

Evaluation of the Commonwealth Secretariat's Support to Namibia, 2013/14–2016/17

Detailed Findings and Case Studies
Volume 2

December 2018



The Commonwealth

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the Commonwealth
Secretariat's Support to
Namibia, 2013/14–2016/17**

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Acronyms

19CCEM	19th Commonwealth Education Ministers Meeting held in The Bahamas
ACC	Anti-Corruption Commission
AfDB	African Development Bank
BSC	Biosafety Council
CADME	Commonwealth Accelerated Development Mechanism for Education
CAYE	Commonwealth Alliance for Young Entrepreneurs
CEC	Commonwealth Education Conference
CEFM	child, early and forced marriage
CEN	Commonwealth Electoral Network
CFTC	Commonwealth Fund for Technical Co-operation
CHOGM	Commonwealth Heads of Government Meeting
CMAG	Commonwealth Ministerial Action Group
COMOSA	Commonwealth Association of Open Schooling
CS-DRMS	Commonwealth Secretariat Debt Recording and Management System
CSFP	Commonwealth Scholarship and Fellowship Plan
CYC	Commonwealth Youth Council
CYCI	Commonwealth Youth Credit Initiative
CYP	Commonwealth Youth Programme
DSTR	Directorate of Science, Technology and Research
DYD	Diploma in Youth Development Work
ECB	Electricity Control Board
ECN	Electoral Commission of Namibia
EIF	Environmental Investment Fund of Namibia
EMAG	Education Ministerial Action Group
EU	European Union
EVM	electronic voting machine
G20	Group of Twenty
GCF	Green Climate Fund
GDP	gross domestic product
GEF	Global Environment Facility
GRB	gender-responsive budgeting
GRN	Government of the Republic of Namibia
HPP	Harambee Prosperity Plan
IFMIS	Integrated Financial Management Information System
IMF	International Monetary Fund
IPU	Inter-Parliamentary Union
IT	information technology

LARC	Local Authority Government Reform Committee
M&E	monitoring and evaluation
MEFMI	Macroeconomic and Financial Management Institute of Eastern and Southern Africa
MGECW	Ministry of Gender Equality and Child Welfare
MHSS	Ministry of Health and Social Services
MITSMED	Ministry of Industrialisation, Trade and SME Development
MME	Ministry of Mines and Energy
MOF	Ministry of Finance
MRLGH&RD	Ministry of Regional and Local Government, Housing and Rural Development
MTEF	medium-term expenditure framework
N\$	Namibian dollar
NACS	National Anti-Corruption Strategy
NACSC	National Anti-Corruption Steering Committee
NAMCOL	Namibian College of Open Learning
NAMCOR	National Petroleum Corporation of Namibia
NCRST	National Commission on Research Science and Technology
NDP5	5th National Development Plan
NHRI	national human rights institution
NIPAM	Namibia Institute of Public Administration and Management
NYC	National Youth Council
NYCS	Namibia Youth Credit Scheme
NYS	National Youth Service
OMAs	offices, ministries and agencies
PAAB	Public Accountants' and Auditors' Board
QC	Queen's Counsel
SADC	Southern African Development Community
SDG	Sustainable Development Goal
SME	small and medium-sized enterprise
SWAPO	South West African People's Organisation
UHC	universal health coverage
UHCAN	Universal Health Coverage Advisory Committee of Namibia
UK	United Kingdom
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UPR	Universal Periodic Review
US	United States
VUSSC	Virtual University for Small States of the Commonwealth
YDI	Youth Development Index

Introduction

The Namibia Country Evaluation Report – Detailed Findings and Case Studies provides a comprehensive picture of progress in Namibia presented in a narrative format. The cases were documented to allow the reader to get more understanding of the Commonwealth Secretariat's programme of work and also to be used for progress reporting within the Secretariat as required. While this report can be used independently of the evaluation report, for more analysis of the overall performance, reference needs to be made to the main report.

The analysis framework used for the evaluation report and progress against the impact pathway is additional information provided in the annex of this report and complements the evaluation report.

The report is structured according to the strategic outcome areas of the Commonwealth Secretariat. Key results are summarised in boxes at the start of each section of the report for ease of reference.

1. Democracy

1.1 Commonwealth Ministerial Action Group (CMAG)

Hon. Netumbo Nandi-Ndaitwah, Deputy Prime Minister and Minister of International Relations and Co-operation, was appointed a Member of the Commonwealth Ministerial Action Group (CMAG) in 2015 at the Commonwealth Heads of Government Meeting (CHOGM) in Malta. Namibia has consistently participated in CMAG meetings. The CMAG's new approach includes working proactively and constructively with national governments to address their challenges and for the CMAG not to be perceived as simply a punitive body that criticises the shortcomings of member countries.

The CMAG was established by Heads of Government in 1995 as part of the Millbrook Commonwealth Action Programme. It was set up as a mechanism to deal with serious or persistent violations of the principles set out in the 1991 Harare Commonwealth Declaration (the Harare Principles).

The 1991 Harare Principles set out that the Commonwealth would work with renewed vigour to, among other areas, protect and promote the fundamental political values of the Commonwealth. These political values included:

Democracy, democratic processes and institutions which reflect national circumstances, the rule of law and the independence of the judiciary, just and honest government;

Fundamental human rights, including equal rights and opportunities for all citizens regardless of race, colour, creed or political belief.

The Millbrook Programme noted particular action would need to be taken in the event of an unconstitutional overthrow of a democratically elected government, and established CMAG 'to assess the nature of infringements and recommend measures for collective Commonwealth action aimed at the speedy restoration of democracy and constitutional rule'.

CMAG therefore acts as the custodian of the Commonwealth's political values. The Group's task is to assess the nature of infringements of these

values, and recommend measures for collective Commonwealth action aimed at addressing these infringements.

The CMAG group, which is convened by the Secretary-General, comprises the Foreign Ministers of nine member countries. CMAG members normally serve two terms of two years each but Heads of Government decided, at a meeting in Coolumb, Australia, that a member 'could be retained for a third term if this was deemed desirable to preserve continuity, institutional knowledge, or to provide linkages with international organisations'. Hon. Netumbo Nandi-Ndaitwah, Deputy Prime Minister and Minister of International Relations and Co-operation, was appointed as a member of the CMAG in 2015 at the CHOGM in Malta. Namibia has consistently participated in CMAG meetings. Hon. Netumbo Nandi-Ndaitwah is due to serve a second term (2018–20).

The CMAG has supported the strengthening of democracy in member countries and has enhanced the Commonwealth's profile on the international stage. At its 51st meeting in New York on 22 September 2017, with Namibia's representative in attendance, the CMAG continued to review developments in a number of Commonwealth member countries. The group reiterated the importance of pursuing an integrated approach to address the challenges to democracy and other Commonwealth values with a relevant programme of technical support and capacity building¹. Notable progress includes:

- working proactively and constructively with national governments to address their challenges and for the CMAG not to be perceived simply as a punitive body that criticises the shortcomings of member countries;
- the Secretary-General's recent engagement with the political leadership in Zambia and the ongoing engagement by Zambia's Special Envoy to support the country's efforts to address the challenges to its democracy while pursuing its development objectives.

It is also important to note that Namibia was a member of the CMAG from 2007 to 2011, represented initially by the Foreign Minister, Marco Hausiku, and later by Mr Utoni Nujoma.

1.2 Good Offices

The Commonwealth Secretary-General, The Rt Hon. Patricia Scotland QC, attended a Commonwealth Education Conference (CEC) in Namibia on 28–29 August 2017. The Secretary-General also paid courtesy calls on the President and other key stakeholders in Namibia in which key reforms and Commonwealth collaborations were discussed.

The then Commonwealth Secretary-General, Kamalesh Sharma, visited Namibia from 31 July to 2 August 2012. The purpose of the visit was to deepen and diversify existing areas of co-operation and partnership to consolidate the Commonwealth's engagement in Namibia. During this visit, he met with the President, the Minister of Foreign Affairs, the Speaker of the National Assembly and the Chairperson of the Electoral Commission of Namibia (ECN), among others. The discussions in the meetings focused on key issues including the reform of the CMAG, the Eminent Persons Group, the Hubs and Spokes trade programme, the G20/Rio+20, youth, human rights, the rule of law, the Commonwealth Electoral Network (CEN), technical assistance, the development of the Strategic Plan 2013/14–2016/17, corporate governance and ministerial meetings. The then Secretary-General also discussed regional issues and discussed the Secretariat's engagements in the Southern Africa region. Among other things, he engaged on the following issues:

- assistance and contributions provided by the Namibian Ombudsman, Advocate John Walters, in supporting Commonwealth member countries with efforts to establish national human rights institutions (NHRIs);
- the Ministry of Justice of Namibia's offer to host the next meeting of the Heads of Legislative Drafting Offices of the Commonwealth African jurisdictions;
- a celebration of 40 years of the Commonwealth Youth Programme (CYP);
- Namibia's action plan on women's rights and the elimination of violence against women.

The Deputy Secretary-General, Dr Josephine Ojiambo, visited Namibia from 20 to 22 March 2015 to represent the Secretariat at the inauguration ceremony of Namibia's President-Elect Dr. Hage Geingob and the country's 25th anniversary of independence. Being part of this landmark event provided an opportunity for the Commonwealth to reassure Namibia of its enduring solidarity and commitment.

The Commonwealth Secretary-General, The Rt Hon. Patricia Scotland QC, attended a CEC held in Namibia on 28–29 August 2017. The Secretary-General also paid courtesy calls on the President and other key stakeholders in Namibia. The discussions in the meetings focused on key issues including trade, governance, women, gender-based violence, youth and education, climate change, the Office of Civil and Criminal Justice Reform, preparations for CHOGM and other upcoming meetings. The Secretary-General also used the visit to further deepen ties between the Commonwealth and Namibia. In the engagements, the Secretary-General addressed the following issues:

- the Secretariat's reform and new programmes such as the Office of Civil and Criminal Justice Reform;
- the assistance and contributions provided by Namibia's Ombudsman, Advocate John Walters, as an expert and resource person, in supporting Commonwealth member countries with their efforts to establish NHRIs;
- Namibia's willingness to partner with the Secretariat in the mentoring and training of legislative drafters, law reforms and law revision practitioners.

1.3 Election management

At the invitation of the ECN, the Secretariat created a Commonwealth expert team that observed Namibia's presidential and parliamentary elections held on 28 November 2014. These elections in Namibia were historic, for both the country and the entire African continent, as they were the first elections to exclusively use electronic voting systems. Key constitutional amendments and electoral reforms were achieved prior to the elections. The enactment of the Electoral Act of 2014 ushered in the electronic voting system and the use of electronic voting

machines (EVMs) as well as the introduction of a performance assessment and post-election report after every election.

The Commonwealth expert team made 24 recommendations for consideration by the Electoral Commission in Namibia. However, these recommendations have not yet been formally adopted. There is currently no documented mechanism for engaging with foreign observer recommendations, which includes formally acknowledging, accepting or rejecting recommendations, and indicating how the Commission intends to take the accepted recommendations forward.

Over the past 25 years, election observation, a core strength for the Commonwealth, has been integral to the Secretariat's work in advancing the Commonwealth's political values and principles in member countries. Since 1991, the Secretariat has deployed more than 140 election observer missions to presidential or parliamentary elections. This work is highly valued by member countries, which see the Commonwealth observers as lending credence to their electoral process.

Namibia has held five National Assembly elections: in 1994, 1999, 2004, 2009 and in 2014. Furthermore, the very first election in 1989 brought independence, ending decades of German and South African rule over Namibia that had been in place since 1884 and the end of the First World War, respectively. Namibia has successfully nurtured its embryonic multiparty democracy and has enjoyed relative political stability characterised by peaceful transfers of power. Of the political parties that remain active in Namibia today, only the South West African People's Organisation (SWAPO), the Democratic Turnhalle Alliance and the South West Africa National Union (SWANU) are products of political formations that were at the forefront of Namibian politics (albeit from opposing ends of the political spectrum) in the years leading up to Namibia's independence in 1990.

Some of the critical challenges identified by the Democracy Index for Namibia 2012 seem to have been addressed. Theunis Keulder, who examined Namibia's electoral system and its associated institutions, noted that 'while Namibia has regularly held free and fair elections since independence, with relatively high participation, weakness in electoral legislation and institution, particularly the ECN, as well as political intolerance have

compromised the electoral processes'². He further noted that, while the formal mechanisms and structures of an electoral system are in place, there are shortcomings in operational procedures, such as inaccurate voters' rolls, outdated procedures incorporated into electoral legislation, and a lack of organisational and institutional capacity.

However, there have been significant improvements at the ECN in the years following the Democracy Index for Namibia's report, as noted by the ECN: 'For example, from 15 January to 2 March 2014 the ECN completed a highly successful General Registration of Voters as required by the Electoral Law that states that the ECN to conduct every ten (10) years such a process. Consequently, a record of turnout that was registered stood at 93%. This puts Namibia above the SADC [South African Development Community] region average of around 85%. Also the institutional capacity has been drastically improved so that the ECN conducted highly successful elections in 2014 and 2015 Regional and Local Authorities elections. No court challenges experienced and results accepted by all stakeholders as free, fair and credible'³.

At the invitation of the ECN, the Commonwealth expert team was set up and observed Namibia's presidential and parliamentary elections, which were held on 28 November 2014. The report of the Commonwealth expert team noted that 'the November 2014 Presidential and National Assembly (NA) elections in Namibia were historical not only for the country but for the entire African continent as they were the first elections to entirely use electronic voting. The elections also saw the election of the third president of the Republic, Dr. Hage Geingob after Mr. Hifikepunye Pohamba served his constitutional two terms from 2004 to 2014. Dr. Geingob was also the first SWAPO party presidential candidate of non-Ovambo ethnic origin.'⁴

The team observed that the elections were peaceful and transparent, meeting many key democratic benchmarks. The team noted the several positive reforms in the electoral process. The two key reforms were:

- forty amendments made to the constitution. These included, among others, the introduction of the post of vice president to be appointed by the president from among members of parliament (MPs); an increase in the number of elective National Assembly

(NA) seats from 72 to 96; a move away from appointing regional governorships to electing them; an increase in the number of presidential appointments in the National Assembly from six to eight people.

- the enactment of the Electoral Act 2014, which ushered in the electronic voting system and the use of EVMs.

The team observed that 'the proximity of the constitutional and electoral reforms to the November 2014 Presidential and National Assembly elections triggered an outcry from some political parties and civil society organisations who lamented that the amendments to the constitution were procedurally flawed and that they were rushed through Parliament without sufficient public consultations. The use of EVMs was criticised by some political parties alleging the lack of a paper trail (a Voter Verified Paper Audit Trail – VVPAT)

as provided for in the Electoral Act of 2014 would make it impossible for them to audit and or recount votes in the event of a dispute'⁵.

The Commonwealth expert team made 24 recommendations for consideration by the Electoral Commission of Namibia. Some of the recommendations are listed in the box below.

The election was observed by six other foreign observer missions (including the African Union Election Observation Mission, the SADC Election Observation Mission, the SADC Parliamentary Election Observation Mission and the Electoral Commission Forum of SADC countries) and by domestic observation teams.

One of the most innovative initiatives introduced by the new Electoral Act (No. 2 of 2014) was the requirement placed by the Electoral Commission to compile a performance assessment and post-election report after every election. The report is a comprehensive and critical reflection of the Commission on the electoral process. Among

Key election observation recommendations

- We recommend that the ECN, the political parties and other electoral stakeholders must engage in dialogue on how to resolve the issue of the lack of a verifiable paper trail for future elections.
- As there is no provision for campaign finance in Namibia but parties are allowed to seek private funding, the regulation should however be revised to place a ceiling on donations and the expenditure on campaigns.
- There should be enactment of laws to ensure ethical conduct of the media and to promote freedom of expression, as enshrined in the Constitution.
- We recommend that future constitutional and/or legal amendments be enacted timeously, so as to allow sufficient time for adequate implementation and voter education on the new provisions to take place, to build confidence in the electoral process.
- We recommend that the ECN, in liaison with relevant government departments, should seek to have national identification cards issued to all eligible voters, to enhance the credibility of the voter registration exercise.
- We recommend that civic and voter education on the use of EVMs should commence at an earlier timeframe. It should also be strengthened considerably in terms of content, stakeholder engagement and outreach to allow more sufficient time for greater impact, in particular among the elderly and rural communities.
- The ECN should consider revising its policy of releasing early results from advance voting and instead include these in the final results.
- That there should be a back-up system for the VVDs [voter verification devices] to avoid the delays that were witnessed.

other things, the report highlights pre-election, election day and post-election challenges and recommendations.

The report, which is the main action document and monitoring tool for the Commission, acknowledges the participation of accredited foreign and domestic observer missions but neither acknowledges nor integrates their recommendations. There is no documented mechanism for engaging with the recommendations, which includes formally acknowledging, accepting or rejecting recommendations, and indicating how the Commission intends to take any accepted recommendations forward. The Commission acknowledged this gap but also discussed how the recommendations of all observer missions are included in the stakeholder discussions as part of preparations for the next election cycle. It was also noted that the template for the performance assessment report is limited as prescribed in the law. As an oversight, the presence of the Commonwealth Election expert team was not acknowledged in the report.

It is therefore recommended that a formal mechanism for engagement with the foreign and domestic observer mission recommendations be put in place and where possible incorporated into the performance assessment and post-election report for action and reporting on progress.

Regarding the recommendations put forward by the Commonwealth expert team, it was clear that no formal engagement or action had been taken. Except for those recommendations that overlapped with the Commission's recommendations that were included in the *Performance Assessment and Post-Election Report*, no action had been taken. The Commission noted that key recommendations that relate to constitutional reform or the Electoral Act were beyond its remit and should therefore be addressed by higher levels of government. Since there has been no formal engagement with the recommendations, these specific recommendations have not been moved to the relevant authorities for consideration.

In response to some of the recommendations in the Electoral Mission Report outlined above, the ECN noted that:

'According to the Electoral Act 2014, sections 154 to 161 we have laws/regulations on Funding of Political Parties. Thus sufficient provisions are in place. Furthermore, the recommendation "There should be enactment of laws to ensure ethical conduct of the media and to promote freedom of expression, as enshrined in the Constitution" needs to be clarified because in my considered opinion we have such measurements in place. Likewise, the recommendation "We recommend that the ECN, in liaison with relevant government departments, should seek to have national identification cards issued to all eligible voters, to enhance the credibility of the voter registration exercise" is not needed since after every ten years we are completely starting with a new registration and our current voter cards are more reliable than even the national identification document'⁶.

The Secretariat has noted the need to reform the Commonwealth's election guidelines, particularly in terms of strengthening mechanisms relating to the follow-up of election observation recommendations. The current *Guidelines for the Establishment of Commonwealth Observer Group* were adopted by Commonwealth Heads of Government in 1991. These guidelines are the foundation upon which the Commonwealth has built its election observation methodology. Although sufficiently flexible, the guidelines are reflective of a particular period and understanding of election observation.

The Secretariat has acknowledged that 'election observation as a field of practice has undergone significant evolution over the past few decades: from ad hoc missions with varying approaches, to more professionalised election observers with systematic and comprehensive methodologies for gathering information and assessing the conduct and integrity of the electoral process. Additionally, a fundamental evolution is the now widely accepted understanding that elections are not a singular event but rather a process which is cyclical in nature, with clearly defined phases – the pre-election, election and post-election periods'⁷. At the time of the evaluation, a proposal to review and reform the electoral guidelines was approved. The Commonwealth's elections observation guidelines, including its current model and methodology, will be reviewed. A comprehensive mechanism for monitoring and reporting on the implementation of electoral reforms based on electoral observer recommendations will also be developed. This

will enable both the member country and the Commonwealth to promote accountability and transparency in the electoral process.

The Chair of the Electoral Commission of Namibia, Adv. Notemba Tjipueja, has been a key resource to the Commonwealth on electoral processes and on issues of women's political participation in elections. Some of the Chair's notable contributions include:

- being a member of the Commonwealth Election Observer Group to Ghana's presidential elections, which were held in December 2016;
- being a member of the Commonwealth Election Observer Group to Maldives' presidential elections in September 2013 (annulled);
- being a member of the Commonwealth Election Observer Group to Maldives' presidential elections in November 2013;

- participating in a Commonwealth research programme on 'Participation of Women in Political Positions, Commonwealth, January 2017' highlighting the Namibian 'zebra' system of political participation;
- participating in the Women's Political Participation Workshop held on 7 July 2017 and sharing Namibia's experience in promoting gender inclusive elections;
- participating in the 61st Session of the United Nations Commission on the status of women, which took place at the UN Head Office in New York from 13 to 14 March 2017.

The Commission has shared its experiences and lessons with Commonwealth member countries among others, especially countries in the SADC region. Engagement has included teams from Kenya, Zambia, Malawi, Botswana and Lesotho visiting Namibia or vice versa, and Namibians serving in observer missions in some of these countries (see table 1). Nigeria has expressed interest. Areas of country engagements are outlined in Table 1.

Table 1: Namibia's electoral experience shared with member countries

Country	Date	Areas of engagement
Mozambique	21 June 2017	Electronic voting machines
Zambia	20 July 2017	Electronic voting system
Malawi	31 October to 1 November 2017	Voter registration and introduction of biometric system
Botswana	February 2014; November 2014; February 2016	Electronic voting system
	15 November 2017	Terms and conditions for Commissioners and learning best practices from each other
Uganda	29–30 May 2017	ECN legal framework; electronic voting system and voter registration and Introduction of biometric system; other electoral related matters.
Kenya	23 February 2017	Presentation by Chairperson, Adv. Notemba Tjipueja, during the induction of new Independent and Electoral Boundaries Commission (IEBC) Commissioners – Electoral Best Practices and Experiences, The Case of Namibia
	2–12 August and 21–29 October 2017	General elections – ECN was represented by its Chief Executive Officer (CEO) as part of the African Union observer mission
Lesotho	3 June 2017	General elections – ECN was the leader of the mission of the Electoral Commission Forum of SADC countries and also wrote the entire report on the elections, which was highly praised.

The Chair of the Electoral Commission of Namibia, Adv. Notemba Tjipueja, is a member of the Commonwealth Electoral Network (CEN). The network aims to promote good practices in the field of election management, to facilitate experience sharing and to foster a sense of community among Commonwealth election management bodies. The network is supported by the Secretariat and a steering committee composed of national election commissioners.

A key issue considered by the CEN is the effective management of the electoral cycle, in particular the implementation of election recommendations, a problem that is shared among the national commissions in the Commonwealth. The steering committee engaged further on the issue, drafting proposals that will be shared at the next CEN conference.

As a member of the steering committee, the Chair noted that between 2015 and 2016 there has been a decline in the support provided by the Secretariat to the effective operation and engagement of the CEN. This is primarily because of the departure of focal point staff. The steering committee met only once in the two years under consideration, in November 2016; the report of that meeting, which includes key follow-up actions ahead of the next CEN conference, has not yet been produced by the Secretariat. Working groups within the steering committee cannot proactively engage without documented actions. The Chair noted that, in principle, the CEN presents a very good opportunity for engagement but, in practice, it may need to improve in order to meet its desired objectives.

The electronic voting system, pioneered in Namibia, has drawn the attention of member countries and has opened doors for sharing lessons on democratic electoral processes, enhancing South-South collaborations.

2. Public institutions

2.1 Human rights

The Ombudsman

The Secretariat's collaboration with the Ombudsman of Namibia has strengthened the work of the Ombudsman domestically and across the Commonwealth, enabling South-South co-operation through the sharing of best practice emanating from Namibia. The Ombudsman of Namibia has made significant contributions in the development of NHRIs in Commonwealth member countries through sharing national experiences, expert advice and technical support. With a vast reservoir of experience built up over the past 26 years, Commonwealth member countries that have benefited from the Ombudsman's expertise and national experience include Seychelles, Sri Lanka, Grenada and Jamaica.

Engagement with the Secretariat and the Commonwealth Forum of NHRIs has enabled the Ombudsman to address child, early and forced marriage domestically and to strengthen engagement with parliament.

About the Ombudsman

The Office of the Ombudsman of Namibia promotes and protects human rights and fair and effective administration, combats the misappropriation or misuse of public resources, and protects the environment and natural resources of Namibia through the independent and impartial investigation and resolution of complaints and through raising public awareness. Since 2006, the office of the ombudsman has been accredited with 'A' status by the Global Alliance of NHRIs Sub Committee on Accreditation. Its accreditation was confirmed at 'A' status in 2011. Accreditation to 'A' status means the Ombudsman is fully compliant with the Paris Principles, the international standards for independence and effectiveness for NHRIs. Namibia is a member of the Commonwealth Forum of NHRIs, an informal and inclusive body of Commonwealth national institutions for the promotion and protection of human rights and other national accountability mechanisms with a human rights mandate.

Namibia's human rights commitments

Since independence, Namibia has signed, ratified or acceded to the most important international and regional human rights instruments, documents and treaties. As a result of Namibia's commitment to human rights, it was elected to membership of the UN Human Rights Council in 2013. This honour places a responsibility on Namibia to lead by example when it comes to respect for and promotion of human rights.

Namibia has a National Human Rights Action Plan that is in its second year of implementation. The national plan was developed in consultation with all stakeholders in line with the Paris Principles, a process that commenced in 2009 with a national human rights conference. In October 2012, the Human Rights Baseline Study was commissioned, which included a country-wide household survey where the views of citizens were solicited to determine the themes and interventions necessary to change the human rights environment in the country. This was followed by a national consultative conference in November 2013 that involved various ministries and other stakeholders to solicit further inputs necessary for drafting the action plan. The plan was officially launched on 9 December 2014. Five thematic implementation plans were developed through various workshops held in June to July 2015. During November 2015, a monitoring and evaluation (M&E) meeting was held with the various lead and supporting institutions with a view to providing guidance on the process of future M&E sessions.

Namibia is up to date with engagement with the Universal Periodic Review mechanism of the UN Human Rights Council. The Ombudsman forwarded Namibia's submission to the Universal Periodic Review (UPR) in June 2015, in which the following human rights issues that needed to be addressed were highlighted: education, children's rights, prisons, gender-based violence, poverty and unemployment, fair trial rights, indigenous people's rights and the National Human Rights Action Plan. The review of Namibia was held on 18 January 2016 and 22 January 2016; the working group of the UPR adopted Namibia's report and

made 219 recommendations. The evaluation did not assess progress on the implementation of the recommendations.

Collaboration between the Secretariat and the Ombudsman in Namibia

Child, early and forced marriage

The Ombudsman of Namibia is a signatory of the Kigali Declaration, moving from aspiration to action to end child, early and forced marriage (CEFM) in the Commonwealth. The declaration was adopted in Kigali, Rwanda, following a meeting in May 2015 convened by the Commonwealth Forum of NHRIs. The Kigali Declaration represents a united stance on child marriage and sets out a framework for NHRIs to strengthen their efforts to address the practice.

In furtherance of the declaration, the Ombudsman has taken forward action to facilitate legal reform and enforcement, to raise awareness, and to promote education and empowerment regarding CEFM. The Ombudsman participated in drafting the SADC model law on child marriage, which was adopted by the SADC parliamentary assembly in 2016. The model law will provide governments in the region and in Namibia with a useful template for legislative reform. Moreover, the Ombudsman's office established a dedicated child complaints desk, with the purpose of receiving individual complaints of violations of children's rights, including CEFM. This has resulted in early detection, early addressing, greater awareness of rights, closer working relationships with protection stakeholders, and greater data availability. However, there has been a slight setback. The Secretariat understands that the funding for this post has been withdrawn as of 2017.

To raise awareness of the issue of CEFM, the Ombudsman commissioned and published a report on Olufuko in 2015. Olufuko is a traditional festival where girls between the ages of 15 and 20 are prepared for womanhood. It is deemed harmful by many stakeholders, as it gives the impression that girls under the age of 18 are ready for marriage. Following the report, the Ombudsman is addressing areas of concern with the festival's organisers.

Throughout 2015 and 2016, the Ombudsman undertook community visits to educate community leaders and children on the issue of CEFM. Community education projects also included the use of cultural representations such as plays.

The Children's Advocate, located in the Office of the Ombudsman, as a champion against CEFM, has publicly advocated for the prevention and elimination of CEFM through televised appearances on the *Day of the African Child* and the *Day of the Namibian Child* radio programmes and through media statements in local newspapers. The Children's Advocate has also taken forward advocacy with national government and international partners, raising the issue of CEFM in the Protection of Children task force, of which it is a member.

Parliamentarians and human rights

As a member of the Commonwealth Forum of NHRIs, the Ombudsman participates in the Forum's activities and events. One of these events took place in Abuja, Nigeria, in March 2004. Representatives of Commonwealth NHRIs and Commonwealth parliaments attended and discussed ways to develop a constructive relationship between their respective institutions. At the meeting it was recognised that parliaments and NHRIs could make an invaluable contribution to the promotion and protection of human rights and in supporting the work done by each other. The 'Abuja Guidelines' were established. These urged parliaments and parliamentarians to produce an appropriate legal framework for the establishment of NHRIs in accordance with the Paris Principles and the Commonwealth Best Practice Principles, a position that is actively promoted by the Ombudsman in Namibia. In The Abuja Guidelines on the Relationship Between Parliaments, Parliamentarians, and Commonwealth NHRIs it outlines the following.

Parliament should: ensure that the Ombudsman have adequate resources; debate the Ombudsman reports in Parliament and ensure that recommendations for action from the Ombudsman are followed up and implemented; establish an all-party standing committee for overseeing and supporting the work of the Ombudsman; and ensure that their constituents are aware of the work of the Ombudsman.

For its part, the Ombudsman should: provide parliamentarians with regular expert and independent advice on national, regional and international human rights issues; provide on-going training for parliamentarians on human rights; advise parliamentarians on the human rights implications of all proposed legislation and

constitutional amendments as well as existing laws; advise Parliament on the creation of a parliamentary human rights committee.⁸

The Paris Principles also require that the Ombudsman, as a status 'A' accredited NHRI, should co-operate with and advise parliament. The Belgrade Principles, adopted by the Office of the High Commissioner for Human Rights and the International Co-ordinating Committee of National Human Rights Institutions (now the Global Alliance of National Human Rights Institutions) in 2012, also highlight the importance of a strong relationship between NHRIs and parliaments.

In furtherance of these standards, the Ombudsman and Parliament engaged in the following activities in 2015 and 2016:

- **The launch of the Constituency week by the National Council:** at the invitation of the Chairperson of the National Council, Hon. Mensah-Williams, the Ombudsman attended the official launch of the constituency week in the Khomas Region on 11 April 2016 in Windhoek.
- **Advising National Council on proposed legislation:** at the invitation of the National Council, the Ombudsman submitted written submissions on the constitutionality of the Namibian Citizenship Amendment Bill, and on 29 July 2016 in Windhoek he made an oral submission to a select committee of the national council.
- On the invitation of the Speaker of Parliament, Dr Peter Katjavivi, the Ombudsman attended the induction course for members of the fifth Parliament of Namibia, on 23 March 2015, where he addressed them on the topic 'Human Rights and the Constitution'.
- To strengthen the human rights knowledge of members of parliament, the Ombudsman developed and printed a *Compendium of International Human Rights Law for Parliamentarians*, which was introduced to parliamentarians at a session on 12 November 2015, with copies handed to each MP that was present.

The Ombudsman, at the invitation of the Secretariat and Commonwealth Parliamentary Association, continued to engage internationally on the relationship between parliaments and NHRIs

and contributed as an expert to the Africa Regional Seminar for Members of Parliament on the Role of Parliamentarians in the Promotion and Protection of Human Rights, 18–21 March 2014, in Mahé Island, Seychelles.

Commonwealth Forum of National Human Rights Institutions

As a member of the Commonwealth Forum of NHRIs, the Ombudsman attended its biennial meeting and conference from 23 to 25 November 2015 in Malta, where he delivered a paper on 'Promoting Collaboration between National Human Rights Institutions (NHRIs) and Ombudsman Institutions'. The Ombudsman also attended the 2016 Annual Meeting of the forum on 21 March 2016 in Geneva. In his capacity as President of the International Ombudsman Institute, the Ombudsman of Namibia co-hosted with the Chair of the Commonwealth Forum of NHRIs, the Northern Ireland Human Rights Commission, a conference on adopting a human rights based approach to the work of Ombudsman institutions in May 2016.

Collaboration between the Secretariat and the Ombudsman in Namibia

On **South-South** collaborations, Namibia has engaged with several countries in support of Commonwealth mandates. Through its very broad mandate of receiving and investigating complaints relating to maladministration, human rights violations, the environment and the misappropriation of public money, the Ombudsman has built up a vast reservoir of experience over the past 26 years.

Namibia has made significant contributions to the development of national human rights institutions in Commonwealth member countries through sharing national experiences, expert advice and technical support through the Ombudsman. Notable contributions, as also reported in the Ombudsman's Annual Reports of 2013–16, include:

- **Grenada:** the Ombudsman shared experience in Grenada. At the invitation of the Commonwealth Secretariat, the Ombudsman participated in the 'Dialogue with the Government of Grenada on the Establishment of a NHRI in Compliance with the Paris Principles' on 28–29 June 2016. The Ombudsman shared the Namibian experience

of a multifunctional office with the workshop's participants. The Ombudsman also used the opportunity to meet with the Ombudsman of Grenada and her staff and encouraged her to become a member of the International Ombudsman Institute (IOI), of which the Ombudsman was President at the time.

- **Seychelles:** at the invitation of the Commonwealth Secretariat, the Ombudsman participated in the national stakeholder consultation for the establishment of an NHRI in compliance with the Paris Principles, as resource person, on 27–28 May 2015. The Ombudsman pointed out the gaps and weaknesses in the Protection of Human Rights Act of Seychelles and made recommendations to bring the Act into compliance with the Paris Principles.

In a follow-up on the national stakeholder consultation for the establishment of an NHRI in compliance with the Paris Principles, the Ombudsman, at the invitation of the Secretariat and with the support of an independent consultant, went back to Seychelles on 22–26 June 2015 and conducted a needs assessment for the NHRI of Seychelles. The Secretariat is currently liaising with the Government of Seychelles on implementation.

- **Jamaica:** as part of the Secretariat's support to the Government of Jamaica through the Ministry of Foreign Affairs on discussions for establishment of an NHRI, the Ombudsman attended a working session with stakeholders (21–25 July 2014) to advise them on the compatibility of the Public Defender (Interim) Act, 2000, Jamaica. Several recommendations were provided for consideration by the Government of Jamaica.
- **Sri Lanka:** on invitation by the Secretariat, the Ombudsman participated as a resource person in a workshop conducted in Colombo, Sri Lanka (2–4 July 2013), on national inquiries and presented two papers, namely 'Conducting National Inquiries in Compliance with International Standards' and 'The Stakeholders: Their Importance and Roles in the Successful Delivery of a National Inquiry'.

- As a follow-up, the Ombudsman attended a working session with the Human Rights Commission of Sri Lanka (Colombo, 22–23 May 2014), which formulated an action plan on reconciliation in which Namibia's experience was shared.
- **The Gambia:** in August 2013, the Ombudsman participated as a resource person on the National Consultation on the draft legislation for the establishment of an NHRI in The Gambia. Unfortunately, this work could not progress, as The Gambia withdrew from the Commonwealth.

Regional collaboration taken forward by the Ombudsman

The Ombudsman and staff are always willing to share experience with other Ombudsman institutions and national human rights institutions. The Ombudsman of Namibia hosted the following Commonwealth countries among many others within the region and internationally:

- The Deputy Ombudsman of **Botswana** and staff members visited Namibia from 1 to 5 February 2016 to learn from the Namibia's experiences. They were particularly interested in the handling of multiple mandates of administrative justice, promotion and protection of human rights, protection of the environment and the operations of regional offices. The Ombudsman and staff took them through all aspects of their office and also took them to Swakopmund to learn about the operations of the office from the regional investigators.
- On 3 June 2016, the Ombudsman hosted the Public Protector and staff members of **South Africa** to exchange knowledge on the functioning of Namibia's computerised case management system. The case management system, which was adopted and implemented in 1997, remains one of the Office of the Ombudsman's biggest achievements. This was a follow-up visit from 6 May 2015, when the Ombudsman hosted the Public Protector of **South Africa** and engaged in a benchmarking exercise. The Ombudsman and the Public Protector spoke of the challenges they face with regard to access to information from public offices and how this hampers their efforts to resolve complaints.

They reiterated that the role of human rights institutions is about tidying up government's processes, which at times involves exposing the bad things.

South-South collaboration has been highlighted in the Namibian experience as a core resource of technical co-operation for the Commonwealth member countries. It is a key learning point that member countries that are advanced in promoting core priorities within the Commonwealth Charter can be called upon to work closely with countries in need. Namibia, while benefiting from knowledge shared at the key forums, has, for the most part, taken on a facilitating role in the Commonwealth Human Rights Platforms, a core contribution to be acknowledged.

2.2 Rule of law

Reform of Public Accountants' and Auditors' Act, Namibia

The Secretariat placed a short-term Commonwealth Fund for Technical Co-operation (CFTC) expert in the Ministry of Finance (MOF) Public Accountants and Audit Board to review the Public Accountants' and Auditors' Act, 1951 and draft a new Act. Key reforms have addressed enhanced regulatory oversight of the public accounting and auditing profession in accordance with internationally recognised standards and processes. The draft Bill has gone through various consultative processes and is now being scrutinised by the Public Accountants and Auditors Board with a view to presenting it to the line ministry shortly.

Namibia is still regulating its public accountants and auditors using the Public Accountants' and Auditors' Act, 1951 (Act No. 51 of 1951). Although the Act is still relevant today, it is not adequately aligned to contemporary international accounting and auditing practices. There was an urgent need to review the legislation and to propose requisite amendments to the Act or to draft a new Bill. It was also necessary to determine whether or not the institutional arrangements, i.e. the structure and composition of the Public Accountants' and Auditors' Board (PAAB), Board Committees, Examination Board, Institute of Chartered Accountants of Namibia, etc., are adequate, and, if not, to make the necessary legislative and institutional changes.

The MOF requested technical assistance from the Secretariat to review and draft a new Act. Upon review of the existing Act, a decision was made to draft a new Bill. With the guidance of the Chief Drafter in the Ministry of Justice and extensive consultations with all relevant stakeholders, the draft Bill was presented to the line ministry for its approval, and, thereafter, to Cabinet for its approval. It is expected that the Bill will be presented to Parliament in February 2018. Some of the key issues addressed by the draft Bill include:

- The independence of the PAAB, and ensuring that all those involved in the decision-making process do not have any conflicts of interest. Currently, persons involved on the Board are still practising members.
- Proposals for a new governance structure.
- The Auditor General's position as the Chair of the Public Accountants' and Auditors' Board, which represents a conflict of interest, as one cannot be a member of the Board that regulates one's operations.
- Rotation of auditors in public institutions. At the moment, auditors can be appointed and serve for up to 100 years. The timeframe proposed in the new Bill is 15 years.

One of the key issues identified in the review and drafting process was the separation of the practitioners from the regulatory environment. The regulators may not be happy with the Bill, as it would increase their regulatory role. It was noted that practitioners would oppose the regulations being put in place; however the interests of the investors need to be taken into consideration. More lobbying from practitioners is expected before Parliament debates the Bill. It was also noted that there is a need to sensitise Members of Parliament to assess the underlying interests of experts that advise Parliament during parliamentary debates.

The drafting process was hampered along the way when Namibia was in breach of the Abuja Guidelines, which meant the expert could not continue with the assignment. Because the drafting was at a critical stage, a decision was made by the MOF to contract the expert directly to complete the assignment.

The Secretariat's reform and restructuring has had some implications for programme delivery. The request for technical assistance was first submitted in June 2013, a response was provided, and forms

were completed and submitted later in 2013. As a result of reform within the Secretariat, the request was re-submitted in December 2015. Approval to place an expert was made in February 2016. The expert was in place in July 2016. The two-year delay affected the pace of the required reform.

Commonwealth learning platforms

Overall, according to the Auditor General, there is strengthened governance in Namibia. This is represented by the independence of the Auditor General in Namibia, who can be removed from the position only by Parliament and not by the President.

Commonwealth platforms for sharing knowledge were commended, particularly the Conference of Commonwealth Auditors General. Sharing guidelines and standards and providing technical updates during the meetings have been very beneficial to participating countries. An example was noted of how the Auditor General of Uganda introduced the idea of all Auditors General monitoring and sharing progress during technical updates.

Namibia is active in the SADC Audit Committee in promoting governance. The Auditor General is a founding chairperson on the Committee and was to take over its presidency in 2016.

It was recommended that the Secretariat should consider having its own standards on governance of the Commonwealth system, with minimal requirements that should be adhered to without interfering with national politics. An example that could be considered in formulating such a standard is the independence of the audit function from the Public Service Commission, where auditors are not on the public service payroll.

Legislative drafting

In response to a capacity gap in legislative drafting in Namibia, the Secretariat has supported the drafting of eight pieces of legislation in the evaluation period. Technical capacity provided by the Secretariat is highly appreciated and the quality of the legislation produced reduces the workload within the Ministry of Justice in translating the 'layman's draft' into a Bill.

Legislative drafting is a key challenge to most Commonwealth member countries. The Secretariat, in response to various requests

received from member countries on legislative drafting, conducted an assessment of the member countries' needs in the Southern Africa/SADC states of Botswana, Lesotho, Namibia, Mauritius and Swaziland from 21 June 2017 to 30 June 2017. According to the draft mission report, most of the requests were for technical assistance to draft various pieces of critical legislation in the thematic areas. The requests were made based on the lack of expertise in the subject matter of the area to be legislated upon, the lack of senior legislative counsel to draft it, or both.

The report noted that direct technical assistance through the placement of short-term and long-term legislative drafting experts has also taken place in member countries that request it, to assist with the drafting of primary and subsidiary legislation, including the mentoring of junior drafters and the strengthening of institutional frameworks.

In Namibia, legislative drafting has been one of the key supports provided by the Secretariat. The evaluation identified support in drafting the following:

- Public Accountants' and Auditors' Act;
- Draft Energy Regulator Bill;
- Draft Gas Bill;
- Draft National Petroleum Corporation of Namibia (NAMCOR) Bill;
- Draft Petroleum Act and Amendments;
- Petroleum Policy and Legislation;
- Draft Minerals Bill;
- Draft Pipeline Regulations.

Although there is co-ordination within the Secretariat in the delivery of the legislative drafting support, the evaluation noted that more co-ordination is required to ensure quality control. There were instances, outlined later in this report (see section 5.2), where local context in legislative drafting was questioned by the stakeholders in Namibia.

Overall, the assessment noted that Namibia has 19 legislative drafters, but only 4 are experienced. The majority are fresh university graduates with no legal practice and therefore require supervision. This capacity gap was emphasised by the Legislative Drafting Unit within the Ministry of Justice during

the evaluation. Budgetary constraints have affected both recruitment and the delivery of training programmes.

The capacity for legislative drafting and the preparation of policy statements within ministries and agencies need to be strengthened. The Speaker of Parliament, in his address during the commemoration of the International Day of Democracy in Windhoek, noted that 'a lot of Bills that go to Parliament were either of low quality, poorly drafted or unconstitutional'⁹. Technical capacity provided by the Secretariat is highly appreciated and the quality of the legislation produced reduces the workload within the Ministry of Justice in translating the 'layman's draft' into a Bill. There is, however, an indication from the Ministry of Justice that such capacity should be centralised within the Ministry of Justice, where possible, for increased reach and sustainability.

On sustainability, the Secretariat engaged with SADC member states as part of the assessment mission on the possibilities of introducing legislative drafting as an integral part of the law degree programme. The report noted that the University of Namibia expressed willingness and the discussion is to progress towards the inclusion of legislative drafting in the curriculum.

Capacity development of Magistrates Commission

The Government of Namibia, in a bid to build the capacity of magistrates and strengthen the magistrates' court system to create a stronger, more effective judicial process in Namibia, received long-term technical support from the Secretariat. Following the completion of the experts' assignment, the position of Deputy Chief Magistrate, primarily to be in charge of training among other things, was recruited, overseeing capacity development in all 34 Magistrate Courts country-wide. Overall, according to the Annual Report of the Judiciary 2016/17, 56 per cent (24,918) of the total 44,857 criminal cases were finalised, which represents satisfactory performance.

Strengthening judicial service commissions is fundamental to ensuring an independent judiciary, which is a cornerstone of democracy. The Government of Namibia, in a bid to build the capacity of magistrates and strengthen the magistrates' court system to create a stronger,

more effective judicial process in Namibia, requested technical support from the Secretariat. Long delays in the criminal justice system were experienced due to the poor performance of magistrates. The need to increase the capacity of the magistrates and the magistrates' court system was therefore identified as a national development priority by the Government of Namibia. A senior legal expert was placed in the Magistrates Commission for a period of five years (1 August 2010 to 30 July 2015) to mentor magistrates and court administrative staff and to develop processes, procedures, systems, guidelines and manuals to strengthen the operations of the Magistrates' Court System.

At the time of completion of the experts' assignment in Namibia, over 90 magistrates were trained, over 40 new magistrates were appointed, approximately 200 clerks were trained, and capacity for civil and criminal administration was improved. Improvement in the performance of some of the magistrates' offices is clear, with figures taken from across the six court regions showing an overall reduction of the total backlog of cases in the system and the best region (Windhoek Rural) recording a decrease in its backlog of nearly 50 per cent.

Following the completion of the experts' assignment, the position of Deputy Chief Magistrate, primarily to be in charge of training among other things, was recruited, overseeing capacity development in all 34 magistrate courts country-wide.

Unlike judges, magistrates are not appointed for life, so there is a high turnover of magistrates, requiring training programmes to be in place for new recruits. At the time of evaluation, 96 out of 104 magistrates' positions were filled. It was noted that there are clear capacity gaps at the entry level into magistracy that need to be constantly addressed.

In the past, the judiciary relied on trainers from South Africa (Justice College of South Africa), but now, with the appointment of the Deputy Chief Magistrate and local resources from in-country legal experts, the training is being run sustainably. The exposure of magistrates to a full-time resource person, started by the placement of the expert, allows continuous engagement and real-time support.

During the placement of the expert, training programmes were held in Swakopmund for magistrates from across Namibia. This support is now rendered from Windhoek, and the Deputy Chief Magistrate continues to distribute resources and information to trainees. It was also noted that, as the foundational training programmes were already in place, the regional training events that are currently being run have been designed to respond to the continuous evolution of the law, especially in the areas of cyber law/security, human trafficking, poaching and corruption among others. This was verified in the 2016/17 annual report:

Training of Magistrates across the country was undertaken, with 62 magistrates having been trained in various disciplines, including criminal procedure and wildlife protection. Training in wildlife protection has become very critical in light of the disturbing trend of wanton poaching of our country's endangered wildlife species.¹⁰

Overall, according to the annual report of the judiciary 2016/17, 56 per cent (24,918) of the total 44,857 criminal cases were finalised, which represents satisfactory performance. The report also noted that the efforts of the lower courts were compromised by issues such as an insufficient number of court rooms, an unresponsive case management system and a shortage of digital court recording equipment as well as inhibitive police investigations and staff shortages.

In the current financial climate, it was noted that one of the areas directly affected by the budget cuts was training programmes. However, with an in-house resource person, the effects of the budget cuts were not as detrimental as they could have been, as the Deputy Chief Magistrate focused on in-service training and approached donors/ sponsors to enable the continuation of quality training programmes.

Another challenge identified was the lack of standards to guide the disposal rate of cases. With guidance on the average time it should take to finalise a case, notwithstanding external factors, magistrates should be able to improve the finalisation rate of cases.

The backlog of criminal cases in the magistrates' courts is still a matter of great concern. Therefore, the Chief Justice has appointed a Criminal Justice

Task Force, comprising all the stakeholders in the criminal justice system, to co-ordinate and synergise efforts to address this challenge.

Sustainability of capacity building in the magistracy has been achieved with the appointment of the Deputy Chief Magistrate in charge of training. Manuals have been developed, including bench books, which are the main reference materials for the magistrates. The courses that were developed are being run and new programmes are being designed that respond to the current needs of the magistracy. Challenges outlined in the annual report are no longer centred on capacity to deliver.

Judicial independence

The judiciary in Namibia is now fully independent as enshrined in the Constitution of the Republic of Namibia and in line with Commonwealth principles and values. The Government of Namibia reached this key milestone in 2015 when the Judiciary Act 11 of 2015 came into force on 31 December 2015.

In May 2014, law ministers, at a meeting in Botswana, endorsed a paper by the Secretariat on the independence of the judiciary and economic development. In July 2015, the Secretary-General of the Commonwealth published a set of guiding principles for Commonwealth member countries on the appointment, tenure and removal of superior court judges. The compendium of guidelines helps to enshrine the independence and impartiality of the judiciary and to prevent the abuse of power by providing practical guidance for governments, jurists and legal experts.

In December 2015, the model law was drafted by the Secretariat, to serve as a benchmark against which jurisdictions throughout the Commonwealth will be able to compare, contrast and improve constitutional, legal, institutional and practical arrangements for judicial appointments and disciplinary processes. The draft is based on recommendations made at consultative meetings held in Zambia, Malaysia and New Zealand and was endorsed at the law ministers meeting in October 2017.

The Judiciary Act 11 of 2015 came into operation on 31 December 2015 to strengthen the independence of the judiciary, in line with Article 78(5) of the Namibian Constitution; to provide for the administrative and financial matters of the Office of the Judiciary; and to provide for connected

or incidental matters. All judges, magistrates and court staff who had been part of the Ministry of Justice were then transferred to the Office of the Judiciary. On 1 January 2016, the Permanent Secretary was appointed to head the administration of the judiciary.

This was a milestone for Namibia: the full separation of powers, as enshrined in the Constitution, is now observed. It must be noted, however, that in Namibia the Bench has always been independent and subject only to the Constitution.

At the time of the country evaluation, another key event was taking place in Namibia as a result of not only its recent judicial independence, but also its demonstrated leadership insofar as judicial integrity and reform on the continent are concerned. The final regional preparatory meeting for the Global Judicial Integrity Network was held in Namibia for Anglophone and Lusophone African countries, from 16 to 17 October 2017. Chief Justices and senior judges from 17 countries gathered to add their voices to what will be the world's first-ever global platform dedicated exclusively to upholding judicial integrity and for the prevention of corruption within the justice system.

The Commonwealth principles and values on the independence of the three branches of government, as outlined in the Commonwealth Charter and affirmed at the law ministers meeting, are being upheld in Namibia. In addition to Namibia's participation in meetings and the access provided to Commonwealth resource materials, the abovementioned milestones achieved are a true reflection of the Government of Namibia's commitment to its Constitution.

2.3 Public administration

Public procurement

The Secretariat supported the MOF to kick-start a reform process for its public procurement system by conducting a review. The Public Procurement Act, 2015, with its supporting Public Procurement Regulations, 2017, came into force on 1 April 2017. The new reform affects 300 state-owned parastatals, local authorities and government ministries nationwide. All the key institutional mechanisms and systems for implementation are in place.

The Government of Namibia embarked on a review of its public procurement system in 2012 with the technical support of the Secretariat in a bid to overhaul and reform the entire procurement system. The key driver for the reform was a high-level government policy that sees procurement as a central tool to achieve socio-economic objectives, by promoting the participation of Namibian businesses, small- and medium-sized enterprises (SMEs), women and young entrepreneurs.

A technical expert was commissioned by the Secretariat to review the existing procurement system and provide the MOF with recommendations. A comprehensive review report (Assessment of Namibia's Public Procurement System), which also established a baseline of the procurement system in line with the Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee (DAC) Methodology for Assessment of Procurement Systems, presented several recommendations that were intended to kick-start the reform process. These included:

- appoint a procurement reform project manager;
- create a high-level multi-stakeholder procurement reform advisory board;
- prepare a procurement reform communication strategy;
- prepare a procurement reform project plan;
- implement the new law and supporting regulations, procurement manual, standard bidding documents and general conditions of contract;
- commission a study on how the current arrangements for procurements are being applied and whether or not they have achieved the intended results, and design the new processes accordingly;
- establish a special unit within the new public procurement office to oversee procurement as a policy tool for socio-economic objectives;
- develop a national public procurement training and education strategy;
- put in place a short-term training solution;
- establish new procurement bodies and a public procurement cadre.

Following the acceptance of the report by the Government of the Republic of Namibia (GRN), three consultants (a legal adviser, a procurement expert and an IT specialist) were appointed to take the reform process forwards based on the recommendations.

The Bill, which replaces the Tender Board of Namibia Act of 1996, was drafted in 2012, with extensive consultations country-wide. On 31 December 2015, the Public Procurement Act, 2015, was passed by Parliament and signed by the President. In March 2017, the Public Procurement Regulations: Public Procurement Act, 2015, were passed and also signed by the President, determining that the Act would come into operation on 1 April 2017. The following mechanisms and institutions were immediately established:

- Policy Unit;
- Central Procurement Board (replacing the old Tender Board);
- Review Panel
- internal procurement structures, including the Procurement Committee, the Procurement Management Unit and the Bid Evaluation Committee.

The new Procurement Act is being implemented in over 300 state-owned parastatals, local authorities and government ministries nationwide. A total of 150 institutions have already set up their internal structures for implementation, including re-assigning officials to take up the new positions. As this is a massive transition, there are several challenges that institutions face, including the capacity to implement.

The Policy Unit, responsible for monitoring implementation of the Act, compliance and capacity development among others, embarked on an extensive country-wide training programme on the practical implementation of the Act, a process that is ongoing. The one-week training sessions have an average of 250–300 participants per session.

Bidding documents have been adopted from the World Bank and customised to the Namibian context. The process is still ongoing, as of December 2018, with 26 out of 35 sets of templates provided by the World Bank ready for

implementation. The procurement guidelines have been issued by the Policy Unit and made available to all users.

The reform is still in its early period and is not without challenges of transition. Although there was significant public awareness and capacity building prior to the commencement of the act, most institutions clearly did not expect the implementation to start so soon. It was noted that there was 'surprise' from the relevant institutions considering that very little was in place to prepare for the transition. It was noted that not all the regulations required to implement the Act were in place when it was passed and therefore the drafting office has been very busy ensuring that these are put in place. The Ministry of Justice admitted that, although the ideal situation is to have all the regulations in place before the Act commences, it is not practically possible and therefore some crisis handling is inevitable.

There was no direct engagement by the Secretariat with the reform process following the submission of the review report. However, in 2015, the Secretary to the Central Procurement Board (originally the Deputy Director of Tender Board Secretariat) participated in the Commonwealth Regional Internal Audit and Public Procurement Meeting for Commonwealth Africa that was held in London on 17–19 November 2015. At this meeting, the Secretary, together with the representative from the Internal Audit Division of the MOF, agreed on an action plan. The agreed action plan was incorporated into the very centre of the reform process, which created a very positive enabling environment. The respondent is one of the two full-time staff seconded by the MOF to the Central Procurement Board.

The readiness of the Government of Namibia as well as the timing in the delivery of the assessment report on Namibia's Public Procurement System contributed to the progress made to date. The Secretariat's support triggered the reform by providing the government with the necessary analysis and recommendations. The implementation of this whole-of-government reform is an extensive venture with significant resources invested by the Government and its partners.

Anti-corruption

The Namibia National Survey, 2013, on the existence of institutional anti-corruption policy frameworks within private and state-owned enterprises to minimise occurrences of corruption, funded by the Secretariat, highlighted the need for a national strategy to address corruption, emphasised the centrality of anti-corruption policy frameworks, and triggered a reform on anti-corruption in Namibia. The GRN has therefore developed the National Anti-Corruption Strategy (NACS) to guarantee an environment averse to corruption in Namibia. Approved in 2016, the strategy is already being implemented, monitored by a National Anti-Corruption Steering Committee (NACSC).

The Anti-Corruption Commission (ACC), established in terms of section 2 of the Anti-Corruption Act, 2003 (Act No. 8 of 2003), is responsible for spearheading the fight against corruption in Namibia. It is mandated to perform the three major functions of investigating corrupt practices (whether reported to or uncovered by the Commission); preventing corrupt practices by examining practices that may be prone to corruption and providing advisory services on best practices for reducing incidences of corruption; and both educating the public on the dangerous effects of corruption and soliciting public support.

In order to engage the private sector in the fight against corruption, the ACC requested the Secretariat's support to conduct a survey for private sector organisations and parastatals. The broad objective of this survey was to establish if participating organisations have any anti-corruption policy framework in existence to minimise occurrences of corruption. This includes the strategies and tools used by the private sector and state-owned enterprises to improve transparency, accountability and risk management as a way of ensuring good governance. The Secretariat contracted the Namibia University of Science and Technology to conduct this study.

The research found out that 'although most of these enterprises have the anti-corruption policy framework in place most of them have implemented one or more tools/strategies that work towards combating corruption and on average enterprises (both small and large) have implemented about 3 tools or strategies. It was evident that those enterprises with the anti-

corruption policy framework in place are those that had at least one tool or strategy implemented'. It was also noted that 'most of the enterprises merely have guidelines in place especially the small enterprises and that is why they are lacking on the tools/strategies on accountability, transparency and risk management'.¹¹

Following the findings and recommendations of the review, the GRN has developed the NACS to guarantee an environment averse to corruption in Namibia. The government aims to eradicate the opportunities for corruption through the NACS, which makes provision for the implementation of various preventative and public education measures and makes corruption a high-risk venture through effective law enforcement and deterrence mechanisms. The measures as outlined in the NACS will be implemented by the GRN over a period of four years, from 2016 to 2019. The key strategic areas include:

- increase the level of political accountability;
- prevent corruption in government offices, ministries and agencies (OMAs) and in state-owned enterprises;
- strengthen efforts to deter corruption;
- conduct extensive anti-corruption education;
- prevent corruption in the private sector;
- engage civil society and the media in combating corruption.

With the oversight of the NACSC, resource allocation and implementation of the action plan are the responsibility of the respective OMAs, as well as the private sector, all of which are required to submit reports and be held to account on their progress in combatting corruption. National progress is reported in annual reports.

One of the notable national reforms in addressing corruption issues is the new Public Procurement Act, 2015, which came into effect in April 2017. A review panel, which acts as a tribunal, established as part of the mechanisms for implementing this Act, will reduce the time it took to investigate and address corruption issues in procurement, which was a key challenge experienced by the Commission. The Director General of the ACC noted that in the past, by the time a judgement was made by court (e.g. two to three years following the award of a tender), the implementation of

the tender would be complete and, in instances in which the tender related to construction, the infrastructure could not be torn down.

In addition, the new Act also addressed the conflict of interest issue identified by the Commission. The appointment of a full-time chairperson of the Central Procurement Board, independent of the Public Service (as opposed to having Permanent Secretaries as Chairperson and also members of the National Tender Board) addresses the conflict of interest issue.

In October 2014, the Secretariat, upon request from the ACC of Namibia, delivered a one-week senior leadership and management training programme. The programme, attended by 37 senior managers across OMAs, aimed at equipping participants with effective methodologies and innovative ways to improve leadership, management and ethical issues, knowledge about and abilities in accountability and integrity, to manage organisations successfully. Among other things, the training addressed leadership; good governance; accountability, integrity and responsibility; and ethics and professional values. The training also emphasised the institutional roles of OMAs in fighting corruption. According to the Commission, the training particularly addressed lack of knowledge, as it pertains to issues of conflict of interest, and acted as an induction session.

Officials from the Commission have participated in various training sessions, conducted at the Anti-Corruption Centre in Botswana, learning that is evident in the staff performance and effectiveness in streamlining their practices to international standards. In addition, the Head of the Commission has also participated in four types of high-level management and leadership training events developed primarily for heads of anti-corruption agencies. Direct technical support has also been received from the United Nations Office on Drugs and Crime and Transparency International among others. Some of the key reforms recommended by the Commission and currently being implemented include:

- Separation of revenue from the MOF to Namibia Revenue Authority with effect from 2018 to address issues of tax evasion and loss of revenue to the government.
- Cybercrime law being drafted that will address issues of money laundering and illicit financial flows. It should however be noted that Namibia already has a law, the Prevention of Organised Crime Act, that addresses money laundering. The cybercrime law, which is in the process of being developed, will largely complement the money laundering law and deal with other cyber related crimes. It will address the security of computer software programs and help to prevent the hacking of computers. Hacking of computers results in crimes such as fraud and money laundering, hence the need for the development of such a law to complement the already existing laws.

According to the National Corruption Perception Survey Report 2016, 49 per cent of the population rates the government's performance in tackling corruption as poor. At 18.8 per cent, corruption ranks among one of the least successful areas of performance. However, Namibia is perceived by many (45%) to be winning the fight against corruption, but success is not attributed to the efforts of the ACC. In total, close to one third (31%) of respondents believe that corruption has decreased since the inception of the ACC, whereas almost the same percentage of respondents is of the opposite opinion.¹²

The Secretariat, in collaboration with the ACC, organised the 6th Commonwealth Africa Regional meeting for heads of anti-corruption agencies in Swakopmund, Namibia from May 31 to 4 June 2016. Over 40 heads of anti-corruption agencies and top officials from 16 out of 18 member countries attended. The opening ceremony was presided over by His Excellency the President of the Republic of Namibia, Dr Hage Geingob, and was attended by over 100 senior-level officials including high commissioners, ministers, members of parliament, the Judicial Service Commission and development partners, in addition to the heads of the anti-corruption agencies.

The meeting coincided with a key milestone in Namibia's fight against corruption by the development of the NACS and the action plan, which drew national attention, supported by the media, to the national and African anti-corruption agenda. At this meeting, the core focus was 'partnership exchanges and peer-to-peer engagements in the fight against corruption in Commonwealth Africa'. All member countries

shared national progress as well as lessons learnt from exchange visits. It was, however, noted that Namibia did not visit any member country or host any visit because of budgetary constraints and national priorities.

Strong institutional leadership to co-ordinate the national fight against corruption is important. The Namibian ACC needs to be commended for broadening the actions to all institutions with an accountability mechanism embedded in the action plan. In its first year of implementation, the NACS, with sustained political will, will provide the Commonwealth membership with key lessons in institutional ownership in addressing corruption issues, a process that might change citizens' perception of corruption.

Internal audit reforms

The Internal Audit Division in the MOF participated in the Regional Internal Audit and Procurement Meeting for Commonwealth Africa and its follow-up intergovernmental exchange visit that triggered reform within the Ministry. A new Public Sector Internal Audit Policy, 2017, is awaiting final approval by the Treasury Cabinet Committee. An internal audit manual has also been developed and all key stakeholders have been trained and have started to implement aspects of the new reform.

The strengthening of oversight and regulatory bodies of member countries has been crucial to the support provided to member countries by the Secretariat through the Public Sector Governance Unit in improving public administration in accordance with the current strategic plan. Internal audit is considered critical to the attainment of democratic oversight of public financial management standards and contributes to the effectiveness and efficiency of governance, risk management and control processes.

As noted at the Commonwealth Africa meeting on Internal Audit and Public Procurement, 2015, 'internal audit could still be said to be at its infancy in majority of the developing countries and small states across the Commonwealth'.¹³ The document also noted that some member countries have very little focus on risk management and also do not have functioning audit committees, both of which are critical in strengthening the internal audit function as a whole.

Internal audit, an independent appraisal activity established within the MOF of Namibia, examines and evaluates ministry activities and the effectiveness of other controls, provides assurance to the Accounting Officer on the adequacy of controls within all financial and operating systems, and provides management with relevant reliable and objective information on the effectiveness of systems and practices in place that will ensure the achievement of the operational objectives.

The internal audit function has evolved since its establishment in the early 2000s, from budget versus expenditures to international standards that address risk, financial and asset management. In 2006, there was a realisation that a centralised function cannot accomplish all these tasks, so the Public Service Commission authorised the appointment of internal auditors in all OMAs. However, this transition was challenged by the lack of a supportive regulatory framework, as the State Finance Act of 1991 was not amended to allow for the establishment of an audit committee. The capacity gap was evident as staff were transferred from accounts to audit functions without the necessary training.

In 2014, a needs assessment mission was conducted in Namibia, as part of a wider initiative conducted in targeted member countries, to establish their legislative, system and capacity gaps. As a follow-up to the needs identified, a Regional Internal Audit and Public Procurement Meeting for Commonwealth Africa was held in London on 17–19 November 2015. The meeting focused on strengthening the internal audit divisions of ministries of finance in member countries in a bid to strengthen the internal oversight of systems and controls, thereby ensuring that policies and procedures introduced are properly implemented and weaknesses are highlighted where necessary. All participants agreed on national action plans. This meeting, attended by the Deputy Director of the Internal Audit Division of Namibia, as part of the action-planning process, recommended the following actions for the Internal Audit Division of Namibia:

- Public Financial Management Act to be developed and implemented by June 2018;
- risk management framework for the entire government to be developed and implemented by June 2016;
- government internal audit manual to be developed and implemented by June 2017.

In 2016, as part of a broader public financial management reform, spearheaded by the MOF of Namibia and funded by the European Union (EU), the above action plan was negotiated and incorporated in the terms of reference for this reform. A consultant was sub-contracted to focus primarily on the internal audit aspects. At the time of the evaluation, the following had been achieved:

- A draft internal audit policy, Public Sector Internal Audit Policy 2017, developed through a consultative process with OMAs, had progressed through the decision-making levels and had been submitted to the Treasury Cabinet Committee for approval. The National Planning Commission had recommended that an implementation plan be developed for the policy and this had been drafted and was awaiting policy approval.
- The draft internal audit manual *Government of Namibia, Internal Audit Manual, Part I and Part II* was in place and was undergoing review from internal auditors across OMAs and other stakeholders.
- In line with the internal audit manual, two pilot audits had been conducted, aligned to international standards.
- All government officials involved in internal audit had been trained on report writing.
- 'Planning and initial development of the risk management framework had taken place'

At the Regional Internal Audit and Public Procurement Meeting For Commonwealth Africa the development and implementation of a risk management policy and framework was identified by the Government of Namibia as a key aspect that required technical assistance from the Secretariat to strengthen the internal audit function across government. A follow-up request was later received. The Public Financial Management Adviser embarked on a technical advisory mission to Namibia and Botswana from 16 to 24 March 2016 to support the internal audit divisions in the MOFs of both member countries in their implementation of a risk management policy and framework across line ministries.

During this mission, collaboration with the EU was established to avoid a duplication of effort. It was noted that a Deputy Director of Risk Management had recently been appointed in the

MOF to spearhead the risk management process across government. The following issues relating to the internal audit function were observed and discussed:

- Internal audit in Namibia is very much in its infancy.
- The Internal Audit Division of the MOF undertakes no central co-ordination and oversight of internal audit across line ministries.
- Although internal audit is widely spread across line ministries and departments, no proper oversight exists, as reports are not shared with the MOF.
- Audit committees are absent in line ministries.
- Reports of internal audits undertaken are not shared with the Auditor General.
- The Internal Audit Division does not follow up on external audit recommendations.

As a follow-up to its capacity-building effort on internal audit for the targeted member countries, the Secretariat facilitated an internal audit exchange learning visit to the MOF and Development Planning, Gaborone, Botswana, from 9 to 13 May 2016, which was attended by representatives from Namibia, Sierra Leone, Antigua and Barbuda, Guyana, and Botswana (host). The theme for the exchange visit was 'Strengthening Internal Audit through Knowledge Management and Commonwealth Partnerships'.

Namibia was represented by the Deputy Director of Internal Audit. Some of the learning identified included the following:

- the critical role of a legal framework which backs the internal audit function;
- the independence of the internal audit function;
- the experience that the implementation of audit recommendations and ownership is dependent on who chairs the audit meetings (*Botswana*);
- that a well-established unit, supported by software for data analysis and automation of audit papers, would improve processes (*Botswana*);

- that strengthening the partnerships with the supreme audit institutions for proper co-ordination and collaboration avoids duplication of effort and ensures proper follow-up on implementations of audit recommendations as required by the international audit standards;
- that effective database templates facilitate follow-up on external audit recommendations (*Sierra Leone*);
- the identification of specific individuals within the internal audit department to conduct special investigations (*Guyana*);
- the provision of funds to staff members to acquire various qualifications in internal audit and risk management to ensure that the internal audit staff are well equipped in terms of competency and skills (*Botswana*).

Key actions agreed for implementation in Namibia and progress documented during the evaluation include:

- *Strengthen the relationship with all stakeholders by creating platforms to sensitise all stakeholders on internal audit functions (effective from September 2016 and will be an ongoing process).* At the time of the evaluation, a total of 25 out of 35 OMAs had been trained/sensitised, one office at a time, in the introductory phase of the outreach, from September to December 2016, with presentations targeting top-level and mid-level management as well as permanent secretaries and the Accounting Officers Forum.
- *Ensure effective implementation of internal audit reform processes (September 2016 to September 2018).* At the time of the evaluation, the Audit Policy was in place as mentioned above; clear Treasury instructions for the Internal Audit Division were in place; the Internal Audit Charter was in place; the Audit Committee Charter was in place; and the proposal to establish an Audit Committee was in the draft policy. These are also the secondary documents required to support the implementation of the Internal Audit Policy.
- *Ensure the upgrading of the Head of Internal Audit Division at the MOF to the level of Director to oversee the proposed changes in internal*

audit and ensure the alignment of reporting arrangements with international standards and best practice (March 2017). The draft policy was amended to propose the upgrading of the structure to the Directorate of Internal Audit, headed by a Director.

With the current decentralised internal audit system, in the review of the structure, specific functions such as quality assurance, oversight and capacity building need to be centralised. This would be the mandate of the Directorate of Internal Audit.

On ensuring effective internal audit capacity in Namibia, for audit staff to be confirmed in their position, they need to have completed a professional programme. The Namibia Institute of Public Administration and Management (NIPAM) in collaboration with the Institute of Internal Auditors developed and delivered two sets of programmes (Internal Audit Technician, eight months, and Professional Internal Audit, five months). A total of 25 participants (15 from the MOF and 10 from OMAs) completed the programme in 2015. The second intake of 22 participants from various line ministries started in August 2016. As a result of internal changes to NIPAM the course was put on hold until August 2017 and it resumed again in November 2017.

The Secretariat's support, however minimal in financial terms, was met by an institution that was ready and waiting to undertake reform. The knowledge and experience achieved through technical meetings with other member countries, as well as the opportunity to see progress in context from an exchange visit in a member country, provided valuable triggers for the progress observed in Namibia to date. In addition to institutional readiness, the progress documented attests to the presence of a champion willing and ready to drive the reform.

Local governance

The Ministry of Urban and Rural Development requested technical assistance from the Secretariat to reform its local governance system. Addressing key concerns raised in the 2007 Local Government Reform Position Paper, a technical expert was placed in Namibia for two years to review and support the reform process from September 2011 to September 2013. Addressing all the key problems identified the Reform Position Paper, the Proposed Local Authorities Reform

Policy was drafted and presented to Cabinet in July 2013. In April 2014, the Cabinet Committee on Overall Policy and Priorities (CCOPP) supported the 2007 Local Government Reform Paper and revised Recommendations in principle but felt that further consultations were required. In February 2017, the CCOPP required further consultations with the Minister of Finance on revenue sharing.

The Ministry of Urban and Rural Development (formerly the Ministry of Regional and Local Government, Housing and Rural Development) requested technical assistance from the Secretariat to reform its local governance system.

After independence in 1990, the government was faced with the challenge of dismantling the political and social structures that promoted discrimination. One result of this was the introduction of a democratic system of governance that would be inclusive and participatory. The intention was to bring governance closer to the people. The development of a regional and local government system was the vehicle through which this could be realised and the government embarked on this course with the first democratic local government elections in 1992.

In 1996, the Ministry of Regional and Local Government and Housing and Rural Development (MRLGH&RD) started a policy dialogue that culminated in the Decentralisation Policy, which was approved by Cabinet in 1996 and the National Assembly in 1997. Fourteen years later, a Local Authority Government Reform Committee (LARC) was established to review the performance of local government with the aim of identifying shortcomings and developing corrective measures. Some of the challenges identified by the LARC that called for change in the local government administration were most suppliers were too expensive for local governments to use; disparities in development; lack of skilled manpower; failure to collect revenue; lack of strong political leadership at local authority level; part-time nature of post of mayor affecting mayors' duties; and financial constraints. These among others were indicated in the 2007 Local Government Reform Position Paper.

A technical expert was placed in Namibia for two years to review and support the reform process from September 2011 to September 2013, with the primary role, in consultation with the Reform

Committee, of drafting the Local Authorities Reform Policy. Addressing all the key problems identified in the Reform Position Paper, the Proposed Local Authorities Reform Policy was drafted and presented to Cabinet in July 2013.

One year later, in April 2014, Cabinet responded with comments and reservations on a number of issues that required further consultations with stakeholders. These included:

- the implications of introducing a ward system versus the current proportional representation;
- the financial implications of the proposed Executive Mayor and full-time councillors versus the status quo;
- the removal of village councils;
- the principle of revenue sharing (assigned revenue responsibility for decentralised functions);
- the removal of the 5 per cent property tax payable to regional councils (the MOF to be consulted);
- the proposed functions of the Local Government Commission.

In pursuance of this instruction, the MRLGH&RD set up a working committee to consult all identified stakeholders. The stakeholders were the Association for Local Authorities in Namibia (ALAN), the Namibian Association for Local Authority Officials (NALAO), all registered political parties, the Office of the Prime Minister (Public Service Commission), the MOF and the Ministry of Justice.

Consultations were held with all the relevant stakeholders on the above issues and a *Report on the Consultation Feedback on Critical Issues raised in Respect of the Revised 2013 Local Authorities Reform Policy* was produced and submitted to Cabinet in September 2014. Cabinet considered the report and responded in February 2017 with a resolution that included in-principle approval subject to verification of financial implications and resolution that required further consultation with the MOF on the financial implications of the reform. At the time of the evaluation, efforts had been made by the Minister of Urban and Rural Development to engage with the MOF.

The policy paper remains a key priority for the MOF; however, it is noted that some of the issues proposed are political in nature. From various consultations with stakeholders during this evaluation, including the Ministry of Urban and Rural Development and the Electoral Commission, a fundamental issue with the introduction of the ward system, although it ensures accountability for the elected officials, is that it represents a reversal of the achievements of integration. At the time of this evaluation, there seems to be limited political will to take the reform forward as the ward system is one of its core propositions, a factor that might slow down the overall decision on the reform policy.

Progress on the policy paper has been slow, taking two years to get responses back from Cabinet at each of the stages outlined. It is not clear how long it will take to get the Cabinet's approval. As one of the key deciding factors is financial, it is unlikely that the approval will come in the near future, as the Government of Namibia, following the global economic crisis, is facing financial challenges as indicated by the government's initiative to freeze public service recruitment for 2016/17 and reduce public sector expenditure.

The Secretariat was commended for the support it provided, especially the extensive knowledge and experience of the expert placed in Namibia. Follow-up from the Secretariat on progress and also to influence dialogue at higher levels would have been appreciated by the host ministry. A request to extend the contract of the expert to support engagement and to prepare the action plan was not approved. It was noted that the momentum of engagement slowed down following the departure of the expert. However, in retrospect, it is not clear if the presence of the expert would have facilitated the pace of the dialogue and approval process.

Policy reform is a long process that requires constant engagement and political will. The delay in the consideration of the policy paper is not consistent with other reforms in the country, such as the procurement reform, which started later and requires more resources for its implementation. The evaluation could not establish if local governance reform, important as it is, is a priority for the government.

3. Social development

3.1 Health

Universal health coverage

Universal health coverage (UHC) is one of the key areas identified by the health ministers as a priority for intervention by the Secretariat. Namibia has established the Universal Health Coverage Advisory Committee of Namibia (UHCAN) to provide advice and guidance to the Social Security Commission Board and the Ministry of Health and Social Services (MHSS), on the development of systems and policies for UHC in Namibia with a focus on evidence and alternatives. Namibia is participating in the Commonwealth-wide study on UHC financing, with a view to sharing experiences on what is working (and not working) in implementing and financing UHC. Technical support had been requested from the World Bank to support the Ministry to develop a policy framework for UHC. Except for ministerial meetings, the Secretariat has not had any direct programme involvement with the MHSS in Namibia.

MHSS Namibia is working towards improving average life expectancy from 58 to 67.5 years. Some of the challenges identified in the National Development Plan that need to be addressed include the following observations: 'Free cross-border movement of people seeking health care and grazing presents a challenge to the elimination of communicable diseases. There has been a noted increase on mental health. There is a shortage of human resources especially in the rural areas, compelling the country to rely heavily on expatriates.... Availability of essential drugs is affected by tedious procurement processes, lack of access to pharmaceuticals... insufficient storage capacity and limited warehousing space at CMS¹⁴.

The Secretariat has had preliminary informal discussions with ministry officials from Namibia to explore options for collaboration, in line with the Commonwealth-wide work being undertaken to explore possible collaborative platforms and/or pooled procurement, and to share experiences and lessons across the Commonwealth.

Recognising the importance of health in member countries, the Secretariat's efforts are focused on policy advocacy and technical support for the development and implementation of strengthened health policies in line with national development plans. Namibia has not received direct support from the Secretariat in the area of health but has actively participated in the Commonwealth Health Ministers Meetings. UHC is one of the key areas identified by the health ministers as a priority area for intervention by the Commonwealth member countries.

Health coverage in Namibia is still a challenge. An information sheet produced by Seen Environmental Learning notes that 'since independence the area of coverage within 10 km of a health facility has more than tripled as a result of the number of health facilities rising from 98 in 1981 to 317 by 2001. As a result, 80% of the population now lives within 10 km of a clinic. This still leaves 20% or over 300,000 people in remote areas. ... Overall there are about 7,500 people per public service doctor and 250 people per hospital bed. Facilities in the private sector are more generous, with over 370 doctors and specialists, 250 of them living in Windhoek¹⁵.

In order to address the issue of UHC, Namibia has established the Universal Health Coverage Advisory Committee of Namibia (UHCAN). The objective of UHCAN is to provide advice and guidance to the Social Security Commission Board and the MHSS on the development of systems and policies for UHC in Namibia with a focus on evidence and alternatives. At the time of the evaluation, the ministry noted that UHC is still at its inception stage. Technical support had been requested from the World Bank to support the ministry to develop a policy framework for UHC.

3.2 Education

Science, technology and research development

With the enactment of the Research, Science and Technology Act, 2004, the Science and Technology Unit, established with the support of

the Secretariat's Science Policy Expert, has now transformed into the National Commission on Research, Science and Technology.

Namibia's Biosafety Act, 2006 (Act No.7 of 2006), developed with support of the Secretariat's Biosafety and Biotechnology expert, was passed by Parliament and signed by the President. Under provisions in the Act, the Biosafety Council (BSC) as well as the Biosafety Clearing House was established. Implementation of the Biosafety Act, 2006 (Act No. 7 of 2006) is in progress, with 14 regional workshops on the implementation of the Act hosted from 24 October 2016 to 30 March 2017.

The Secretariat, through the CFTC Technical Assistance Programme, posted three experts to the Directorate of Science, Technology and Research (DSTR) in the Ministry of Higher Education, Vocational Training, Science and Technology to support its mandate. These were:

- Science Policy Adviser (Professor Taylor, 26/10/1997–25/04/2000¹⁶);
- Adviser on Biosafety and Biotechnology (the late Dr J. M. Gobo, 29/10/2001–28/10/2003¹⁷);
- Information Technology Expert (Mr S. K. Nicholson, 16/04/2002–15/04/2004).

The Science Policy Adviser, among other actions, supported the DSTR to establish a Science and Technology Unit, an independent unit from the Directorate. At the time Namibia did not have such a dedicated unit. The Adviser drafted the policy and implementation framework for the unit. The Science and Technology Policy that established the unit was passed in 1999.

With the enactment of the Research Science and Technology Act, 2004 (Act No. 23 of 2004), the Science and Technology Unit has now transformed into the National Commission on Research Science and Technology. The commission, a government parastatal, houses the national research and innovation fund.

The core functions of the commission include ensuring the co-ordination, monitoring and supervision of research, science and technology in Namibia; the promotion and development of research, science and technology in Namibia; the promotion of common ground in research, scientific and technological thinking across all

disciplines, including the physical, mathematical and life sciences, as well as human, social and economic sciences; the encouragement and promotion of innovative and independent thinking and the optimum development of intellectual capacity of people in research, science and technology; ensuring dedicated, prioritised and systematic funding for research, science and technology application and development in Namibia; and the promotion of linkages between Namibia and international institutions and bodies on the development of research, science and technology.

The Science Policy Adviser initiated Namibia's engagement on the issue of biosafety and biosafety technology. In May 2000, a month after the conclusion of the expert's assignment, Namibia as a party to the Convention on Biological Diversity, signed the Cartagena Protocol on Biosafety. This new environment instrument was expected to assist countries in regulating the safe transfer, handling, use and identification of biotechnology products that might have adverse effects on the environment and human health. Upon signing this protocol, the Ministry requested further assistance from the Secretariat in the protocol's implementation.

The Adviser on Biosafety and Biotechnology (the late Dr J. M. Gobo, in post 29/10/2001–28/10/2003) was posted to Namibia by the Secretariat. The Adviser assisted the Ministry with the preparation and implementation of an institutional framework for biosafety including the establishment of the BSC, and drafted policy documents and Bills. The capacity of the Directorate and other institutions were developed through in-house training programmes, workshops and seminars.

In 2006, the Biosafety Act, 2006 (Act No. 7 of 2006), was passed by Parliament and signed by the President. The biosafety regulations were passed on 1 September 2016. The Act made provisions for the establishment of the BSC to implement the provisions of the Act. The custodian of this Act is the National Commission on Research Science and Technology (NCRST), which is the competent authority and the national focal point for the Cartagena Protocol. The minister responsible for science and technology (current Minister of Higher Education, Training and Innovation) through the National Commission on Research, Science

and Technology (NCRST), under section 5 of the Biosafety Act, 2006 (Act No. 7 of 2006), established the BSC.

The BSC is responsible for, among other things, providing information, advice and liaison with any ministry or state organ charged with or engaged in any matters concerning biotechnology and biosafety in Namibia. The Biosafety Clearing House was established to facilitate the exchange of information on living modified organisms and to assist the parties of the protocol to better comply with their obligations.

The Biosafety Clearing House allows countries that are parties to the protocol access to a variety of scientific, technical, environmental, legal and capacity-building information; it is the main tool that will be used by the BSC to communicate all information relating to Namibia's decisions regarding genetically modified organisms and living modified organisms.

In order to raise awareness and build the capacity of individuals and institutions that will be involved in the implementation of the Biosafety Act, 2006 (Act No. 7 of 2006), the NCRST hosted a series of regional workshops (24 October 2016 to 30 March 2017) on the implementation of the Biosafety Act, 2006 (Act No. 7 of 2006), in all 14 regions of Namibia. The workshops covered presentations on the overview of the biosafety regulatory framework, biosafety procedures and guidelines to stakeholders.

As part of supporting the operations of the DSTR with IT development and co-ordination, an IT expert (*Mr S. K. Nicholson, 16/04/2002 – 15/04/2004*) was provided by the Secretariat. The expert connected the Ministry to the government intranet and the internet, and linked all the educational and vocational training centres so as to make IT a vital component of education and human resource development. The expert also prepared and delivered training courses for all staff, 50 per cent of whom were computer illiterate at the time. Technical programmes at user and technical levels were developed including counterpart training and mentorship.

Education policy shift

Namibia has been instrumental in working with the Secretariat to rethink and reposition the Commonwealth education programme.

Represented by Dr Becky Ndjoze-Ojo, Deputy Minister of Higher Education, Training and Innovation, Namibia is a member of the Education Ministerial Action Group (EMAG), representing the Africa Region. Namibia's representative has been actively engaged on educational issues in the Africa Region as well as promoting the outcomes of the 19th Education Ministers Meeting contained in the Nassau Declaration.

The 19th Commonwealth Education Ministers Meeting (19CCEM) held in The Bahamas in 2015 sought to provide a paradigm shift for the Commonwealth Education programme. Namibia has been instrumental in working with the Secretariat to rethink and reposition the Commonwealth education programme. Key outcomes of 19CCEM in the Nassau Declaration include:

Scholarships: Ministers call for continued and expanding support for Commonwealth Scholarships and Fellowships, a flagship of Commonwealth cooperation, recognising the positive role of cross-border mobility, partnership building, and leadership development.

Research Collaborations: Ministers call for the establishment of effective and meaningful research collaborations.

Policy Frameworks: Ministers recognize that all countries must not compromise on equity and quality... the Commonwealth Secretariat will be developing effective policy frameworks to support efforts in this area, to be adopted by member states that wish to do so.

Cross-Commonwealth Education Developments: the need for greater co-ordination of quality assurance in education by Commonwealth institutions ... as well as the potential for shared curricula and quality frameworks. Ministers also recognize the emergence of additional Commonwealth states as education destinations for Commonwealth members.

The ministers established two key structures that facilitate progress on actions set out in the ministerial declarations. The two structures are:

- **EMAG:** the purpose of EMAG is to provide strategic direction, advice and oversight in organising and following up on actions from ministerial meetings.

- **Commonwealth Accelerated Development Mechanism for Education (CADME):** reporting to EMAG, CADME's purpose is to assist with the implementation of the sustainable development goals (SDGs) in Commonwealth countries; and the ministerial declaration outcomes in Commonwealth countries.

Namibia, represented by Dr Becky Ndjoze-Ojo, Deputy Minister of Higher Education, Training and Innovation, is a member of EMAG, representing the Africa Region together with Ghana. The group, made up of 10 countries¹⁸, was constituted at 19CCEM to take forward key actions from the ministerial meetings. The action group is tasked with two key things: to co-ordinate and provide the necessary momentum from the 19CCEM (The Bahamas) to 20CCEM (Fiji); and to consolidate the Nassau Declaration into an actionable development education agenda of the Commonwealth linked to the UN SDGs for 2030.

To facilitate the work of EMAG and CADME, technical working groups were established to discuss key areas of the Nassau Declaration. These are the Commonwealth Scholarship and Fellowship Plan (CSFP); the Commonwealth Education Policy Framework (CEPF); the Commonwealth Curriculum Framework for SDGs; Commonwealth Quality Standards for Education; Technical and Vocational Education and Training (TVET) Self-Assessment toolkit; and strategies to mobilise resources to help countries make progress towards the SDG4 targets.

At the first EMAG meeting, in January 2016, the development of the Nassau Declaration Action Plan was started. The action plan was consolidated at the second meeting, held in London in January 2017, and papers from the working groups were presented and considered by the group. Namibia was represented at both meetings by the Deputy Minister of Higher Education, Training and Innovation, Dr Becky Ndjoze-Ojo. The Deputy Minister also attended the CSFP task force meeting convened just before the first EMAG meeting. The report of the task force was subsequently presented at the second EMAG meeting.

The Deputy Minister presented a comprehensive report on the 19CCEM and outcomes of the meetings of EMAG to the Minister of Education for consideration and action. Namibia is championing education dialogue in the country and African Commonwealth member countries.

The Ministry of Education, Training and Innovation of Namibia has been instrumental in taking forward Namibia's education actions. The Deputy Minister, who is also the focal person for the Commonwealth at the Ministry, drafted a paper on the educational transformation in Namibia. The Deputy Minister also accompanied the Speaker of the National Assembly to London to present this paper at the House of Commons.

The University of Namibia hosted the Council for Education in the Commonwealth at a conference on 28-31 August 2017. The objectives of this conference had specific relevance to the Nassau Declaration and included creating mutual benefit between education, business and industry; creating business and education alliances that promote innovation, enterprise and 21st-century workplace skills; strengthening the bridge between schools, tertiary education and industry; exploring the impact of social innovation and entrepreneurial ecosystems on education and society; and exploring the ever-increasing role of digital learning in access to quality teaching and learning.

The Deputy Minister addressed the conference on the work of the Commonwealth in Namibia in the area of education. Three key areas of focus were **an inclusive Commonwealth** – connectivity, continuum, momentum anchored in the Commonwealth Strategic Plan; **the 19th Conference of the Commonwealth Education Ministers Meeting** – highlighting the Nassau Declaration; and the **Education Ministers Action Group** – the role of connectivity and the creation of momentum. The Deputy Minister noted that:

'A Commonwealth that facilitates attendance of Commonwealth meetings and take part in Commonwealth activities to build a formidable Commonwealth Family that is globalised in outlook, yet contextualising education and training it its resolve to be, and remain relevant ... I look forward to an Inclusive Commonwealth that shall encourage Youth Mobility with and across the Commonwealth countries and above all, a Commonwealth that allows its small member states to have a voice'¹⁹.

Namibia is also a member of the Virtual University for Small States of the Commonwealth (VUSSC) hosted at the Namibian College of Open Learning (NAMCOL). Conceived in 2000 at the 14th Education Ministers Meeting, the VUSSC is a network of small countries committed to the collaborative development of free content

resources for use in an educational context. Participating countries focus on the collaborative development of post-secondary, skills-related courses in areas such as tourism, entrepreneurship, disaster management, life skills, use of information and communication technologies, and small fisheries management.

The VUSSC is not a tertiary institution but a mechanism for small countries to collaboratively develop, adapt and share courses and learning materials. It is also a forum for institutions to build capacity and expertise in online collaboration, e-learning, and information and communication technologies in general.

With funding and capacity support from the Commonwealth of Learning and the Commonwealth Association of Open Schooling (COMOSA) – Africa Chapter, NAMCOL has developed e-learning programmes. The courses developed have been customised from the available materials and are offered under the transnational qualification framework. The open education resource policy is under development by the Directorate of Education, Arts and Culture in the Ministry of Education, with support from COMOSA.

3.3 Gender

Gender equality

With 41.3 per cent (43/104) of seats in parliament occupied by women, Namibia ranks 12th in the world in terms of the number of women in parliament and 4th in the Commonwealth ranking for women's participation according to data presented in the women in politics 2017 map as of 1 January 2017 published by the Inter-Parliamentary Union (IPU) and UN Women.

Namibia has paid special attention to women's empowerment and gender equality, an integral part of its Constitution. Significant targets have been met, such as an increase in the number of girls in primary and secondary school, and a boost in the proportion of women in the National Assembly to 46 per cent in 2015²⁰.

The Commonwealth Gender Plan of Action for Gender Equality, 2005–15 was agreed by member countries as a framework that guides their commitments towards achievement of gender equality. The four critical focus areas were gender, democracy, peace and conflict; gender, human

rights and law; gender, poverty eradication and economic empowerment; and gender and HIV/AIDS. Following the conclusion of this framework, the Commonwealth priorities on gender equality are now aligned to the global development agenda and the SDGs that member countries have agreed to in September 2016. The key priority areas of focus are gender and climate change; women's leadership; ending violence against women and girls; and women's economic empowerment.

Namibia was committed to the Commonwealth Plan of Action for Gender Equality (2005–15), which set a target of 30 per cent representation of women in decision-making across all sectors. The consistent participation of the country in the Annual Consultation of Commonwealth National Women's Machineries in New York has been commended, as has the country's participation at the Women's Affairs Ministerial Meetings and the Women's Forum held at Heads of Government Meetings.

Notable achievements are listed below.

- There is a remarkable increase in female representation in the National Assembly from 24 per cent in 2009 to 47 per cent in 2015 as noted by the Prime Minister, in a speech in New York, 27 September 2015. This increase was largely influenced by the adoption of the 50/50 gender representation policy of the governing SWAPO party. It was further noted that 40 per cent of local councillors are women, which was attributed to the Local Authority Law, which has a quota for women.
- Following the new Electoral Bill of August 2014, prior to the national elections in November 2014, the results of the elections were favourable for women. With 41.3 per cent (43/104) of the seats in parliament occupied by women, Namibia ranks 12th in the world in terms of the number of women in parliament and 4th in the Commonwealth ranking for women's participation according to data presented in the women in politics 2017 map as of 1 January 2017 published by the IPU and UN Women. This is a significant improvement from 2004, when Namibia's IPU ranking was 22, with 25 per cent women in the National Council and 27 per cent women in the National Assembly, with 45 per cent women councillors (and mayors).

- Key leadership positions are held by women, including the Prime Minister and Deputy Prime Minister of Namibia among others.
- Namibia's ruling party, SWAPO, has not only committed to filling half of its seats in parliament with women, but also proposed a 'zebra' system whereby if a minister is a woman then the deputy minister must be a man and vice versa. Roles will be switched following each election. SWAPO is already moving to enact this commitment. The party initially agreed in 2002 to pursue greater gender equality by calling for 50 per cent of leadership positions in parliament, government and state-owned enterprises to be occupied by women.
- During the 2014 elections, the Commonwealth Observer Mission noted that participation of women in the electoral process had been notably high. In the rallies observed, the team saw a high degree of female participation. However, it was noted that Namibia does not have legislative provisions for the inclusion of women in decision-making powers. The Observer mission noted that, for the National Assembly elections, only the SWAPO party has 50 per cent female candidates. The other parties, although having between 30 and 47 per cent female representation in their party lists, placed women lower in the lists, where they had no chance of being elected based on the previous election performance of the opposition parties.
- Gender-responsive budgeting (GRB) has been adopted by the Government and rolled out to all government entities.

Gender-responsive budgeting

GRB has been adopted and is being implemented by the Government of Namibia. Cabinet Decision No. 2nd/11.03.14/007 directed all government OMAs in Namibia to comply with GRB guidelines. GRB guidelines were incorporated into the 2014/15 and 2015/16 Budget Call Circulars as well as into the medium-term expenditure framework (MTEF).

The Secretariat's work on GRB has contributed to the integration of gender-sensitive budgeting in 25 Commonwealth member countries.

Worldwide, more than 50 countries have adopted gender-sensitive budgeting. The Secretariat's groundbreaking work over the last 20 years has contributed to the integration of gender analysis into fiscal policies and budgets. The Secretariat's contributions in the development phase of GRB have:

- been centrally involved in the production of tools, methodologies and capacity-building materials for this programme area;
- sought to encourage partnerships and collaborations between agencies interested in supporting work in this area – the most significant outcome of this was the programme partnership with the International Development Research Centre and the United Nations Development Fund for Women; and
- contributed to the international advocacy for the implementation of GRB initiatives.

The Commonwealth's international advocacy was largely successful. The Fifth Meeting of Commonwealth Ministers Responsible for Women's Affairs in 1996 was the first time that the issue of gender-responsive budgets was included on the agenda of an intergovernmental meeting. It was discussed again as an agenda item at the 2002 Commonwealth Finance Ministers Meeting in September. This was the first time a meeting of finance ministers ever discussed gender concerns as a specific agenda item. The Secretariat also worked to raise awareness of the value of GRB in different arenas, including at the United Nations and the OECD²¹.

One of the key outcomes of Gender Equality and Child Welfare (Social Services) in the National Development Plan (NDP5) is to strengthen implementation of the GRB and planning by mainstream gender, in all sector policies, programmes and budgets of OMAs. Another is to ensure the availability of gender disaggregated data to inform planning, budgeting and policy.

In 2001, the Ministry of Gender Equality and Child Welfare (MGE CW) (at that time referred to as the Ministry of Women Affairs and Child Welfare of Namibia) applied for funding from the CFTC. In response, a total of US\$17,000 was provided to the Ministry to support GRB activities in Namibia and to provide a consultant to conduct training. In line

with the National Gender Policy, the Government of Namibia has made significant progress in GRB since then, including the following:

- Namibia Cabinet Decision No. 2nd/11.03.14/007 directed all government OMAs in Namibia to comply with GRB guidelines.
- The MOF Treasury Circular/Budget Circular for the 2015/2016 Budget and the 2015/16-2017/18 MTEF emphasised in paragraph 12 that budget proposals for OMAs were to adhere to GRB guidelines as per Cabinet Decision No. 2nd/11.03.14/007. The circular requested OMAs to seek guidance from the MGECW to comply with the guidelines. This was the first country Budget Call Circular to incorporate a gender paragraph since the inception of GRB in the Namibia in 1998²².
- Namibia's GRB guidelines were developed by the MGECW and circulated to all OMAs in August 2014.
- As a follow-up, the MGECW, with support of the United Nations Development Programme (UNDP) commissioned analyses of the budgets and MTEF proposals in 2015 for seven ministries, which collectively are allocated about 70 per cent of the total expenditure budget, to assess progress in the implementation of the Cabinet Directive on GRB and adherence to paragraph 12 of the Budget Call Circular. The analysis was to come up with strategies for addressing any challenges found and to map out means of strengthening GRB in Namibia.
- Training of trainers was conducted for seven OMAs to enable them to further strengthen GRB practice in their respective institutions.

With the key challenges in the implementation of the GRB clearly identified in the assessment conducted in the seven²³ OMAs, in 2016, the MGECW requested further support from the Secretariat to broaden the capacity-building process started in the seven sectors to the whole of government.

The Secretariat, on assessment of the request from MGECW in Namibia, discussed the need to conduct a gender audit as a starting point, instead of the capacity building that was requested by the Ministry. The audit was targeted at three

sectors that were not already included in the initial assessment. These were industrialisation, trade and SME development; agriculture; and land reform. A gender expert was contracted by the Secretariat to conduct the audit, a process that was conducted between 4 July and 30 August 2016, that also included a training session. The audit's final report with recommendations was provided to the Ministry for consideration and action.

At the time of the evaluation, one year after the report was provided, the Ministry had not fully engaged with the audit report and was not clear on the plan of action. It was established that this report, although it complemented the assessment that had been conducted previously, produced results that were not comparable. The methodologies used in the two assessments were different: the first assessment conducted by the UNDP was more rigorous (assessing legal frameworks, policies, recruitment, programmes, action plans and budget within the MTEF) than the one conducted by the Secretariat (assessing policy, mechanisms and gaps).

It was also not clear why another audit/assessment was required, as the assessment conducted on seven OMAs was representative of the sectors and the findings were similar. Capacity to implement GRB is weak in the ministries and needs to be urgently addressed, which is one key recommendation from that assessment and the primary focus of the MGECW. It was also noted by the Ministry that the recommendations provided were similar to what was already in the previous assessment, suggesting a duplication of effort. On this issue, the Secretariat responded that the rationale for undertaking a gender audit was to quickly scan what had been done since the UNDP assessment and that the sectors were identified by the Ministry.

The Ministry, at the time of engagement with the Secretariat, agreed to proceed with the audit only if it was a step towards getting the capacity support that they so urgently needed. Asked what could have been done differently, the Ministry noted that, while it appreciated that the audit expands its understanding of additional sectors, it would have preferred the expert's time to have been used in training the ministries, as had been recommended in the previous assessment. On this, the Secretariat responded that the ministry was supposed to use the report of the audit to proceed to the next steps.

It is to be noted that there was no commitment from the Secretariat to provide any of the capacity support.

Some of the challenges that the Ministry has encountered in the implementation of the GRB, in addition to capacity gaps, include the appointment of persons as gender focal points to spearhead gender issues in OMAs that did not have the required decision-making powers, making them unable to influence decisions or take actions. This issue is coupled with a lack of will within the ministries to make decisions on gender issues.

The Ministry noted that Namibia is clear on its overall direction on GRB, with action plans that need to be implemented. The recommendations provided by the Secretariat will be discussed in more detail and incorporated into the national action plan. As guided by the Cabinet directive, capacity support is required in all OMAs, and ministries with limited budgets are keen to conduct systematic training programmes and would require a gender expert in Namibia, to build the capacity of the ministry and work with them to develop the programmes that they would adapt to suit the specific sectors and deliver across all OMAs.

One key lesson is that clear communication needs to be established with the Secretariat regarding the technical needs of the host institution. Much as the Ministry appreciates technical direction and advice on the course of action, the support has to primarily facilitate the implementation of the national plan. The Secretariat's response was that there was clear communication and understanding from the Secretariat's side. The Ministry experienced a change of leadership following the gender audit and this could have contributed to the claim that there was duplication of effort and unclear next steps.

4. Youth

4.1 Empowerment of young people

National Youth Development Index

According to the 2016 Youth Development Index (YDI), Namibia ranks 156th in the global index and 43rd in the Commonwealth ranking. On political participation, Namibia is ranked 9th among the ten highest scoring countries, while, on health and wellbeing, Namibia is ranked 180th, among the ten lowest scoring countries. With the support of the Commonwealth Youth Development Index: National and Regional Toolkit developed by the Secretariat and through its technical engagement with the Secretariat, Namibia has started the process of developing a National Youth Development Index.

The Youth Development Index, developed by the Secretariat, and first launched in 2013, measures the status of young people in 183 countries, including 49 of the 53 Commonwealth countries. The index is a comprehensive measure across five domains that are critical to youth development: education, health, employment, and civic and political participation. It informs policy-makers about young people's needs and opportunities, indicating areas of success and where attention and investment is needed. It also acts as a data advocacy tool, highlighting the importance of gathering statistics on key youth indicators in order to achieve the SDGs.

According to the 2016 YDI, youth development in the Commonwealth registered larger gains than the global average. Collectively, there was a 5 per cent increase in the average YDI score of Commonwealth countries between 2010 and 2015.

Aside from Pakistan, every country in the Commonwealth either maintained or improved its level of youth development from 2010 to 2015.

The 10 highest ranked Commonwealth countries in the YDI are mostly from Europe and the Asia-Pacific regions. Except Pakistan, all the 10 lowest ranked countries in the Commonwealth are from Africa. Young people in the Commonwealth continue to face significant challenges. Commonwealth countries continue to figure more prominently in the low-YDI category than countries in the rest of the world. Of the 1.8 billion young people in the world, nearly 15 per cent live in low-YDI countries, a majority of which are in the Commonwealth. In contrast, young people in the Commonwealth account for only 14 per cent of the global youth population living in very high-YDI countries.

According to the 2016 YDI, Namibia ranks 156th in the global index and 43rd in the Commonwealth ranking. On political participation, Namibia is ranked 9th among the ten highest scoring countries, while, on health and wellbeing, Namibia is ranked 180th, among the ten lowest scoring countries, as shown in Table 2.

Comparing the 2013 with the 2016 YDI scores, there was improvement in Namibia's performance on political participation and significant improvement on civic participation (see Table 3). The results of the YDI for Namibia were disturbing and were not well received, as noted by the National Youth Council (NYC). With progress in youth development in Namibia, it was anticipated that the performance score should have been much better. The publication prompted the government to start the national youth development index. Inspired by the 2013 YDI, the National Youth Council, with the

Table 2. Namibia's ranking in the 2016 Youth Development Index

Domain	2016 YDI rank
Political participation (10 highest scoring countries)	9
Civic participation	41
Education	133
Employment	166
Health and wellbeing (10 lowest scoring countries)	180

Source: Commonwealth Secretariat, Global Youth Development Index and Report, 2016, p. 127.

Table 3. Comparison between 2013 and 2016 YDI scores

Domain	2013 YDI score	2016 YDI score	Change
Political participation	0.629	0.881	+
Civic participation	0.296	0.683	+
Education	0.750	0.587	–
Employment	0.462	0.399	–
Health and wellbeing	0.264	0.068	–

support of and in collaboration with the Ministry of Sport, Youth and National Service, developed the Youth Status Report. The status report, developed primarily from desk reviews as well as input from the Secretariat's Youth Development Team, was at its final stage of production at the time of the evaluation. The Ministry confirmed in December 2017 that the Youth Status Report was presented to Cabinet.

The NDP5 development had strong contributions from the NYC and the Ministry of Sport, Youth and National Service. The contribution was informed by the content and analysis within the YDI 2013. The National Youth Status Report will also provide monitoring and evaluation data for the NDP. The NDP5 has specific pillars on 'Youth empowerment' and 'Empowering people and communities through sports'. Some of the outcomes include:

Namibia participated in the regional capacity-building workshop on evidence-based youth policy-making, held in Rwanda, which provided member countries with an opportunity to engage in depth with the YDI and to discuss national challenges that need to be addressed with the national YDI.

While the global YDI provides an understanding of the global trends in youth development and gives an overall ranking to each country, it does not support the member countries directly in monitoring progress on their national youth policies and strategies. The Secretariat produced a Commonwealth Youth Development Index National and Regional Toolkit in 2016 in response to member countries' calls for a way to conduct a meaningful assessment of their youth situation and to monitor progress made towards implementation of the

Table 4. Outcomes outlined in the NDP5

Youth empowerment	<ul style="list-style-type: none"> • Reduce youth unemployment rate • Develop a National Youth Development Index and improve the Youth Development Index • Improve and promote health and wellbeing for young people • Improve and strengthen technical skills • Strengthen enterprise development and sustainability
Empowering people and communities through sports	<ul style="list-style-type: none"> • Increase employment contribution through improved opportunities to participate in professional sports • Develop a National Sport Index • Improve sports infrastructure at all levels • Professionalise sports • Establish a research strategy for monitoring and evaluating the impact of sport • Learn from successful sports for development programmes used in developing countries that boast a strong track record and research base

youth policies. The toolkit provides an opportunity for building local, national- or regional-level youth development indexes.

The toolkit was presented to Namibia in September 2016 prior to its launch. Both the Strategic Plan (2017–22) and the Annual Plan (2017) of the Ministry of Sport, Youth and National Service show commitment to developing the youth and sport indexes. The Ministry of Sport, Youth and National Service and its stakeholders, including the NYC and the National Youth Service (NYS), have engaged extensively with the toolkit and have requested technical support from the Secretariat in developing *Namibia's National Youth Development Index*.

Anchoring youth development is the national youth policy. The Ministry noted that the national youth policy, last revised in 2006, is outdated, and no longer adequately addresses emerging issues in youth development. Technical support for the review was submitted to the Secretariat for consideration.

Youth entrepreneurship development

The development of the National Youth Entrepreneurship Policy has been prioritised by the HPP as a mechanism to ensure the access of young people to funding, markets and the incubation of businesses. With technical input from the Secretariat, the policy has been drafted and is currently undergoing consultations before it is tabled to Cabinet for approval.

Young Namibians are increasingly anxious about reaping economic benefits, most tangibly in the form of employment, in the formal economy. If these aspirations are not met, then there are obvious implications for social stability. The HPP, in order to deliver prosperity to a youthful nation, identifies youth - in particular young women - as key target beneficiaries for development and also key implementing partners and participants. Some of the strategies and actions identified include the following:

- **National Youth Entrepreneurship Policy:** draft and adopt a National Youth Entrepreneurship Policy by the end of 2016. This policy will co-ordinate and align essential levers for the entrepreneurial ecosystem including access to funding; access to markets and integration into local and global supply

chains; incubation and mentorship; business development services and skills; and training and development.

- **Youth Enterprise Development Fund:** review existing government-owned youth enterprise funding mechanisms, with intent to consolidate them into a single ring-fenced Enterprise Development Fund, exclusively for the young²⁴.

For many years, the Secretariat, working in concert with member governments and other stakeholders, has been actively promoting youth entrepreneurship across the Commonwealth as a pragmatic strategy towards addressing spiralling youth unemployment, and to contribute to national development.

The Secretariat, in collaboration with the United Nations Conference on Trade and Development (UNCTAD), has developed a policy guide on youth entrepreneurship, in response to the challenges of high unemployment in member countries. The policy guide is designed to support countries to develop effective policies that will unleash the potential of youth entrepreneurship²⁵. The policy guide was presented in Commonwealth Youth Regional Workshops (*Technical Workshop on Developing National Policies for Youth Entrepreneurship*): East Africa (May 2016), West and Southern Africa (November 2016) and the Pacific region (April 2017). The overall goal of the workshops was to enhance the capacity of policy-makers to design and implement policies and programmes and establish institutions that will promote youth entrepreneurship.

Namibia, ahead in its national plan to develop the National Youth Entrepreneurship Policy as highlighted in the HPP, participated in the East African Regional Workshop. National action plans for developing the policy framework were developed by participants.

A draft national policy on Youth Entrepreneurship was developed by the Ministry of Industrialisation, Trade and SME Development (MITSMED). As a required part of policy development, a national consultative workshop was held in Windhoek, the *National Youth Development Seminar, 05-07 September 2016*, with technical contributions from the Secretariat's technical team on youth policy

development. The seminar reviewed key policy documents that address youth development and discussed the draft policy.

The draft policy document is now undergoing further consultations with key stakeholders. It is not clear how long the consultations will take. Once stakeholder consultations are complete, the draft policy document will be revised and opened to the public in a meeting for a final stage of consultation before it is presented to Cabinet for approval.

As youth entrepreneurship involves and affects young people, the Commonwealth places significant importance on the engagement and participation of young people in the issues that pertain to them. Part of this work entails facilitating the establishment of strong alliances of young entrepreneurs, aimed largely at providing platforms through which they can articulate and contribute to addressing the issues that affect them the most.

The Africa Region Commonwealth Youth Ministers Meeting, in February 2015, agreed to support the development of the Commonwealth Alliance for Young Entrepreneurs (CAYE) for Africa, noting that such a network would help lift economic growth and youth employment in member countries. CAYE East Africa was established in June 2015 and CAYE Southern Africa in May 2016. Namibia hosted the inauguration of CAYE Southern Africa in Windhoek.

As the hosts of the inauguration, the National Youth Council, young entrepreneurs and youth entrepreneurs' networks in Namibia were given the opportunity to participate and connect with CAYE participants across the Commonwealth. The teams engaged on issues of policy development and growing businesses and established informal networks to share information.

Namibia youth credit initiative

The Namibia Youth Credit Scheme (NYCS), established in 2005, based on the CYP model, and with start-up capital provided by the Secretariat, has significantly achieved its targets of job creation and the establishment of businesses. According to the NYCS, from inception in 2005 to 2016, a total of 10,586 young people have received training, 8,397 have received loans, 8,159 businesses have been established and 6,769 jobs have been created. The total loan fund is N\$20,483,647 (£1,211,880).

The Harambe Prosperity Plan (HPP) has included the initiative for further expansion, looking to increase the scale of 121 Youth-Owned Rural Enterprises. This will be supported by a strategy to expedite the SME Financing Strategy, which aims to establish a Venture Capital Fund, a Credit Guarantee Scheme and the 'Challenge Fund'.

As per the request of Commonwealth Youth Ministers in 1992 to develop a model for micro-credit and savings schemes, the CYP developed the Commonwealth Youth Credit Initiative (CYCI). The CYCI is a micro-credit and enterprise development initiative designed to promote youth employment and alleviate poverty among the young people of the Commonwealth. The initiative was launched at the 1995 Commonwealth Youth Ministers Meeting in Port of Spain, Trinidad and Tobago. The CYCI was pilot-tested in Guyana, India, Solomon Islands and Zambia in 1996–1999, and later rolled out to other countries. The CYCI Toolkit was published in 2001 as an innovative tool to help governments, development agencies and NGOs to implement micro-credit programmes modelled on the Commonwealth Youth Credit Initiative.

Based on the Commonwealth model, the Namibia Youth Credit Scheme (NYCS) was established in 2005, as noted in the *NYCS Success Story 2005–2016*: 'The Namibia Youth Credit Scheme is a brainchild of the Commonwealth Youth Programme'²⁶. The NYCS is a youth credit initiative formulated to enable the youth of Namibia to access capital, enabling them to significantly participate in the socio-economic development of Namibia. The NYCS is co-funded by the Ministry of Sport, Youth and National Service and the Social Security Commission of Namibia. It is an integrated support programme, providing simplified business management training as well as loans ranging from N\$400 (£24) to N\$4,000 (£237) as a means of supporting people of ages ranging from 18 to 35 years in their efforts to establish small and medium enterprise (SME) initiatives as strategies for self-employment and income generation, thereby improving their living standards.

The Secretariat provided the NYCS with start-up capital of £34,000 in 2006, in addition to training, resource materials and technical support. This fund, with additional input from the government's cumulative contribution of approximately N\$30 million since its inception, is still evolving

to date. Additional funding of approximately N\$7 million (£414,145) came from the Social Security Commission.

CYP Africa Centre, in collaboration with the Ministry of Youth and Sport in Zambia, hosted the Namibia Youth Credit Scheme. The Namibia Youth Credit Scheme delegation comprised 16 young entrepreneurs and 10 youth employment officers from different regions of the ministry. The entrepreneurship exchange visit between Zambia and Namibia, which took place from 29 October to 3 November 2012, offered a platform for the young entrepreneurs to share ideas, information and experiences, as well as to showcase their skills²⁷.

According to the NYCS Success Story 2016, from inception in 2005 to 2016, the NYCS has significantly achieved its set targets. The report noted that 10,586 young people have received training, 8,397 have received loans, 8,159 businesses have been established, 6,769 jobs have been created and the total loan fund is N\$20,483,647 (£1,211,880).

The successes achieved so far are to be expanded further with development of a National Youth Entrepreneurship Policy and the government initiative to prioritise access to funding and support business plan drafting for 121 Youth-Owned Rural Enterprises. This is outlined in the HPP (see below).

- **Non-collateralised lending for start-ups with potential:** the MOF, as the custodian of the financial sector strategy, will be tasked to expedite the SME financing strategy, which aims to establish a venture capital fund, a credit guarantee scheme and the 'Challenge Fund'.
- **Develop project proposals for regional businesses:** to take entrepreneurship to a local level, the NYC, NYS and MITSMED will scope regional business projects and spearhead business plan drafting for 121 constituency enterprises²⁸.

Further requests for the Secretariat to provide technical assistance to make the credit scheme autonomous have not yet been fulfilled. The Secretariat identified a firm in India with the specialisation and experience to provide support with the transformation; however, Namibia preferred a firm from within the African region that would have local context. There was no further

response from the Secretariat. The closure of the regional centre in Zambia reduced the direct contact that the NYCS had with the Secretariat.

Youth work professionalisation

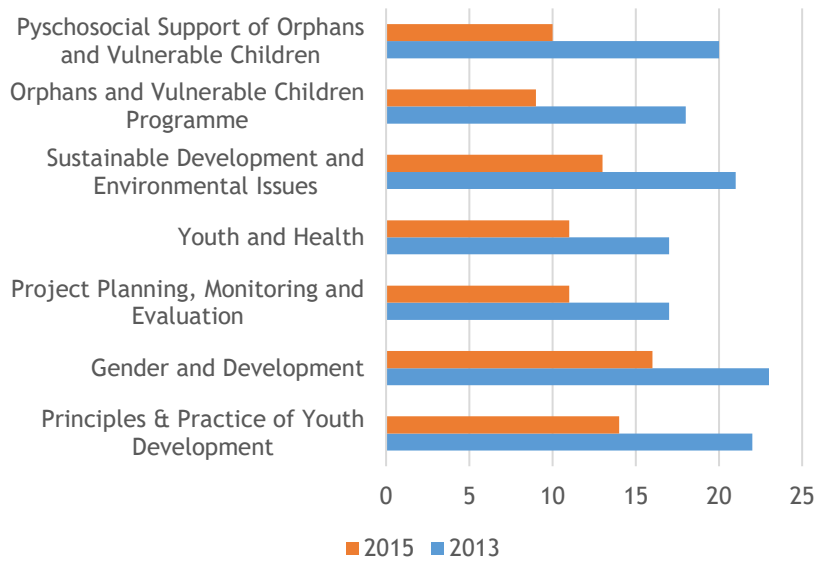
The Commonwealth Diploma in Youth Development Work (DYD) is run by NAMCOL. This distance learning programme, despite the dropping numbers in enrolment, has been sustainable over the years. Following the successful delivery of the diploma programme, in collaboration with the Secretariat, the Commonwealth of Learning and the University of West Indies, NAMCOL have developed the Bachelor of Arts in Youth Development Work degree programme. NAMCOL's first intake for this qualification is scheduled for 2018.

The Commonwealth initiated its commitments to the profession of youth work through its support for the implementation of the Commonwealth DYD in the 1970s. The 2007 Commonwealth Youth Ministers Meeting committed to the Plan of Action for Youth Empowerment,²⁹ which was the framework that renewed and expanded this commitment to youth development work. The contributions of the Commonwealth to professionalising youth work have subsequently been endorsed by member countries including at the 2013 CHOGM³⁰. Youth work exists in many forms and shapes across the Commonwealth and benefits the lives of young people in multiple ways.

The Commonwealth's pioneering contribution to professionalising youth work was the Commonwealth DYD. The diploma has been delivered in almost 30 Commonwealth member countries, including Namibia, and continues to be delivered in some. In Namibia, the Commonwealth DYD is offered by NAMCOL. The two-year programme aims to provide students with practical skills to enhance their effectiveness as youth workers and prepare students as practitioners in aspects of youth education.

According to the 2015 and 2016 statistics from the NAMCOL statistical digest, although there has been an overall increase in enrolment in all professional programmes since 2005, the DYD has seen a reduction in the enrolment levels between 2013 and 2015 intakes (Figure 1). Statistics show a 0 per cent dropout rate for DYD out of the nine professional programmes. The evaluation could

Figure 1. Comparison of DYD registration 2013 and 2015



not conclusively find out why the numbers have reduced. Some of the responses indicated financial constraints on participants.

Following the successful delivery of the diploma programme, in collaboration with the Secretariat, the Commonwealth of Learning and the University of West Indies, NAMCOL has developed the Bachelor of Arts in Youth Development Work degree programme, with the first intake scheduled for 2018.

'The Namibian College of Open Learning is bringing its part in providing the competencies required for effective youth development and refined skills. This will be done through the introduction of its first ever degree course in Arts in Youth Development Work'⁵¹.

The degree programme offers a career progression from the diploma programme as well as an advanced qualification for those seeking professional certification. The programme aims to provide specific competencies required for effective youth development work that will enable beginners and experienced practitioners to develop and/or refine their skills in youth work as well as equip students for effective youth development work at management level.

In addition to open learning, Namibia also runs a comprehensive National Youth Service in the Ministry of Sport, Youth and National Service. There is, however, no direct link between the National Youth Service and the diploma programme on youth development. Respondents noted that

connecting them could improve the education progression and career path of young people in youth development.

It is recommended that, with the introduction of the degree programme, consideration should be given to the introduction of postgraduate diploma programmes on youth development that would attract other professionals already in youth development, but also those with a basic degree in other fields, to participate.

The Commonwealth is in the process of establishing an online, open-source Youth Work Education Qualifications Consortium. It is based primarily, but not exclusively, on a youth development work degree programme developed by the Secretariat in partnership with the University of the West Indies based in Kingston, Jamaica. The course has been informed by the Commonwealth Caribbean Competency Standards for Youth Development Work developed by the former Caribbean Regional Centre, supported by the CYP.

4.2 Youth-led initiatives

National Youth Council

The NYC of Namibia, established in 1994 to address the challenges, opportunities and obstacles facing young people, is a member of the Commonwealth Youth Council (CYC). The NYC is actively engaged in the development of all national policies.

The NYC model in Namibia has been noted as strong and legitimate in addressing the concerns and development of young people. Namibia has shared information and lessons with Kenya and has also been invited to engage with the Tanzanian NYC on the fringe of a Commonwealth youth meeting. The Council has also registered interest from South Africa and Swaziland and was visited by delegates from Lesotho and Zimbabwe.

The NYC of Namibia was established in March 1994 to address the challenges, opportunities and obstacles facing young people in Namibia and to foster among Namibian youth a spirit of national identity, a sense of unity and self-respect, and in-depth awareness of social, economic, political, educational and cultural prospects and adversities.

From 1994 to 2002, the Secretariat was actively engaged in supporting the NYC in its development. As indicated by the leadership of the Council, the Secretariat had a very strong relationship with the NYC, and some strategies of the NYC were developed with the support of the Secretariat. The Commonwealth Youth Credit Scheme was one of the key development projects run in collaboration with the Commonwealth Secretariat, the NYC and the Ministry of Sport, Youth and National Service.

The National Youth Council of Namibia is a member of the CYC. The CYC is the official representative voice of the more than 1.2 billion young people in the Commonwealth. The CYC was first established in 2013 with the support of the Secretariat's CYP. It was endorsed by Commonwealth Heads of Government at their biennial summit in Sri Lanka as an 'autonomous, youth-led' organisation. Led by a nine-member executive, the CYC acts as a coalition of national youth councils and other youth-led civil society and private sector bodies from across the 52 member countries of the Commonwealth. It aims to further advance the youth development agenda by integrating young people into the development work of the Commonwealth at national, regional, and pan-Commonwealth levels. It also provides a sustainable platform for unified engagement with decision-makers and youth-led development initiatives³².

A Namibian young person is currently elected as the Africa Representative on the CYC. The representative, tasked with spearheading the youth agenda at international platforms and representing the youth voice of Africa, was facilitated by the Secretariat to participate in:

- Commonwealth Youth Ministers Meeting, Kampala, Uganda 2017;
- Youth Leadership Training Programme, London 2016;
- Commonwealth Heads of Governments Meeting, Malta 2015;
- Commonwealth Youth Forum, Malta 2015.

In Namibia, the representative is actively advocating for youth development and youth engagement in decision-making. As an active and close associate of the National Youth Council and representation on the CYC, the representative has had several national and international platforms to engage on youth development. These include the World Assembly of Youth, the World Food Federation (as Vice President), the SADC Youth Co-ordinating Mechanism, Pan African Youth and the African Development Bank (AfDB) among others.

The NYC is actively engaged in the development of all national policies. The Council, recognised as the voice of the young people, is a key stakeholder in all discussions at the national and regional levels. The NYC model in Namibia has been noted as strong and legitimate in addressing the concerns and development of young people. Namibia has shared information and lessons with Kenya and also been invited to engage with the Tanzanian NYC on the fringe of a Commonwealth youth meeting. The Council has also registered interest from South Africa and Swaziland; and Lesotho visited. The NYC has actively engaged and contributed to following recent processes and events:

- National Development Plan 5;
- Youth Status Report;
- land issues – joint conference with the Ministry of Lands;
- employment issues – Ministry of Labour;
- Namibia Economic Empowerment Framework;
- National Conference on Education;
- International Relations Conference (10 representatives).

As part of knowledge exchange, the Chair of the NYC has been a key resource person for the CYPs, sharing the experiences and lessons from Namibia with other member countries. Some of the engagements and contributions include:

- presenting a paper on Namibia's model of the National Youth Council to Tanzania, which does not yet have a National Youth Council, 2016;
- being a panellist at the Commonwealth Youth Ministers Meeting in Uganda, 2017; and
- being a panellist at the Youth Forum in Uganda, 2017.

The success of the NYC can be attributed to the Secretariat's involvement, at the establishment stage, with the development of strategies that supported youth engagement in the country. The presence of the Regional Centre in Zambia was considered key in the development and operation of the NYC because of the close engagement. The Council commended the Secretariat's technical support from 1994 to 2002, but also noted its limited engagement in the last 10 years.

The NYC as the co-ordinating body of youth has had challenges in engagement with the Commonwealth youth networks. Several Commonwealth youth networks have been formed around key thematic issues. These

include, among others, the Climate Change Network; Commonwealth Students Association; Human Rights and Democracy Network; Peace Building Network; Health Network; and Sports for Development and Peace Network. These Commonwealth networks engage directly with individuals and national networks in a bid to increase the level of youth engagement.

Much as this is appreciated, it was noted by the Council as a disruptive approach to cohesive national youth engagement. The NYC has been established as the national mechanism for co-ordinating youth engagement and therefore the point of contact for any issues and engagements with young people. As an umbrella youth organisation, the NYC would like to maintain the role of co-ordinating all networks in the country and supporting their engagement through the NYC with the Commonwealth networks. Working in this way, progress can be monitored.

The NYC recommended that the most effective way for the Secretariat to engage with young persons in country is to strengthen governance, capacity and relationships and establish communication and reporting mechanisms for the NYC to engage effectively and connect the networks to the Commonwealth platforms, as opposed to the Commonwealth networks duplicating the role of the NYC in the country.

5. Economic development

5.1 Debt management

Debt management system

The Secretariat's debt management software is being utilised effectively in Namibia. Critical decisions that require consideration for new loans are now informed by the current debt repayment reports (generated by the system) and projections on the government's ability to pay. Revenue forecasting has also been supported with information from the debt management reports, as the system provides maturity profiles of debts that allow decisions on when to consider new debts, including what interest rates would be favourable.

With debt management reports generated by the system, the MOF was able to effectively negotiate a new loan with the African Development Bank. With analysis of exchange rate trends on the system, and Namibia's dollar pegged to the South African rand, it was not sustainable to negotiate the loan in US dollars but it was sustainable in South African rand. To reduce the volatility of the Namibian dollar to exchange rate fluctuations that would affect the debt, an agreement was reached that a South African rand-denominated loan was offered on a one-to-one exchange rate with the Namibian dollar.

The Namibian government is facing a severe cash crunch that has resulted in budget cuts, as well as liquidity constraints in the domestic market, reflected in persistent undersubscription of government debt instruments. Despite the challenge, in August 2017, the MOF noted that the current debt level was 41.9 per cent of gross domestic product (GDP), which is within the threshold of 42 per cent for middle-income countries of the size of Namibia to be considered sustainable.³³

In 2016, the Southern African country's economy hardly grew, slumping from a more than 5 per cent expansion a year earlier as a result of deep contractions in the construction, uranium and diamond industries. The central bank lowered its 2017 growth forecast to 2.1 per cent from 2.9 per cent, citing uncertainty around the pace of recovery in the price of uranium.

The International Monetary Fund (IMF) has said it expects Namibia's public debt to increase to over 60 per cent of GDP by 2021³⁴.

The Secretariat, through its public debt management programme, supports member countries' efforts to effectively manage their debt portfolios. The Commonwealth Secretariat Debt Recording and Management System (CS-DRMS) is an integrated tool for recording, analysing and reporting public sector debt. The software adopts a holistic approach through the extensive coverage of various types and categories of debt liability and debt-related financial instruments for sovereign as well as sub-national governments. It is designed to manage both conventional and complex financial products (loans and securities) offered by a wide range of creditors and capital markets.

The software, which supports sound debt management practices, is a comprehensive debt data repository system and helps maintain the debt position of a borrower. It supports crucial debt operations such as debt service payments, monitoring of new borrowings and a host of analytical functions. The software promotes greater efficiency in debt management operations. It manages any portfolio size, small, medium or large, and its modular design means that it can be installed and configured to function independently or across back, middle and front offices.

The Secretariat's support to Namibia in debt management started in 1991 following a needs assessment conducted by the Secretariat on setting up an aid and debt management system in the MOF, the Bank of Namibia and the National Planning Commission. The support requested included the integration of the CS-DRMS with the aid management packages developed with support from the UNDP. In 1996, Bank of Namibia and MOF staff participated in a workshop held in Windhoek on Debt Strategy Formulation and later the National Planning Commission participated in a workshop in London in 2000.

By 2006, CS-DRMS2000+ was installed and being used by the MOF, the Bank of Namibia and the National Planning Commission to manage the country's debt with supportive training and advisory services. Additional technical support

CS-DRMS reporting functionalities

The debt management system has the capacity to produce and export key debt management reports required by the government for reporting to the World Bank and IMF. These include:

- Debtor Reporting System;
- Quarterly External Debt Statistics;
- Public Sector Debt Statistics and General Data Dissemination System.

was provided through the services of the Commonwealth expert, a regional debt adviser based at the Macroeconomic and Financial Management Institute of Eastern and Southern Africa in Zimbabwe.

By 2012, Namibia had opted to develop a programme within the government – the Integrated Financial Management Information System (IFMIS) – to manage public debt. However, there has since been a renewed interest in CS-DRMS, since the IFMIS proved challenging.

In 2014, the Secretariat installed upgraded debt management software (CS-DRMS) with expert support from a software consultant who worked with the debt management team for two weeks. The debt management team in the MOF and the Central Bank were trained on the system's applications.

The Ministry noted that since its installation, except for the MOF's own internal IT support challenges, the debt management system has been functioning effectively. Overall, there were no issues with data input; foreign debt recording in particular is ongoing with no serious issues encountered. The support required from Secretariat is always received in time; this was also verified by the issues logs that are maintained by the Secretariat.

Some of the system challenges noted include the following.

- The lack of integration of the Secretariat's debt management software and the existing system in place at the Central Bank of Namibia (securities system). The MOF is using the CS-DRMS while the Central Bank of Namibia uses the Bloomberg System for Auction. Data generated from the Bloomberg System is manually entered on CS-DRMS. The problem

is compounded by administration book entry and payment systems all being independent. The transfer of data from one system to the other is still manual, increasing workload and room for error. A request was made to the Secretariat to consider the integration of the two main systems (CS-DRMS and the Bloomberg System); however, in the analysis, it was noted that it would be easier for the Secretariat to make the necessary changes on CS-DRMS to integrate with the Bloomberg System than the reverse, as Bloomberg is part of an international system, the modification of which is more complicated. The number of transactions that are involved compared with the level of changes that will need to be made does not make it cost effective.

- The Ministry, however, indicated that the Secretariat should at least consider integrating the administrator (book entry) system with CS-DRMS so as to centralise the database.
- Another limitation noted of the CS-DRMS is its inability to handle secondary market trading. Tracking transactions have to be input manually and could be better supported by the system, especially where ownerships change after a bond is sold but before maturity stage. The system should be able to respond to these changes, which can be challenging at the redemption stage. On this issue, the Secretariat is finalising the development of a new debt management system which will address the limitations of secondary market ownership to some extent.

- The Ministry noted that it could benefit from a system that handles contingent liabilities. The Secretariat noted that a new system (MERIDIAN)³⁵ in development will address contingent liabilities management.
- Currently, an Excel spreadsheet is used to capture data. The IT team at the MOF has developed a separate database. At the time of the evaluation, a few challenges were being experienced by this Excel spreadsheet, such as the data not being captured or sometimes not being shown, a problem that is being addressed internally.

It was also noted that, in the long run, the Bank of Namibia will consider adopting the Secretariat's debt management system³⁶, as the current system (the book entry system), built by the IMF, is no longer being supported. However, even with the limitations of both systems, there has been improved performance of the Ministry in its engagement with the Central Bank and the planning departments in the ministries.

The system has been commended in particular for its analytical and reporting capacity. Consistent recording of data has been noted as a precondition for reporting, a process that the Ministry is in control of. The Ministry is on track with its quarterly reports, in line with the strategic plan, as a result of the ease of reporting. The team noted that the reports have been useful in monitoring debt levels and in budget preparation. All reports are sent to the Central Bank, which uses them for its quarterly and annual reporting. The Central Bank used data from the CS-DRMS to conduct debt sustainability analysis.

Critical decisions that affect consideration for new loans are now informed by the current debt repayment reports and projections on the government's ability to pay. The Economic Policy Advisory Services Unit has used up-to-date information generated to provide advice on economic matters. Revenue focusing has also been supported with information from the debt management reports, as the system provides maturity profiles of debts that allow decisions on when to consider new debts, including what interest rates would be favourable.

With debt management reports generated from the system, the Ministry was able to effectively negotiate a new loan with the African Development Bank. With analysis of exchange rate trends on the system, and with Namibia's dollar pegged to the South African rand, it was not sustainable to negotiate the loan in US dollars but was sustainable to do so in South African rand. To reduce the volatility of the Namibian dollar to exchange rate fluctuations that would affect the debt, an agreement was reached that a South African rand denominated loan was offered on a one-to-one exchange rate with the Namibian dollar.

The Ministry also noted that the debt management strategy has been developed based on the information generated from the CS-DRMS system.

Collaboration

The Secretariat collaborates with the World Bank, the IMF and the Macroeconomic and Financial Management Institute of Eastern and Southern Africa (MEFMI) in Southern African member countries to avoid duplication. The MEFMI supports member countries in Eastern and Southern Africa in debt management. The MEFMI collaborates with the Secretariat in delivering training programmes in Southern and Eastern Africa. In this collaboration, the Secretariat develops and runs the training programmes (debt management and use of debt management system, and IT administration among others) while MEFMI determines the training location and sponsors the participants to the programme. Some of the training programmes in which Namibia participated include:

- training on CS-DRMS and IT administration, 16–25 March 2016, Lobamba, Swaziland (five participants);
- Joint MEFMI/IMF Regional Workshop on Managing Domestic Debt and Lending Instruments using CS-DRMS, 18–27 April 2016, Lilongwe, Malawi (three participants);
- Joint MEFMI/IMF Regional Workshop on Managing Public Debt and Lending Instruments using CS-DRMS, 10–19 February 2014, Nairobi, Kenya (four participants).

5.2 Natural resource management

Mines and energy reforms

The Secretariat has provided key legal and economic advisory services to the Ministry of Mines and Energy (MME) that addressed its regulatory frameworks. Some of the achievements noted include:

- **the draft Energy Control Board Bill, approved by the Minister of the MME in the first week of October 2017; and**
- **the National Renewal Energy Policy, approved and published in September 2017.**

The Government of Namibia has developed a minerals policy to ensure the continued development of the mining industry. The government recognises that the exploration and development of its mineral wealth would best be undertaken by the private sector. The government therefore proposes to focus on creating an enabling environment for the promotion of private sector investment in the mining sector. This will include competitive policy and regulatory frameworks, security of tenure and the provision of national geo-scientific data to further stimulate exploration and mining³⁷. The MME facilitates and regulates the responsible development of the minerals sector for the benefit of all Namibians, but it also works closely with other government ministries to achieve

that goal. The MME plays a leading role and keeps the legal framework in line with global best practice, while managing the sector with transparency.

Since independence, substantial assistance has been provided to the MME and the state oil corporation (NAMCOR) with respect to promotion of investment in petroleum resources development. In 2006, technical assistance was provided in developing policy and regulations, promoting investment in the petroleum sector and negotiating with international companies. The Secretariat's assistance sought to undertake a review of the petroleum regulatory regime in the light of changed market circumstances and experience gained. Technical advice was provided on a number of regulatory, legal and fiscal matters that were problematic or complicated during negotiations with petroleum companies.

Since 2012, the Secretariat has been engaged with the MME in assisting with the regulatory and legislative arrangements for the transformation of Namibia's Electricity Control Board (ECB) into an overarching energy regulator. The Secretariat is also assisting with similar arrangements for the commercialisation of NAMCOR (co-ordinated with the ECB, NAMCOR and the MME).

The evaluation highlighted the following progress on the various legislative frameworks within the Ministry (see Figure 2 and Table 5).

Natural resource management support to Namibia includes:

- Review and recommendations for changes to the overall existing legislative, fiscal and regulatory arrangements for petroleum sector administration in Namibia. Stakeholder consultations conducted to discuss rationale for each provision in 2015.
- The development of local content policy and implementation strategy for the Namibian petroleum sector. This includes the development of upstream and downstream legislation.
- Restructuring of Namibia's ECB.
- Review of Electricity Act and drafting of Energy Control Board Bill.
- Drafting of Electricity Amendment Bill.
- Drafting of National Petroleum Corporation of Namibia – NAMCOR Bill.
- Review of the draft Gas Bill and advisory support on gas legislation and pipeline regulation.
- Renewable Energy Policy and Strategy.

Figure 2. Progress on regulatory frameworks

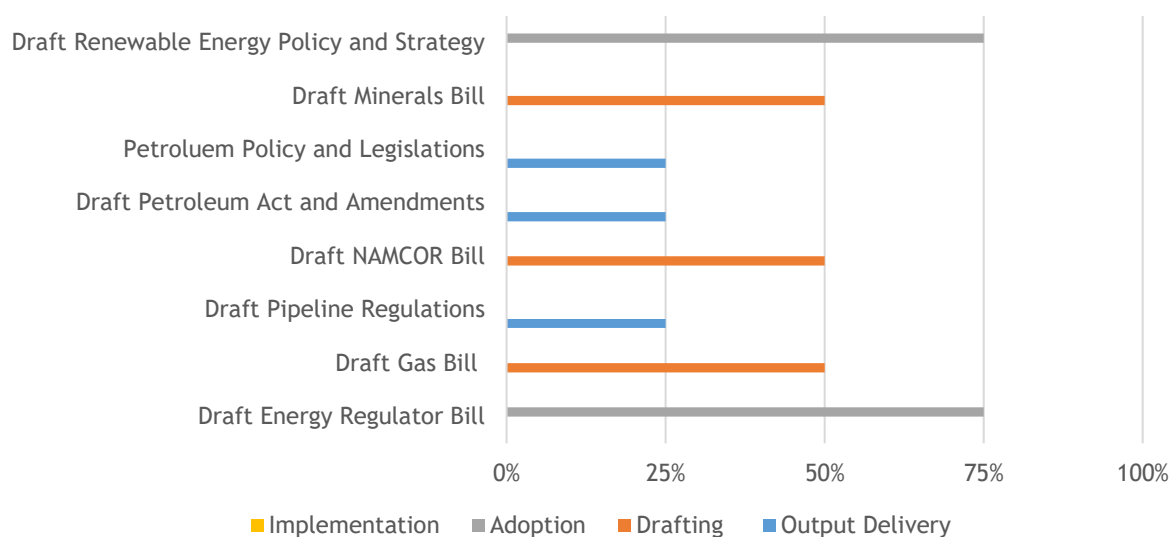


Table 5: Progress on regulatory frameworks

Regulatory framework	Progress
Draft Energy Regulator Bill	<p>2011 (August): review of Namibia's Energy Regulatory Framework; advisory report on the restructuring of the Namibian ECB prepared and presented by the Secretariat.</p> <p>2011 (November): advisory report on the restructuring of the ECB prepared and submitted.</p> <p>2011 (November): draft Energy Control Board Bill prepared.</p> <p>2012 (May): draft Energy Regulator Act prepared.</p> <p>2012 (May): draft Electricity Act prepared.</p> <p>2017 (October): draft Energy Control Board Bill approved by the Minister of the MME in the first week of October 2017. The Minister is to present the draft Bill to the Cabinet Committee on Legislation for approval and transmission to the Attorney General for certification and transmission to National Assembly for printing and tabling.</p> <p>2017: at the time of this evaluation, waiting for regulations to be approved.</p>
Draft Gas Bill	<p>2012 (March): draft Gas Bill prepared and presented to the MME.</p>
Draft Gas Pipeline Regulations	<p>2012 (March): review of Namibia's Energy Regulatory Framework. Advisory report on natural gas legislation prepared and presented by the Secretariat.</p> <p>2012 (March): draft Gas Pipeline Regulations prepared and presented by the Secretariat.</p>

Regulatory framework	Progress
Draft NAMCOR Bill	<p>Draft NAMCOR Bill prepared in 2012.</p> <p>January 2014: feedback received from the MME and NAMCOR. Delay related to restructuring of the organisation's senior management.</p> <p>June 2014: advisory note concerning the final draft NAMCOR Bill prepared and submitted to the Ministry and NAMCOR.</p> <p>2017: draft NAMCOR Bill undergoing stakeholder consultation. Progress considered to be satisfactory.</p> <p>2017: transformation task force in place to steer the input into the legislation.</p>
Petroleum Act and Amendments	<p>Draft presented to the Minister of Mines and Energy for review and approval. The amendments address fragmentations in the Act.</p>
Petroleum Policy and Legislation	<p>2015 (July): request for legal and technical assistance</p> <p>Upstream legislation:</p> <p>2016 (May): advisory report concerning the Namibian petroleum sector</p> <p>2016 (September): discussion paper: recommendations concerning Namibia's petroleum fiscal regime</p> <p>2017 (October): the Ministry noted good progress. The Secretariat is drafting instructions, after which the document will be sent to legal drafters. The services of a local consultant (legal firm) have been sourced by the Ministry to carry out the consultation with stakeholders and address issues of local context.</p> <p>Downstream legislation:</p> <p>The Ministry was in the process of putting together what needs to be amended. Once the Secretariat receives the content, drafting suggestions with recommendations will be provided. Stakeholder engagements are expected to commence once the draft is in place. The Secretariat will provide guidance for the drafting.</p> <p>Local content:</p> <p>2016 (May): advisory report concerning local content in the Namibian petroleum sector, prepared and submitted to the MME.</p> <p>2016 (September): Advisory Report: Developing Local Content Policy in the Petroleum Sector.</p> <p>2017 (September): draft local content policy framework produced by the Secretariat, reviewed by the Ministry and feedback provided.</p> <p>2017 (October): Secretariat team reviewing the document based on the comments.</p>

Regulatory framework	Progress
Draft Minerals Bill	<p>The Minerals (Prospecting and Mining) Act 33 of 1992 is the principal legislation governing mining law in Namibia.</p> <p>2000: the MME sought to repeal the Minerals (Prospecting and Mining) Act 1992. Process started in 2000 aimed at bringing the Bill and Legislation up to international standards. The Minerals Policy was released in 2002. Draft bill is dated 2007 and internal review was conducted in 2009.</p> <p>2014: following review of the draft Minerals Bill by the Secretariat, initial observations concerning the Bill were presented to stakeholders.</p> <p>2015: key changes to the draft Minerals Bill were discussed with stakeholders in a three-and-a-half day workshop (20–24 July 2015) that led to in-principle acceptance of amendments and need for further review.</p> <p>2015: revised draft Bill incorporating comments from the stakeholders produced, November 2015.</p>
Draft Renewable Energy Policy and Strategy	<p>The Draft Renewable Energy Policy and Strategy is to provide guidance to the government on how to develop the renewable energy sector and scale up the contribution of power from renewable sources in the country's electricity mix.</p> <p>2014: discussion draft Renewable Energy Policy was presented in March 2014. Three renewable energy technologies (wind, solar and biomass energy) were proposed for consideration in the finalisation of the draft policy.</p> <p>2016 (February): the drafting of the policy was accelerated with a six-month timeline led by the ECB.</p> <p>2016 (July): the final draft of the renewable energy policy was presented by the ECB to stakeholders in July 2016 in a one-day consultative workshop.</p> <p>2016 (December): the MME finalised the development of Namibia's National Renewable Energy Policy.</p> <p>2017 (July): National Renewable Energy Policy approved by Cabinet and published (Cabinet Decision No. 11th/18.07.17/004).</p>

One of the policies that progressed significantly in the evaluation period was the Renewable Energy Policy. This policy aims to enhance the ongoing development and increased uptake and use of Namibia's abundant renewable energy resources, in particular its considerable solar, wind and biomass endowments. The policy signals the Government of Namibia's commitment to a clean energy future for its people, powered by renewable energy sources, where available and economically viable. It reaffirms the government's intent to reach beyond the current level of development in the renewable energy sector, through the deliberate creation of initiatives that support the development of all locally available renewable energy resources, in ways that are effective, sufficient and inclusive of all Namibians.

The Renewable Energy Policy complements Namibia's National Energy Policy. As a key guiding framework, the policy will be supported by additional policy instruments, including the Independent Power Producers (IPPs) Framework, a to-be-developed Energy Efficiency Policy and other initiatives that provide further direction and clarity in Namibia's rapidly evolving energy landscape.

The MME commended the technical expertise and the quality of outputs produced by the Secretariat, in particular its excellent knowledge of the sector, experience in several countries comparable to Namibia and good working relationships with the stakeholders, and the composition of the team to provide holistic support (legal expert, economist and petroleum expert). There is complete trust

in the team of advisers and their individual/team technical expertise to engage and support the Ministry and partner institutions.

Some of the challenges discussed during the evaluations include the following:

- The Secretariat does not have a physical presence in-country, making it difficult sometimes to engage on progress. The availability of the technical team in each country is limited based on their stretched support to other Commonwealth countries. One of the respondents noted 'the Commonwealth Secretariat is so far away, they come and go, no one is available during the process'.
- There is no hands-on engagement in-country, which causes a loss of momentum. There is a need for more continuous engagement on the processes.
- The Ministry contracted a local legal firm, Lexna, to work with the Secretariat in the delivery of the petroleum sector outcomes. The terms of reference include the review

and analysis of the Secretariat's advisory reports concerning the Namibian petroleum sector, including legislative, regulatory and fiscal arrangements; the development and implementation of local content programmes; and key agreements. However, it was noted that the capacity of the firm needs to be strengthened, especially in the petroleum sector, where local knowledge is limited. Significant time (up to six months) was also lost in clarifying the role of the firm. The Ministry, in a bid to reduce dependency on the Secretariat and sustain some of the cutting edge knowledge brought in by the Secretariat, acknowledged that Lexna would be the firm that allows the transfer of knowledge, an essential component of local capacity development for increased sustainability.

- Both the Ministry and the Secretariat noted that there is delay in getting feedback from the Ministry on the draft documents, which slows down progress. This is also because of the capacity issues within the Ministry to engage effectively with the draft documents produced.

6. Small States

6.1 Climate finance

Namibia has progressed significantly in addressing issues of climate change by the development of the National Climate Change Policy 2011 and the National Climate Change Strategy and Action Plan 2013–20. It was highlighted during the evaluation that Namibia is one of the first countries in Africa to have prepared a comprehensive climate change policy as well as a first strategy and action plan to implement this policy.

- The Desert Research Foundation of Namibia was one of the 17 national implementing entities accredited by the Adaptation Fund for the US\$265 million allocated to 41 concrete adaptation projects and programmes in 38 countries (August 2014).
- The international board of the Green Climate Fund (GCF) accredited the Environmental Investment Fund of Namibia (EIF), a national entity and an environmental fund located in Namibia, to source funding from it to support projects, policies and programmes addressing climate change in the country (9 July 2015).
- In 2016, the GCF approved two projects in Namibia to enhance farmers' resilience to extreme weather in the latest sign of the Fund's implementation of climate finance. Both projects are to be carried out by the EIF, which is a GCF direct-access accredited entity based in Namibia. Implementation of these projects commenced in September 2017.

Namibia is recognised as one of the Commonwealth countries that are most vulnerable to the impacts of climate change. It is one of the biggest and driest countries in sub-Saharan Africa, with a climate that is generally hot and dry with variable and unpredictable rainfall patterns. This situation will become worse as a result of climate change. The country is highly dependent on climate-sensitive natural resource-based sectors such as agriculture, fisheries and mining, which accounted for 24 per cent of the total GDP in 2008 (Central Bureau of Statistics, National Planning Commission, 2009)³⁸.

Climate change could reverse the country's development goals and efforts by attacking those sectors most important and most vulnerable to the country's development (such as agriculture, basic infrastructure and tourism) and has the potential to impede the country's 2030 vision of achieving high and sustainable economic growth, increased income equality and the creation of employment for up to 51 per cent of unemployed citizens³⁹.

Human livelihoods and the capacity of nature to support human needs will be severely affected by the impacts of climate change on natural resources and the functioning of ecosystems. The poor are particularly vulnerable because of their heavy dependence on natural resources for their livelihoods and their limited capacity to adapt to the impacts of climate change. The need for Namibia to adopt climate change strategies that reduce vulnerability and improve adaptive capacity, while at the same time working towards long-term economic development goals, cannot be overemphasised.

Namibia has set up measures to respond to climate change because it presents a real threat to the achievements of its development objectives. First, the National Policy on Climate Change of 2011 is the national vision addressing climate change. It seeks to outline a coherent, transparent and inclusive framework on climate risk management in accordance with Namibia's national development agenda and legal framework, and recognising environmental constraints and vulnerabilities.

Second, the National Climate Change Strategy and Action Plan 2013–20 aims to build Namibia's adaptive and mitigation capacities by identifying potential adaptation options and, where development actions also have mitigation benefits, committing to pursue these opportunities to bring the country on to a low-carbon development pathway. Namibia is one of the first countries in Africa to have prepared a comprehensive climate change policy as well as a first strategy and action plan to implement this policy.

Namibia, having ratified the United Nations Framework Convention on Climate Change in 1995, resolved to adopt and implement policies and

measures designed to mitigate the adverse effects of climate change on the environment and to adapt to such change.

Namibia's (intended) nationally determined contributions were submitted in 2016. According to the Climate Policy Team, World Bank Group, 2016, the economy-wide target on mitigation for 2030 is an 89 per cent relative emission reduction, costing US\$10.40 billion.⁴⁰ Adaptation targets for 2030 will cost US\$22.60 billion, an overall total of US\$33 billion. Only 10 per cent of the total implementation cost will be covered by the national budget, so there is an urgent need to access climate financing. In response to the funding gap, three funding mechanisms that Namibia has prioritised access to climate finance are the GCF, the Global Environment Facility (GEF) and the Adaptation Fund.

The GCF, established in 2010, is a new global fund created to support the efforts of developing countries to respond to the challenge of climate change. The GCF helps developing countries limit or reduce their greenhouse gas emissions and adapt to climate change, among other things. The GEF, since its establishment in 1992 to tackle the planet's most pressing environmental problems, has provided over US\$17 billion in grants and mobilised an additional US\$88 billion in financing for more than 4,000 projects in 170 countries. The Adaptation Fund, established in 2010 under the Kyoto Protocol of the UN Framework Convention on Climate Change, finances projects and programmes that help vulnerable communities in developing countries adapt to climate change.

In August 2014, the Desert Research Foundation of Namibia was one of the 17 national implementing entities accredited by the Adaptation Fund for the US\$265 million allocated to 41 concrete adaptation projects and programmes in 38 countries⁴¹.

The international board of the GCF accredited the EIF, a national entity and an environmental fund located in Namibia, to source funding from it to support projects, policies and programmes addressing climate change in the country (9 July 2015). The EIF is the only national institution in Africa to be accredited. Out of 116 around the world that applied for accreditation, the GCF has so far accredited only 20. The accreditation of the EIF to the GCF means that the EIF will be able to access grant funding from the GCF totalling N\$588 million or more on behalf of Namibia for climate finance.

In 2016, the GCF approved two projects in Namibia to enhance farmers' resilience to extreme weather in the latest sign of the Fund's implementation of climate finance. Both projects are to be carried out by the EIF, a GCF direct access accredited entity based in Namibia. Implementation of these projects commenced in September 2017.

- The Enhanced Direct Access pilot project builds on Namibia's acknowledged leading role, empowering communities to manage the environment (US\$400,000 as part of an overall grant of US\$10 million). This 5-year initiative, based on community-based ecosystem management, will strengthen rural people's resilience to droughts, seasonal weather shifts and other climate disasters. It is the first of a pilot series introduced by the GCF in 2016 to strengthen country ownership of climate finance.
- The other project supports poor people in northern Namibia regarding droughts caused by climate change (US\$3.4 million to the EIF as the first tranche of a US\$9.5 million grant). This project will help about 16,000 farmers enhance their capacity to deal with climate change through conservation-focused agriculture and by introducing micro-drip irrigation. In addition, the installation of off-grid solar power for pumping and refrigeration will provide a low-carbon alternative to the current reliance of many farmers on imported fuel.

On the Adaptation Fund, two proposals submitted by Namibia are under consideration by the Board:

- desalination of underground water (submitted by Namibia Water Corporation Ltd) – US\$5 million;
- climate-smart agriculture (submitted by the University of Science and Technology) – US\$5 million).

Despite the progress made, Namibia has identified capacity gaps in accessing funds to meet the targets set out in the National Climate Change Strategy and Action Plan 2013–20. In this respect, it was noted that there is limited capacity to develop high-quality proposals, to co-ordinate national stakeholders and to mobilise national and international climate finance. It was identified

National climate finance adviser placed in the Ministry of Environment and Tourism, Namibia for one year (June 2017–June 2018) to support the following:

- Building capacity to apply, secure, programme and manage climate financing. This includes proposal development and collaboration with international organisations such as the GCF and the Adaptation Fund, upscaling the existing GEF and EU support in line with the national policy.
- Building capacity and developing systems to monitor and evaluate project results and impact, including risk assessment.

that the amount of evidence required by funding institutions is seen as a barrier to accessing the funds.

To facilitate the national progress already in motion and bridge the capacity gap identified, at the request of the Government of Namibia, the Secretariat placed a national climate finance adviser in the Ministry of Environment and Tourism. This capacity response is part of the Commonwealth's Climate Finance Hub, hosted in Mauritius, which aims to support small and vulnerable countries in accessing international sources of climate finance to meet their priority adaptation and mitigation needs and to realise their sustainable development goals.

Since the placement of the expert in Namibia, there has been significant progress in the development of funding proposals. A first funding proposal was submitted to the Africa Climate Change Fund (ACCF) of the AfDB in August 2017, with the objective of strengthening the capacity to implement climate-smart agricultural practices in rural communities in Namibia. At the time of the evaluation, the AfDB had not yet selected the winning proposals.

A second funding proposal is under development and is entitled 'Support to Sustainable Transformational Changes in the Agriculture Sector in Rural Communities in Namibia'. This proposal is to be submitted to the GCF. One of its innovative components is the design of a sustainable micro-finance scheme to address the well-documented financial burden of smallholder farmers. Micro-

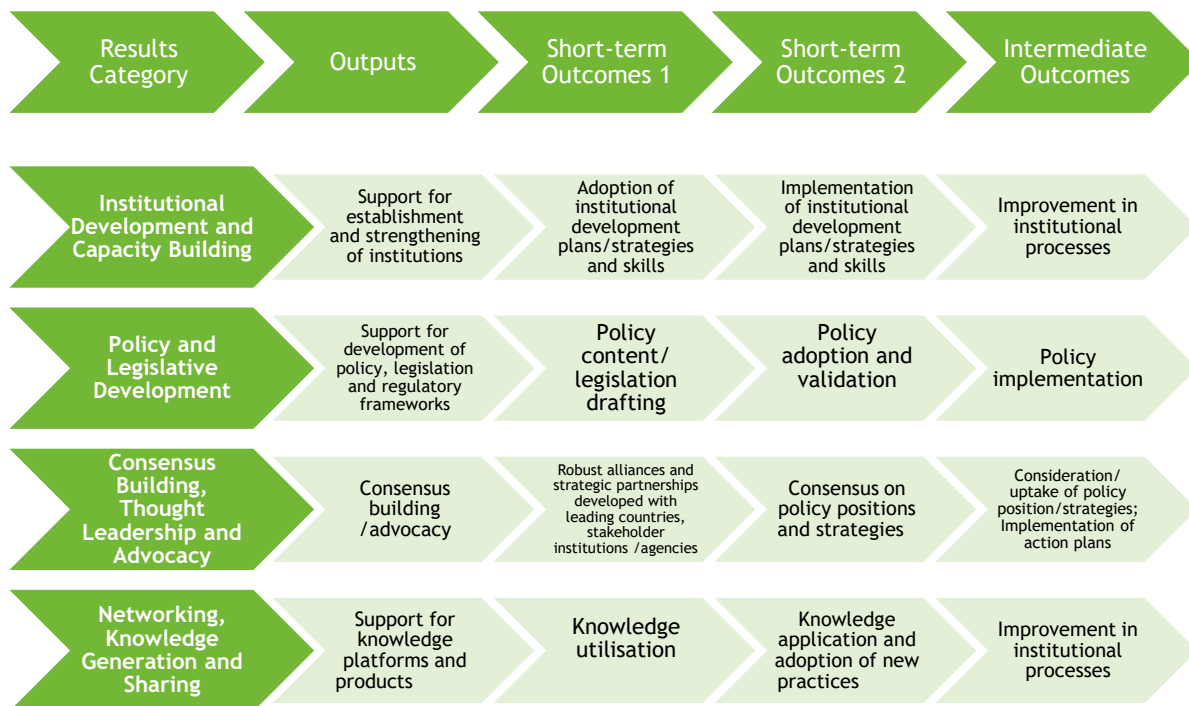
finance has not been particularly successful in Namibia until now and the experience of the Commonwealth national climate finance adviser in putting together credible partners in key roles, such as funding partner (KfW, Germany), micro-finance institution (Agribank, Namibia) and technical partner (DID, Canada), has been welcomed favourably.

The Secretariat's support in climate finance in Namibia is still at its initial stage. The focus of the evaluation in this regard was the assessment of the start of the assignment and the enabling environment that exists to support the delivery of the expected results. The evaluation noted that the delivery of outputs is on schedule and the expertise of the adviser is commendable. Additional funding options have been identified and opportunities for collaborations identified and promoted. However, capacity to deliver on the proposals will remain a challenge.

The evaluation noted that progress would be faster if access to information to develop the proposals were feasible. As indicated in the capacity gaps, the development of the proposals is dependent on intensive analysis of national information, which is being done by the national climate finance adviser, but the tasks assigned to the adviser (as per his terms of reference) would be carried out in a more efficient way with better collaboration on access to information. With limited monitoring and evaluation data on the current projects and the stretched capacity of implementation staff that could provide the information, the proposal development could potentially be slowed.

Annex 1: Analysis Framework

Impact pathway



A. Consensus building, thought leadership and advocacy

Impact pathway	Expected results	Progress markers' assessment criteria	Rating (%)
Output	Support to consensus building/advocacy	<ul style="list-style-type: none"> Quality Relevance Reach/scope of benefit 	25
Short-term Outcome 1	Robust alliances and strategic partnerships developed with leading countries, stakeholder institutions/agencies	<ul style="list-style-type: none"> Nature of alliances and partnerships supportive of the issue Extent of multiparty commitments and pledges Level of engagement of key stakeholders 	50
Short-term Outcome 2	Consensus on policy positions and strategies	<ul style="list-style-type: none"> Nature of stakeholder engagement Level and relevance of citation of Commonwealth research and papers Relevant consensus reached Nature of commitment established Nature of inclusion of gender issues in engagement/consensus/commitments etc. 	75

Impact pathway	Expected results	Progress markers' assessment criteria	Rating (%)
Intermediate Outcome	Consideration/uptake of policy position/strategies; implementation of action plans	<ul style="list-style-type: none"> Nature of stakeholder engagement Relevant commitments incorporated into action plans Nature of gender commitments incorporated into action plans Relevant issues given more prominence/prioritised on global agenda etc. 	100

B. Institutional development and capacity building

Impact pathway	Expected results	Progress markers' assessment criteria	Rating (%)
Output	Support for establishment and strengthening of institutions	<ul style="list-style-type: none"> Quality Relevance Reach/scope of benefit 	25
Short-term Outcome 1	Adoption of institutional development plans/strategies and skills	<ul style="list-style-type: none"> Relevant institutional framework to support implementation in place Relevant formal adoption/validation processes under way Nature of stakeholder engagement Implementation plans developed Application of skills acquired Nature of inclusion of gender issues in development of implementation plans/application of skills acquired 	50
Short-term Outcome 2	Implementation of institutional development plans/strategies and skills	<ul style="list-style-type: none"> Implementation plans in progress Application of gender elements in the implementation of plans Level and nature of skills transfer Resources allocated etc. 	75
Intermediate Outcome	Improvement in institutional processes	<ul style="list-style-type: none"> Effectiveness of the plan in supporting institutional development processes Alignment of institution and processes Effectiveness of plan relating to gender quality and women's empowerment 	100

C. Policy and legislative development

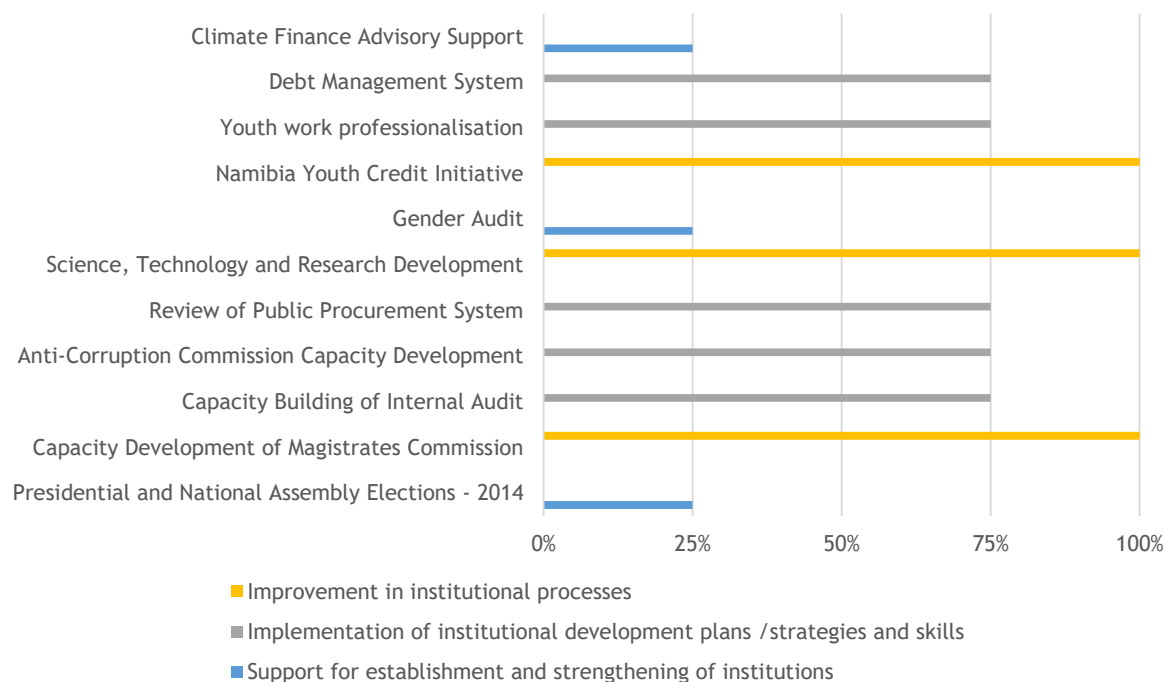
Impact pathway	Expected results	Progress markers' assessment criteria	Rating (%)
Output	Support for development of policy, legislation and regulatory frameworks	<ul style="list-style-type: none"> • Quality • Relevance • Reach/scope of benefit 	25
Short-term Outcome 1	Policy content/legislation drafting	<ul style="list-style-type: none"> • Relevance of policy/legislation drafted • Quality of policy/legislation drafted • Nature of stakeholder engagement • Nature of inclusion of gender issues in stakeholder engagement and development 	50
Short-term Outcome 2	Policy adoption and validation	<ul style="list-style-type: none"> • Relevant institutional framework to support implementation in place • Relevant formal adoption/validation processes under way • Nature of stakeholder engagement • Implementation plans developed • Nature of inclusion of gender issues in stakeholder engagement and development of implementation plans 	75
Intermediate Outcome	Policy implementation	<ul style="list-style-type: none"> • Implementation plans in progress • Resources allocated for implementation • Effectiveness of the policy in guiding decisions/programme implementation • Application of gender elements in the implementation • Alignment of institution and processes 	100

D. Knowledge products, networks and platforms

Impact pathway	Expected results	Progress markers' assessment criteria	Rating (%)
Output	Support for knowledge platforms, products, networks and communities	<ul style="list-style-type: none"> • Quality • Relevance • Reach/scope of benefit 	25
Short-term Outcome 1	Knowledge utilisation	<ul style="list-style-type: none"> • Nature of un-facilitated exchange of information and knowledge • Inclusion of gender issues in the exchange of information and knowledge • Nature and quality of institutional networking and exchange visits 	50
Short-term Outcome 2	Knowledge application and adoption of new practices	<ul style="list-style-type: none"> • Relevant interpretation of knowledge influencing policies and decisions • Relevant interpretation of gender knowledge influencing policies and decisions • Relevant approaches and processes adopted in institutions 	75
Intermediate Outcome	Improvement in institutional processes	<ul style="list-style-type: none"> • Effectiveness of adapted and adopted processes • Effectiveness of processes in relation to gender quality and women's empowerment 	100

Annex 2: Progress against Impact Pathway

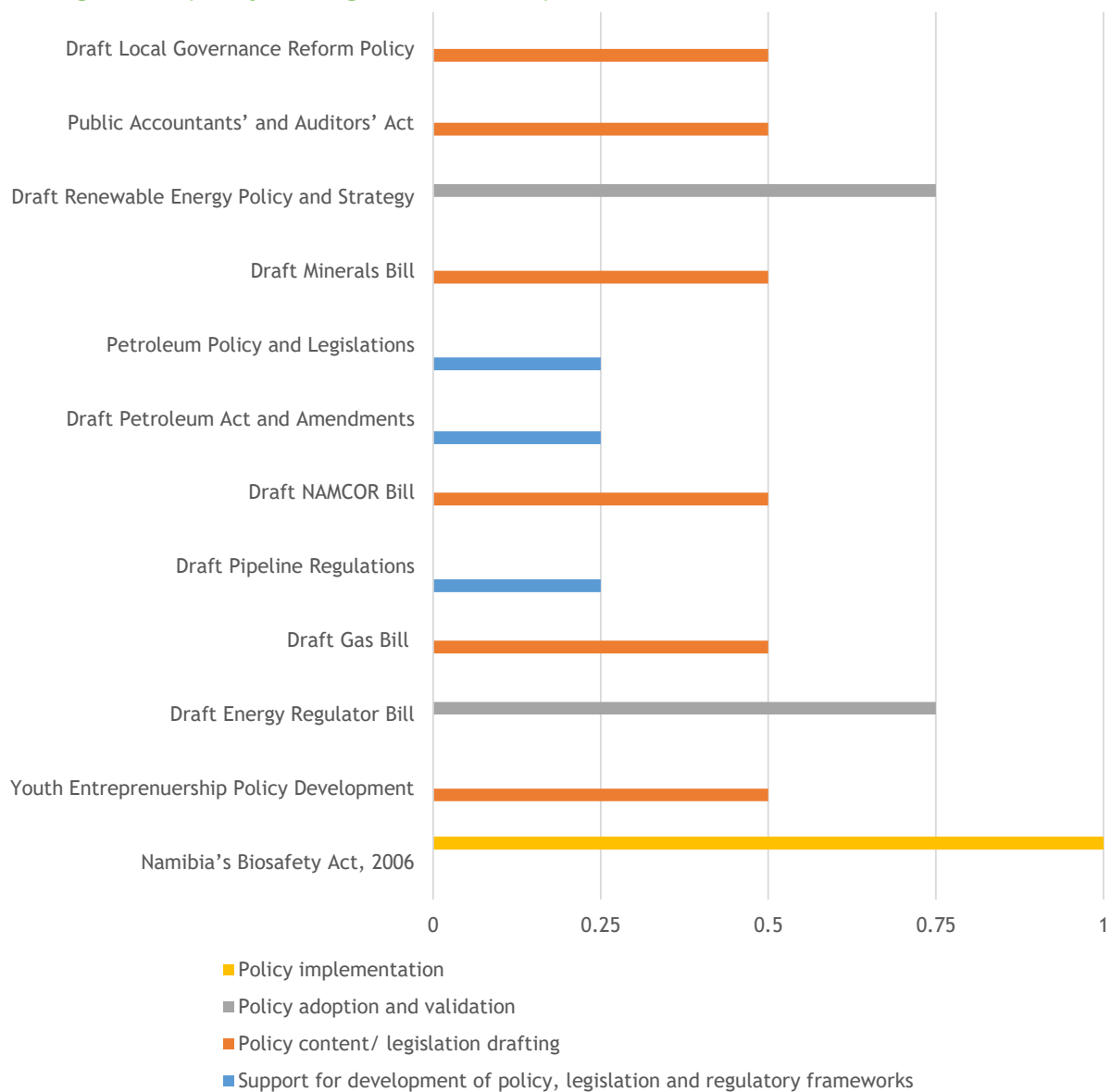
Progress on institutional development and capacity building



No.	Secretariat's support	Support for establishment and strengthening of institutions (%)	Adoption of institutional development plans/strategies and skills (%)	Implementation of institutional development plans/strategies and skills (%)	Improvement in institutional processes (%)
1.	Presidential and National Assembly Elections – 2014	25			
2.	Capacity development of Magistrates Commission				100
3.	Capacity building of Internal Audit			75	
4.	ACC capacity development			75	
5.	Review of public procurement system			75	
6.	Science, technology and research development				100

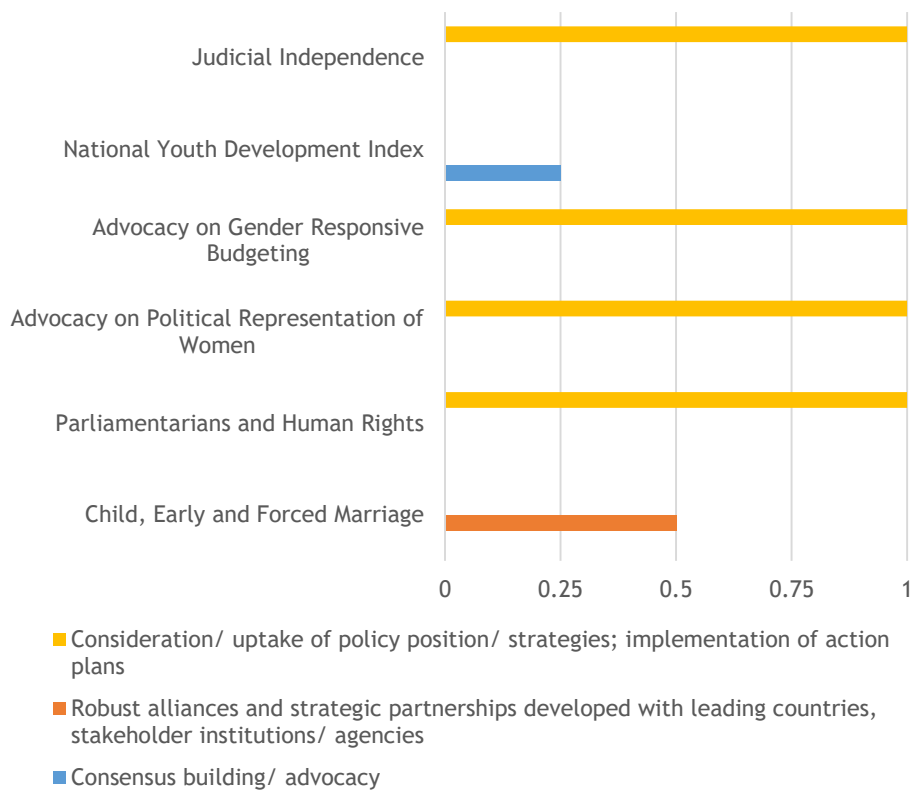
No.	Secretariat's support	Support for establishment and strengthening of institutions (%)	Adoption of institutional development plans/strategies and skills (%)	Implementation of institutional development plans/strategies and skills (%)	Improvement in institutional processes (%)
7.	Gender audit	25			
8.	Namibia Youth Credit Initiative				100
9.	Youth work professionalisation			75	
10.	Debt management system			75	
11.	Climate finance advisory support	25			

Progress on policy and legislative development



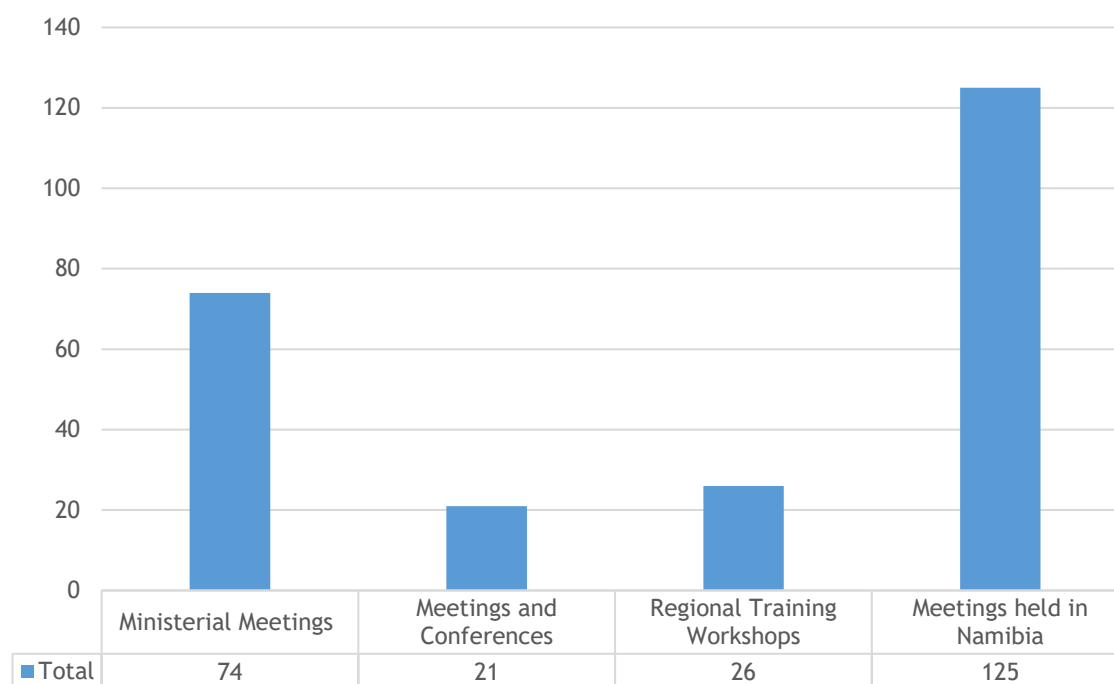
No.	Secretariat's support	Support for development of policy, legislation and regulatory frameworks (%)	Policy content/ legislation drafting (%)	Policy adoption and validation (%)	Policy implementation (%)
1.	Youth Entrepreneurship Policy Development		50		
2.	Draft Energy Regulator Bill			75	
3.	Draft Gas Bill		50		
4.	Draft Pipeline Regulations	25			
5.	Draft NAMCOR Bill		50		
6.	Draft Petroleum Act and Amendments	25			
7.	Petroleum Policy and Legislation	25			
8.	Draft Minerals Bill		50		
9.	Draft Renewable Energy Policy and Strategy			75	
10.	Namibia's Biosafety Act				100
11.	Draft Public Accountants' and Auditors' Act		50		
12.	Draft Local Governance Reform Policy		50		

Progress on consensus building, thought leadership and advocacy



No.	Secretariat's support (%)	Consensus building/ advocacy (%)	Robust alliances and strategic partnerships developed with leading countries, stakeholder institutions/ agencies (%)	Consensus on policy positions and strategies (%)	Consideration/uptake of policy position/ strategies; implementation of action plans (%)
1.	Child, early and forced marriage		50		
2.	Parliamentarians and human rights				100
3.	Advocacy on political representation of women				100
4.	Advocacy on gender-responsive budgeting				100
5.	National Youth Development Index	25			
6.	Judicial independence				100

Namibia's participation in meetings & conferences



Event name	Dates	Location	Number of participants from Namibia
Ministerial events/meetings			
Commonwealth Trade Ministers Meeting 2017	10 March 2017	London, UK	1
Meeting of Senior Officials of Commonwealth Law Ministries	9–11 September 2013	London, UK	3
Meeting of Commonwealth Law Ministers and Senior Officials	5–8 May 2014	Gaborone, Botswana	4
Africa Region Commonwealth Youth Ministers Meeting	8–10 February 2015	Yaoundé, Cameroon	4
Commonwealth Sports Ministers Meeting 2016	4 August 2016	Rio de Janeiro, Brazil	5
Commonwealth Sports Ministers Meeting 2014	21 July 2014	Glasgow, UK	1
Commonwealth Foreign Affairs Ministers Meeting 2015	23 September 2015	New York, USA	1
Commonwealth Foreign Affairs Ministers Meeting 2016	22 September 2016	New York, USA	6

Event name	Dates	Location	Number of participants from Namibia
Commonwealth Foreign Affairs Ministers Meeting 2014	25 September 2014	New York, USA	4
12th Commonwealth Foreign Affairs Ministers Meeting	26 September 2013	New York, USA	4
Commonwealth Health Ministers Meeting 2017	21 May 2017	Geneva, Switzerland	5
Commonwealth Health Ministers Meeting 2016	22 May 2016	Geneva, Switzerland	1
Commonwealth Health Ministers Meeting 2015	17 May 2015	Geneva, Switzerland	3
Commonwealth Health Ministers Meeting 2014	18 May 2014	Geneva, Switzerland	5
Meeting of the Commonwealth Ministerial Action Group (CMAG), working dinner	19 April 2016	London, UK	1
Extraordinary Meeting of the Commonwealth Ministerial Action Group (CMAG), working dinner	23 February 2016	London, UK	1
Meeting of the Commonwealth Ministerial Action Group (CMAG)	23 September 2016	New York, USA	2
19th Conference of Commonwealth Education Ministers (19CCEM)	22–26 June 2015	Nassau, The Bahamas	6
Commonwealth Finance Ministers Meeting 2016	6 October 2016	Washington, DC, USA	5
Commonwealth Finance Ministers Meeting 2015	6–7 October 2015	Lima, Peru	3
Commonwealth Finance Ministers Meeting 2014	8 October 2014	Washington, DC, USA	4
Commonwealth Finance Ministers Meeting 2013	9 October 2013	Washington, DC, USA	5
Total			74
Other meetings/conferences			
Commonwealth Electoral Network Biennial Conference	22–24 June 2016	Port of Spain, Trinidad and Tobago	1
Annual Commonwealth and Francophonie Dialogue with the G20	20 April 2016	New York, USA	1
4th Commonwealth Africa Regional Meeting for Heads of Anti-Corruption Agencies	25–29 May 2014	Accra, Ghana	2

Event name	Dates	Location	Number of participants from Namibia
5th Commonwealth Africa Regional Meeting for Heads of Anti-Corruption Agencies	25–29 May 2015	Dar es Salaam, Tanzania	2
7th Commonwealth Africa Regional Meeting for Heads of Anti-Corruption Agencies	29 May–2 June 2017	Mangochi, Malawi	2
Meeting on Market Access and other Issues for Small States in Geneva	3 March 2015	Geneva, Switzerland	1
Commonwealth African Consultation on Recent Developments in Trade	14–15 April 2016	Lusaka, Zambia	1
Commonwealth African Consultation on Multilateral, Regional and Emerging Trade Issues	25–26 May 2017	Mauritius	1
Regional Meeting on 'WTO and Post-Bali Agenda'	28–29 April 2014	Accra, Ghana	1
Regional Internal Audit and Public Procurement Meeting for Commonwealth Africa	17–19 November 2015	London, UK	2
Africa Regional Seminar on the Role of Parliamentarians in the Promotion and Protection of Human Rights	19–21 March 2014	Mahé, Seychelles	3
Dialogue with the Government of Grenada: Establishment of a National Human Rights Institution in Compliance with the Paris Principles	28–29 June 2016	St George's, Grenada	1
National Consultation on the Draft Legislation for the Establishment of a National Human Rights Institution in the Gambia	20–21 August 2013	Banjul, The Gambia	1
National Stakeholder Consultation: A National Human Rights Institution in Compliance with the Paris Principles	27–28 May 2015	Eden Bridge, Seychelles	1
Dialogue with the Government of Jamaica: Establishment of a National Human Rights Institution in Compliance with the Paris Principles	22 and 24 June 2014	Kingston, Jamaica	1
Total			21
Training/workshops			
Technical Workshop: Developing a National Youth Entrepreneurship Framework	25–27 May 2016	Dar es Salaam, Tanzania	4
Commonwealth Junior Election Professionals Africa region workshop	10–14 August 2015	Gaborone, Botswana	1
Workshop on preventing and eliminating child, early and forced marriage	5–6 May 2015	Kigali, Rwanda	2

Event name	Dates	Location	Number of participants from Namibia
Human Rights Training-for-Youth Trainers Commonwealth Africa Region	20–24 January 2014	Maseru, Lesotho	1
Working Session: Strengthening the National Human Rights Commission	4 June 2014	Victoria, Seychelles	1
Working Session with the Human Rights Commission of Sri Lanka: Action Plan for Reconciliation	22–23 May 2014	Colombo, Sri Lanka	1
Workshop on Conducting National Inquiries in Compliance with International Standards	2–4 July 2013	Colombo, Sri Lanka	1
Third Phase Professional Ethics and Integrity Course	29 August to 1 September 2016	Gaborone, Botswana	1
Second Phase Leadership and Management Course	5–9 September 2016	Gaborone, Botswana	2
Training on CS-DRMS and IT Administration	16–25 March 2016	Lobamba, Swaziland	5
Joint MEFMI/IMF Regional Workshop on Managing Domestic Debt and Lending Instruments using CS-DRMS	18–27 April 2016	Lilongwe, Malawi	3
Joint MEFMI/IMF Regional Workshop on Managing Public Debt and Lending Instruments using CS-DRMS	10–19 February 2014	Nairobi, Kenya	4
Total			26
Meetings held in Namibia			
Enhancing Good Governance, Management and Leadership	27–30 July 2014	Windhoek, Namibia	38
6th Commonwealth Africa Regional Meeting for Heads of Anti-Corruption Agencies	31 May to 4 June 2016	Swakopmund, Namibia	37
Commonwealth Secretariat Debt Recording and Management System (CS-DRMS) Workshop	18–28 August 2014	Windhoek, Namibia	13
Management and Leadership Training for Managers of ACC and other Stakeholders	27–31 October 2014	Windhoek, Namibia	37
Total			125

Endnotes

1. Commonwealth Secretariat, Concluding Statement of the CMAG, Fifty-first meeting, New York, 22 September 2017, p. 1.
2. Bryan M Sims and Monica Koep (Eds), *Unfinished Business: Democracy in Namibia*, Idasa, South Africa, p. 9.
3. ECN responses on challenges outlined in the 2012 Democracy Index for Namibia.
4. Commonwealth Secretariat, *Report of the Commonwealth Expert Team – Namibia Presidential and National Assembly Elections 28 November 2014*, December 2014, p. 2.
5. Commonwealth Secretariat, *Report of the Commonwealth Expert Team – Namibia Presidential and National Assembly Elections 28 November 2014*, December 2014, p. 3.
6. ECN response to some of the electoral recommendations, 15 December 2017.
7. Commonwealth Secretariat, *Commonwealth Election Observation Review: Project Proposal*, 2017, p. 1.
8. The Abuja guidelines on the Relationship Between Parliaments, Parliamentarians and Commonwealth National Human Rights Institutions (NRHIs), p 2-3
9. *The Namibian*, 16 September 2017.
10. Office of the Judiciary, *Annual Report 2016/2017*, p31
11. Anti-Corruption Commission, *2013 Namibia National Survey Report*, 2013, p2
12. Anti-Corruption Commission, *National Corruption Perception Survey Report*, 2016, p.8
13. From The Regional Internal Audit and Public Procurement Meeting for Commonwealth Africa, November 2016
14. Republic of Namibia, *Namibia's 5th National Development Plan (NDP5), 2017/18–2021/22*, p. 63.
15. Seen Environmental Learning, *Health Services in Namibia*, Information Sheet No. 6, pp. 1-2.
16. Professor Taylor remained in Namibia, continued to work with the Directorate and has since gained Namibian citizenship.
17. Dr Gobo died in Namibia two weeks before completing his assignment.
18. The 10 EMAG countries are Namibia and Ghana (Africa); Mauritius and Solomon Islands (small states); India and Malaysia (Asia); St Lucia and The Bahamas (Caribbean); Fiji (host of forthcoming 20CCEM); and the United Kingdom.
19. Speech, Hon. Dr Becky R.K. Ndjoze-Ojo, Deputy Minister of Higher Education, Training and Innovation, June 2015.
20. UN Women, Member State Commitments – Namibia. See <http://www.unwomen.org/en/get-involved/step-it-up/commitments/namibia>

21. Commonwealth Secretariat, Debbie Budlender and Guy Hewitt, *Gender Budgets Make More Cents*, Country Studies and Good Practices, Formara Ltd, August 2002.
22. Ministry of Gender Equality and Child Welfare, *Workshop Report: Training of Trainers Workshop on Gender Responsive Budgeting and Application of Gender Responsive Budgeting Guidelines for Seven Ministries*, 21–25 September 2015.
23. The seven sectors are the Ministry of Education, Arts and Culture; the Ministry of Defence; the Ministry of Health and Social Services; the Ministry of Safety and Security; the Ministry of Works and Transport; the Ministry of Education; and the Ministry of Finance.
24. Government of Namibia, Harambee Prosperity Plan, 2015, pp. 32–34.
25. UNCTAD, Policy Guide on Youth Entrepreneurship, 2015, p. 15.
26. Namibia Youth Credit Scheme, Success Story 2005–2016, p. 8.
27. <http://www.yourcommonwealth.org/economic-development/entrepreneurship-employment/zambia-plays-host-to-young-entrepreneurs-from-namibia/>
28. Government of Namibia, Harambee Prosperity Plan, 2015, pp. 32–34.
29. Commonwealth of Nations, *The Commonwealth Plan of Action for Youth Empowerment*, 2007
30. Commonwealth Secretariat, *Youth Work in the Commonwealth: A Growth Profession*, Commonwealth Secretariat, 2017, p. xxxi
31. Namibian Broadcasting Corporation, 'News – NAMCOL to introduce Arts in Youth Development Work degree course', 29 May 2017: <https://www.nbc.na/news/namcol-introduce-arts-youth-development-work-degree-course.5268>
32. <http://thecommonwealth.org/commonwealth-youth-council>
33. Republic of Namibia, 2017/18 Citizens Guide to the National Budget, p2
34. Reuters, Nyasha Nyaungwa (ed. by Kevin Liffey) 'Namibia calls Moody's rating downgrade "speculative"', 13 August 2017: <https://af.reuters.com/article/africaTech/idAFL5N1KZ0GD>
35. The Secretariat's new system, MERIDIAN, will be released in 2019.
36. The Secretariat's debt management system includes CS-DRMS and CS-SAS (Securities Auction System). The CS-SAS would be the most appropriate option to replace the book entry system, as it handles securities functionalities.
37. Government of Namibia, *Minerals Policy of Namibia*, p. iii.
38. Republic of Namibia, *National Policy in Climate Change for Namibia – 2011*, Ministry of Environment and Tourism, October 2011, p. 2.
39. Republic of Namibia, *National Climate Change Strategy & Action Plan 2013–2020*, Ministry of Environment and Tourism, p. 23.
40. From a meeting with Mr Sion, Ministry of Environment and Tourism, 17 October 2017
41. 41 'Oral report by the Adaptation Fund Board Chair, Mr. Mamadou Honadia, to the Conference of the Parties serving as meeting of the Parties to the Kyoto Protocol at its tenth session': <https://unfccc.int/files/bodies/cmp/application/pdf/afb.pdf>

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