

Column Corruption – A social disease • Part 150

Ministers' accountability at an all-time low?

This article focuses on the recent case of John Mutorwa, the previous Minister of Agriculture, Water and Forestry's appointment of the Meatco board dating back to 2016. This is one example of many cases of substandard corporate governance by political office bearers in abusing their power in terms of the ongoing poor performance of state owned enterprises (SOEs) of which their liabilities are at least N\$45 billion, sucking our national budget dry year on year. A pattern has developed over the past five years that can be called a trend of unaccountability of ministers in charge of SOEs and overextending their power over boards at the cost of public accountability. Let us contextualise the issues dealing with corporate governance. The High Court ruled that the appointment on 16 February 2017 of the Meatco board by Mutorwa was in conflict with the Meatco Act, the Public Enterprises Governance Act and the Namibian Constitution.

On 27 September 2016, Mutorwa extended the term of the then existing board by three months to 4 January 2017. This extension had been done after he had been reminded to call a meeting where Meatco members could nominate board members to Mutorwa who must have been con-



Johan Coetzee

sidered for appointment. Members are legally entitled to make such nominations to protect their interests. However, no such meeting was called by the minister. Mutorwa deliberately ignored the nomination of board members by the members of Meatco, the livestock farmers. On 15 February 2017, five livestock farmers brought an urgent High Court application seeking an order to set aside the minister's decision and declare the board illegal. Mutorwa settled the issue and agreed that his appointment of the temporary board be set aside. Although the issue had

been settled on 17 February 2017, Mutorwa had already appointed the same board temporarily on 16 February. Because there was an existing board in place, Mutorwa did not have the power to appoint another board.

THE TIME TO ACT IS NOW

It is time to ask questions about who had accountable and why is Mutorwa not held accountable by the president? Mutorwa is an experienced minister that is supposed to know much better. He is supposed to know to respect the pivot around which all good governance rotates – accountability. In this case public accountability towards livestock producers, Namibian citizens, the Meatco board members and the president. Since Mutorwa is appointed by the President, the critical question is: Will he be held accountable by President Hage Geingob? If so, how will the President hold him accountable? Since 2019 is an election year, this is a critical time for the President to demonstrate his public accountability towards Namibians that voted for him with an overwhelming majority to be appointed to the most powerful position in the country. If Geingob does nothing, can it be regarded as a demonstration of his non-accountability towards the public?

What about Mutorwa's accountability towards himself? Will he resign? Why can ministers not be held liable for the performance of SOEs? They interfere enough to be accountable and liable. Politicians are not being held accountable for their actions as is evident from the Mutorwa case. Probably due to vested interests of those that appoint board members (ministers) and board members' vested interests towards the ruling party, they all seem unaccountable. It is time for the president to intervene and act on his promise of 2018 as "The Year of Reckoning", of which we have not seen very much. If Geingob is serious about changing the status of accountability and governance of the 99 SOEs, this is the time to do. It can give ministers time to reflect and rectify their accountability deficit before we enter 2019. In the new year old habits will be retained and during election time historic struggles of political ideology with very limited rationality and economic accountability will be entertained. Let us remain hopeful the future of governance will change because we are heading fast on a downward slope of ministerial unaccountability.

jcoetzee@nust.na