



NAMIBIA REVIEW REPORT

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NAMIBIA

REVIEW REPORT

KEY HIGHLIGHTS



1

HISTORICAL BACKGROUND AND THE APRM PROCESS IN NAMIBIA

Historical Background

- i. Namibia attained political independence from apartheid South Africa on 21 March 1990. Prior to that, Namibia was a colony of Germany in the period between 1884 and 1915. Following World War I, Namibia (then German South West-Africa) became a mandate of the Union of South Africa (C-class) under the then League of Nations' International Trusteeship System. The new colonial power ruled Namibia under their own policies applicable to other South Africans that were excluded from the franchise and defined by ethnicity and race. After the Apartheid government came to power, the situation worsened as the same political and racial practices applied in Namibia (then called South West Africa, or Suidwes-Afrika) as they did in South Africa.
- ii. The ravages of colonialism and apartheid meant that a culture of democracy, the respect for the rule of law and accountable institutions, among others, had to be framed by those entrusted with writing of a new constitution for the new Republic of Namibia. The genesis of the very liberal constitution of 1990 can be traced back to the 1982 Constitutional Principles agreed upon by the United Nations Security Council. The political dispensation crafted by the independence leaders provides for the separation of powers between the Executive, the Judiciary, and the Legislature. The Namibian Constitution and its subsequent amendments provide the framework for equal citizens' rights. Toward that end, the preservation of fundamental human rights and freedoms constitute inviolable core rights enshrined in Chapter 3 of the Namibian Constitution.
- iii. The fundamental human rights and freedoms outlined above also make provision for ordinary citizens to exercise their basic freedoms in pursuance of basic economic and social rights. The promotion of institutions of representative and accountable government were also seen as a sine qua non for the newly independent republic in 1990. Ensuring citizen participation in the governing process became a crucial element in both law and policy-making. The holding of regular, free and fair elections was seen as one of the principal ways of ensuring popular participation in the governance process. The institutional structure to ensure popular participation through elections was laid with the formation of the Electoral Commission of Namibia (ECN) in 1992. The Directorate of Elections was formed in terms of the Electoral Act (Act No. 24 of 1992) as amended Electoral Act, 2014 (Act No. 5 of 2014) to replace an ad hoc election administration created in 1989. At formation, the ECN was located in the Office of the Prime Minister for administrative purposes from 1992 to 1998. To depoliticise the management of elections, the ECN gained administrative and political independence from the Executive in 1998. It is important for electoral commissions to have and maintain their unique independence.
- iv. Another impediment the Namibian government had to overcome at independence was to transcend institutional disparities, characterised by the existence of 11 ethnic governments created through the apartheid philosophy and its application prior to independence. These ethnic and racial classifications from colonial times for the refinement of apartheid in Namibia were to pose a consistent challenge. Apartheid structures of government (and apartheid-styled governance) had to be replaced by new structures befitting the new constitution and the vision for a new inclusive Namibia.



- v. The Constitution of Namibia provides the framework for service delivery in the country. At national level, the provision of an efficient and effective public service was provided for in the initial Public Service Act (Act No. 13 of 1995). Part 1 of the Act provides for an impartial and professional public service characterised by efficiency and effectiveness in providing service to the government in policy formulation and evaluation. The Act further states that the public service should be prompt in executing government policies and directives to serve the Namibian people and to promote their welfare and lawful interests. To further strengthen the effectiveness and efficiency of public service delivery functions of government, some functions have been delegated to regional and local governments. In terms of gender, the logic of apartheid had its own hierarchy that placed black women at the bottom, both legislatively and in lived reality. To overcome this legacy of blatant discrimination, the Namibian Constitution prohibits discrimination based on sex (Article 10), and it also makes allowance for affirmative action for women (Article 23).

The APRM and its Implementation in Namibia

- vi. The primary purpose of the APRM is to foster the adoption of policies, standards and practices leading to political stability, high economic growth, sustainable development and accelerated regional and continental economic integration
- vii. The APRM's governance review assessments are conducted in relation to the values, codes, standards and norms enshrined in the Abuja Declaration on Democracy, Political, Economic and Corporate Governance adopted on 9 March 2003 in Abuja, Nigeria, as well as the African Charter on Democracy, Elections and Governance (ACDEG).
- viii. The APRM process in Namibia took into account the historical framework and governance reality of the country, as summarised in the historical background, and reviewed the following four thematic areas:
- **Democratic and Political Governance**
 - **Economic Management and Governance**
 - **Corporate Governance; and**
 - **Socio-economic Development.**
- ix. Namibia acceded to the APRM at the APR Forum of Heads of State and Government meeting of 28 January 2017, held in Addis Ababa, Ethiopia, as the 36th APRM Member State. At accession, H.E. Dr Hage G. Geingob, President of the Republic of Namibia, stated his support for the APRM as a process that plays a pivotal role in enabling Africa to achieve the noble Aspirations and Developmental Goals of Agenda 2063 and its First-Ten Year Implementation Plan.



x. Namibia is to be commended for its full implementation of the APRM good governance programme. From 2017-2018, Namibia completed plans for operationalising APRM, and by November 2019, all APRM national structures were established, including the APRM National Secretariat led by its CEO and the Focal Point for APRM in Namibia, Ambassador Lineekela Mboti, as well as the Namibia APRM National Governing Council (NGC) consisting of eminent citizens representing civil society, government, and the private sector to oversee good governance reports and their implementation in Namibia.

xi. The NGC was inaugurated by H.E Dr Hage G. Geingob in November 2019, and is led by its chairperson, Ambassador Wilfried Emvula. These national APRM bodies immediately embarked on delivering an APRM Targeted Review on Youth Unemployment whose report was presented to the APRM Forum of Heads of State and Government at a Summit held in Addis Ababa in February 2020. The report was subsequently launched officially in Namibia by His Excellency Dr. Nangolo Mbumba, Vice-President of the Republic of Namibia, at the State House in Windhoek on 17th November 2021.



xii. From August 2020, the NGC oversaw the development of a Country Self-Assessment Report (CSAR) that was submitted to the APRM Panel of Eminent Persons and the APRM Continental Secretariat in early October 2021.



The Country Review Mission

xiii. The Country Review Mission for Namibia took place from 25th October to 10th November 2021. The Lead Panel Member for Namibia, who is also the Chairperson of the APR Panel of Eminent Persons, Ambassador Ombeni Sefue led an eighteen-member review team consisting of governance experts from 11 African countries who provided an independent viewpoint on governance challenges and good practices in Namibia.

xiv. The review team paid a courtesy call on H.E. Dr Nangolo Mbumba, Vice President of the Republic of Namibia, who later convened a session with members of Cabinet that included the Rt. Hon. Dr Saara Kuugongelwa-Amadhila, Prime Minister, and Hon. Dr. Netumbo Nandi-Ndaitwah, Deputy Prime Minister and Minister of International Relations and Cooperation. The team had a separate meeting with Hon. Obeth M. Kandjoze, Director-General of the National Planning Commission. Later, the review team had a working session with Executive Directors of Offices Ministries/Agencies (O/M/As convened and chaired by, Dr George Simataa, Secretary to the Cabinet during which issues related to all aspects of governance and socio-economic development were thoroughly discussed.

- xv. In Parliament, the review team had similar working sessions with the Speaker of the National Assembly, Hon. Prof. Peter Katjavivi, MP, accompanied by MPs from the National Assembly; and another meeting with members of the National Council led by Hon. Emma Muteka, MP, and Deputy Chief Whip of the Ruling Party.
- xvi. At the Judiciary, the review team had a meeting with the Honourable Justice Peter Shivute, Chief Justice of the Republic of Namibia, accompanied by Honourable Justice Petrus Damaseb, Deputy Chief Justice, as well as other senior participants from the Judiciary.
- xvii. The review team likewise met some of Namibia's partners. There was a session with the Africa Group of Ambassadors; as well as sessions with H.E Sinikka Antila, the EU ambassador to Namibia and Mr. Sen Pang, UN Resident Coordinator.
- xviii. The team travelled across the country and met stakeholders in all 14 regions of the country, including meetings with Regional Governors, Regional Councils and Local Authority Councillors, as well as public and private sector stakeholders and civil society.
- xix. This Namibia Country Review Report is accompanied by a costed National Plan of Action (NPoA) that addresses the identified governance challenges and assigns responsibility for implementation to public and private institutions, including government, private sector and civil society. The NPoA will also be harmonised with Namibia's Sixth National Development Plan.





2

**DEMOCRACY AND POLITICAL
GOVERNANCE**

Overview

- xx. Namibia acceded to the APRM in 2017, and quickly undertook APRM reviews due to its desire to consolidate its democratic institutions and practices and use the APRM as a tool to evaluate, monitor and improve its quality of governance. It speaks to the confidence of the Namibian state that democracy and political good governance are necessary conditions for the country to evolve into a stable polity in which sustainable economic growth and social development can take place for the benefit of all Namibians.
- xxi. Namibia is a young nation in more than one sense. It became independent in 1990, with a substantial proportion of its population now being described as “Born Free” because they were born after independence. Her legacy could not have been less promising. As noted in the historical background, the colonial regime practised apartheid which placed political power exclusively in the hands of white people and confined Namibians to eleven homelands where the Apartheid South Africa-patented Bantustan system prevailed. The Bantustan system fostered separation of the homelands, a divide and rule strategy which threatened to set Namibians against each other as they struggled to liberate their country. The cohesiveness of the Namibian political elite is a testimony to their commitment to work together to build their country, which mission is captured in the “One Namibia, One Nation” political rallying cry to mobilise the population behind a common purpose – the development of Namibia for Namibians.
- xxii. After independence, the main challenges were to promote national unity, grow the economy, share the benefits of independence through delivery of services to all areas of the country and realise in a sustainable way the high expectations and optimism that independence and self-rule engenders. Namibia adopted policies which have promoted integration and helped it to survive the challenge of elite fragmentation that many young countries’ leadership experience after taking control of post-independence government. It has achieved political stability and appreciable socio-economic development. It also promulgated a Constitution and adopted Standards and Codes that are necessary for the consolidation of democratic rule.



Standards and Codes

- xxiii. Namibia has ratified a substantial number of the Standards and Codes prescribed by the APRM’s Democracy and Political Governance thematic area. But it has not

signed a couple, which pertain to the protection and promotion of the welfare of internally displaced persons and refugees. However, the Constitution sanctions that the general rules of public international law and international agreements binding upon Namibia shall have the force of law in the country. Nevertheless, Namibia still needs to ratify all Standards and Codes which it has signed.

- xxiv. Namibia has an institutionalised process for signing and ratifying international Standards and Codes. It starts with the line Ministry recommending the domestication of an international agreement. The said line Ministry would seek Cabinet's approval with the concurrence of the Office of the Attorney-General. Following the clearance by the Office of the Attorney-General, it then goes to the National Assembly for endorsement. If the National Assembly ratifies it, then the line Ministry concerned would notify the Ministry of International Relations and Cooperation of the ratification and request for the preparation of the instrument of ratification and its subsequent deposit with the relevant depository. The agreement is then signed by the Speaker of the National Assembly and published in the Gazette.
- xxv. This process of domestication of international public law and agreements ensures that the Government thoroughly scrutinises them before adopting them, and recognises upfront what Namibia stands to gain by ratifying such agreements and implementing the obligations it assumes by doing so.
- xxvi. Similarly, the Government has a process for fulfilling reporting obligations under the Standards and Codes that it has ratified. Reporting on all of UN and AU Human Rights treaties/instruments is the responsibility of the Ministry of Justice, which collaborates with the Ministry of International Relations and Cooperation (MIRCO) and other stakeholders. Reporting obligations under the UN Agenda 2030 and the AU Agenda 2063 are coordinated by the National Planning Commission working with MIRCO and other stakeholders.

Constitutional democracy and the rule of law

- xxvii. Namibia has a progressive constitution which provides sound guiding principles for democracy and human rights, and institutions for the protection and enforcement of these principles. The Constitution provides for an electoral system based on proportional representation or party list system for election to the National Assembly and a first-past-the-post system for election to regional councils. Namibians from all walks of life, including those in opposition and smaller parties, support this system and see it as the most credible one for representation and inclusion in Namibia.
- xxviii. The law regulating the appointment of commissioners of the Electoral Commission of Namibia provides for a competitive and independent recruitment process. This process is conducted by a selection committee comprised of specialized and autonomous agencies of government and the civil society represented by the Law Society of Namibia. This selection committee works with the Secretary of the National Assembly to receive applications from interested candidates, reviews applicants' qualifications against a set of requirements provided in Section 6 of the Electoral Act, develops a shortlist, interviews candidates (a process open to the public and the media) and nominates qualified candidates from which the President appoints the five commissioners (at least two of whom must be women), or fill vacancies on the commission. The final stage of this process is parliamentary approval of those appointed by the President.



- xxix. There is widespread consensus among Namibians at all levels that the ECN is credible, and it has over time delivered on its core mandates independently— and without undue interventions and influences from external actors. To further deepen its independence, the Commission is currently in a partnership with the International Institute for Democracy and Electoral Assistance (IDEA) to develop technical modalities through which it will operationalize its institutional independence.
- xxx. The ECN has a remarkable record of success in voter registration and ensuring credibility of elections by introducing a biometric voter registration system. Despite the high voter registration, however, there has been steady decline in voter turnout during recent elections, particularly at the regional and local authority levels.
- xxxi. Namibia has state institutions which enforce the supremacy of its Constitution and the rule of law. The Executive and the Legislature uphold constitutional provisions, and the Judiciary is free and independent. However, shortage of courts and judges often causes delays in the judicial process thereby constraining access to justice; this shortage needs to be addressed urgently.
- xxxii. Separation of powers in Namibia is modified by the Constitution authorising the President to appoint some Members of Parliament to inject needed skills, expertise and experience into the law-making process, as well as enhance representation. The principle of separation of powers is maintained by the President appointing eight (8) non-voting members to the National Assembly, while denying the president's appointees the right to vote, to sit on committees or to be counted in determining stipulated quotas for decision-making. However, notwithstanding the strengthening of the National Assembly in this way, several Bills have been pending for a long time, calling attention to the need to reinforce the administrative capacity of the Office of the Speaker.

Intra and inter-state conflict

- xxxiii. Namibia maintains peaceful and cordial relations with its neighbours, with whom it has bilateral commissions to settle disagreements and manage shared resources. It also has no overt conflict in its internal borders. However, there are some frustrations around issues such as land reform, including access to agricultural land; lack of housing; high level of youth unemployment; resource scarcity in the regions and local authorities; rising notions of ethnicity; lack of trust in the State's capacity to deliver services to all people, and a growing gap between the rich and the poor.
- xxxiv. In August 1999, Government successfully suppressed a secessionist attempt by the Caprivi Liberation Army (CLA). The Government embarked on cultural, political, and developmental programmes and has succeeded in restoring peace there. However, the Caprivi Concerned Group emerged to carry on the agenda of seceding the former Caprivi Region from the rest of the country. The Government embarked on cultural, political, and developmental programmes and has succeeded in restoring peace there.
- xxxv. Similarly, despite some commendable efforts by the Government, Namibia's indigenous people continue to suffer deprivation of their land rights through encroachment by more powerful neighbours and elite. The Government is advised to urgently address the matter so as to ensure indigenous people feel that they are fully included in the Namibian nation on equal terms with the rest of the population.

Civil and political rights

- xxxvi. Fundamental human rights and freedoms are guaranteed by the Constitution which has established an independent Judiciary and the Ombudsman's Office to protect those freedoms and rights. The Judiciary is structurally and operationally independent of the Executive, and capable of delivering impartial judgments. But, as stated earlier, access to justice is hampered by inadequate courts and judges. The Ombudsman is more accessible but has few regional offices, which limits access to those where its few offices are located.
- xxxvii. Namibia's robust civil society plays a major role in protecting the civil and political rights of citizens. The press is free and trenchantly exposes abuses and defends the rights of the people. On the other hand, the Government has not passed the Access to Information Bill which CSOs have been agitating for; it is therefore advised to do so



Efficient, effective and accountable public service

- xxxviii. The Government has carried out several reforms to enhance the productivity of the public service at all levels. The first institutional reforms implemented shortly after independence aligned the public service with the Constitution and set up an independent Public Service Commission to recruit, appoint, promote and discipline public servants. Subsequent reforms focused on capacity enhancements, including the establishment of the Namibia Institute of Public Administration and Management (NIPAM), to equip public servants with needed skills, knowledge and expertise. Efforts have also been made to automate office processes through deployment of ICT facilities in Offices, Ministries and Agencies (OMAs), regional government and local authority offices. However, in engagements with stakeholders, the review team was made aware of dissatisfaction with the performance of the public service. This is said to be one of the reasons for the low execution of budget targets and poor delivery of services witnessed in some parts of the country. Government has tried to address the capacity issue in several ways, including introducing performance contracts, an initiative which is still being rolled out across OMAs.
- xxxix. There is a perceived increase in the level of corruption in the public sector despite the establishment of the Anti-Corruption Commission, Ombudsman Office and the Public Procurement Board. As stated above, the Ombudsman's Office is limited in coverage to the capital and a few regions. The Anti-Corruption Commission has a mixed record of performance and appears more capable of dealing with less powerful people. Many of those Namibians who engaged the review team considered the procurement system as being rigged to favour the powerful, educated, well-connected and willing givers rather than being genuinely competitive, transparent and fair.

Decentralisation

- xl. At independence, the Government adopted a decentralisation strategy after much debate to quickly take government services closer to the people and afford them the opportunity to participate in governance. As envisaged, the key goal was to give people in their regions and local authorities a measure of participation in governance and decision-making, which implied devolution of functions from OMAs to the subnational levels. Done effectively, devolution could have given people in the regions and local authority areas a sense of political self-efficacy, trained them in participatory governance and made them active citizens capable of making impactful decisions for themselves, and accepting responsibility for the outcomes.
- xli. However, because of the lack of adequately trained and experienced personnel to implement devolution in the regions and local authority areas, as well as limited financial resources, the Government decided to take a phased approach to decentralisation. In the first stage, functions would only be delegated and in the second stage devolved fully. After nearly two decades, the process is progressing at a slow pace, and seems stalled at the delegation stage. Seven ministries have delegated some functions, while the rest have not transferred any of their functions. Meanwhile, the clamour for more devolution to give substantive governance responsibility to the regions and local authorities is loud and relentless. The status quo is unsustainable, and the government should find a way to advance to the next stage of decentralisation as originally conceived.



Promotion and protection of the rights of women

- xlii. Namibia has ratified several international and regional agreements for the promotion and protection of the rights of women. The Namibian Constitution guarantees the rights of women through clauses prohibiting non-discrimination on the basis of sex, while the Government has adopted policies and passed laws to promote women's rights such as the National Gender Policy, the Affirmative Action (Employment) Act, 1998, the Combating of Rape Act, 2000, and the Combating of Domestic Violence Act, 2003. The Government also established a Ministry of Gender Equality, Poverty Eradication and Social Welfare to promote gender equality, poverty eradication, socioeconomic development of men and women, and the wellbeing of children.
- xliii. However, some women told the review team that they still faced many challenges to the enjoyment

of their rights. They feel that archaic family law on marriage, divorce, and customary marriage as well as cultural practices hinder the full enjoyment of their statutory rights. However, Namibia has to its credit taken certain initiatives in pursuit of women's rights; and the review team has selected two commendable practices in the area of gender equality to share with the rest of the continent (see section on Commendable Practices).

- xliv. Gender-based violence continues to be a serious and enduring problem. The Traditional Authorities Act which gives traditional authorities the right to supervise and ensure observance of customary law and practices is seen to be a contributory factor which perpetuates the application of harmful customs, traditions and cultural practices against women. Nearly a thousand women are raped annually in Namibia. While the legal age for marriage in Namibia is 18 years and above, some young girls are still married off as early as 11 years old, partly because some members of the communities may not be aware that it is a crime to marry a girl below the age of 16 years. The Government should embark on massive public enlightenment and revise relevant laws to align them with the policies for the promotion and protection of the rights of women.



Protection of the rights of children and young persons

- xlv. Namibia has signed the Child Rights Act which protects children from all forms of sexual exploitation and abuse, while the Constitution protects them against economic exploitation and hazardous work. Other laws to protect children include the Children's Status Act; the Child Care and Protection Act; the Combating of Immoral Practices Act; and the Basic Education Act (No.3 of 2020).
- xlvi. However, Namibia does not devote sufficient resources to meeting the minimum standards of responsibility to children in detention, including the fact that children's courts have not been operational in all regions. It also lacks dedicated juvenile or youth correctional facilities even though the Correctional Services Act of 2012 (Act No. 9 of 2012) provides for separate detention quarters for juvenile offenders.
- xlvii. Most stakeholders expressed concern over child marriage and teenage pregnancy resulting in high





rates of school dropouts especially in rural areas. This phenomenon is prevalent in some communities of Kavango and Kunene regions. Like in the case of women, traditional practices are also to blame for oppressing and undermining the rights of children. The community of Ovahimba in Kunene region confirmed to the review team that the Ovahimba marry young girls; but they also admitted that they needed to revisit and discourage that practice.

- xlvi. Children with disabilities in the northern regions have no resource schools and are therefore deprived of education. There are, however, six (6) resource schools located in Windhoek, although stakeholders indicated that most rural families cannot afford to take their children for education there.

Promotion and protection of the rights of vulnerable groups

- xlix. Namibia has various legislations for the promotion and protection of vulnerable children. Among these are the National Policy on Orphans and Vulnerable Children of 2004, the National Agenda for Children (2012-2016), and the National Agenda for Children (2018-2022) that also caters for the needs of vulnerable children. Others include the National Policy on Disability (1997), the National Policy on Orthopaedic Technical Services (2001), the National Policy on Mental Health (2005), the Sector Policy on Inclusive Education (Republic of Namibia 2013) and the Disability Mainstreaming Plan of 2020.
- i. Namibia is one of a few African countries with policies that address issues related to indigenous people. The Country Self-Assessment Report notes the existence of a draft White Paper on the Rights of Indigenous Peoples in Namibia is now awaiting presentation to the Cabinet for approval.
 - ii. Namibia has laws and policies to address issues of people living with disabilities. These include the National Disability Council Act of 2004 (Act No. 26 of 2004), the Child Care and Protection Act (No. 3 of 2015), the Disability Mainstreaming Plan of 2020 and the Sector Policy on Inclusive Education that places a strong emphasis on children with disabilities. Nevertheless, some beneficiaries of the support grant for the disabled are neither aware of its existence nor the process required to obtain it. As a result, persons with disability have limited access to education and only a few are gainfully employed.
 - iii. Namibia has only one Refugee Camp, located in Osire in Central Namibia, in the Otjozondjupa region, which is 240 km from Windhoek. Interaction with other communities is difficult because of the isolation of the camp, with other regions processing and transmitting refugees and immigrants to the Osire Camp. The regions lack holding shelters whilst processing refugees at receiving points as well as transport to move the processed refugees to the central camp, and in consequence, this leads to the long and cumbersome processing of refugees.
 - liii. The San Community remains disadvantaged in the enjoyment of economic, social, and cultural rights. Colonial times led to the dispossession of their land, including what became known as Etosha Game National Park, through neither consultation nor compensation. The Government has started resettlement projects in several regions including Omaheke Region and Kavango West. For example, some members of the San community have been resettled at the Bravo and Gorden communities in Kavango West Region. However, challenges remain including marginalisation, underdevelopment, and poverty despite the implementation of the San Development Project run by the Division of San Development in the Presidency.

An aerial photograph of a city street, likely in Markham, Ontario, Canada. The image is overlaid with a semi-transparent blue filter. On the left, there is a large, modern, multi-story building with a curved facade and many windows. In the center, a street runs parallel to the building, lined with trees and parked cars. In the background, more modern buildings are visible, including one with a sign that says "omentum". A large blue circle with a yellow border is positioned in the center of the image, containing the number "3".

3

ECONOMIC GOVERNANCE AND MANAGEMENT



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- iv. **N**amibia was left with a poor economy after gaining independence in 1990 but has emerged stronger since then, with average growth rates of between 3% and 5% in the periods 1990-2000 and 2001-2015 respectively, largely associated with the commodity super cycle. However, this growth was largely jobless with the growth rate short of the 7% annual target rate considered necessary for significant job creation. Moreover, from 2016 to 2018, the economy took a downturn with the economic growth rate declining, and this was compounded by the 7.3% contraction of the economy in 2020, with the advent of the COVID-19 pandemic.
 - iv. The Government introduced appropriate economic policies and implemented its development vision through Vision 2030, the medium term National Development Plans (respectively NDP1 to NDP5, with the Government now expected to launch the Sixth National Development Plan (NDP 6)), the Harambee Prosperity Plans (HPP 1 & 2), and the Targeted Intervention Programme for Employment and Economic Growth (TIPEEG). The latter two programmes were specifically developed to address growing unemployment, high poverty and inequality, and the low economic growth rate. These efforts are directed towards stimulating the economy over the medium term and addressing the devastating socio-economic effects of the COVID-19 pandemic. Indeed, with an improvement in the regional and global economic environment, the economy is expected to rebound to 1.4% in 2021 and 3.4% in 2022 on the back of a steady recovery in the mining sector and services.
 - ivi. Government spending plays a significant role in any economy by stimulating aggregate demand with a high allocation to the health and education sectors. Yet, despite high government spending in Namibia, the share of capital spending in the economy remains very low, with over 40% of total spending used for the public sector wage bill. The Namibian economy is also characterized by budget deficits over the years which has led to debt accumulation. To address the growing debt challenge, the Namibian government introduced strict fiscal consolidation. However, the emergence of the COVID-19 pandemic has undermined those efforts. Other policies, such as monetary policy, have also been employed with

this specific aim. The country's monetary policy stance is associated with a fixed currency peg to the South African Rand. This ensures price stability for a sustainable economy. Thus, inflation and interest rates remain stable. Trade policy is mainly driven by regional and continental economic and trade blocs.

- lvii. The Namibian economy is considered stable when assessed by the rate of inflation, which was on a downward trend during the 2016–2020 period. However, inflation has gained moderate momentum in the first three quarters of 2021, rising from 3.1% in March to 3.4% in August 2021. While the control of the inflation rate may be considered as largely acceptable, other macroeconomic indicators such as the public debt are of concern with the debt-to-GDP ratio increasing gradually from 23.73% in 2015 to 62.06% in 2020
- lviii. The structure of the Namibian economy has barely changed since independence, with the share of tertiary industries (service sector) remaining higher. Government services forms a larger part of these industries, creating vulnerability and lack of resilience in the economy. In addition, Namibia experienced severe drought conditions in 2019 that constrained agricultural output and subdued the supply of electricity and water, with associated effects on production. There are also some inherent structural strains in the different sectors related to the sub-optimal exploit of the potentials of the country to create a more productive and inclusive economy that provides access to productive jobs with better wages and improved standards of living. This is a fundamental challenge facing the Namibian economy; it is a challenge that manifests itself in extremely low labour participation, high unemployment, and a very small formal private market that provides employment for only one in every seventeen Namibians in the labour force.
- lix. Namibian economic progress is mainly anchored on the activities in the mining and fishing sectors. While recognising the significant improvement in the tourism sector, the entire ecosystem of the sector can be revamped to explore new markets and improve on the inclusion of more citizens. The ease of access to the country can be fine-tuned to increase the number of arrivals in the country thereby creating a mega-tourism hub. There is an urgent need to increase local content and enhance the integration of small businesses in the value chain of these two sectors, as well as in the agriculture value chain
- lx. The sectors with the larger share of contribution to the economy can be further reinforced to exploit their varied potentials. Of utmost importance is a sector's potential in terms of employment. For instance, an estimated 23% of labour force was employed in the agriculture, forestry, and fishing industry while only 1.7% was employed in the mining and quarrying industry--an industry that contributes the largest share to total exports. It is, therefore, important to engage the mining and quarrying industry in crafting policies and initiatives that can ensure a more equitable distribution of benefits in the industry, including through a sustainable integrated mining ecosystem.
- lxi. The Panel recognises and encourages Government efforts and some progress attained regarding beneficiation leading to significant value addition with respect to the extractives sector. This beneficiation is attainable, and is most efficient if established close to mines, before transportation and export. The downstream mineral beneficiation industries also require integration into the Special Economic Zone.

- lxii. Namibia is to be commended for having well-defined structures that enable public participation in policy making through structures such as the Village development committees, District development committees, Constituency development committees, regional committees and line ministries. There is concern, however, on the level of actual participation of stakeholders in policy making.
- lxiii. Likewise, the participation of public and private institutions in policy discussions remains low. Stakeholder participation is often limited to matters of public finance management and oversight, with the occasional public parliamentary committee meetings during which representatives of public entities are questioned on fiscal expenditures. This limited public participation was confirmed in the Open Budget Survey where Namibia is ranked low in public participation. While the country was ranked 51 out of 100 points for overall budget transparency, countries need a minimum score of 61 points to be classified as transparent in the fiscal budgetary process.
- lxiv. As noted in the section on an “Efficient, Effective and Accountable Public Service”, the government should find a way to advance to the next stage of decentralisation as originally conceived after independence. In interactions with state and non-state actors in all regions, it was found that, while all of them applaud the policy, they feel it is not working as they had expected. Fiscal decentralization to Local Authorities has not yet been fully implemented. Local Authorities in Namibia control less than three (3) percent of public expenditures. Regions and Municipalities are still financially and logistically dependent on the national government to be able to carry out their respective mandates.
- lxv. From these interactions, the review team established that Namibia’s decentralization is still at the delegation state. The team was informed of lack of budget control by the Regional Councils, that The system of sectoral budgeting at the Centre does not allow Councils to reallocate funds to be utilised on other priority or emergency community needs. There were also complaints that planning is done at the Central government level and sent to the regions for implementation, and, when some functions are delegated to the Regions, it is often done with limited funding to implement them.
- lxvi. Regional governments therefore use earmarked resources to try to implement earmarked programmes and projects. This has seen unspent funds being returned to Treasury in terms of the State Finance Act and treasury instructions despite severe shortages of financial resources in other areas of needs. Notably, the team heard that there are no established criteria on how the line ministries allocate budget to the regions. The review team was also informed that despite their budget request submissions to the line-ministries, the Regional Councils’ submissions are often not adequately considered in budget allocations. To compound this, the central government and the regional and local authorities use different budget cycles, and there is also a capacity issue in some of the regional and local councils.



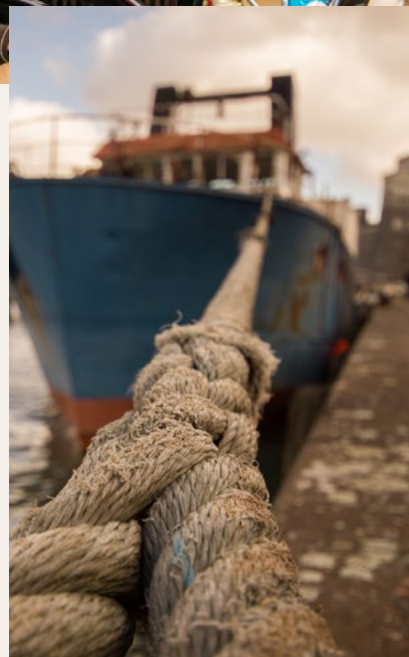
- lxvii. Capacity issues were also raised regarding the Namibia Statistical Agency, including the need to secure a suitable technically competent, experienced, and dedicated staff, as well as the lack of adequate financial resources to carry out the many activities contained in its strategic plans. The team was informed of plans to improve on capacity and efficiency of the institution, including launching a self-service portal for trade data to minimise the number of data enquiries requiring staff, as well as plans to develop a National Housing Information System to track socio-economic development.
- lxviii. Government has improved in its management of public finances, including through the budget formulation process, accounting systems and debt management that is underpinned by a comprehensive macroeconomic framework and fiscal discipline through the Medium-Term Expenditure Framework (MTEF). Achievements include the implementation of an Integrated Financial Management System (IFMS), the formulation of a comprehensive debt strategy, combined with an improved regime on reporting on the country's debt.
- lxix. Significant progress has also been made in ensuring accountability of the country's public finances and resources through adoption of internationally accepted standards and approaches to internal audit. Also, the Constitution has provided for an Auditor-General (AG) to audit all government accounts and those of statutory bodies, special funds, and local authorities amongst others. Each office, ministry, and agency of the Government in Namibia is also tasked with having its own internal audit functions.
- lxx. There is an independent office of the Auditor General whose duties and powers are prescribed in the State Financial Act of 1991. During the review mission some concerns were raised that the office does not enjoy full financial independence as its budget is prepared and approved by the Ministry of Finance. Moreover, instead of the Auditor General setting the standard for the internal audit of public institutions, the monitoring of their compliance with standards, the provision of guidance and advice, as well as identifying appropriate training, capacity building programmes and the requisite professional qualifications for internal auditors, these functions are undertaken by the Ministry of Finance. The review team did not, however, receive any evidence that in practice this arrangement undermines the independence of the Auditor General in any substantial way.
- lxxi. As regards the fight against corruption in Namibia, some duplication of anticorruption efforts particularly by the two anti-corruption fighting institution (Anti-Corruption Commission (ACC) and the Ombudsman) was observed. Moreover, the institutions have attracted some negative perception from the media and a wide spectrum of society for allegedly targeting only small-scale corruption while ignoring that of politically connected individuals in the country. Some non-state stakeholders have put forward that, the public loss of confidence in the ability and efficacy of these institutions has made it difficult for them to perform their duties effectively, weakening their effort in the fight against corruption and money laundering. In addition, they also talk of lack of feedback from authorities regarding combating corruption. The Panel encourages the Government to find ways to create seamless synergy and efficiency amongst the ACC, the Ombudsman, the Financial Intelligence Centre, law enforcement agencies, the Office of the Prosecutor General and other key stakeholders engaged in the fight against corruption in the country. The Panel also recommends that powers to decide which cases to take to court or not should be vested in a team that will be protected from undue pressure.

- lxxii. There are also challenges in the institutional framework to protect whistle-blowers. Namibia's Whistle Blowers Act has not been operationalized. It also does not provide any rewards as an incentive or provide security to whistle-blowers. Even after implementation of the Act, this may discourage people from reporting corruption, money laundering and similar criminal activity.
- lxxiii. Export diversification and value addition are needed for Namibia to compete in the wider regional and continental markets. Namibia withdrew from COMESA in 2004 due to what they saw as unfair trading competition. Nevertheless, the country has agreed to join the much larger continental market under the African Continental Free Trade Area (AfCFTA). The Panel encourages the Government to ensure there are adequate safeguards against the prospect of similar unfair competition. A commitment to progressively liberalize tariffs under AfCFTA portends significant risks of growing trade imbalances unless export diversification and value addition are greatly enhanced. To this end, Namibia is developing key trade policies including trade in goods policy, trade in service policy, and the National AfCFTA Implementation Plan. These are initiatives that the Panel encourages.

- lxxiv. Due to the predominance of foreign investors in the mining sector, Namibia is prone to significant risk of losses in public revenue due to potentially aggressive tax planning by Multinational Enterprises (MNEs). There is, therefore, a need to enhance institutional capacity to curb tax evasion in the extractives sector. The tax culture of MNEs has been nurtured in an environment that has limited capacity and resources to effectively detect and combat tax evasion malpractices. The mechanisms deployed to facilitate tax evasion are growing in sophistication, which results in the likelihood of mining companies paying little to no taxes when using schemes such as overpricing sales, excessive interest deductions and undervaluation of mineral exports.



- lxxv. The Panel recommends that Namibia should develop a national strategy for curbing potential tax malpractices in the extractive sector through robust legal and law enforcement systems, while also learning from, and creating cooperative frameworks with, other countries and global and regional institutions experienced in fighting this vice. The authorities also need to equip specialised units such as the Revenue Authority, Customs, Economic Intelligence, and others with the skillset and capacity for understanding the mining value chain, auditing, and investigating international tax evasion malpractices.



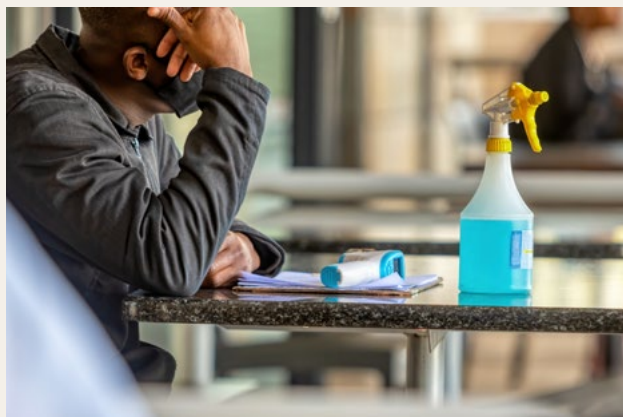


4

CORPORATE GOVERNANCE



lxxvi. **T**he current Covid-19 pandemic has plunged the world economy in an environment of unprecedented reduced global economic activity, which has been additionally exacerbated by increased volatility, uncertainty, complexity, and ambiguity because of urgent strict restrictions to avoid the spreading of the virus. Consequently, Namibia's economy has been weakened by the pandemic, and is expected to recover moderately in 2021. Real GDP contracted by approximately 7.3% in 2020, with the sectors most affected by COVID-19 including tourism, hotels, and restaurants affected by travel restrictions; mining; transport and storage; manufacturing; wholesale and retail trade; and construction to name a few. The Namibian economy is projected to recover to growth rates of 2.6% and 3.2% in 2021 and 2022, respectively.



lxxvii. The National Development Plan 5 approaches its terminal phase and this provides a unique opportunity to leverage Namibia's dual economy in reviewing Corporate Governance (CG) practices in order to support Namibia in optimising the inherent benefits of effective CG practices. This would help in the development of the private, public and social or non-profit sectors. Implementation of CG best practices is universally considered a key variable in improving sector performances by helping organisations operate more efficiently, mitigate risk, safeguard against mismanagement, improve access to capital and strengthen reputation. This is also because effective CG practices increase transparency of organisations to investors, gives board members the tools to respond to stakeholders' concerns and boost investor confidence.



lxxviii. Namibia is a signatory to many international conventions, frameworks, standards, and codes in areas relating to accountability of entities, conventions for trade and treatment of workers as well as accountability to citizens. The Namibian Constitution also has well spelt out arrangements for jurisdiction of

the business environment and the role of partners. With specific focus on domestic Corporate Governance, the Companies Act 28 of 2004 provides the general legal guide for registration and operations of organisations, in addition to the applicable law relevant to their mandate. In terms of Corporate Governance practice, Namibia has largely been guided by the Corporate Governance Code for Namibia 2014 (NamCode). The NamCode, is the voluntary code for organisations and provides a list of best practice principles to guide directors and boards in making choices and decisions applicable to their roles.

lxxix. In 2019, Namibia introduced the Public Enterprises Governance Act (PEGA 2019) which is the legal Corporate Governance framework for public entities. The NamCode 2014 has been guided by the King III requirement of the apply or explain regime of enforcement, while the PEGA (2019) is mandatory and still in its early days of rollout. Therefore, in terms of CG frameworks, maturity of CG practice and opportunities, Namibia has passed the introductory phase to CG and is making advances into a growth phase of CG practice, with introduction of PEGA 2019, in addition to Namcode 2014.

lxxx. The CRM has identified and prioritized key challenges within the CG thematic area as applicable to Namibia.

lxxxi. Adoption of Standards and Codes – Namibia’s economy is largely extractive with a high proportion of informal sector contribution to GDP. Yet, there are two critical processes that are pending – the need to strengthen enforcement of various ILO codes through inspection and site visits to labour-intensive sectors and on farms, as well as the still pending sign up to the Extractive Industries Transparency Initiative, which will hold the extractive industry more accountable to Namibia.

lxxxii. Regulatory frameworks – The NamCode 2014 is largely targeted at listed entities, which largely excludes the informal sector, which is presently, a higher contributor to Namibia’s GDP. On the other hand, Namibia’s informal sector remains less than optimally organised, thus, widening the inequality gap amongst the business community and limiting opportunities for the informal sector to positively contribute to creating employment and addressing poverty. Namibia can optimally benefit from CG practice, if the Namibian dual economy becomes mainstream via wholesome regulation and organisation of the informal sector via Trade Groups/Associations/Cooperatives.

lxxxiii. The Public Enterprises under PEGA 2019 as enacted, have an opportunity to become more accountable and improve service delivery to the people of Namibia, but it is in its infancy. Therefore, the PEGA will need adequate resourcing for broad based roll out and supervisory oversight, given its potential impact of the corporate performance of SOEs/Parastatal. Even though the Non-Profit/Civil Society Organisations sector in Namibia is very much engaged and vibrant, there are no regulatory frameworks applicable to this sector in Namibia. Given the role of the Media and the CSO sector in a free society like Namibia, the existence of Media Ombudsman makes the absence of CG frameworks for CSOs become even more glaring.

lxxxiv. Accountability of SOEs – Appointment of boards of directors and or commissioners of SOEs, Parastatals and government agencies can be improved, as current practices continue to deny Namibia the required high performing and valued adding SOEs, even though there is an observed diversity and

clear mandates for such entities. Namibia can, through a transparent process for which a relevant and well screened database of potential candidates may be developed, turn the tide on the observed poor performance and impact of many SOEs in the country. If the Namibia Performance System Framework [2005] can be updated to align with the present realities of the Public Service and CG requirements as a complement to PEGA 2019, Namibia could reap immense benefits from better performance its SOEs.

lxxxv. Conceptual and Operational Independence and Autonomy of key institutions – the Auditor General, Attorney General, the ACC, Ombudsman and Media Ombudsman are specialized entities that should be the embodiment of Public Sector CG practice, demonstrating fully manned boards and governing councils, presence or processes at all regional and council levels in an efficient manner with streamlined processes, as well as multi-leadership level review processes to boost confidence in their oversight functions. The continued observed challenges that these organisations face is a limiting factor to effective supervision of compliance with the Code of Ethics and Accountability of Leaders as applicable to CG practice.

lxxxvi. Corporate Governance Continued Education across Sectors - the Namibia Institute of Public Administration and Management [NIPAM], Namibia Institute of Corporate Governance [NICG], the Namibia Training Authority, the Namibia Stock Exchange as well as Professional Services firms in Namibia do not have a harmonized curriculum as a guide to continually provide applicable CG trainings. The danger in this is that progression of directors will be difficult to track and apply. Namibia’s new code will need to be accompanied by an ‘Approved Persons’ regime and continued education pathways for directors. International and continental benchmarking of applicable practices will be required to deepen the impact of CG and nurture growth in CG skills in Namibia.

lxxxvii. Integrated Reporting and Extractive Industry potential impact – Namibia, with a vibrant extractive industry and major corporates as listed on the Namibia Stock Exchange and Medium Enterprises with aspirations for Foreign Direct Investments, has a unique opportunity to require Integrated Reporting, as a means of incorporating participation of businesses in formulating NDP6 to ensure they give input into their participation in the economy including addressing adoption of some of the programmes that address national socio-economic issues, for their CSR and other initiatives. The pending Extractive Industries Transparency Initiative [EITI] also tends to limit Namibia’s opportunities to maximise benefits of its natural resources.





5

**SOCIO-ECONOMIC
DEVELOPMENT**



lxxxviii. **T**he objective of socioeconomic development is to build into society the mechanisms that will permit sustainable and self-reliant growth, which will lead to social justice, and provide equal and appropriate opportunities for all to take part in the development process, overcome socioeconomic disparities and achieve gender equality.

lxxxix. The Republic of Namibia has witnessed tragic historic times, including colonisation, genocide, and foreign administration, as summarised under the “Historical Background” section. This has caused deeply rooted inequalities. The national independence gained in 1990 was an important first step out of several dependencies and a move towards an emerging national and societal self-perception. A new Constitution was written with several different focuses, but the most emphatic one was the empowerment of women and gender equality.

xc. The pursuit of socio-economic development has long been the cornerstone of public policy in Namibia since independence. An initial observation is that, with a per capita GDP of US\$5,152 (2017 estimate), Namibia is regarded as a middle-income country; however, this idea has been contested, even by the Namibian government itself on the grounds that its society exhibits numerous features of chronic underdevelopment. These include a life expectancy rate that is lower than most of its middle-income peers, a lower school enrolment rate and unequal wealth distribution.

xci. The Republic of Namibia has adopted several treaties and conventions towards sustainable socio-economic development. The country has implemented 53%, ratified 69% and deposited 38% of fourteen (14) standards and codes that are recognized under the APRM as essential for socio-economic development

xcii. Two interrelated structural features characterize the Namibian economy: agriculture, which is influenced by a largely arid climate with consequent low productivity although a major employer, and a non-agricultural sector, which is dominated by capital-intensive mining but with little effect on employment creation. Recognition of these challenges is evident in the country’s Vision 2030 and the National Development Plan (NPD5), as both aim to address these structural bottlenecks through intensifying value addition in agriculture and broadening non-mineral diversification. Indeed, NPD 5 has been introduced to address three major challenges: inequality, unemployment, and poverty.

xciii. Despite Namibia’s endowment with abundant natural resources, good infrastructure, a vibrant democracy, peace and stability, the country is still witnessing high societal inequalities. Government has made

considerable efforts, which are also policy-inclined, to address inequality, mitigate its effects across the country, eradicate poverty and reduce unemployment, especially amongst youth.

- xciv. Namibia's rate of unemployment is 33.4%, and 20% of the population lives in the townships. A 2018 study showed that greater than 90% of Namibians do not qualify for a housing loan, and thus are unable to buy a home. Additionally, the price of housing continues to skyrocket, excluding low-income households from purchasing homes. It was estimated in 2016 that nearly 90% of Namibians earned less than N\$2,700 a month, which in itself excludes them from mortgage eligibility.
- xcv. Land is a challenge but is also part of the solution to address unemployment. Seventy percent of commercial farmland is owned by white farmers, while black farmers own 16 percent and government, 14 percent. Land reform which has been in progress for the past 28 years, is meant to address such imbalances, but its slow pace must be accelerated if the Government is to lift people out of endemic poverty and ensure that land is used as productively as possible to boost the economy.
- xcvi. Regarding social development, Namibia has succeeded in reducing the national poverty line from 69.3% to 17.4% in the years of 1993–2016, altogether in accordance with an upward trend and stability in their economy and politics. Furthermore, Namibia has a comprehensive social protection programme that seeks to redress vulnerabilities across different groups. However, the performance of social protection programmes has varied over time. On the one hand, the elderly, through contributory and non-contributory pensions, have seen marked improvements in wellbeing, while on the other hand, youth remain largely vulnerable to unemployment and is insufficiently covered by social protection.
- xcvii. The Government is also improving access to basic social amenities. A major part of the rural dweller population does not have adequate access to basic amenities such as healthcare facilities, energy, and portable water. These facilities are sparse, and sometime unevenly distributed across regions and local councils.
- xcviii. Education is another area where the government has made marked achievements and strides to ensure provision of quality, free and accessible basic education across the country. A number of pending issues need to be reviewed, namely the inadequate number of schools, their remoteness, especially in rural areas where game reserves can sometimes harbour dangerous animals. Another issue is the inadequate number of teachers and overcrowded classrooms with a ratio of 50 to 70 students per teacher in some schools. Furthermore, school abandonment has tended to be on the rise, and the transition between secondary schools and tertiary education is still very low, essentially because of the costs associated with university education and the inadequate number of vocational schools.
- xcix. Broad-based participation in development is premised on progress achieved by the Namibian Government, but also on the constraints facing Namibia in strengthening the participatory approach, to make it more inclusive and flexible enough to accommodate the needs, the interests, and the potentialities of all participating stakeholders. In most of the regions surveyed, participants were concerned that, while the representative system was good, it did not always capture all views. The pace of regional development and service delivery has been slow, due to inadequate communication and coordination, and decisions require more extensive consultation, beyond the current small groups of stakeholders, lobbyists, and special interest groups.

- c. Regarding gender equality, Namibia as a country has registered laudable and significant strides and progress in reducing gender inequalities and promoting women's and girls' rights and economic empowerment. It is necessary to further perform in this area, especially with respect to the increasing feminization of poverty in rural areas particularly, as SDG 5 on gender equality has been duly aligned to the national development frameworks (NDP5, HPP and Vision 2030).
- ci. The achievements in gender equality are due to existing legislative instruments that have been put in place and the various programmes that have been developed by Government for implementation of related policy. To date, 43% of parliamentarians are women, a significant increase from just 25% in 2010. Furthermore, 43% of managerial positions in public service are held by women. In terms of governance, currently 40% of the national executive (22 Ministers) are women.
- cii. Challenges to gender equality and rights persist due largely to unequal access to productive resources, harmful socio-cultural practices, gender-based violence, unequal educational attainment, and low participation of women in decision making processes, especially on the economic front. Namibia is making efforts to strengthen its focus on generating sex-disaggregated statistics to address the existing lack of data on gender equality and rights. It is also developing a Communication Strategy on the 2030 Agenda for Sustainable Development to create awareness and mobilise the society's participation in the implementation of NDP5/Agenda 2030.
- ciii. Namibia is achieving progress in a number of socioeconomic areas. Several challenges persist, including inequality, increasing poverty in rural and underserved area, a high unemployment rate especially among the youth, difficult access to basic amenities in a number of remote localities, lack of credit facilities and inadequate access to markets; in addition to slow decentralisation, persistent gender inequalities and gender-based violence and unequal access to quality education.
- civ. Thanks to the unwavering political will, which underpins all the bold policy initiatives and reforms the country has benefited from so far, Namibia has the necessary ingredients to consolidate the effective implementation of its progressive socio-economic policies and strategies to reach the most vulnerable groups and address their needs.
- cv. As already mentioned, the APR Panel's recommendations are for the Government of Namibia to accelerate the pace of decentralisation, augment the effectiveness of its stakeholder participation mechanisms through adopting a sustainable bottom-up planning system to stimulate participatory development, address youth unemployment as a major national priority through increasing investment in agriculture and tourism. Further, the APR Panel also calls upon the Namibian government to further strengthen its policies and programmes to combat poverty and inequality through facilitating access to credit and microfinance especially for women and youth, inheritance, land ownership and other productive assets.





6

**COMMENDABLE PRACTICES,
CROSS-CUTTING ISSUES &
CONCLUSION**

Commendable Practices

cvi. Namibia has many commendable governance and socio-economic development policies and practices. The following 11 commendable practices have been selected in the four thematic areas of the report. These are:

- **The Legal Assistance Centre:** The Legal Assistance Centre was established by workers, students, Church leaders, and human rights lawyers in 1988, at the height of human rights abuses perpetrated by Apartheid South Africa. Its mission was to defend victims of human rights abuses through its lawyers and paralegals who in the early days were at the centre of the liberation struggle. Following independence in 1990, the LAC diversified and took on new challenges, with a continual influence on Government policy, legislation, jurisprudence, and governance in general with flagship projects such as the Social Justice Project (SJP), Gender Research and Advocacy Project GR&AP), and the Land, Development and Environment Project LEAD).
- **Women for conservation in the Kunene Region:** Communal conservancies in Namibia are areas with defined borders, and well organised management structures led by local community members. Women have been actively involved in these structures, occupying key decision-making positions. Since independence, Namibia has reinforced the idea of conservation through policies to empower communities by giving them rights to manage, protect and benefit from wildlife located on their land through communal conservancies., known as Community Based Natural Resource Management (CBNRM), and have led to thriving wildlife. Kunene Region has the most conservancies, at 37, with a total conservancy population of 65,137 people.
- **The Namibian Transport Infrastructure:** Namibia's road network is ranked amongst the safest, most efficient, well maintained, very clean and sustainable on the Continent. Since its establishment in 2000, the Road Authority has expanded the road network thereby contributing immensely to the economic development of Namibia and the SADC sub-region as a whole.
- **International Standards in National Statistics:** Namibia collaborates closely with other international statistics offices including the UK Office for National Statistics and the US Census Bureau, including in staying abreast of modern techniques. The country is also an active member of the Pan African Statistics (PAS) Peer Review Programme for AU Member States, in which National Statistical Institutes or Offices assess and review each other on the implementation of principles and standards set by the African Charter on Statistics.
- **The Namibia Public Enterprises Governance Act 2019:** The Ministry of Public Enterprises (MPE) has adopted and integrated the international corporate governance principles of King III, as well as the domesticated NAMCODE programme, where applicable in the Public Enterprise Governance Act No1 of 2019. This has mandated all Public Enterprises in Namibia to apply both codes. The MPE has also developed regulations to strengthen the enforcement of corporate governance compliance and has also developed a compliance governance scorecard to monitor compliance by all Public Enterprises.

- Public Offices and Codes of Ethics:** Many public offices in Namibia pledge to a code of conduct/code of ethics and attestations to ethical behaviour, and have trained staff to the code, including the following Offices: Offices of Governors, Regional Councils, Local Authority, the Police Service, the Prisons service, the Ministry of Education and the Judiciary. Organisations like the Namibia Stock Exchange and Namibia Institute of Corporate Governance and the Bank of Namibia also have well entrenched codes of ethics with training regularly scheduled. This is testimony to the commitment of the Government of Namibia which has engaged the NICG in training and advisory services regarding appointments and capacitation of directors of public offices.
- ROSSING Uranium Integrated Report and CSR initiatives:** The Rossing Uranium company publishes a stakeholder report annually in addition to their annual report. Rossing drive towards a holistically sustainable approach to its operations bearing in mind all established, current and emerging practices encompassing corporate governance, ESG, CSR, employee health & safety and organisational sustainability. The Rossing Foundation plays a key role in education and skills training for the community as a sustainable source of labour and skills in mining for the country.
- Namibia's ICT Sector:** Namibia has an exceptionally well developed communications infrastructure. In 2019, the number of telephone lines were 5.6 /100 inhabitants with 63 314 fixed broadband subscriptions compared to only 134 in 2005, registering an average annual rate of 162.65%. Fixed internet subscriptions per 100 inhabitants increased from 0 number per 100 inhabitants in 2005 to 2.5 number per 100 inhabitants in 2019, growing at an average annual rate of 157.97%. Mobile cellular subscriptions of Namibia increased from 82,000 in 2000 to 2.82 million in 2019 growing at an average annual rate of 22.05%. There were 1.28 million internet users in Namibia in January 2020. Internet penetration stood at 51% in January 2020.
- Namibian Civil Society- Advancing APRM Ownership:** As soon as Namibia became the 36th African Union member state to voluntarily accede to the APRM in January 2017, its vibrant Civil society started examining the best way to play its role in the review process, to diagnose governance strengths and challenges and develop appropriate and applicable remedies. A multi-stakeholder Civil Society Working Group on the APRM (WGA) was formed in February 2018, submitting its civil society submission to the Namibian APRM National Governing Council in June 2019. Arising from the APRM experience, a new information hub for civil society called Civic +264 was launched. It is a voluntary association managed jointly by The Institute for Public Policy Research (IPPR), Namibia Media Trust, Namibia Institute for Democracy, Legal Assistance Centre and Citizens for an Accountable and Transparent Society. Civic +264 intend to become a vital conduit for future and stronger engagement with the APRM process, and a means of drawing in the wider civil society for a constructive engagement with the government.
- Enabling adolescent girls to continue their education in the case of pregnancy and motherhood:** To encourage learners to complete their education and be good parents, Namibia has introduced measures to allow pregnant learners to remain in school until four weeks before their due date, and allow the mother to return to school as soon as the school is satisfied that both she and the baby are in good health and have a plan for the baby's care, while allowing for absence from school for a maximum of one year.



- **The BBB Programme to Empower Women Through Urban Agriculture:** The Build Back Better (BBB) programme is a multistakeholder programme focusing on providing sustainable interventions that support the most vulnerable, including women, youth and people living with disabilities, by providing allotments, seedlings, training and capacity. It is being implemented through urban garden schemes across four regions: Hardap, Khomas, Erongo and Kavango-East, and integrates gender equity and the empowerment of marginalised groups such as women into its implementation framework. This has already helped absorb part of the shock of the Covid-19 pandemic and achieve a food-secure future for Namibia.

Cross-cutting Issues

cvii. While Namibia has recorded significant progress in governance and socio-economic development, Namibia faces some challenges of a cross-cutting nature, that are of a persistent and recurring nature, often relevant to some or all four APRM thematic areas. These are discussed in chapter six of the report and include (i) Decentralisation, (ii) Land reform; (iii) Corruption; and (iv) Implementation Issues.

cviii. **Decentralisation:** Soon after independence, the Government adopted decentralization as the most appropriate approach to decongest central government, involve the people in governance, take services closer to them, and inculcate the values of participatory democracy. The Government conceived decentralization as devolution, which would be approached pragmatically through gradual transfers of administrative responsibility for service delivery to the regions and local authorities (delegation), followed by deeper assignment of control over the delegated functions in terms of the regional and local authorities autonomously making decisions on planning, budgeting, taxing their citizens to carry execute the functions transferred to them (devolution). The Panel recommends that the Government should establish a special commission to recommend how to implement devolution more decisively.

cix. **Land Reform:** Access to land and its ownership is a national security, financial, policy and developmental challenge. There is consensus that land reform policies have not yielded the intended results of optimal access to land and its resources by ordinary citizens. The Panel recommends that the government of Namibia should expedite access to land, including related services, through a phased and transparent approach that adheres to time-bound targets for land redistribution.

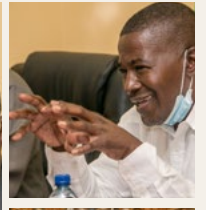
cx. **Corruption:** While Transparency International's Corruption Perception Index (CPI), which gauges citizen's perception about corrupt practices, classifies corruption in Namibia as 'moderate', its impact on socio-economic development and politico-economic stability can be devastating without the necessary institutional guardrails to combat its spread. The Panel calls for a concerted effort on the part of anti-corruption agencies and institutions in the country including ACC, FIC, NAMFISA, the Ombudsman, NAMPOL and the OPG to swing into action to fight this canker.

cxii. **Implementation Issues:** There is broad-based frustration in Namibia with non-implementation of policies, attributed to sub-optimal institutional commitment to effective implementation. Guided implementation of existing policies will not only improve efficiency within the governance architecture, but also smoothen service delivery processes as well as stimulate economic growth and inclusive development. To trigger effective implementation of policies in a harmonised manner, structures, processes, human capacity and platforms are required to work together to implement and derive the full benefits of various policies enacted.

Conclusion

cxii. The APR Panel is confident that Namibia has all the tools, capacities and political support necessary for implementation of the NPoA in order to improve governance and contribute to the attainment of the sixth NDP, Harambee Prosperity Plan, and Vision 2030, as well as the AU Agenda 2063, Africa's long term plan for socio-economic development.

cxiii. The APR Panel is grateful to the Government and People of Namibia for their warm implementation of the APRM programmes, including the Targeted Review on Youth Unemployment and the Country Review Mission, with true African hospitality and commitment from all stakeholders including at the highest levels. The Panel commends the Namibian Government and People for their openness and transparency and looks forward to implementation of the APRM National Plan of Action.





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