



**NATIONAL ASSEMBLY, 7<sup>TH</sup> PARLIAMENT**

**SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC PF)  
55<sup>TH</sup> PLENARY SESSION**

**COUNTRY REPORT ON THE IMPLEMENTATION OF RECOMMENDATIONS OF THE  
54<sup>TH</sup> SADC PF PLENARY ASSEMBLY AS WAS HELD IN PORT LOUIS MAURITIUS**

**REPORT NO. 1 OF 2024**

Honourable President, Honourable Members of the Forum, Ladies and Gentlemen,

It is my pleasure to present to you the report on the implementation of the recommendations of the 54<sup>th</sup> plenary session.

This report is a culmination of information as was received from the Executive through reports as well as work done by Parliament through its oversight function. The previous session centred around the theme “**Role of Parliaments in Promoting Coordination for Enhanced Disaster Risk Reduction and Recovery Planning in the SADC Region**”. In this regard, Hon. President, we would like to report that the Disaster Risk Management Act, 2012 (Act 10 of 2012, which was published in the Government Gazette on 3 September 2012. The Act seeks to provide for the establishment of Institutions for disaster risk management, provide for integrated and coordinated disaster management approach that focus on prevention and reduction of risks of disasters, mitigating the severity and post-disaster recovery in the Country.

The National Disaster Risk Management Policy, in line with the constitutional obligation outline a coherent, transparent and inclusive policy for the government of Namibia. It highlights various rights contained in the International Fundamental Human Rights and Freedoms, including the right to life, equality, human dignity, a safe environment, the protection of property, health care, food, water, social security and safety nets. The Policy also aims at the achievement of sustainable development in accordance with Namibia’s Vision 2030 through strengthening of national capacities to reduce risk and build community resilience to disasters.

Unfortunately, Namibia is amongst the many countries in the SADC region that is currently confronted with severe draught, and a state of emergency was declared with special attention to the drought-stricken regions. Parliament is closely monitoring the interventions by the Executive in this regard.

On the resolution on **Adaptation contribution**

Adaption is still a relevant feature in Namibia as it is considered as one of the most vulnerable countries to climate change impacts. Namibia is particularly vulnerable to flooding and droughts. A total of 49 priority actions are proposed to Ministries of **Agriculture and Land Reform; Environment and Tourism** and **Fisheries and Marine Resources** and several

ministries have set goals for both youth and women's participation. Therefore, in Namibia, we see gender-balanced training and the promotion of the youth and women as relevant.

The Parliamentary Committee on Natural Resources in Namibia, has undertaken oversight visits on green schemes in three northern regions where major green schemes are located, as well as visited projects funded by the Green Scheme Climate Fund through the Environmental Investment Fund and Global Environmental Facility with the Ministry of Agriculture, Water and Land Reform being the executing entity, while the project funded by the Adaption Fund is executed by NAMWATER. The Committee made the following recommendations to the House, namely that AMTA ensure access to markets for small scale farmers and NAB increase market shares of horticulture produce in the country.

Namibia has embarked on an ambitious green hydrogen project meant not only to alleviate the energy crisis that but to fulfil its aspirations of adopting renewable sources of energy and help to de-carbonise. The 12 billion US Dollars project which will be implemented in phases and is set to start in 2026, is intended to transform the country into a major renewable energy player by producing 300 000 metric tons of green hydrogen.

Even though the recent discoveries of oil and natural gas off the Namibian coast including the ongoing oil and gas exploration activities presents a paradox in Namibia's quest to embrace clean energy, Namibia's energy policy accommodates an energy mix as the country gravitates towards renewable energy sources. Namibia is a signatory to the Paris Agreement and has its own National Energy Policy. Extracting natural resources such as oil does not mean it is backtracking on its commitment to de- carbonise. With these discoveries, we hope that the energy crisis in the SADC region and entire Africa will be averted.

The Access to Information Bill was recently passed by Parliament. The intended aim of the Bill is to promote transparency, accountability and effective governance of all public and private bodies by establishing procedures to enable requesters of information to obtain records held by State Institutions and private bodies as expeditiously as possible.

Before being passed in parliament, the Bill was referred to the Parliamentary Standing Committee on ICT for further consultations and engagements with different stakeholders including the general public in order for them to give their input to close any loophole preventing ease access to information in order to empower communities with timely, adequate and accurate information and also that Schools, libraries, traditional authorities and

government offices must be installed with WiFi facilities to enable easy access to information through the internet and ensure sufficient network coverage throughout the country.

**Hon President, Hon Members, on the**

**RESOLUTION ON THE REPORT OF THE REGIONAL WOMEN'S PARLIAMENTARY CAUCUS (RWPC)**, we are happy to report that various trainings were undertaken by the National Assembly and the Ministry of Gender Equality, Social Development and Poverty Eradication, jointly and respectively, targeting political parties, women in decision making and women in politics.

Hon President,

Reporting on the **Current Situation of Women's Participation in Namibia**. It reflects as follows:

- National Assembly: 50% women (partly party quota)
- Local authorities: 45.0% (legislative quota). The question is how to reach gender parity in the local authorities
- National Council: 14.3% (no quota)
- Regional councils: 19.8% (no quota).

**A number of proposals are under discussion to enhance the Legal Reforms at different levels in Namibia.**

#### **For the National Assembly**

- Proposal 1: Reform the Electoral Act to introduce a legislative quota that requires all parties to nominate 50% women in zebra lists
- Proposal 2: Reform the Electoral Act to introduce a legislative quota that requires all parties to nominate 50% women in zebra lists AND either:
  - Women to hold 4 of 8 seats nominated by president
  - President to use the 8 nominated seats as a 'top-up' to reach at least 50% women's representation, whichever formula gives a higher %

#### **Proposed Legal Reforms at Local Authorities**

The Local Authorities Act, 1992 provides for at least 3 women for councils out of the 10 or fewer members or at least 5 women for councils out of 11 or more members.

The proposal is to reform the Local Authorities Act to increase the provisions to 50% of number of seats available on local council, and when it's an odd number, to favor women or allow party choice.

### **Proposed Legal Reforms at National Council**

The 1990 Constitution revised in 2014 provides that 3 members are elected per region by regional council for that region from amongst their members. This system has no provision for any form of quotas.

*Proposal* - Reform the Constitution and/or Electoral Act to stipulate that regional councils must elect at least 1 woman to the National Council for their region which would bring the numbers to (33%+)

### **Proposed Legal Reforms at Regional Council**

The 1990 Constitution, revised in 2014 provides for 1 member elected per constituency to regional council. There are between 6 and 12 constituencies in each region.

The proposal is to reform the Electoral Act to introduce a legislative quota that requires all parties to nominate 50% women as candidates across constituencies.

**Hon Members**, on the

## **RESOLUTION ON THE REPORT OF THE STANDING COMMITTEE ON GENDER EQUALITY, WOMEN ADVANCEMENT AND YOUTH DEVELOPMENT (GEWAYD)**

### **Women Advancement and Youth Development**

91,7% of legal frameworks in Namibia promote, enforce and monitor gender equality. Prior to COVID-19 pandemic, the country was assessed as having the third largest global income inequality gap with glaring evidence of extreme inequalities in gender, economic status or other factors preventing accessing services and opportunities and moving out of poverty. Namibia has a national gender policy with the objective of guiding the attainment of Vision 2030 and its aspiration for a society in which women and men will have equal rights and equal access to basic services as well as opportunities to participate in and contribute to the political, social economic and cultural development of the Country. But, despite progress made Namibian women continues to experience pervasive gender and intra-household inequalities contributing to income poverty.

The very progressive Child Care and Protection Act, 3 of 2015 protects the rights of children and youth and in particular Article 226, prohibits child marriage or engagement for persons below the age of 21. (The age of maturity is 18 years, but for purposes of marriage, a person must have obtained the age of 21. The Ministry of Gender Equality, Poverty Eradication and Social Welfare embarked on continuous advocacy, education and reporting on cases of child marriages, in collaboration with the Ministry of Home Affairs, Immigration, Safety and Security.

## **RESOLUTION ON THE REPORT OF THE STANDING COMMITTEE ON HUMAN AND SOCIAL DEVELOPMENT AND SPECIAL PROGRAMMES**

**Hon President, on the resolutions speaking to key populations and actions to prevent new criminalisation laws being enacted,** Namibia would like to report that key population group remains vulnerable to HIV and AIDS infections due to widespread stigma and discrimination in Namibia. Men who have sex with other men as well as transgender persons are still not accepted in mainstream society, a situation that has resulted in lack of access to essential health services and even result in physical abuse and death (murder) recently.

Homosexuals and sex workers often suffer discrimination because of societal stereotypes and existing statutes inherited from the colonial regime that tend to side-line this group and have not been repealed. For instance, consensual sexual acts between men remains a crime(sodomy) in the country according to Roman Dutch Common law that was inherited from South Africa. This matter was recently challenged in the High Court of Namibia referred to as *Dausab v The Minister of Justice (21 June 2024)* where the applicant applies for an order to declare the common law offences of sodomy and unnatural sexual offences, unconstitutional. The contention is that these laws, unfairly and irrationally, discriminate against him and other gay men on the basis of sex and sexual orientation, and infringe his constitutional right to equality, dignity, privacy, freedom of expression and freedom of association. The court ordered in the favour of the applicant that the common law offence of sodomy is declared unconstitutional and invalid and the common law offence of unnatural sexual offences is declared unconstitutional and invalid and that the inclusion of the crime of sodomy in schedule 1 of the Criminal Procedure Act 1977 (Act 51 of 1971) is declared unconstitutional and invalid.

The Namibian constitution guarantees protection of basic rights in accordance with the Universal declaration of human rights. Aggrieved persons whose fundamental rights are infringed have the right to bring the case before the court or the Ombudsman who may provide some assistance. In addition, international law is binding on Namibia and therefore becomes automatically part of Namibian law and enforceable by Namibian courts. LGBT (Lesbian, Gay, Bisexual, and Transgender) rights are part of human rights. Many pressure groups have also sprung up and continue to advance the rights of key population groups.

Parliament of Namibia through its Standing Committee on Gender Equality, Social Development and Family Affairs in collaboration with the HIV/AIDS and governance project of the SADC Parliamentary Forum has visited health facilities in the country to try to ascertain the health conditions and other challenges related to HIV and AIDS and sexual reproductive health and rights. The visits are also part of the oversight function and responsibilities of Parliamentarians to raise awareness and advocate universal access to SRHR and HIV and AIDS. Almost all the regions of Namibia have been visited since 2017.

Key populations groups such as men who have sex with other men and prisoners were part of the targeted groups that were visited during this period. Prisoners at correctional facilities have full access to health care and information services on the risks of HIV and AIDS and other STIs. Prisoners also undergo voluntary male circumcision and those that are HIV positive are on ART. A report is awaiting tabling in Parliament for implementation by the relevant authorities.

Young people have also been actively involved directly in the law-making process through the Children's parliament. Legislation that concerns their welfare such as Learner Pregnancy Policy by the Ministry of Education, Arts and Culture was adopted after successful lobbied by the Children's parliament. The policy gives a second chance to young pregnant girls to go back to school after delivery as well as those who fail Grade 10. Successful discussions have also resulted in input from the fourth session incorporated in the Child Care and Protection Act, including playing a role in the increase of the grants for Orphans and Vulnerable Children (OVC).

## **RESOLUTION ON THE REPORT OF THE STANDING COMMITTEE ON TRADE, INDUSTRY, FINANCE AND INVESTMENT**

The National Assembly of Namibia in coherence with the **decision on transparency, accountability and parliamentary approval in debt contraction agreements** in line with parliaments' oversight and representative roles, which is key in facilitating citizens' participation in governance by having information about loans taken on their behalf , has proposed in its newly revised Standing Rules and Orders proposed a Standing Committee on Budget and Finance which includes oversight and insight on the loans and debt management.

## **RESOLUTION ON ADOPTION OF A REPORT OF THE REGIONAL PARLIAMENTARY MODEL LAWS OVERSIGHT COMMITTEE (RPMLOC)**

I'm delighted to inform the House that Namibia has signed the SADC Parliamentary Forum Transformation Agreement on Wednesday, 26 June 2024.

Finally, on the **RESOLUTION ON ADOPTION OF THE MOTION ON BRICS AND BRICS PARLIAMENTARY FORUM**, Honourable President, last but not least, there is a need for African countries capitalise on the African Continental Free Trade Area (AfCFTA) in order to increase economic activities and achieve sustainable development for the continent to liberate itself economically. Many countries in SADC including Namibia already benefit immensely from BRICS countries, and therefore joining the bloc would amplify and even provide more growth and expansion. The expected expansion of the bloc which currently accounts for more than 40% of the world population and over 25% of the global GDP, would result in immeasurable economic activities. It is important that countries in the region realise the significance of collaboration in fostering economic growth and expansion.

Thank you for your kind attention.

I thank you