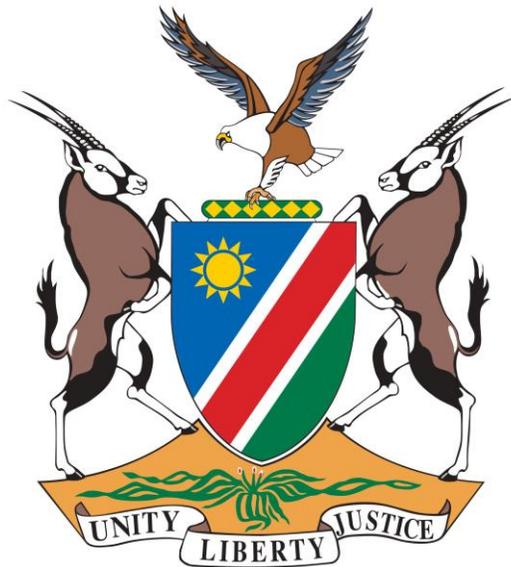


MINISTRY OF JUSTICE



REPUBLIC OF NAMIBIA

MEDIA RELEASE

RESUMPTION OF PROCEEDINGS AT
ONDONGA COMMUNITY COURT

14 May 2019

All media

1. **On 10 May 2019 the Honourable Minister of Justice, Mr Sakeus Shanghala, MP directed in writing that the Ondonga Community Court must resume its proceedings that had come to a standstill due to disagreements in the Traditional Authority.**
2. Several of the Justices and Assessors appointed under the Community Court Act, 2003 (Act No. 10 of 2003) also hold positions in the Traditional Authority. However, the Justices and Assessors of the Community Court are appointed by the Minister of Justice in terms of the provisions of the Community Court Act, 2003 while persons who hold positions in the Traditional Authority are appointed by the Head of the Traditional Authority under the legislation administered by the Minister of Urban and Rural Development, the Traditional Authorities Act, 2000 (Act No. 25 of 2000).
3. Due to this clear distinction in law and in appointment, disagreements in the Traditional Authority must not influence the Ondonga Community Court.
4. The Honourable Minister has therefore directed that the Ondonga Community Court resume at Onethindi with the equipment provided by the Ministry of Justice to ensure that the court is a court of record. The Clerk of Court will be announcing the necessary venue particulars.
5. The Honourable Minister also included the list of Justices and Assessors as set out in the amended Government Notice No. 56 of 2010 (Government *Gazette* No. 4450). Only those Justices and Assessors **appointed by the Minister of Justice** and published in the Government *Gazette* may enter the property for purposes of operating the Community Court and trying matters.
6. Community Courts, especially the Ondonga Community Court, play a vital role in administering justice between families for wrongs that have to be righted through a process known as “wiping away the tears” (ethetopo lyomahodhi). When natural justice is not served, the foundations of communities begin to crumble which in turn erodes justice country wide.
7. Dysfunctionality at the Ondonga Community Court has led to an increase in the Ondangwa Magistrate’s Court roll. It is hoped that with the directive to recommence operations at the Ondonga Community Court, the pile up of matters may be addressed and a backlog at the Magistracy averted.

End.