



The Relationship of National Assembly with Civil Society Organisations in promoting a democratic Namibia



Ms. Joyce Nakutta – Director: Committee Services, National Assembly



Parliament - In A Democratic Society

- House of Law Making
- Parliament consists of elected representatives called Members of Parliament (MPs) responsible for making and changing the laws of the country
- It is the place where a nation speaks about its policies and laws through its elected representatives and where the aspirations of the people are turned into laws
- Consist of two Houses, namely National Assembly and National Council
- Parliament is a neutral place where MPs meet to talk, discuss and consult frankly with each other on political, social, economic and legal implications on society

Constitutional Democracy & Separation of Powers

- Namibia is a constitutional democracy
- The Constituent Assembly of Namibia produced a Constitution which established a multi-party system and a bill of rights
- Our Constitution creates three different branches of Government:
 - 1) the Executive Branch (The President and Cabinet)
 - 2) the Legislative Branch (Parliament)
 - 3) the Judicial Branch (the courts)
- This kind of separation of powers is an important part of most democracies
- The Three Branches of Government are subject to checks and balances, and provision is made for judicial review

Role of Parliament in a democracy

- **Legislation** – making laws. Article 44 - Legislative Power - The legislative power of Namibia shall be vested in the National Assembly with the power to pass laws with the assent of the President as provided in this Constitution subject, where applicable, to the powers and functions of the National Council as set out in this Constitution
- **Budget** – approve government spending – Debate appropriation bill presented by Executive
- **Oversight** – hold executive accountable. Article 59 (3) “...any committee of the National Assembly established in terms of sub-article (1) shall have the power to subpoena persons to appear before it to give evidence on oath and to produce documents required by it.”

Role of Parliament in a democracy cont...

- **Representation** – represent the interest of the electorate - Article 45 - Representative Nature - The members of the National Assembly shall be representative of all the people and shall in the performance of their duties be guided by the objectives of this Constitution, by the public interest and by their conscience.

Public participation – A constitutional provision

- Article 61 Public Access to Sittings - all meetings of the National Assembly, shall be held in public and members of the public shall have access to such meetings.
- (2) Access by members of the public in terms of Sub-Article (1) hereof may be denied if the National Assembly adopts a motion supported by two-thirds of all its members excluding such access to members of the public for specified periods or in respect of specified matters.
- Such a motion shall only be considered if it is supported by at least one-tenth of all the members of the National Assembly and the debate on such motion shall not be open to members of the public. A

Parliamentary Standing Committees - an entry point for citizens' involvement in parliamentary democracy

- Parliamentary committees are groups of members of Parliament appointed to assist the Parliament in the performance of its functions
- The purpose is to perform functions which the House is not well fitted to perform, such as carrying out inquiries, hearing witnesses, sifting evidence, discussing matters in detail and formulating reasoned discussion
- Committees provide a forum for investigation of matters of public importance and
- Committees effectively enhance the democratic process by taking Parliament to the people and giving them a role in its operations
- Civil Society, non-Governmental Organizations, academia are often invited by Standing Committees to make presentations on what is happening at grassroots level or presenting the facts

Parliamentary Standing Committees cont...

- Currently witnesses who do appear before a committee for different reasons such as
 - being public servants and giving account on expenditures, projects, implementation of recommendation, etc
 - have knowledge about a particular government program or policy that is of interest to the Committee
 - are stakeholders in the community or a CSO which has an interest in the matter under inquiry
 - are considered to be an 'expert' in a particular field
 - are making a formal submission to the committee on a matter of concern

Petitioning - in a democracy

- A petition is a written application or request from a group or persons to a body or power of authority to redress a particular situation
- SRO 92 to 97 outlines the procedures on petitions
- Any person or group can petition the National Assembly
- A petition must be delivered or deposited with the Secretary of the National Assembly
- In terms of Rule 97 the Secretary present the petition to the Speaker who make an announcement of the receipt of the Petition in the House and refers it to the Standing Committee on Constitutional and Legal Affairs for consideration and further referral to a relevant Committee

Public hearings

- Public hearings are meetings conducted by parliamentary committees to provide the public with an opportunity to convey its views on draft legislation (bills), motions, petitions or oversight inspections
- These hearings or meetings are open to the public i.e. citizens, community groups, interest groups, NGOs, CSOs, government ministries, media, specialists/experts and all stakeholders
- Parliament are currently using existing structures in the regions or local authorities to facilitate the coordination of the public hearings in a particular location
- A Committee will often ask for informed opinions (from academics, professionals, members of civil society) before deciding on an issue
- Public hearings enable the committee to assess the strength of support or opposition to a Bill/petition or a motion that is on inquiry
- The PRO office at Parliament are central to publicising and advertising events of Parliament

Enhancing Participatory Democracy

- EU supported programme started in July 2020 - June 2025
- Specific Objective:

to strengthen the collaboration and coordination between CSOs, Government and Parliament in the implementation and oversight of public policies and programmes, particularly but not restricted to the sectors of education and skills and rural development, thereby enhancing participatory democracy in Namibia

Some Achievements

- Capacity needs assessment for Parliament (MP's and Staff)
- Trainings and
- On-going capacity building and technical support

Enhancing Participatory Democracy cont..

Results to be achieved

- **Result 1** – Civil Society Organisations and Parliament have increased capacity to collaborate and coordinate in the oversight of public policies and programmes;
- **Result 2** – Civil Society Organisations and Government have increased capacity to collaborate and coordinate in the implementation of public policies and programmes, in particular, but not restricted to, the sectors of education-skills and rural development; and
- **Result 3** – Awareness among key stakeholders and the general public about this project and overall programme ‘Enhancing Participatory Democracy in Namibia’ is enhanced.

Conclusion

- Parliament as a representative of the people considers the principle of public participation as the cornerstone of their accountability to the people
- The functions of law making, budget, representation and oversight will be skewed if Parliament are not using the democratic processes of consulting the electorate into consideration
- Parliament welcome the support of the EU through the enhancing participatory democracy programme in Namibia and find it invaluable to the institution
- Assisting Parliament to effectively and efficiently achieve its mandate as well as building and maintaining a sound and healthy relationship with CSO's in the country

“At the heart of the relationship between Parliament and the people are [public] trust and accountability...” IPU



Thank You!