibians who need it. Thus land is being purchased by Government from the freehold sector either through exercise of the Government's right of first option when land is being sold or by compulsory acquisition of excessive or under-utilised land. The land so acquired will be redistributed, lease or customary grant to individual citizens, companies or other legally constituted groups.

On communal land, the Draft Land Policy propagates the idea of various land tenure systems to be adopted there as well. The aim is to enable communal farmers to acquire title of ownership of the land or to have secured land tenure of the renewable nature through lease systems. Over and above, the Ministry aims at achieving a unitary land system for Namibia and to continue with two systems, one for communal land and another for commercial land.

In conclusion, Mr Chairman, I would like to underscore the fact that land is the source of livelihood for everybody, it is a God given gift and we should therefore do everything possible to preserve it and make it available to those who need it. Every efforts should therefore be made to make land a source of empowerment and development.

I thank you

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# REGIONAL COUNCILS AND THE DECENTRALISATION PROCESS

Prof. Gerhard Töttemeyer

## Introduction

The concept of decentralisation is presently discussed intensively in Namibia. Opinions still differ whether decentralisation is the best policy for the country to achieve optimum development and political satisfaction.



Prof. Gerhard Töttemeyer

Why do differences of opinion prevail? During the pre-independence period an important policy document was compiled by the United Nations Institute for Namibia in Lusaka. The document is contained in the book, "Namibia – Perspectives for National Reconstruction and Development", published in 1986. In the chapters on constitutional and administrative development in an independent Namibia the concepts of decentralisation and

centralisation are discussed at length. The emphasis is on administrative decentralisation at provincial and/or district level and on decentralised planning, but not on political decentralisation, implying political decision-making at decentralised level. Administrative decentralisation by the central government to a lower level of government.

When deliberating on decentralised planning, it is argued that a centralised system will not avail itself for direct mass participation, while decentralisation



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of power and authority provides for the distribution of authority. It enhances participation at the local level which is vital for translating policies into local terms. It is furthermore argued that the ultimate objective for Namibia would be to decentralise with a view to balancing the requirements of democracy and popular participation with those of viability, efficiency and effective administration.

Is there a marked difference between what was proposed before independence and what it practised today? During the deliberations on the Constitution the emphasis shifted somewhat. Proposals were made to widen the scope of decentralisation, thus not concentrating on administrative decentralisation and decentralised planning only.

The Constitution entrenches decentralisation within a unitary state as a fundamental principle. Chapter 12, dealing with regional and local government, provides for the institutionalisation and the application of decentralisation, but in a different form than originally planned by the ruling party.

Politico-administrative regionalisation and the establishment of regional councils was not what Swapo Party had envisaged in its pre-independence programme. The institution of regions and regional councils were the result of a compromise between the Swapo Party and opposition parties during the constitutional deliberations. Any constitution reflects compromised or *quid pro quo* arrangements for the sake of national unity, integration and progress.

Most recently, a member of Parliament referred to the thirteen regions as another form of Bantustans. They are not. When the Delimitation Commission subdivided Namibia into regions, it was given the strict task not to apply ethnic or racial criteria when demarcating regions. Instead it applied politico-administrative, geographical, and socio-economic criteria.

### **Application of Regional Decentralisation**

Namibia is for very good reasons a unitary and not a federal state. Regions can thus not become autonomous federal entities competing with the power of central government. Regions in Namibia are decentralised entities supporting the functioning of the state. They do not usurp the power and authority of the state, but share such power and authority.

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Regional Councils can perform agency functions on behalf of the central state. They can make valuable contributions to planning and policy making. Their input can be vital when deciding on national policies.

Decentralisation is an important political issue. Although decentralisation is related to the transfer of power and control indicating the participation in and not the deconcentration of power, regional councils and local authorities remain integrated entities of the state. They are supportive entities with specific functions. Decentralisation reflects the institutional relationship between central government and lower tiers of government. The unity of purpose and actions at all government levels must prevail, particularly in a society such as ours with its divisive past, the particular heterogeneity of its population, and the still prevailing inequality in economic development.

This is not to say that Regional Councils and Local Authorities are deprived of an own identity, an own autonomy and a particular role in the functioning of the state. Identity is determined by role assignment, responsibility and status allocation. The latter reflects the extent of authority and executive power. Institutional independence at lower levels of government is as much important as the interdependence of all governmental institutions, from local to central level. The emphasis is on networking, inter-linkage and on co-operation.

Namibia is faced by many problems and challenges that demand a unified approach and solutions equally supported by central, regional and local government. It is the sharing of responsibility at all levels of government. Some may argue that a centralised system can be more equitable and that redistribution can be better performed at central than at decentralised level. Or, that centralisation makes it easier to conduct macro-economics policies, fearing that decentralisation of such policy could weaken the power of central government or may effect the performance of such policy. The latter argument is reinforced by the assumption that centralisation might perform better in terms of accountability.

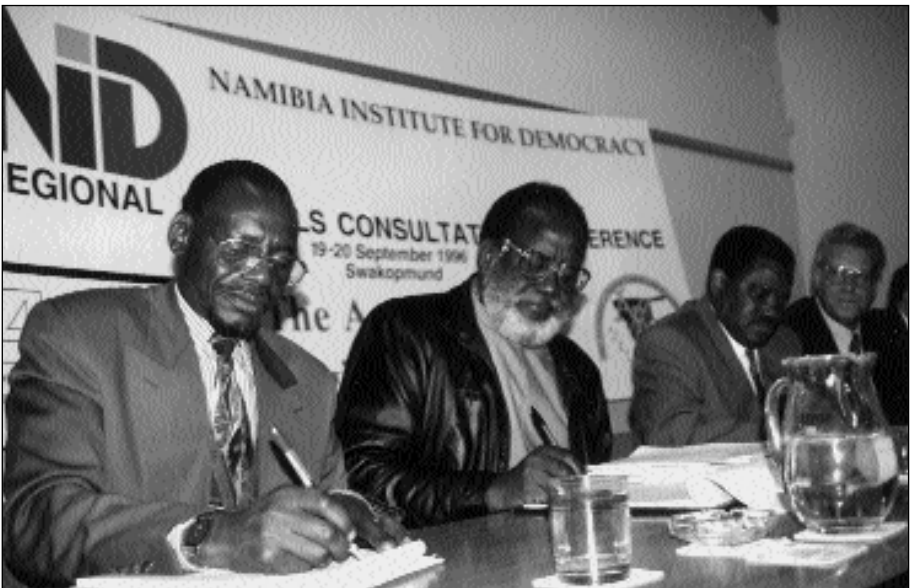
States, system and societies differ. One cannot be universally prescriptive or dogmatic. Each state and society has an own particular history, own characteristics and demands. Political, economic or social systems can only be functional and supportive if they are contextualised, thus adapted to particular circumstances and demands. Namibia is a case in point.

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Our country, considering its history of foreign dominance, has in the past been marked by a rigid top-down rule. The majority of the population were non-voluntary recipients of alien policies determined by foreign interests. Uncritical subservience was expected. Objection was punished. The policy recipients were deprived of natural human rights; they became faceless and degraded objects. They were forced to be unwilling executors of policy and not inventors of policy.

Namibia is committed to people's democracy. It is willing, as evidently demonstrated in the Constitution, to integrate people's interests and their participation in the governance of the country. Regional councils and local authorities are the institutionalised manifestations of the will of the government to acknowledge the population at large as co-shareholders of the state. Their involvement is urged in the pursuance of national objectives.



Gov. J. Pandeni, Mr. P. Shoombe, Hon. Dr. N. Iyambo, Dr. B. Dobiey

There may be a fear among some stakeholders that regional councils and local governments could undermine or interfere with the power of central government. Some see such bodies as competing in the allocation of power and scarce resources. The essence of a unitary state prevents such

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possibility. A unitary state with a strong central government does not give away power but uses its authority to empower people at all levels of government to be co-owners of the state, co-decision makers and executors of the state's will. It is the encouragement by the state to actively share in the governance of the country.

Decentralisation reflects the transfer of authority, power and responsibility outwards and downwards from central government. The emphasis is on self-government, on self-management and self-administration. It is a process in which regional governments become accountable to both, the central government and the population. The anticipation in the population is that decentralisation will bring about socio-economic development as well as a higher degree of equity in development among regions and in regions. It is hoped that decentralisation will cause equal distribution of resources and opportunities, will improve the situation of the most impoverished people of society, and that backlog in development will be eradicated. Decentralisation serves as an instrument to improve the well-being of society and to assure participative and sustainable development.

These are well-considered expectations and also worthwhile goals. The realisation thereof presupposes that means are available. Means refer to both human and financial resources. Other questions seeking an answer are the support decentralisation enjoys with all line ministries, how much decentralisation is contemplated, the time frame envisaged and the operational plan.

For some time to come the newly established regional and local authorities will remain financially dependent on central government. Financial dependency affects autonomy of institutions. For many of the regional councils this is a depressing experience. Despondency can cause doubt pertaining to the very existence of institutions such as regional councils.

The state is by no means interested in the rejection of institutions which it was instrumental in establishing. Such rejection would cause a credibility crisis which again could substantially influence the support by voters, particularly during elections. The arguments is therefore, how best can people's interest and their involvement in governance be accommodated without undermining the authority of central government as the highest law making body.

Despite the restrictive powers regional councils presently have or can perform, nothing prevents them recommending on goals, on what should be

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achieved and what should be planned. It is generally accepted that amendments to the Regional Council Act must come about which must reflect an extension of the powers, including the income generation power of regional councils.

It is heartening to observe the particular interest the National Planning Commission has developed to involve regional councils in regional planning and sectoral development in the respective regions. The National Development Plan 1 also supports strongly the decentralisation of central government tasks. Concepts such as participative and sustainable development, figure prominently in the arguments for meaningful decentralisation. Another example of a constructive contribution to decentralisation is the policy paper of the Ministry of Agriculture, Water and Rural Development.

It pleads for greater autonomy and responsibility to be allocated to local authorities pertaining to development planning and management of natural resources. Such encouraging signs at central government level, actively supporting decentralisation, should debauch into concrete co-ordination of all decentralisation efforts, programmes and strategies. A white paper on the extent of decentralisation, its process and the time frame has become an absolute necessity.

Whenever decentralisation, its content, range, and implementation is contemplated, the emphasis should be on controlled decentralisation based on need identification and priority assessment. Decentralisation is an incremental process which at each stage must gain the necessary political support to be successful. Such support must contain a commitment to devolve duties and responsibilities.

It would be useful to explore the possibility of an advisory planning committee in each region. Members of such committee should include community leaders, traditional leaders, representatives of line ministries, representatives of the regional council and of N.G.O.'s. Such committee should link up with the envisaged Regional Planning Committee of the National Planning Commission.

The eventual tasks allocated to regional councils must coincide with adequate infra-structural arrangements, supportive administrative, technical and professional staff at regional level, and adequate financial means. Only

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those tasks should be allocated to regional councils that can be skillfully and efficiently executed with a high degree of accountability.

Decentralisation involves the promotion and strengthening of a country's capacity, management and administrative efficiency at regional and local level, and the extension of public services to rural areas. It aims to increase efficiency and the effectiveness of government operations, to enhance economic and social development programmes, to facilitate more effectively integration, co-ordination, and implementation of government programmes and to deliver public services at decentralised level.

The efficiency of regional councils is determined by its policy making, implementation, monitoring, controlling, review and income generating capacity. Credibility and effectiveness of regional councils depend fundamentally on the legal and legitimate status of such bodies. Regional Councils must earn that credibility to be accepted as the authentic articulator of local interests. Effectiveness and legitimacy reinforce each other in achieving good governance.

Decentralised governmental bodies such as regional councils have the advantage of intimate knowledge of the most pressing issues, problems and needs at local level. This enables such bodies to make an immediate need assessment precipitating immediate decisions. Information is readily available. Depending on means at this disposal, response can set immediately. While central government bodies are often involved in seeking long term solutions, localised authorities such as regional councils, are expected to provide short term solutions.

### **What should be decentralised?**

The Ministry of Regional and Local Government and Housing has identified a number of functions that could be decentralised:

- \* Community development
- \* Administration of settlement areas
- \* Rural water development and supply
- \* Management and control of communal lands (land-use planning)
- \* Primary health care
- \* Soil conservation

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- \* Forest development and management
  - \* Physical and economic planning
  - \* Emergency management
  - \* Resettlement rehabilitation
  - \* Recruitment and appointment of regional council staff

**Others could be added:**

- \* Waste disposal and management
- \* Fire protection
- \* Public Works (e.g. roads, bridges)
- \* Water system management
- \* Draught relief programmes
- \* Primary education (or pre-primary)
- \* Recreation facilities
- \* Libraries and musea
- \* National monument identification
- \* Rural employment programmes
- \* Labour relations
- \* Housing need assessment
- \* Production and distribution of energy
- \* Informal sector development
- \* Tourism

Some may argue that some of these functions should be performed by central government. It might be true, but the exact identification of functions will only be possible once a clear policy of decentralisation is in place. Such policy must reflect the delegated responsibilities regional councils are capable to perform. This again will depend on the availability of adequate human resources and financial means. Many of Namibia's regions are under-developed. Integrated development from which each region can benefit equally and sufficiently is as much of relevance as the co-ordination of central, regional and local efforts.

Should particular functions not be delegated to regional councils? Should they instead be performed by central government representatives (e.g. line ministries) in regions which would amount to sectorial decentralisation by ministries?

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It has been suggested that a co-ordination body should be established composed of representatives of the National Planning Commission, line ministries and regional councils, or alternatively in addition of members of the Association of Regional Councils. The Ministry of Regional and Local Government and Housing refers in its document on decentralisation to some of the most important tasks of such body co-ordination of overall regional development, co-ordinated planning, monitoring of plan and project implementation and evaluation.

### **Finance of Decentralised Activities**

We are left with the question who should finance decentralisation and how can financial means be generated? Decentralisation affects both income generation and expenditure. Presently the revenue base of all regional councils is low and unequally distributed among regions. Only a few regions benefit from the 5% levy on property in urban areas that is payable to regional councils. There are strong objections that the 5% should be pooled into a special fund from which all regions can benefit according to their needs.

Revenue sharing between central government and regional councils has become a matter of cardinal importance, also the identification of a revenue and income base. What kind of taxes could be levied?: Road user tax, property tax, retail tax; cattle tax, tourist tax? Presently the possibility of generating adequate income locally seem to be slim. Many regions are situated in rural areas marked by large scale poverty. This makes many regional councils totally dependent on central government for funding. Obviously, there is a direct relationship between financial dependency and regional councils' autonomy.

### **Preliminary conclusions**

Against the background of the presentation one may come to some preliminary conclusions: We accept that decentralisation and democratisation are inter-linked processes. Decentralisation can enhance government efficiency and effectiveness. It can contribute to the strengthening of legitimacy, democracy and popular participation. One of the outcomes of decentralisation should be that government is constantly responsive to local needs. It should be an action that delegates responsibilities to decentralised government levels. Decentralised bodies

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should particularly attend to local needs. Co-responsibility in the governance of the country at local level should be encouraged.

From what we have discussed it has become evident that the effectiveness of decentralisation depends on human and financial resources available, an effective administration, good planning, responsible budgeting, effective target setting and the ability to implement policies efficiently. The assumption is that decentralisation will improve administrative effectiveness.

Decentralisation must manifest itself in the empowerment of people at local level. Its legality is determined by statutory rules and regulations, its legitimacy by the extent to which public policies comply with guaranteed fundamental rights and freedoms as reflected in the Constitution. Regional councils must be perceived not as local agents for state power but as people based institutions representing local interests. Decentralisation should be people driven and should not degenerate into a futile theoretical and rhetorical exercise.

## **Summary**

Let us summarise by identifying problems and advantages that can affect the principle and process of decentralisation.

### *Problems:*

- \* The willingness of the central state to decentralise, in other words to transfer real political and administrative power to lower tiers of government.
- \* Good perception and understanding of decentralisation among politicians, administrators and the population at large.
- \* Lack of support among high ranking officials and administrators for decentralisation.
- \* To translate decentralised authority into service to the people.
- \* To shift responsibilities to regional councils that line ministries themselves find difficult or unwilling to handle.

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- \* Decentralised tasks that are not adapted to the existing capacity in regional government.
  - \* Inadequate administrative and human resources which causes inability to implement and sustain activities (e.g. trained accounting personnel, regional planners).
  - \* Scarcity of financial resources.
  - \* Limited autonomy.
  - \* Complicated and cumbersome planning structure.
  - \* To achieve a balance between responsibilities and resources.
  - \* Absence or insufficient data base on regions in regions.
  - \* Lack of an adequate administrative, technical and professional support structure.
  - \* Legitimacy crisis (for example: Confidence in Regional Councils can deteriorate if positioning and powers of regional councils are not sufficiently identified and subsequently the provision of services by Regional Councils does not comply with needs and expectations)
  - \* Lack of support from line ministries.
  - \* Decentralisation may not improve governing capacity.
  - \* No clear lines of authority – overlapping responsibilities.
  - \* Equilibrium between powers and resources.
  - \* Equilibrium between planning and implementation.
  - \* Inadequate regulations and enforcement mechanisms concerning delegated responsibilities.
  - \* Lack of support from local population (e.g. community leaders, traditional leaders) in decentralised task performance.
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When assessing the functionality of decentralisation we must also critically attend to the following questions:

- \* Does decentralisation contribute to participatory democracy?
- \* How informed is the population about decentralisation?
- \* Does decentralisation contribute to increased legitimacy of the political administrative system in Namibia?
- \* Does decentralisation motivate the population to be more involved in politics and administration, particularly at grass-roots level? Can it help to mobilise the population?
- \* Is central governmental prepared to back up decentralisation by allocating more power and resources to regional councils?
- \* Are all line ministries prepared to utilise the thirteen regions to the full for planning, policy formulation and implementation of policy at decentralised level?

Let me conclude on a positive note. If decentralisation is substantially motivated and applied, it can:

- \* support the democratisation process;
- \* improve the legitimacy of the state at local/regional level;
- \* enhance the endeavours of the National Planning Commission to promote development in regions
- \* increase political participation and minimise absentee vote during elections;

We are about to enter a period of three successive election years (1997-1999). The degree of support political parties will command in these elections will to no small extent depend on the success Namibia has achieved in localising democracy. Constructive and careful decentralisation

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which can cause greater involvement of the population in regional and local matters and active participation in the governance of the country at all levels of government, could prove to be a decisive investment with rewarding results.

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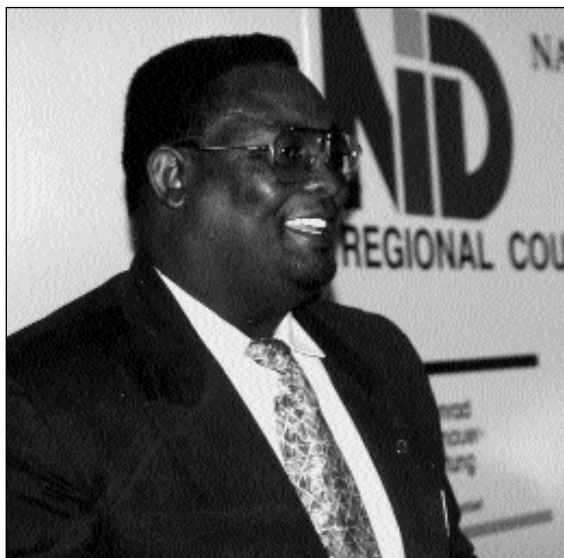
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# **INTERACTION / CO-OPERATION BETWEEN REGIONAL COUNCILS AND LOCAL AUTHORITY COUNCILS: THE ROLE REGIONAL COUNCILS HAVE TO PLAY IN URBAN AREAS, CONSULTATION ON THE DRAFT BUDGET, ESCALATING DEBTS AND SQUATTING**

**Rev. P. IGôagoseb  
ALAN**

## **Introduction**

Dignitaries, Regional Councillors, ladies and gentlemen, I am most privileged to address you today on matters which can assist to obtain a better understanding of the respective roles and functions of our two levels of government, which can only lead to better government on the local level, thus improving the quality of life in urban areas. This is especially important in



view of the fact that your geographical area of operation overlaps that of local authorities.

If we do not succeed in rationalising and harmonising operations we create the danger of working at cross purposes and with a resultant loss of harmony, efficiency and effectiveness. No country

Rev. P. IGôagoseb - ALAN

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in the world can afford to waste money and therefore we cannot afford to duplicate structures. I will therefore attempt to identify ways in which your Councils can supplement local authorities so that the above goals can be achieved optimally.

### **The Role of Regional Councils in Urban Areas**

Professor Töttemeyer, in his paper, will no doubt have covered the political role of regional councillors as well as the interaction of the powers granted to Regional Councils in Section 28 of the Regional Councils Act of 1992 with that of local authorities.

I do not intend to re-address those topics but reserve the right for ALAN to comment thereon at a later stage.

Allow me to say however that in terms of Section 102 of the Constitution both Regional Councils and Local Authority Councils are separate autonomous bodies. Apart from where a Regional Council is given specific authority by law, it has no authority over a local authority in its region.

In view of the previous paper I will therefore restrict myself to the question: "How can Regional Councils be of assistance in Local Authority Areas?"

Section 30 of the Local Authorities Act and Section 30 of the Regional Councils Act both provides that Regional Councils and Local Authority Councils can by agreement decide to execute work for one another. Possible examples of sharing services are:

- engineering,
- accounting services,
- road-building equipment,
- health inspectors,
- legal services, to name but a few.

Too often it is found that smaller local authorities cannot afford these services.

The important factor to remember in each case is that there must be consensus between the parties. In addition it may be an idea to make use of contract personnel for these services as a participant may in future be in a position to provide these services for itself.

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Another way in which Regional Councils can assist local communities is to provide decentralised services, for example clinics, at local level. There are no doubt other possibilities, but remember to use own powers and not exercise local authority function otherwise than by a section 32/30 agreement.

### **Consultation on the Draft Budget**

The basis for this consultation is to be found in section 83(1) of the LA Act, the relevant portions of which reads: "The management committee:

- (a) shall in each financial year prepare and compile, after consultation with the regional council in whose area the local authority in question is situated, a statement of its estimated income and expenditure during the following financial year;"  
(same supplies to supplementary budgets)
- (b) "and shall submit such statement and supplementary statements to the local authority council for its approval."

The following requirements appear from section 83(1):

1. There must be a consultation by the management committee with, and not a prescription by, the Regional Council. This means that the management committee must consult and consider the regional council's inputs. It is not bound to accept them if it has bona fide grounds for differing from the Regional Council.
2. This consultation must occur before the drafting of the budget by the management committee. Here it is important to take note that in practice the drafting of the budget will be done by employees on guidelines given by the official as it will in most cases be impossible for management committees to physically draft a budget.  
Keeping this in mind there are two possibilities for the time of consultation; firstly the management committee can consult prior to preparing guidelines or they can consult after a working draft of the budget has been prepared but before considering a final product for submission to its council. The first possibility would seem to be technically correct but the second alternative will probably allow the opportunity for more valid inputs by the Regional Council. I do not believe that any of the two alternatives will be illegal in terms of the section.

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3. The question of how the consultation is to take place is highly relevant. It can obviously be done by exchange of letters. On the other hand consultation is normally a process that shows development with time and therefore a meeting should be considered as being more practical. If the idea of a meeting is accepted there should be an agenda and minutes must be kept. Whatever process of consultation is followed Regional Councils must keep in mind that the process must not be delayed as local authorities must comply with certain time frame in the approval of their budgets.
  4. The Act does not state the reason why consultation must take place. The probable reason therefore is to avoid cross purpose budgeting by the two bodies.

## **Escalating Debts**

Escalating debts threaten the very existence of local authorities. In order to survive, income must at least equal expenditure.

What are the reason for debts escalating? I believe it can be reduced to three main reasons:

1. *Inability to pay.*

We unfortunately have a low per capital income compared to first world countries which negatively affects the affordability to pay for local authority services. Coupled to this is the reality that every unemployed person taking up residence in an urban area further lowers the per capita income and affordability to pay. The reverse side is that every new resident requires more services at greater expense for the local authority.

We have only a few alternatives to break out of this vicious circle. The first one is to make services cheaper through increased productivity and more efficient methods are continually under the magnifying glass. The second of going to lower standards is also continuously under review, however, it must be carefully managed as it may prove to be more expensive in the long run. The only lasting possibility to solve the problem is to materially increase sustainable job creation on an outgoing basis.





Hon. Pendukeni Iivula-Ithana, Hon. Dr. Nickey Iyambo

To merely create job opportunities in urban areas will only compound the problem as the rural areas will continue to depopulate at a faster tempo than that of the creation of job opportunities in the urban centres. Jobs must therefore be created on a country wide basis. Regional Councils must therefore do their part in the creation of jobs, especially in rural areas, in terms of the National Development Plan 1.

## *2. Lack of knowledge*

Local authorities often experience a lack of understanding as to why their services must be paid for. Statements like “water comes from the rain” or “water comes from the ground” and why must we pay for it is not uncommon from new residents. Even where there is the understanding that infrastructure must be paid for it is sometimes accepted that it has been paid for, so why recover further money.

## *3. Resistance against payment*

This form of resistance can be based on political considerations, the local authorities take excessive profits or resistance against local authority policies.

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The first mentioned is not very common presently, although cases have been reported that councillors who are in arrears with their own payments have a hand in campaigns advocating non payment.

With both the second and third alternatives there is little or no proof that this is a real factor currently.

ALAN has decided to launch awareness campaigns through the Media, inclusive of the vernacular radio transmissions. Regional Councillors can assist by advocating the necessity for payment of local authority accounts.

### **Town Development**

One problem that is affecting the development of especially the northern towns is the fact that most of them have no proclaimed erven. This results that business people and investors cannot obtain title to their properties in the Deeds Registry Office and cannot use those properties as security to raise operating capital.

The restraint on the proclamation of towns seems to be a lack of land surveyors and/or town planners. If Regional Councils could assist here, even through lobbying, it could possibly improve matters.

Another aspect of town development that the regional council can assist is in joint ventures with local authorities by donating a monetary contribution towards local authority projects. Such a step would stretch the financial base of the local authority concerned and thus result in faster development.

Under the section "The Role of Regional Councils in Urban Areas" above the mentioned various roles that a Regional Council could fulfil. This would obviously also apply here.

### **Squatting**

I believe that we all know more about the squatters problem than I can do justice in the time allowed me. Allow me however to share more possible solutions to the problem with you.

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Freedom of movement and choice of place of residence, subject to proprietary rights in ground, is allowed by the Namibian Constitution. We cannot prohibit choice of urban area to settle. What can be done is managing of squatters, firstly through area of settlement which must be acceptable and thus should be negotiated one:

Secondly, the standard of services that can be afforded together with payment therefore should be negotiated. Thirdly squatters should be encouraged to develop their structures into more permanent and formal type housing within a reasonable period. The obtaining of ownership of the settlement plot they occupy should also be an objective.

In these exercises the Regional Councils can be of great assistance as long as they operate as local authority partners within the agreed parameters.

According to some projections 80% to 90% of the worlds' population resides in urban areas and this percentage is still increasing. In Namibia the figure is much lower, but will probably increase.

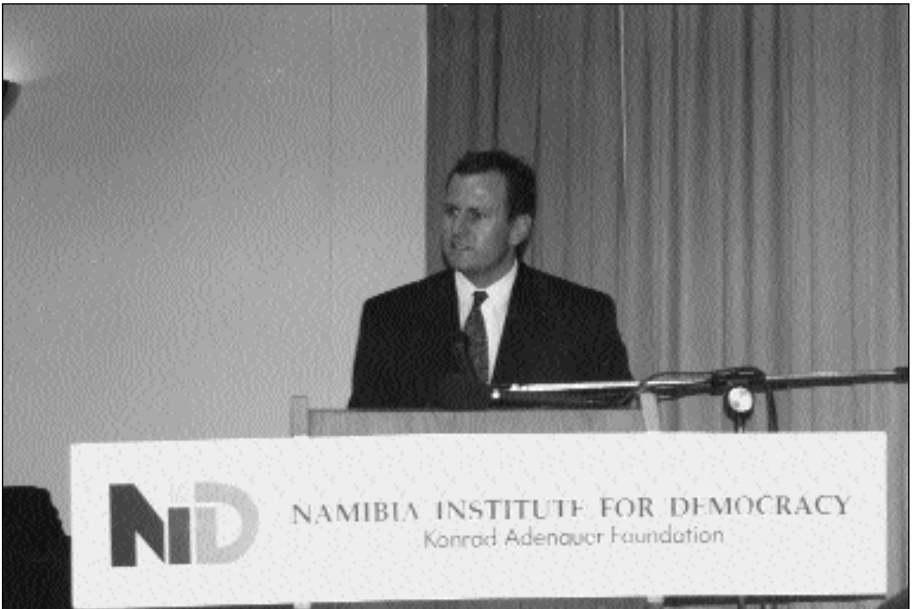
The only viable counter to urbanisation is job creation and amenity creation outside existing towns in new or developing urban areas.

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## **CIVIC EDUCATION PROJECT ON THE ROLE OF REGIONAL COUNCILS IN NAMIBIA**

**Theunis Keulder,  
Executive Director, NID**

The need for civic education has become evident in public opinion voiced regarding a general lack of understanding of the role of Regional Councillors and communication between them and their constituents. It may be postulated that the relationship between Regional Councillors and their electorate is potentially strong due to the knowledge possessed by councillors regarding the needs, demands, expectations and natural and human resources development potential in the regions. The Regional Councillor, by constitutional and legal provisions made, ideally fulfils that task of bringing democracy to the people and ensuring the visibility of democratic governance.



Theunis Keulder

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In the observations of the NID, the nature of regional government is an unfamiliar concept to a significant number of Namibia's citizens. Citizens are therefore inclined to take up matters with central government, rather than follow the correct channels of communication with their Regional Councillors. It is this lack of communication between constituents and their councillors which compounds the dilemma of decentralising government.

In recognition of this dilemma, the NID, in co-operation with the Association of Regional Councils and in co-ordination with the Ministry of Regional and Local Government and Housing, will embark on a national civic education campaign on the role and functions of Regional Councils.

The main objective of this project would be to enhance the communication flow between the Regional Councils and their electorate to ultimately ensure that issues on a regional level are addressed via the correct channels. Therefore, one-day workshops will be held to facilitate dialogue between Regional Councillors and their electorate in the thirteen regions. These workshops would not only be informative (clarifying the role of Regional Councils and Councillors to the electorate), but provide a neutral forum for debate and discussion while at the same time establishing personal contact between the Councillors and their electorate. The project would get a national dimension through coverage in the media.

The NID looks forward to the envisaged co-operation with every Regional Council, the Ministry of Local Government and Housing, as well as the Association of Regional Councils in this project.

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## COMMENTS AND DISCUSSION FOLLOWING PROF. TÖTEMAYER'S ADDRESS ON DECENTRALISATION

The concept of decentralisation was strongly supported by the participants. The government's initiative to pursue the ideal of decentralisation and accelerate its implementation was widely welcomed. The close relationship between decentralisation and democracy was emphasised as well as the imperative role regional councils can play in the decentralisation process. It is, however, realised that decentralisation can only be implemented in stages and that decentralisation must equal the capacity of regional councils. Capacity includes adequate decision making power as well as human capacity and the necessary financial resources.



Dr. B.K.H. Dobiey, Prof. G. Tötemeyer, Hon. K. Nehova

Concern was expressed that clear policy guidelines on decentralisation have not been established yet, particularly by line ministries and that their contribution to decentralisation is still minimal. Regional councils also experience negative perceptions about their role in the governance of the

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country. It is hoped that the allocation of more tasks and power, in addition to those reflected in the policy document by the Ministry of Regional and Local Government and Housing will contribute to a better understanding and appreciation of the Regional councils task performance in state and society. It was felt that communication and co-operation with line ministries should be intensified.

Regional Councillors restated that it is not the intention of regional councils to usurp the power of central government but to support the governance of the country on decentralised level. Only when regional councils are adequately empowered can they perform their supportive role. It was felt decentralisation can substantially contribute to bringing government closer to the people.

The adequate financial base of regional councils remains an obstacle. Only a few councils benefit from the 5% property levy paid by local authorities to regional councils. Particularly in the rural \ communal areas where development is needed most, regional councils are excluded from such benefits due to the absence of local authorities or their inability to levy such taxes at this stage.

The taxation act should be amended in such way that it would give regional councils the right to levy own taxes, thus acquire additional funds. Another way could be the establishment of a special fund from which money could be allocated to regional councils according to specified criteria.

It was felt that with increasing numbers of people flocking from rural to urban areas, regional councils should closely co-operate with local authorities educating squatting people on problems they may face when settling permanently in urban areas. Concern was expressed that there is often a lack of co-operation and consultation between local authorities and regional councils, on common problems.

More intense co-operation with line ministries and the National Planning Commission on planning and development projects in regions is welcomed. Concern was expressed whether the envisaged co-ordination body in each region is not too elitist in its composition. The importance of such committee was emphasised but that its representatives should be broadened. The proposed composition comprises the regional officer, representatives of the respective regional council and line ministries, but excludes community

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representatives, including traditional leaders, and N.G.O. representatives. The debate reflected an urge to enhance the role of regional councils as decentralised bodies in the governance of the country and also their contribution to planning and development.

Such involvement was supported by the Minister of Regional and Local Government and Housing. He invited further suggestions on decentralisation. His plea for a more balanced gender representation on regional councils was noted.



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## **REPLY BY MINISTER P. IIVULA-ITHANA**

Several questions were put to Minister Ithana after her presentation. The answers have been topically arranged with additional comments by the Minister of Regional and Local Government and Housing, Dr. N. Iyambo.

### **Land tenure system and acquisition of land**

Various types of land tenure systems will be introduced. Each country will follow its own peculiar way. Policy is determined by the history of a country. Zimbabwe, for example, does not compensate for land but only for the improvements on land and the stage of development of land. Namibia is working towards a solution that will satisfy both those from whom the government is buying the land and those for whom the government is acquiring the land.

Namibia is seeking a peaceful solution to the land question. It would be a sad day if it had to go back to war, fighting for land.

### **Unproductive land**

Unproductive land is being targeted for expropriation. Such land and excess land owned by people not residing permanently in Namibia, who for example occasionally come to Namibia for hunting, will be a priority choice when acquiring land for redistribution.

### **Extension of communal lands**

Presently only that land is bought that is offered to the government. Communities such as in Ovitoto and Otjimbingwe cannot expand as surrounding land belongs to commercial farmers. It is not advisable to uproot communities and relocate them elsewhere, but to expand present communal land to accommodate the growth of communities.

### **Ownership of land**

There are no limits on the number of farms one person can own in Namibia. It is not so much the matter how many farms but how many hectares a person possesses. The number of hectares a person can own, in other words the size of land, has not been determined yet. The matter is, however, under consideration.

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The government is concerned about excess land. The latter is land in excess to what can be regarded as sufficient for a person to carry out agricultural activities.

Before independence, the government owned close to 500 farms occupied by private persons. The government is contemplating the registration of all persons farming on government farms. A policy is presently devised how to deal with the occupants of government farms.



Communal land cannot serve as collateral. Such practice would in the end benefit only a few, those who command the financial means. Freehold in communal areas is not possible.

Land and land ownership remain thorny issues in the Namibian context. Ancestral land cannot be reclaimed. If that practice would be applicable many tribes might then, for example, reclaim Windhoek. Concurring with Minister Ithana's comments, Minister Iyambo also questioned the claim by some that ancestral land should be returned to them. In that case the Bushmen could claim all the land in Namibia.

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The real issue is that everybody should have access to land and that government must see to it that land is made available to the Namibian people. Land is a source of empowerment in the development of a country. There must be equitable distribution of land to all people who need it.

### **Resettlement programmes in urban areas**

People cannot be resettled just for the sake of resettlement. It must be done in an orderly way according to determined conditions. Control must be exercised over resettlement on commercial farms. When farmers are resettled on state owned farms they must stay on such farms. They must be given guidance and given guidelines on how many animals they can stock, and how to use the land productively.

People in new towns and villages who own houses and land cannot be removed arbitrary. These people, of whom many are small farmers, have developed their places of domicile. Such efforts must be remunerated. Their future livelihood must be secured and their future lives must be bearable when they move elsewhere.

Development must come, but people should not suffer at the expense of development. People who are relocated for the sake of urban development must be fairly compensated.

### **Land Boards**

A bill is presently prepared to be tabled in parliament in due course. At this stage it is only a draft which is open for suggestions and amendments. Regional councillors will be represented on land boards, whether as observers to form a linkage between the land board and the regional council or in any other capacity as may be decided upon. Regional councils can make proposals on their representation on land boards.

### **Traditional leaders and the administration of communal land**

Many traditional leaders have lost control over the administration of communal land. The power of traditional leaders has diminished over time and people do not longer seek their guidance.

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In some communal areas, farmers have erected fences contrary to custom that disallows the fencing-off of land and also disallows private ownership of communal land.

Another problem is that widows are deprived of their homes and that they are disowned of land that had been allocated to their husbands. This also requires the attention of traditional leaders.

Land tenure in communal areas should be granted to individuals, irrespective of gender. Land must also be made available for the development of towns administered by local authorities. People with the necessary financial means want to invest their money in property. Development in the hitherto neglected communal areas cannot be halted. Mechanisms must be introduced that make it possible to have access to land or make provision that land tenure can be granted to individuals.

### **Who is a traditional leader?**

A law, the Traditional Authorities Act (Act 17 of 1995), has been put in place which determines who a traditional leader is and how he or she is to be assigned to that position.

In the past, a traditional leader was seldomly elected but inherited his or her position through the hereditary system.

Concurring with Minister Ithana, Minister Iyambo explained that in the past, and still in many cases today, traditional leaders are appointed within the confine of the custom and tradition of a tribe or community. Only during colonial times this tradition was broken when ordinary people were appointed as traditional leaders. In communities where customs are not applied any longer, people can appoint their own leaders according to their own wish and rules. The government will not interfere and will respect the wish of the people.

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## FINAL COMMUNIQUE

The ARC at its Regional Consultative Conference in Swakopmund from the 20th - 21st September 1996 reconfirmed its total support for the government's declared policy of decentralisation. ARC is committed to assist the government in the implementation thereof.

### **The Conference paid particular attention to:**

Importance of decentralisation in the Namibian context as Unitary State. The following fundamental principles were agreed in accordance with , to constitutional provisions securing participatory democracy:



Decentralisation is vital to ensure the community involvement in their own affairs and for development.

Regional Councils input during the Midgard Workshop and subsequent submissions on the document of policy formulation which indicates overall

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support for the decentralisation support for the decentralisation policy is acknowledged.

The strategy of the process of decentralisation in phases is supported, taking into account the institutional and financial capacity of Regional Councils.

Concern was expressed that there is a lack of close co-operation between Regional Councils and local authorities as well as between Regional Councils and the electorate. There must be a clear conception of the role of each of the authorities and how to compliment each other in the performance of task and duties. A civic education campaign by the NID can play a large role in alleviating this problem.

**Functions to be decentralised include fundamental key functions in addition to those as indicated in the policy document, such as:**

- community development
- administration of settlement areas;
- rural water development and supply;
- management and control of communal lands(land use planning)
- primary health care
- soil conservation;
- forest development and management;
- resettlement rehabilitation
- recruitment and appointment of regional council staff
- emergency management
- waste disposal and management;
- fire protection
- public works(e.g. roads, bridges)
- public transport
- water system management
- drought relief programmes
- primary education (or pre-primary)
- recreation facilities
- libraries and musea
- national monument identification
- rural employment programmes
- labour relations
- housing need assessment

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- production and distribution of energy
  - informal sector development
  - tourism
  - civic affairs
  - rural electrification

**For decentralisation to become fully operational, amendments to the Regional Councils Act are obligatory to provide for:**

\* institutional and organisational changes and other sectoral enabling laws.

The legality and legitimacy of any decentralisation must be backed up by a duly construed decentralisation programme considering the particular needs of each region. There should be no delay in the implementation of the decentralisation programme.

**Women should be encouraged to fully participate in the governance of regions.**

The inter-linkage between the land policy and the role Regional Councils can play that effect is acknowledged. The Conference therefore empowered the Management Committee of the ARC to make a submission to the Ministry of Lands, Resettlement and Rehabilitation.

Decentralisation and democratisation are inter-linked processes. Decentralisation can enhance government efficiency and effectiveness. One of the outcomes of decentralisation should be that government is constantly responsive to local needs.

The effectiveness of decentralisation depends on human and financial resources available, an effective administration, good planning, responsible budgeting, effective target setting and the ability to implement policies efficiently. The assumption is that decentralisation will improve administrative effectiveness.

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**The following could affect the success of decentralisation:**

*Problems:*

- The willingness of the central state to decentralise, in other words to transfer real political and administrative power to lower tiers of government
- Good perception and understanding of decentralisation among politicians, administrators and the population at large
- Lack of support among high ranking official and administrators for decentralisation
- To translate decentralised authority into service to the people
- To shift responsibilities to regional councils that line ministries themselves find difficult or unwilling to handle
- Decentralised tasks that are not adapted to the existing capacity in regional government
- Inadequate administrative and human resources which causes inability to implement and sustain activities (e.g. trained accounting personnel, regional planners)
- Scarcity of financial resources
- Limited autonomy
- Complicated and cumbersome planning structure
- To achieve a balance between responsibilities and resources
- Lack of an adequate administrative, technical and professional support structure
- Legitimacy crisis, (for example: confidence in regional councils can deteriorate if positioning and powers of regional councils are not



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sufficiently identified and subsequently the provision of services by regional council does not comply with needs and expectations)

- Lack of support from line ministries
- Decentralisation may not improve governing capacity
- No clear lines of authority - overlapping responsibilities
- Equilibrium between powers and resources
- Equilibrium between planning and implementation
- Inadequate regulations and enforce mechanisms concerning delegated responsibilities
- Lack of support from local population (e.g. community leaders, traditional leaders) in decentralised task performance

**When assessing the functionality of decentralisation the following questions are critical:**

- Does decentralisation contribute to participatory democracy?
- How informed is the population about decentralisation?
- Does decentralisation contribute to increased legitimacy of the political-administrative system in Namibia?
- Does decentralisation motivate the population to be more involved in politics and administration, particularly at grass-roots level?
- Is central government prepared to back up decentralisation by allocating more power and resources to regional councils?
- Are all line ministries prepared to utilise the thirteen regions to the full for planning, policy formulation and implementation of policy at decentralised level?

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**If decentralisation is substantially motivated and applied, it can:**

- support the democratisation process;
- improve the legitimacy of the state at local \ regional level;
- enhance the endeavours of the National Planning Commission to promote development in regions
- increase political participation and minimise absentee vote during elections.

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# **A P P E N D I X**

## **POLICY DOCUMENT ON DECENTRALISATION, DEVELOPMENT AND DEMOCRACY**

### **1. Decentralisation, Development and democracy**

- 1.1 Democratic countries engage in decentralisation as a means to enhance and guarantee democratic participation by the majority of the people at grass-roots level as well as achieve sustainable development. How far decentralisation goes, depends on whether or not the state is federal or unitary. Within a unitary state, it is the prerogative of the state to decentralise or not to decentralise and how far to decentralise, with due regard to the democratic imperative and development needs. Thus, decentralisation in such systems is a policy issue at national level, not a given as in federal systems. It is one way in which the state can fulfil the values of democracy and/or achieve the objectives of development.
- 1.2 By national consensus enshrined in the constitution, Namibia is a unitary state and therefore decentralisation in Namibia is ultimately dependent on the decision of the State. While every state has its own decision-making approaches, in a democratic society, such as Namibia, the approaches most favoured are those which promote the participation of the people in affairs which affect them. Thus, while it is the ultimate responsibility of the state to develop and implement decentralisation policies of its choice, the imperative of democratic participation requires that as much as possible such decentralisation policies must be the product of extensive consultation and participation in decision-making by all those who are personally and institutionally affected by it.
- 1.3 To date there are three types of decentralisation possible within a unitary state, and which one is chosen depends on the scope, nature and purpose of decentralisation envisaged by the system.

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- 1.4 Deconcentration is when central government decentralises its own staff to sub-national levels to carry out their regular functions closer to the people they serve or are supposed to interface with for whatever purpose. While this may achieve greater access and more interface to central government services, it does not allow any participation by the population in any form of decision-making.
  - 1.5 Delegation is when central government allocates some of its functions to the sub-national levels to carry out, but not to take full responsibility for, and without abrogating its own public accountability for those functions. This usually happens through the executive rather than the legislature.
  - 1.6 Devolution involves the central state, either by legislation or through constitutional requirements, giving full responsibility and public accountability for certain functions to the sub-national level. Often these models are found together in various mixes, sometimes one as the first stage towards another, often starting with deconcentration onwards.

## **2. Constitutional Basis of Decentralisation**

- 2.1 Decentralisation as the State's approach to guarantee democratic participation and achieve sustainable development is so important in Namibia that it is provided for in Chapter 12 of the constitution, the supreme law of the country.
  - 2.2 The same constitution in Article 1 also establishes Namibia as a democratic and unitary state whose main organs are the Executive, the Legislative and the Judiciary.
  - 2.3 Decentralisation in Namibia therefore, while constitutionally provided for, has to be implemented in accordance with the requirements of nation building within the framework of a unitary state, against the historical background of apartheid which balkanised the country into so-called homelands, and to meet the challenge to extend democratic institutions to as close to the people as possible and to stimulate participative and sustainable development of communities and the country as a whole.
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### **3. Legislative provision for Decentralisation**

- 3.1 It is with that in mind that the Regional Councils Act and the Local Authorities' Act were passed to give effect to the constitutional provision. The two acts form the legislative basis of regional and local government in Namibia and establishes the relationship between these sub-national levels as well as between them and the state, and their role vis-à-vis the citizenry.
- 3.2 It is, however, clear that constitutional and legislative provision, while necessary, are not sufficient conditions to get decentralisation going. Not much has been done to implement even the modest demands of the two Acts.

### **4. Decentralisation in Namibia**

- 4.1 From the constitutional commitment, the legislation and from the discussions within government, and among local leadership, the preferred decentralisation model in Namibia is that of power to lower tiers within the context and the overall authority of a unitary state.
- 4.2 It is accepted that to get to this state could be a long-term process, and that given the historical background of both over-centralisation of power in Pretoria and Windhoek and the Bantustan policies, such a process might have to pass through the other two stages of decentralisation, i.e. deconcentration and delegation.
- 4.3 However, the two acts which are the instruments of implementation of the constitutional imperative of decentralisation already provide for the autonomy of both local authorities and regional councils, within the framework of the law and the confines of a unitary state.

### **5. Experience since Independence**

#### **5.1 *Constitutional development***

- 5.1.1 One of the very first activities of the independent Namibian State was to make the constitution in which all cardinal features and fundamental principles regarding the organisation and governance of the whole Namibian people were entrenched. Decentralisation within a unitary state was entrenched as one such fundamental principle.

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5.1.2 Progress since independence has been slow, but solid. Predictably, the removal of apartheid and racial discrimination took precedence over other policy changes. However, by 1992, Government was ready with legislative proposals, finally passed by Parliament as Regional Councils Act and Local Authorities Act and both became law in August 1992. These two acts repealed most of the (discriminatory) legislation and decrees from pre-independence days. The Traditional Authorities Act of 1995 which sets out the functions of traditional authorities and their relationship with other organs of the state was another attempt to rationalise the decentralisation process by ensuring that the roles of all key players are clarified.

5.1.3 Thus, both the constitutional and legal framework exists for decentralisation in Namibia. How much decentralisation is contemplated, what form it is envisaged to take and at what pace it should proceed, are not established in the constitution or the act of parliament, leaving it in the domain of Executive policy process.

## 5.2 *Policy development*

5.2.1 Meanwhile the Ministry of Regional Local Government and Housing has provided leadership for the implementation process. It has ensured that whatever powers Parliament has devolved to the sub-national levels is implemented and consolidated. For example, with the passing of the two acts and the abolition of the Peri-Urban Development Board, decision making was transferred to elected councils – a major step in democratisation and decentralisation. The increased role of local and regional government is in part reflected by the rising development and recurrent budget of the MRLGH both of which, according to the NDPI, virtually doubled between 1989/1990 and 1994/1995. They have, however, concentrated on the interpretation of policy and the creation of the new institutions required by the statutes and the constitution, rather than the active enforcement or facilitation of the implementation of the policy across the board.

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5.2.2 *The National Planning Commission* has also played a significant part in the implementation of the decentralisation thrust, notably through their assistance with the regional planning process and their insistence on the role of regional councils in endorsement of sectoral development proposals emanating from respective regions. NPC has also clarified further, via die NDPI, the planning role of Regions and the role of the NPC, MRLGH, and sector ministries in that process, and has set the target of the plan period as the time in which the institutional and resource decisions for the regional planning functions ought to be made and implemented. As the NDPI states, "In the longer term, improving the regional distribution of resources will necessitate the progressive decentralisation of central government by transferring human and financial resources and devolving planning, budget formulation and spending powers."

5.2.3 Sectoral ministries are aware of the constitutional and legal position. However, they recognise and accept that they have not done much about decentralisation. Those who have done something about it, confined it largely to deconcentrating the central government departments, rather than devolving power to sub-national levels.

5.2.4 It is clear from the sectoral papers that the reason decentralisation has not taken place is not lack of will. For example in his Foreword to the Ministry of Health and Social Services policy paper as long ago as 1992, His Excellency, President Nujoma pointed to the need for "greater participation of our communities", for "inter-sectoral collaboration at all levels" and for "decentralised planning with joint identification and prioritisation of needs at the level of the community". In its National Agricultural policy paper of 1995, the Ministry of Agriculture, Water and Rural Development makes clear their commitment to a government policy which gives "greater autonomy and responsibility to local government authorities for decentralised development planning and management of natural resources".

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- 5.2.5 In its water supply and sanitation sector policy digest, the Ministry goes even further to state that “decentralisation objective should take precedence over the performance objective”.
- 5.2.6 However, while some sector ministries have tried to incorporate principles of decentralisation in their policy development process, others have, even after the Regional and Local Authorities Acts had already been passed, continued to create structures which ignore totally the decentralisation imperative.
- 5.2.7 Thus apart from general inertia, there are problems such as policy unclarity, lack of clarity on the institutional development required to implement decentralisation and lack of clarity on the part of each sectoral ministry as to what initiative they themselves are expected to take. There are also of course issues such as the professional and other capacity constraints at local levels, as well as in some cases questions of the need to develop further the Namibian model of decentralisation, so that it is evidently relevant to the Namibian situation.
- 5.2.8 It is clear therefore, that a lot of decentralisation policy development has been going on in different sector ministries. What has been lacking is a conscious effort at co-ordination to ensure a common decentralisation programme and strategy, albeit sectorally multi-pronged.

### 5.3 *Institutional development*

- 5.3.1 The basis of the institutional mechanisms already exists in that the Ministry of Regional, Local Government and Housing, charged with the responsibility for the decentralisation thrust, policy and implementation, already exists, the Regional Councils have been created and the Local Authorities have been strengthened.
- 5.3.2 Key central agencies like the Prime Minister’s Office, the National Planning Commission, given its extensive powers to assist with the regional and local government planning, are committed to the implementation of the decentralisation policy.
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5.3.3 The line ministries are aware of their responsibility to fulfil their constitutional and legal obligations. Those who have decentralised by way of deconcentration, are poised for immediate greater co-ordination under the general umbrella of the regional councils, and for eventual devolution<sup>8</sup> to the regions as long as formulae can be found which will guarantee the professional and technical competency in the delivery of services for which they are responsible.

#### 5.4 *Resource allocations*

5.4.1 Except for municipalities, most of the sub-national government levels still depend on central government subventions and staff to carry out their programmes. The provision that Regional Councils receive 5% of the money levied by municipal councils in their areas is seen as inequitable because in some regions, particularly those which used to be Bantustans, there are no municipalities.

5.4.2 The principle of decentralising resources or resource base together with functions has not been satisfied so far. The constitution, the legislation and the NDPI all recognise this principle and urge that it be implemented.

#### 5.5 *Programme implementation*

5.5.1 Central government has found it usually convenient to utilise regional councils and local authorities to carry out those specific programmes which benefit most through local knowledge and contacts on a delegation basis.

5.5.2 Other than municipalities, sub-national levels of government have not played any significant role in own programme development and implementation, which clearly is not consistent with the constitutional and legislative intentions already outlined.

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## 6. The need to review Progress

### 6.1 *Consensus that decentralisation is not taking place*

6.1.1 There is consensus in the country that decentralisation is not taking place. Government at the highest level is aware and concerned about this issue.

### 6.2 *Inertia or lack of clarity on the part of central government ministries*

6.2.1 As has been demonstrated before, these commitments at national and state level have not been met with equal enthusiasm at the ministerial and sectoral levels. At best there has been tremendous inertia on the part of sectoral ministries.

6.2.2 Central government line ministries have, at operational level, expressed need for policy clarity concerning decentralisation.

6.2.3 Only concerted effort at policy clarification, review and enforcement could see the process launch at a faster pace.

### 6.3 *Pressure from the newly-created institutions*

6.3.1 At the same time pressure from the newly-created institutions, particularly regional councils, and new local authorities, while it has been polite and non-confrontational, is beginning to be louder and strident.

6.3.2 There has not been clarity on what the values underlying decentralisation are, what strategies to employ in light of other changes going on in the economy and in the organisation of the civil service, and therefore confusion has reigned as some have seen privatisation for example, as a substitute for decentralisation.

### 6.4 *Pressure from other groups*

6.4.1 A number of groups have tended to equate the lack of progress in decentralisation to negation of democratic development.

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## 6.5 *The need to speed up democratic access by our people*

- 6.5.1 An overriding pre-occupation of the Namibian State and Government is the extension of democracy to the people of Namibia to whom it has been unjustly denied for so long.
- 6.5.2 To the extent that decentralisation is extension of democracy to our people, any delay for such extension cannot be tolerated unless fully justified. A policy review provides an opportunity to speed up the process by removing constraints and re-channeling resources.
- 6.5.3 in spite of the constitutional provision for, and the legislation on decentralisation, several ministries have continued policy development and introduced legislation which do not take into account the decentralisation policy.

## 6.6 *The need for a common policy frame*

- 6.6.1 A common framework in which to engage in constructive policy dialogue and negotiations of what is realistically possible, and in what time frame, is necessary for the process to move forward.
- 6.6.2 This policy review process, therefore, seeks to put the debate in context, by reviewing the policy and legislative requirements, as a basis for developing a clear implementation strategy which all interested parties can relate to and independently monitor.

## **7. The Prevailing National Context**

### 7.1 *Socio-economic reform*

- 7.1.1 After only six years of independence, following years of apartheid and deliberate racist repression which divided the country, the economy and regulated all social interaction on the basis of race, it is inevitable that the overriding concern for the national socio-economic strategy is to redress imbalances while stimulating growth and development through creating an enabling environment for participatory development, individual opportunity and responsive and sensitive governance, close to the people.

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7.1.2 The journey from apartheid society and economy to a people-centred development strategy within a democratic Namibia requires a governance structure and a development strategy which maximises the talents and enthusiasm of its people for self-determination at all levels.

7.1.3 The on-going socio-economic reforms are linked not only to the necessary transformation as above, but also to the macro-economic and fiscal reforms which are currently under way. Decentralisation implies that the challenges and the discipline required has to be exercised at local level as well as at the national level.

7.1.4 The regional and local authorities who inherit functions which are amenable to privatisation, commercialisation, or public private partnerships have to acquire the same skills and discipline hitherto the preserve of the central government to lead and manage macro-economic reform.

## 7.2 *Public sector reform*

7.2.1 The rationalisation of the public sector, linked as it is to re-definition of the role of the state, is equally linked to the new roles of the non-state actors in both governance and the economy. Decentralisation is both a beneficiary of this experience and a recipient of some of the functions which the state is shedding off.

7.2.2 In a situation of skills shortage and dire need to deploy scarce resources prudently, rationalisation of the public sector must take into account the decentralisation dimension at both the level of functions devolution and personnel re-deployment.

## 7.3 *National emergencies*

7.3.1 Namibia, like most countries in Southern Africa, is prone to frequent droughts and consequent food shortages which often means redirecting resources, effort and energy to alleviating the worst effects of such disasters.

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7.3.2 Such national disasters are relevant to decentralisation in two ways – they can slow down decentralisation while the nation concentrates on the disaster, or once achieved, regional and local Authorities are often the best level at which to manage such disasters as they are much closer to the people and are more likely to do this more effectively.

## **8. Decentralisation, National Development and Specific Reform Initiatives**

### **8.1 NDPI**

8.1.1 The importance of regional and local government as both a development strategy and development objective is clearly articulated in the NDPI. The plan recognises that for participative development, redress of regional imbalances, and sustainable development to take place, meaningful decentralisation has to be implemented as a matter of priority. However, it also recognises decentralisation for democratisation and human development as an integral objective, over and above its instrumental value for development.

### **8.2 WASCOM**

8.2.1 The civil service reform strategies being discussed and developed in the country must therefore, reflect this clear national objective and contribute to the strengthening of decentralisation and to the effective capacity building for improved service delivery and for unfettered democratic participation at the local level.

8.2.2 No serious public service reform in the Namibian context, given the policy positions which have already been taken by government can conclude without addressing the issues of national management in their totality, i.e. public service reform, decentralisation and private sector development, And how these are all inter-linked and how devolution from one affects the rationalisation in the other process.

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### 8.3 *Macro-economic and Fiscal Policy Management*

8.3.1 The recognition of the role of the regional and local levels of government as part and parcel of the national management machinery means that as central government will implement its macro-management strategies, the role of these levels has to be factored in. All economic and fiscal management decisions will be assessed in terms of the most appropriate level of their management. As functions are decentralised, so also will the responsibility for economic and fiscal decisions related to them and the necessary consultation and support mechanisms will be developed.

### 8.4 *Decentralisation and Cost-effectiveness*

8.4.1 The assumption behind decentralisation in cost-effectiveness terms is that when people manage their own resources and there is a more direct relationship between revenue, expenditure and services, there will be less wastage and more responsibility, cost recovery will be more feasible.

8.4.2 The closer to the point of service delivery the technical cadre is, the cheaper the cost of such services.

8.4.3 The more people see of what their money is buying, the easier it will be to raise revenue.

8.4.4 Therefore, in the long run decentralisation will be relatively cheaper to central government delivering services from the centre.

## 9. **Criteria for deciding on Decentralisation**

9.1 Decentralisation as a major change effort directed at transforming the way the governance of people, the mobilisation of resources and the delivery of services are organised requires that there are clear criteria to determine what gets decentralised, when and at what speed. The following criteria will be applied to determine both functions to be decentralised and the timing and pace of such decentralisation.

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## 10. Functions

### 10.1 *Scale*

- 10.1.1 Some functions are so big, lumpy or all embracing that they can only be usefully carried out at national or even international level.

### 10.2 *Proximity to community*

- 10.2.1 Generally functions which are close to the people in terms of use and access are more amenable to decentralisation than those which are not.

### 10.3 *Sensitivity to community input*

- 10.3.1 There are functions which are more responsive to local input, benefit from local knowledge and take on local characteristics, regardless of who is carrying them. Such functions are better carried out at and by the local level.

### 10.4 *Directness of relationship between revenue and services*

- 10.4.1 Wherever people are requested to pay for services, the more direct the relationship between the payment and the delivery of services the better.
- 10.4.2 Where people pay for services accountability is demanded.
- 10.4.3 Accountability is best the closer the leadership and their institutions are to the people it serves.

### 10.5 *Dependence of function on community involvement*

- 10.5.1 When the success of the implementation of any function is directly dependent on community involvement, such a function might as well be implemented by the community

### 10.6 *Amenability to community management*

- 10.6.1 Any activity which can be managed at the local level should be managed at the local level.

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## 11. Pace of Decentralisation

### 11.1 *Democracy*

- 11.1.1 Democracy delayed is democracy denied (paraphrase of justice delayed is justice denied)
- 11.1.2 At the same time democracy not guaranteed by proper institutional development is democracy endangered.

### 11.2 *Governance*

- 11.2.1 Governance implies participation in decision making, and therefore the pace of decentralisation must be co-determined by all the players in a process of information sharing, situation assessment, negotiation and consensus.
- 11.2.2 Empowerment imposed is dis-empowering

### 11.3 *Feasibility*

- 11.3.1 Whatever is agreed for decentralisation must be possible to do given the history, resources, capacity, politics etc.

### 11.4 *Capacity*

- 11.4.1 Policy making, implementation, monitoring and review capacity are necessary determinants of the pace of implementation of decentralisation.
- 11.4.2 Administrative and institutional development capacity are necessary.
- 11.4.3 Technical capacity to actually implement also determine at what pace decentralisation can be implemented.

### 11.5 *Resource availability*

- 11.5.1 Financial, material, and human resources can speed up or slow down the pace of implementation.

### 11.6 *National socio-economic context*

- 11.6.1 The fiscal situation, the macro-economic challenges, etc., even after decisions have been made, can delay implementation of decentralisation, or indeed speed it up.



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11.6.2 National disasters such as drought, wars or even ethnic conflicts can be factored into delaying decisions already made on decentralisation.

## **12. Phasing Decentralisation**

12.1 Decentralisation can proceed in steps in terms of timing, components and resource outlay. That is to say some functions would have to be decentralised before others, and those functions which are candidates for decentralisation can be decentralised in stages, slices or discrete components.

### *12.2 By function*

12.2.1 Immediate

12.2.2 Medium-term

12.2.3 Long-term

## **13. Levels of Decentralisation**

13.1 In Namibia, Central Government functions are decentralised directly to two autonomous second-tier levels of government, namely Regional Councils and Local Authorities. The former is the local authority for all rural areas.

13.2 Co-operation and collaboration between the regional councils and local authorities will be encouraged through exchange of information and collaboration with common planning issues.

13.3 This policy paper is concerned primarily with decentralisation to Regional Councils.

13.4 However the analysis and conceptual framework for decentralisation above apply to the entire decentralisation system. Some of the functions considered below may also be applicable to the local authorities.

13.5 Nevertheless, a separate process of rationalising policy for local authorities to ensure a balanced national policy will soon be finalised.

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## 14. Functions to be Decentralised

14.1 Using the above criteria and taking into account all the issues regarding direction and pace of decentralisation to regions, and as a result of extensive consultations nationwide, it is possible to already classify functions in terms of which functions could be considered for decentralisation in different time perspectives.

### 14.2 *Possible functions for immediate decentralisation to regions*

- 14.2.1 community development
- 14.2.2 administration of settlement areas
- 14.2.3 rural water development
- 14.2.4 management and control of communal lands
- 14.2.5 primary health care
- 14.2.6 conservation
- 14.2.7 forest development and management
- 14.2.8 physical and economic planning
- 14.2.9 emergency management
- 14.2.10 resettlement rehabilitation
- 14.2.11 advertisement/recruitment of Regional Council staff, dealing directly with the PSC

### 14.3 *Functions to be considered for Decentralisation but needing further work, study etc.*

- 14.3.1 regional assets management now under ministry of Transport, Works and Communications
- 14.3.2 small miners development
- 14.3.3 electrification

### 14.4 *Functions not likely to be decentralised in the near future*

- 14.4.1 All governmental functions being implemented by line ministries at regional and urban levels should eventually be decentralised to RC's and to local authorities.

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- 14.4.2 There will always be those functions which can never be decentralised in a unitary state.
  - 14.4.3 All those functions, or parts of functions, which in theory are decentralisable, according to the above criteria, but not listed in 13.2 and 13.3 above, will continue to be carried out by line ministries for the foreseeable future
  - 14.4.4 For that to happen, line ministries should be organised such that their representative have specific regional responsibilities and regional councils know who these are and which region(s) they are responsible for.

## **15. Phasing within each function**

### *15.1 By region and type of local authority*

- 15.1.1 The MRLGH will develop a schedule in consultation with each region to determine each region's state of readiness so that not all regions start at the same time even some may not be ready. Such phasing by region will enable the development of experience which those who will come later could benefit from.

### *15.2 By function*

- 15.2.1 MRLGH will discuss with each ministry whose functions are candidates for decentralisation to determine how the functions need to be phased if necessary and what professional and technical considerations in view of item 10.

### *15.3 By state of readiness*

- 15.3.1 Even when all the criteria have been met, there are many functions which are found to their current line ministries by acts of parliament. The process of legislation would have to be allowed for in those situations.
  - 15.3.2 There are functions which need to be clearly defined at national level in terms of both policy and technical feasibility before they can be meaningfully decentralised, e.g. privatisation, commercialisation and parastatal reform.
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## 16. Implementing Decentralisation

### 16.1 *Implementation strategy*

- 16.1.1 The ultimate objective of decentralisation in Namibia is devolution of power to the level closest to people in a manner consistent with the preservation and development of the democratic unitary `namibian state.
- 16.1.2 However decentralisation in Namibia will be implemented in stages which will be determined according to the above criteria.
- 16.1.3 There are functions which will be devolved immediately, those which require some time and preparation before they are devolved, and those which are not going to be devolved in the near future, but which will only be deconcentrated to regional and local authority levels whilst remaining central government responsibilities.
- 16.1.4 There will be need for policy and legislative rationalisation to ensure that both decentralisation law and sectoral enabling acts are in accordance with this policy.
- 16.1.5 It is envisaged that by the year 2000, the bulk of activities currently undertaken b government for the people will have been decentralised to regional and local authorities.

### 16.2 *Institutional and organisation change for implementation of decentralisation*

- 16.2.1 Those functions which will be immediately devolved will require internal changes in the regional councils in terms of organisation and personnel.
- 16.2.2 A new relationship between central government and regional councils, which differentiates between national policy making and its implementation at regional level, setting national standards and achieving regional priorities, needs to be developed.

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- 16.2.3 Those functions which require further study before devolution will be handled by the MRLGH with the necessary professional and technical analysis and study being the responsibility of the relevant line ministry.
  - 16.2.4 Those functions which remain the responsibility of central government for the time being will be co-ordinated at regional level.
  - 16.2.5 A co-ordination body within each of the thirteen regions, chaired by the regional officer, and comprising all regional representatives of line ministries, will be established in each region to co-ordinate regional development, through co-ordinated planning, monitoring of plan and projects implementation and evaluation.
  - 16.2.6 This body shall submit their recommendations to the Regional Council which is chaired by the Regional Governor, for adoption.
  - 16.2.7 In addition to comprehensive capacity building for the Ministry of Regional Local Government and Housing, the ministry will also be restructured, where necessary, to enable it to play the leadership role in the implementation of decentralisation.

### 16.3 *Role of central government vis-à-vis devolved functions*

- 16.3.1 The relationship between central government and the regional councils will change in relation to the exercise of their functions in that
  - 16.3.1.1 with Central government and regions relating formally through a legal framework which establishes their respective roles
  - 16.3.1.2 where central government's key roles will be overall national issues such as
  - 16.3.1.3 policy making

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16.3.1.4 overall control and monitoring of all national organs including Regional Councils

16.3.1.5 budget and other national economic development functions within which framework the regions will carry out their own regional functions

16.3.1.6 there will be more formal consultation and mutual advice

16.3.1.7 there will be regulated formal relationship between regional councils and local authorities rather than just a courteous one.

#### 16.4 *Resource strategy – financial*

16.4.1 the Regional Councils Act will be amended to conform with Article 108(c) of the Constitution of the Republic of Namibia on revenue sharing between Central Government and Regional Councils.

16.4.2 the taxation act will be amended.

16.4.3 the Report from the Swakopmund Regional Councils Seminar of 1993 on sources of financing for Regional Councils will be implemented.

16.4.4 regions will be encouraged to engage in imaginative partnerships with the private sector to both deliver services as well as generate some income for the councils.

16.4.5 as a matter of principle, financial resources or revenue base related to a decentralised function will be decentralised with the function.

16.4.6 the 5% levy from local authorities to regions will be pooled into a special fund from which regions will be funded according to their needs. This is intended to remedy the historical inequality between regions, where some have municipalities and others just never had.

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### 16.5 *Resource strategy – personnel*

16.5.1 specialist expertise

16.5.2 regular staff

16.5.3 contracting out options

16.5.4 technical

16.5.5 all personnel attached to the functions being decentralised will be made available to the regional councils.

### 16.6 *Strengthening of the regional level of government*

16.6.1 the regional governor's office will be strengthened and its functions as the political head of the region clearly spelt out.

16.6.2 the regional governor function is a full-time function, unlike the councillor function, which is a part-time function.

16.6.3 the salaries and allowances of regional governor and councillors respectively will be revisited and reviewed accordingly.

16.6.4 the Regional Chief Executive Officer's position will be raised to reflect the post's status as the administrative head and accounting officer of the region.

16.6.5 a regional service mechanism will be created to have responsibility for regional personnel matters.

## **17. Capacity building for decentralisation**

17.1 For the decentralisation policy to be effectively implemented, a level of individual, organisational, institutional and system-wide capacity has to be developed across the board. It is too much to expect that a system barely coping with the daily routine of running a country should also be able to, without any major re-organisation and re-tooling, run such a major change effort as decentralisation.

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17.2 Therefore time and resources will be invested in assessing what is needed to create capacity in the system – capacity to conceptualise, adopt, implement and monitor the decentralisation process.

17.3 This effort should focus on:

17.3.1 identifying the key players in the decentralisation effort

17.3.2 delineating the roles of the key players and how these are to be played

17.3.3 clearly examining their normal institutional missions, mandates, objectives etc. vis-à-vis how they would relate to the decentralisation process

17.3.4 clearly map the different interfaces and how these are to be managed

17.3.5 assessment of the individual and collective capacity of all the key stakeholders to carry out their own function in the whole exercise, including the co-ordinative/collaborative function which is essential for the process to go forward smoothly

## **18. The Key Players in the Decentralisation Process**

The Ministry of Regional, Local Government and Housing is the leading agency for the implementation of the decentralisation process.

18.1 *The leadership role of the Ministry is exercisable at three levels:*

18.1.1 at national policy level in terms of motivating and preparing central government decision making on matters of decentralisation which still require policy decision or clearance

18.1.2 at national level in terms of leading and assisting other central government agencies to implement the policies once made, i.e. ensuring that the policy is implemented



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- 18.1.3 Vis-à-vis sub-national levels, to which decentralisation is taking place, to prepare them for decentralisation, to build their capacity, to help them implement it, and to monitor and evaluate the policies.
- 18.2 *In order to carry out this role, the MRLGH needs a set of key competencies.*
- 18.2.1 To spearhead the policy process MRLGH needs to have the competence to initiate, develop, advocate for and assist the rest of government understand and adopt the policies, through, among other things, obtaining political commitment at the highest level and to build national political consensus around the concepts and objectives of decentralisation.
- 18.2.2 To implement an agreed nation-wide policy MRLGH should be able to develop implementation strategies with clear targets, action steps, resource mobilisation objectives and approaches, monitoring and evaluation mechanisms, to assist other agencies/ministries to understand and carry out their roles, to understand and facilitate the necessary coordination between all the key players, to sequence implementation stages between functions and within functions, to influence the channeling of resources for the implementation policy for the entire effort, not just for its part in the effort.
- 18.2.3 MRLGH's leadership of the sub-national levels of government requires that they be able to involve them in the policy process, to explain decentralisation policy once made, changed or clarified, delineate the different roles between key players at that level, build the necessary institutions for the implementation of the policy, develop the capacity of the institutions to carry out their functions properly, resource them adequately, and monitor their implementation of their functions.
- 18.2.4 *The National Planning Commission has the key role of ensuring national development planning. In that capacity, the NPC needs to have at least the competence to:*
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- 18.2.4.1 develop and manage a participative local and national planning system
  - 18.2.4.2 co-ordinate local and regional planning processes and resultant plans such that they are part of the national planning processes and plans
  - 18.2.4.3 relate to responsible agencies such as MRLGH and local and regional authorities in a way which enhances, rather than diminish their own roles
  - 18.2.4.4 relate national planning frameworks to local planning frameworks
  - 18.2.4.5 set resource allocation priorities consistent with the decentralisation policy and process.
- 18.2.5 *The Prime Minister's Office, in their role as the manager of government:*
- 18.2.5.1 have the role to ensure that decentralisation as Government policy, to the extent that it affects the way Government operates, is implemented by all relevant parties
  - 18.2.5.2 to use its supra-ministerial rank to facilitate the co-ordinative function of MRLGH with other ministries.
  - 18.2.5.3 Its organisation and methods function as well as its personnel function are key to the capacity of both MRLGH and regional and local councils to carry out their functions.
- 18.2.6 *The Ministry of Finance has several key responsibilities in the decentralisation process.*
- 18.2.6.1 it finances the process at national level and therefore can influence the degree to which central agencies engage in decentralisation activities
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- 18.2.6.2 it has accounting rules which could help or hinder sectoral decentralisation by ministries
  - 18.2.6.3 it has taxation powers which it can devolve to the councils
  - 18.2.6.4 it allocates money to the councils for various activities including staffing and training
  - 18.2.6.5 Its fiscal management responsibility demands that it relates fiscal management, discipline and protocols at national level to the decentralisation process as well, as one system.
- 18.2.7 *Sectoral ministries are responsible for all the functions which, potentially, are the ones to be decentralised. They face the challenge of:*
- 18.2.7.1 understanding decentralisation and what it means for their functions
  - 18.2.7.2 participation in the determination of which functions should be decentralised, how and in what sequence
  - 18.2.7.3 capacity building for the councils in respect of carrying out the specific sectoral functions
  - 18.2.7.4 designing the necessary inspectorate and monitoring mechanisms to ensure uniformity of delivery standards across the country
  - 18.2.7.5 making national sectoral policies and assisting with its implementation at the council levels
- 18.2.8 *At regional council and local authority level the most important competency requirements include:*
- 18.2.8.1 understanding decentralisation and their role in its implementation
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- 18.2.8.2 understanding the limitations to decentralisation in a unitary state
  - 18.2.8.3 appreciating the responsibility of authority and the accountability which goes with it
  - 18.2.8.4 translating decentralised authority into service to the people they represent
  - 18.2.8.5 understanding and playing the role of political and technocratic leadership in constituency representation and policy making and in delivery of services respectively
  - 18.2.8.6 negotiating for functions decentralisation or retention by the state, for resource transfer or mobilisation authority as the case may be
  - 18.2.8.7 feeding back about implementation difficulties, without appearing to be critical of the policies themselves
  - 18.2.8.8 resolving the problem of party loyalty versus their responsibility to the community as a whole
  - 18.2.8.9 capacity to be a government, responsible for a territorial unit, its physical, economic and social development and the welfare of the people within that unit
  - 18.2.8.10 development planning, management, etc.
  - 18.2.8.11 managing and utilising the interfaces between them and central government, and the people as electors and recipients of services, other service agencies, other councils, and all key role players and stakeholders in the council areas.
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18.2.9 *Development Agents , non-governmental and governmental and inter-governmental, local and foreign have roles to play and their own needs and hence capacity-building requirements. Some of the competencies which are felt development agencies need to have, include:*

- 18.2.9.1 to understand the development priorities of the local communities and support those
- 18.2.9.2 to use their resources and expertise to assist with the development of these ideas and the setting of their own priorities
- 18.2.9.3 to support people implementing their own development initiatives rather than to do it for them
- 18.2.9.4 be development driven rather than project driven
- 18.2.9.5 have participative development skills
- 18.2.9.6 strengthen local communities without necessarily antagonising them with the local authorities and the state

## **19. Monitoring and Review**

### *19.1 Implementable targets*

- 19.1.1 legislation
- 19.1.2 institutions
- 19.1.3 resources availability at local levels
- 19.1.4 personnel policies
- 19.1.5 personnel qualified in accordance to agreed criteria

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## 19.2 *Indicators for successful implementation*

19.2.1 political consensus

19.2.2 resource mobilisation and utilisation

19.2.3 planning and plan and project implementation

19.2.4 delivery of services

19.2.5 accountability

19.2.6 recognition by the people as the responsible authority in the area of their jurisdiction

19.2.7 striking a balance between decentralisation and the role of the state such that no-one is worried about any danger to the unitary state

## 19.3 *Evaluation of success*

19.3.1 time frame for evaluation

19.3.2 responsibility for evaluation

19.3.3 resources for evaluation

19.3.4 objective of evaluation

19.3.5 the use of the results of the evaluation

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## **SUBMISSIONS BY THE ASSOCIATION OF REGIONAL COUNCILS ON DECENTRALISATION, DEVELOPMENT AND DEMOCRACY**

### **Introduction:**

The formulation of the policy on Decentralisation, Development and Democracy is a positive and a constructive development, and is indeed most welcome.

In the same vein, we extend our whole-hearted thanks to the Ministry of Regional, Local Government and Housing and indeed the entire government of the Republic of Namibia for the commitment to the process of decentralisation, especially the latest initiatives toward effective decentralisation.

At a specially convened meeting of the Regional Governors, Regional officers and the Management Committee of the Association of Regional Councils held on Tuesday 3rd September 1996, it was unanimously resolved that the following changes be effected to the above-mentioned document.

### **8.2 *Wascom Report:***

The salaries of the Councillors need to be updated irrespective of the outcome of the decentralisation process as a matter of urgency.

Many Councillors had to give up jobs in the State to become Regional Councillors and since elections have not been able to obtain employment in the private sector.

The reason is that like the government, the private sector look upon Councillors as politicians and that their time is tied to meetings of the Council whether directly Regional Councils or bodies like primary health care, education fora, REMU, etc.

Thus, their co-called part-time allowance is the only income they have and their duties make it impossible to increase their income.

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14. *Phasing within each function:*

The whole process in regions should not take longer than 2 years after the adoption of the policy.

15.4.2 The taxation act will be amended to conform to article 108(c) of the constitution of the Republic of Namibia

15.4.6 It was unanimously resolved that this clause be removed as ARC already discussed the creation of a special fund and discussed this matter with the Director and Deputy Director of Regional Co-ordination.

15.2.5 remove (Regional Councils and) in this phrase

15.6.1 should read "regional governors"

15.6.3 is in conflict with clause 13.2.11. The above mentioned meeting felt that clause 13.2.11 was preferable.



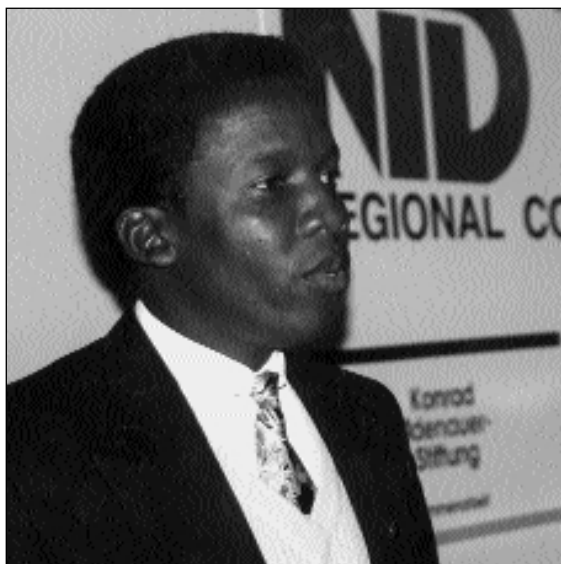
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## CENTRAL EXECUTIVE COMMITTEE'S PROGRESS REPORT

Hon. N.Kaiyamo

### Introduction

The 1st meeting of the Central Executive Committee was held on the 22-23 September 1995 at which the election of the Management Committee took place. In accordance with Article 8(V) of the Constitution of the Association of Regional Councils in Namibia members of the Management Committee were elected with a clear mandate to administer the day to day activities of the Association.



Hon. N.Kaiyamo

Since then members of the Management Committee have collectively and individually worked enthusiastically very hard to ensure the smooth running of the Association. Without the mutual understanding of the division of labour much progress could not have been achieved.

Special thanks go to all the members whose initiatives and creativeness were instrumental to the successes obtained thus far.

This report serves to enlighten the Honourable members in a summary form on the progress of the Association up to date.

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### **Logo of the Association**

As per a decision of the launching congress, the Management Committee launched a community oriented competition in the Regions to design an appropriate logo as an emblem by which the Association will be identified with. Many entries and proposals were received from the Regions resulting in a certain Mr Willibardt Negumbo from the Oshikoto Region winning the competition.

### **Publications of the Association**

A well-detailed and comprehensive book was published about the launching congress of the Association. This was made possible by the sponsorship from the Konrad Adenauer Foundation. An information leaflet aimed at enhancing the knowledge of citizenry, community leaders, the business and NGO's about the Association of Regional Councils was also published. Schools and the public at large should enjoy the preference. The Association's internal information bulletin is aiming at keeping Regional Councils informed about the activities of the Association.

### **The seat of the Association**

The Association of Regional Councils (ARC) obtained an office space within the premises of the Khomas Regional Council. This office is well equipped with a modern computer; cabinet to which a complete filing system is attached; a fax machine and furniture. Through the generous donation from the Friederich Ebert Foundation, the Association was able to have bought the above-mentioned office equipment.

### **Telephone facilities**

A telephone connected with the fax machine has been installed with the following number: (061) 246628

Letterheads of the Association have been printed during this period.

### **Auditors of the Association**

Central Executive Committee has appointed Ernst and Young as Auditors of the Association following information of their wide range of experiences

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internationally as well as their provision of auditing, accounting, taxation, consulting and advisory to again a wide range of public, private, NGO's and Governmental clients. The Association's account is at First National Bank, Ausspannplatz, Windhoek.

### **Insurance of the Properties of the Association**

An Insurance company FGI was contracted to insure the safety of the Properties of the Association. An amount of N\$178-02 annually is paid by the Association for that purpose.

### **Banner of the Association**

The Association produced its own banner to be used at appropriate functions and events.

### **Courtesy calls to Government Offices**

Up to date the Association's leadership paid courtesy calls to:

- office of the President of the Republic of Namibia, Dr. Sam Shafiishuna Nujoma
- office of the Right Honourable Prime Minister, Hage Geingob
- office of the Honourable Minister of Regional, local government and Housing, Dr Libertine Amathila

Overwhelming support and encouragement were received and expressed during these visits. Appointments and request for paying a courtesy call to the following offices are in their advanced stage:

- Ministry of Foreign Affairs
- Ministry of Finance
- National Planning Commission. etc

### **Part-time Secretary**

It is recommended that because of financial constraints the Association should make use of a secretary during CED and MC meeting on a peace work basis to take minutes, type them out and send them to Honourable

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members. Such a person should be remunerated as a part-time secretary to be called in when the need arises. Jobs Unlimited to show whose available.

### **Office Security**

A burglar bar gate was installed at the entrance to the ARC office. This tender was awarded to a small informal business person from Katutura.

### **Plan of Action - 1996**

A draft plan of action is in a advance stage. It is the hope that by now each and every Councillor is in position of the document. Most if not all congress resolutions are included.

### **Namibia Institute for Democracy (NID) Assistance**

The NID offered to support both Regional and Constituency seminars in the Regions. Such information was already communicated to all Regional Councils. The idea is to maintain closer co-operation and communication between Councillors and their electorates. As this programme is very important a sub committee was appointed to ensure proper coordination between the NID and Regional Councils. Honourables K. Howes and J. Pandeni to serve in that sub committee.

### **Office launching of the ARC Publications and opening of the office**

On Friday 23 February 1996 by the Honourable Minister of Regional, local government and Housing, Dr. Libertine Amathila with a keynote address. The Honourable Kandy Nehova was approached to do the welcoming as the function was taken place in the premises of the National Council. Other speakers included people from:

- Unicef
- Friederich Ebert Stiftung
- Konrad Adenauer Stiftung

All Honourable members were invited to attend. Invited were also Ministers, the Speaker of the National Assembly and leaders of the Political Parties.

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## **Councils Membership Fees Contribution**

As per Congress Resolution and decision Regional Councils contributed financially as was agreed upon during the congress. However, the financial position of some of Regional Councils especially those in whose area of jurisdiction there are no municipalities, is making it difficult if not impossible to contribute. Ideas are awaited from this meeting to advise us to how to improve the situation. Councils who had contributed their annual fees for 1996 fiscal year:

- Khomas
- Erongo
- Hardap
- Oshikoto

## **CREATION OF THE SPECIAL FUND FOR THE BENEFIT OF THE MEMBER REGIONAL COUNCILS ESPECIALLY THOSE WITHOUT MUNICIPALITIES.**

In a joint meeting between the National Council and the ARC in which the financial difficulties of member Councils were discussed, the meeting resolved that to remedy the financial situation a special fund should be created to which stakeholders especially Regional Councils will contribute to enable Councils to meet their operational and capital or development needs.

The concept of a special fund was discussed with the Director and Deputy Director Regional and local government Co-ordination. At a special convened meeting of the Regional Governors, Regional Governors, Regional Executive Officers and the ARC Management the concept was discussed and unanimously accepted as the option to replace the pooling. Ten out of thirteen Regions attended.

## **Joint Consultative Committee of National Council and ARC**

This platform was created to discuss issues of mutual interest. The idea of creating a special fund emanated from this platform. Technical committee will be set up to soon to work out draft proposals on how the fund will be administered and to generate funds.

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### **ARC's submission and comments on the WASCOM REPORT**

Association submitted on behalf of the member Councils to the Prime Minister's office. Copy sent to all Regions.

### **ARC/NBC Programmes**

Contact had been made for the possibility of running phone-in-programmes on the Radio Services. Otjiherero services was on already - 4 September 1996 and other services to follow suit.

# Allgemeine Zeitung

NS 1,00 (inkl. MwSt.) (RSA 89¢ exkl. MwSt.)

Redaktion: Postfach 2127, Windhoek, Telefon: 230331, Fax: 220225  
Vertrieb: Postfach 56, Windhoek, Telefon: 230331

Montag, 23. September 1996

80. Jahrgang Nr. 180

## Regionalräte beunruhigen Regierung

„Der Erfolg der Dezentralisierung hängt davon ab, inwieweit die Zentralregierung gewillt ist, die Verantwortung für gewisse Aufgaben und Dienstleistungen an Regionalräte abzutreten und diesen mit den nötigen Sachverständigen und Finanzen auch die Übernahme dieser Aufgaben zu ermöglichen.“

Diese, von John Pandeni, dem Präsidenten der „Association of Regional Councils“ gemachte Aussage, sieht nicht nur stellvertretend für die Forderungen der anwesenden Regionalräte, sondern formuliert auch eine diesbezügliche Herausforderung an die Regierung, die einer Aufwertung der Regionalräte mit gemischten Gefühlen gegenübersteht.

Der Anspruch auf ein höheres Maß an Selbststän-

digkeit für Regionalräte besteht bisher nur auf dem Papier. Die Regierung sieht zwar in den Regionalräten die verfassungsrechtliche Forderung einer nationalen Demokratie erfüllt, war bisher jedoch nicht gewillt, die Lokalverwaltungen vermehrt in die Verantwortung zu nehmen und ihnen die ersuchten Machtbefugnisse einzuräumen.

Wie zahlreiche der anwesenden Regionalräte zu Recht beanspruchten, sei der rechtliche Rahmen, innerhalb dessen sie agieren könnten, bisher nicht klar definiert und es fehle ihnen an den nötigen Finanzen

### Zögernde Ausstattung mit mehr Kompetenz

Swakopmund (ms) - Die Forderung nach einer Dezentralisierung der Regierungsgewalt hat neuen Auftrieb erhalten. Eine am Freitag in Swakopmund abgehaltene Konferenz hat den Regionalräten als Bühne gedient, auf der sie den anwesenden Entscheidungsträgern ihre Beschwerden vorbringen und entsprechende Vorschläge für die seit langem diskutierte Aufwertung der Lokalverwaltungen machen konnten.

politische Komponente (und damit die Möglichkeit unabhängig von der Zentralregierung Entscheidungen zu fällen) dabei jedoch weitgehend ausgeklammert werde. „Administrative Dezentralisierung verlängert in der Regel die Reichweite der Regierung, indem sie Organe unter ihrer Kontrolle auf eine niedrigere Ebene verlegt“, erklärte Tölemeyer.

Dieser Dissensschloß er eine Schlierung des Idealzustandes an: „Regionalräte sollten nicht als Vollstrecker der Staatsgewalt, sondern als Interessenvertreter der einheimischen Bevölkerung angesehen werden. Eine Dezentralisierung sollte von den betroffenen Menschen ausgehen und nicht zu einer theoretischen Pflichtübung werden.“ Die Regierung vollführt in dieser Angelegenheit nun schon seit geraumer Zeit einen Seiltanz, bemüht sich die Forderung nach einer volkreichen Demokratie einerseits, mit der Notwendigkeit einer effizienten Verwaltung andererseits, in Einklang zu bringen. Die dabei bestehenden Probleme sind vielfach historischer Natur. Wie Professor Tölemeyer feststellte, haben sich

leiden, ist die staatliche Skepsis, mit der den Personalräten begegnet wird, durchaus verständlich. Wie die Ministerin für Landverteilung, Pendo Kuni Ihana, und der neue Minister für Regionalverwaltung und Wohnungsbau, Dr. Nicky Iyambo, forderten, sollten regional gesteuerte Impulse verstärkt werden und damit die Voraussetzung für eine Vermehrung ihrer Verantwortung geschaffen werden. So bemüht sich Minister Iyambo, den anwesenden Regionalräten gewisse Zugeständnisse in Aussicht zu stellen, bezieht sich jedoch gleichzeitig, überhöhte Erwartungen im Keim zu ersticken. „Aufgrund der Tatsache, daß eine Erweiterung der Entscheidungsgewalt von

Fortsetzung S.3

# **Regional Council Consultative Conference**

## **Being Held Here Today - Decentralisation ?**

**SWAKOPMUND:** The Association of Regional Councils in Namibia is holding a one-day consultative conference here to discuss a variety of themes with the emphasis on decentralisation. The keynote address was delivered this morning by Dr. Nicky Iyambo, the newly appointed Minister of Regional, Local Government and Housing. The conference has been arranged by the Konrad Adenauer Foundation and the Namibian Institute for Democracy.

Other items under discussion are the role of Regional Councils and the Regional Councillors in urban areas and clarification of the role Regional Councils have to play in urban areas, consultation on the budget draft, escalating debts, town development and squatting.



# Debt could cripple local authorities

● CHRISTOF MALETSKY

**ESCALATING** debts are threatening the existence of local authorities, and unless a concerted effort is made to create jobs countrywide the problem will be compounded.

This was spelt out by the President of the Association of Local Authorities in Namibia, Reverend Paul Goagoseb, over the weekend.

Speaking at the ARC consultative conference at Swakopmund, Goagoseb said escalating debts threatened the existence of local authorities in Namibia.

The ALAN President called on the Association of Regional Councils in Namibia to help create jobs in rural areas.

Goagoseb said this would help solve the huge

debt burdens local authorities find themselves labouring under.

For local authorities to survive, income had to be at least equal to their expenditure.

He said one of the reasons why debt was escalating was due to the inability of residents to pay.

While there was already a low per capita income in Namibia, every unemployed person taking up residence in an urban area further lowered the per capita income and affordability to pay.

Every new resident in an urban area required additional services at greater expense for the local authority.

Local authorities had only a few alternatives in trying to overcome the problem.

The first, Goagoseb said, was to make services

continued on page 2

## DEBTS FROM PAGE 1

cheaper through increased productivity.

He said more efficient methods were continually being looked at.

To possibility of lowering standards was also under review, while the only lasting possibility of solving the problem was to materially increase sustainable job creation on an ongoing basis.

"To merely create job

opportunities in urban areas will only compound the problem as the rural areas will continue to depopulate at a faster tempo than that of the creation of job opportunities in the urban areas," Goagoseb said.

Therefore, jobs had to be created on a countrywide basis.

He called on regional councillors to do their part in the creation of job in rural areas. Goagoseb said rural people often did not understand why they had

to pay for essential services, with arguments like "water comes from the rain" or "water comes from the ground".

He said some people were resistant to paying as they believed that the local authorities were making excessive profits.

The ALAN President charged that there were also reports that some councillors who were in arrears with their own payments had a hand in campaigns advocating non-payment.

# Decentralisation: white paper needed

**"A WHITE paper on the extent of decentralisation, its process and the time frame has become an absolute necessity."**

This was the message of the Director of Elections, Professor Gerhard Töttemeyer, at the Association of Regional Councils' Consultative Conference at Swakopmund on Friday.

The Constitution provided for the institutionalisation and the application of decentralisation, but up to now the government was reluctant to share some of its powers with the Regional Councils.

Both Swapo and DTA National Council members have already accused the Government for failing to decentralise its powers, stating that the Councils could not exercise their functions properly as they were still dependent on funds from the central authority.

Prior to independence, Swapo made it clear that the party was in favour of decentralisation, but with the drafting of the Constitution it realised that the concept had to be implemented in a different form than originally planned. The emphasis of the ruling party's decentralisation

was on administration on provincial or district level and on decentralised planning, but not on political decentralisation. The establishment of regions and regional councils were the result of a compromise between Swapo and opposition parties when drafting the Constitution.

According to Prof Töttemeyer, a member of Parliament recently referred to the 13 regions as another form of Bantustans, which he disagreed with. When dividing the country into regions, Prof Töttemeyer said, politico-administrative, geographical and socio-economic criteria were used, instead of ethnic and racial criteria.

In this regard Prof Töttemeyer made it clear that regional councils did not want to usurp the power and authority of the state, but rather wanted to share such power and authority. His view was that regional and local authorities should be seen as the will of the government "to acknowledge the

population at large as co-stakeholders of the state". Decentralisation should therefore serve as an instrument to improve the well-being of the society and to assure participation and sustainable development.

Referring to a white paper on decentralisation, Prof Töttemeyer stressed that the emphasis should be on controlled decentralisation based on need identification and priority assessment. He was of the opinion that it would also be useful to explore the possibility of an advisory planning committee in each region to link up with the envisaged regional planning committee of the National Planning Commission.

With regard to the financing of regional councils, Prof Töttemeyer suggested that revenue sharing between the central government and the councils had become a matter of cardinal importance citing examples such as the levying of road users tax, property tax, retail and

cattle taxes as well as tourism tax.

In the same vein he pointed out that the effectiveness of decentralisation depended on human and financial resources available as well as an effective administration and good planning.

The problem areas identified by Prof Töttemeyer include the willingness of the central state to transfer real political and administrative powers to lower tiers of government, a good perception and understanding of decentralisation among politicians and the lack of support among high ranking officials and administrators for decentralisation.

He concluded his paper by saying that if decentralisation is substantially motivated and applied, it could support democracy, improve the legitimacy of the state at a local and regional level, enhance the endeavours of the National Planning Commission to promote development in the regions and increase political participation.

## Ithana moots new resettlement deal

● CHRISTOF MALETSKY AT SWAKOPMUND

GOVERNMENT should go back to the drawing board over the removal of villagers from the outskirts of newly-proclaimed towns in the North to ensure that proper arrangements are made for those affected, Minister of Lands and Resettlement Pendukeni Ithana said over the weekend.

Ithana rejected, in the strongest possible terms, actions by some local authorities in the North who have moved people from their settlements

without making proper resettlement arrangements.

The Minister spoke out on the sensitive issue when fielding ques-

tions by Regional Councillors at a consultative conference on decentralisation hosted by the Association of Regional Councils at Swakopmund.

She said development could not be at the expense of people suffering.

"I have rejected what has happened. It's contrary to the Constitution

continued on page2



Minister Ithana

### VILLAGERS FROM PAGE 1

of this country. People were supposed to be remunerated and their life at the new settlements made easier," Ithana said.

The Minister was responding to complaints by Omusati Region councillor, Generosa Andowa.

Andowa charged that the way some local authorities were moving people from their traditional homesteads to make way for development for newly-proclaimed towns in the North was disturbing.

She cited an example at Uutapi, where she said people were moved from the land "they were given by God".

Ithana responded that she did not agree with offering people with traditional huts "N\$200 and then telling them to go".

"We must definitely go back to the drawing board and see whether we cannot get the situation changed. Develop-

ment must not be at the expense of the people suffering. I am sorry about my colleague (Regional Government Minister Nicky Iyambo)," Ithana said.

Iyambo was also present and addressed the delegates earlier.

Ithana said while President Sam Nujoma had encouraged people to move, he had made it clear that they had to be compensated.

"I'm just emphasising this. Nothing more or nothing less," Ithana said.

A number of residents from 17 villages around Oshakati and Ongwediva are refusing to move from their traditional homesteads and mahangu fields to make way for development.

They have been offered a number of options in terms of compensation for their land.

Iyambo requested traditional leaders from areas where people were not sufficiently remunerated to forward a list of names and details of the deals with those people to him.

He promised to rectify any wrongs done to these people.

When he addressed the Northern Namibia Trade Fair at the beginning of the month, President Nujoma appealed to villagers to co-operate when asked to move to make way for development.

"It is important that everybody understands that delaying the proclamation and development of the northern towns means postponement of business opportunities and job creation in this part of the country," Nujoma said.

He said Government's request to the people on the edges of the newly-proclaimed towns to move was part of the broader objective of development.

## 'Funds vital for decentralisation'

● CHRISTOF MALETSKY AT SWAKOPMUND

**THE Association of Regional Councils in Namibia (ARC) has called on the Ministry of Regional and Local Government and Housing not to scrap a special fund in which they pool resources to fund themselves.**

Instead, the Association urged the Ministry to help them come up with further alternatives to boost their financial stability, if the planned decentralisation was to be a success.

A decision to this effect received unanimous backing at an ARC consultative conference on policy guidelines for the decentralisation process at Swakopmund over the weekend.

The workshop identified a lack of financial resources as a major stumbling block to the decentralisation process in Namibia.

"The sources of finance to the regions at the moment is not only inadequate ... in some regions it is non-existent," ARC President John Pandeni told delegates.

From deliberations it was clear that the regions' only source of in-

come was the existing five per cent levy on local authorities which was paid into a central fund and was then divided into 13 to fund each region to the tune of an estimated N\$184 000.

"We are talking about approximately N\$2 million at the maximum. That is not sufficient to fund decentralisation. It

should also not be taken (away). We should rather look for further alternatives," Pandeni said.

Delegates agreed that decentralisation might end up as a pipe dream if the regions had to survive from a pooling system with inadequate funds.

The success of decentralisation depended on the extent to which Government was prepared to devolve functions and services, coupled with essential personnel who had the required skills and know-how.

The workshop also

agreed that the amount of money central Government decided to plough into the regions to finance decentralised functions and services would ultimately decide its success.

Professor Gerhard Töttemeyer told the conference that revenue-sharing between the central Government and the Regional Councils had become a matter of cardinal importance.

He said the major question was what kind of taxes, among others like road user tax, property tax, retail tax, cattle tax and tourist tax - could be levied.

"Presently the possibility of generating adequate income locally seems to be slim. Many regions are situated in rural areas marked by large-scale poverty. This makes many regional councils totally dependent on central Government for funding," Töttemeyer said.

In the end, he said, the financial dependency of councils on central Government impacted directly on the autonomy of Regional Councils.

## DER KOMMENTAR

### Regionalräte als Nachgeborene

Von Eberhard Hofmann

Der Umstand, daß die Regionalräte erst zwei Jahre nach der Unabhängigkeit gewählt wurden, wodurch die zweite Kammer des Parlaments, der Nationalrat auch erst als legislativer Nachzügler in das Bewußtsein der Öffentlichkeit einzog, hat diese beiden Instanzen zu den Nachgeborenen des namibischen Staates gemacht. Sie teilten nicht die politische Sensation und das patriotische Empfinden der ersten Stunde der Unabhängigkeit, das den Mitgliedern der Nationalversammlung reichlich zuteil wurde. Auch bei den Nachrichtennedien muß man lange suchen, bis man etwas über den Nationalrat hört. Von den Regionalräten erfährt man nichts, es sei denn, sie treffen sich zu einer Reflektion ihrer selbst, wie Ende letzter Woche in Swakopmund.

Seit Anbeginn des Nationalrates, wo je zwei Regionalräte aus allen 13 Regionen vertreten sind, hat es zwischen den beiden Kammern des Parlaments Eifersüchteleien gegeben, die so weit führten, daß man sogar das Gericht einschalten wollte, um ihre Ebenbürtigkeit herzustellen. Das Gefühl, zurückversetzt zu sein, bzw. nicht zu vollen parlamentarischen Ehren zu gelangen, machte sich vor allem im Nationalrat breit. Durch die Zusammenkunft von Regionalräten und ihrem vorgesetzten Minister ist das Dilemma der Räte, diesmal nicht in der zweiten Kammer des Parlaments sondern in ihrem ureigenen Bereich, wo sie eine demokratische Rolle der Erneuerung im unabhängigen Namibia spielen sollen, in den Vordergrund gerückt. Die Verfassung schreibt ihnen deutliche Befugnisse zu: Aus ihren Reihen wählen sie Mitglieder für den Nationalrat. In dem Bezirk, in dem sie konstituiert sind, üben sie vollziehende Gewalt und die damit verbundenen Pflichten aus, wie es ihnen durch das Gesetz des Parlaments aufgetragen ist und vom Präsidenten delegiert wird. Soweit die Verfassung. Somit sind die Räte in der Tat nur eine Verlängerung des Parlaments und durch Delegation der verlängerte Arm des Präsidenten.

Ihre weitere Befugnis, Steuern einzutreiben oder an Steuern teilzunehmen, die laut Gesetz von der Regierung innerhalb des Bezirkes, für den sie gegründet sind, erhoben werden, müssen sie voll ausschöpfen. Nur über eine Steuerbasis mit eigenen, eng an die Bedürfnisse und Wünsche der Bewohner ihrer Region angelehnten, Verwaltungs- und Aufbauprogrammen werden sie zu einer Regionalhoheit gelangen, die man sinnvolle Regionalisierung und Dezentralisierung der Demokratie nennen kann.

Die Verfassung macht ferner deutlich, daß die Regionalräte bei der Suche nach Selbstfindung und Selbstbestimmung weitgehend vom Hauptgesetzgeber, dem Parlament abhängig bleiben. Sie können, so heißt es da, jede andere Befugnis und Funktion ausführen und solche Verordnungen und Regeln erlassen, wie es durch ein Gesetz des Parlaments festgelegt werden kann. Inwiefern der Nationalrat, der die Gesetze der Nationalversammlung überprüft und gegebenenfalls an die erste Kammer zurückverweist, selbst Gesetze zur Stärkung seiner Regionalbasis anregen kann, bleibt nach bisheriger Erfahrung zweifelhaft. Wichtiger wäre zunächst, die von der Verfassung aufgetragene Steuer- und Einkommenbasis aufzubauen, um einer föderalen Regionalautonomie näherzukommen. Ob das in enger oder lockerer Zusammenarbeit mit den bereits weitgehend eigenständigen Städten und Kommunen geschehen kann, ist gewiß eine Untersuchung wert. Auf jeden Fall ist die Zeit gekommen, den Windhocker Zentralismus nicht als der Weisheit letzter Schluß zu akzeptieren.

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# THE ASSOCIATION OF REGIONAL COUNCILS CONSULTATIVE CONFERENCE

SWAKOPMUND, 19 - 21 SEPTEMBER 1996

## PROGRAMME

Master of Ceremony: Hon. Hongoze

### *Thursday, 19 September 1996:*

19:00           Arrival and Dinner

### *Friday, 20 September 1996:*

07:00 - 08:00   BREAKFAST  
08:00 - 08:45   Registration  
09:00           National Anthem  
09:05 - 09:10   Prayer  
09:10 - 09:15   Welcoming Remarks  
                  \* Hon. Gov. Kapere: Erongo Region  
                  \* Dr. B.K.H. Dobiey: KAS  
09:15 - 09:25   Opening Remarks  
                  Hon. John Pandeni: President of the Association of Regional  
                  Councils  
09:30           Keynote Address  
                  Hon. Nickey Iyambo: Minister of Regional, Land Government  
                  & Housing  
10:00           TEA  
10:15           The Role of the NID in Namibia  
                  Mr. T. Keulder: NID Executive Director  
10:25           A Working Paper on Decentralisation  
                  Prof. G. Tötemeyer  
11:00           Discussion  
12:00           ALAN Position Paper: The role of Regional Councils and  
                  Local Authorities in urban areas - Rev. P. Goagoseb  
12:15           Discussion  
13:00           LUNCH  
14:00           ARC Policy Formulation on Decentralisation  
15:00           TEA

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15:15	Land Policy: The Role of Regional Councils in Land Distribution and Involvement on Land Boards - Hon. Pendukeni Iivula-Ithana: Minister of Lands, Resettlement and Rehabilitation
15:45	Discussion
16:15	ARC Central Executive Committee Report
16:30	Regional Briefing
17:00	Discussion: Consultation and Recommendations
18:45	Vote of Thanks, Closing Remarks and National Anthem
19:00	Dinner

***Saturday, 21 September 1996***

Breakfast and Departure to Home Regions

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# THE ASSOCIATION OF REGIONAL COUNCILS CONSULTATIVE CONFERENCE

SWAKOPMUND, 19 - 21 SEPTEMBER 1996

## List of Attendance

B. Mwaningange, P/Bag 2032, Ondangwa.  
J. Minnaar, P.O. Box 106, Lüderitz.  
I. Ha-Eiros, P.O. Box 44, Keetmanshoop.  
K. Howes, P.O. Box 11694, Klein Windhoek.  
T. Nambala, P.O. Box 48, Oranjemund.  
I. Marenga, Windhoek.  
N. Kaiyamo, P.O. Box 1527, Tsumeb.  
T. Basson-Gardes, P/Bag 2017, Mariental.  
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P.I. Kapia, P.O. Box 1125, Ondangwa.  
V. Kavari, P.O. Box 321, Windhoek.  
A.G. Mbai, P.O. Box 13, Okakarara.  
F.F. Sazumba, Caprivi.  
P.I. Likando, P/Bag 5002, Katima Mulilo.  
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E. Hendjala, P.O. Box 3379, Windhoek.  
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Y. Wilhelm, P.O. Box 1376, Swakopmund.  
C. Maletsky, The Namibian.  
K.B. Ndoroma, Ministry of Regional and Local Government and Housing.  
K. Nghinaunye, National Council.  
R. Hongoze, P.O. Box 277, Omaruru.  
G. Tötemeyer, P.O. Box 651, Windhoek.  
A.J. Lubbe, P.O. Box 148, Swakopmund.

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P.N. Shimutwiken.  
J.L.M. Mugore.  
Hon. Dr. N. Iyambo, RLGH  
C. Maletsky, The Namibian.  
A. Lubbe, New Era.  
C. Ihuhua, NAMP.  
Hon. P. Iivula-Ithana, Ministry of Lands, Resettlement and Rehabilitation.  
P. Goagoseb  
T. Keulder, NID.  
D. Weissnar, NID.  
L. Katjiremba, NID.  
R. Ndara, NID.  
F. Haushiku, NID.  
M. Silas, NID.  
J. Sifoleni, NID.  
B.K.H. Dobey, KAS.

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# THE ASSOCIATION OF REGIONAL COUNCILS CONSULTATIVE CONFERENCE

**Swakopmund**  
**19 – 21 September 1996**



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## Acknowledgement

The Regional Councillors of Namibia wish to express their sincere appreciation to the Konrad-Adenauer-Stiftung for sponsoring the Regional Councils Consultative Conference as well as the publication of this book.

ISBN: 99916-39-05-5

Published by the Konrad-Adenauer-Stiftung in co-operation with the Namibia Institute for Democracy and the Association of Regional Councils in Namibia.

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