



ANNUAL REPORT  
2021/22







## MISSION STATEMENT

*The office of the Ombudsman in Namibia strives to promote and protect human rights, promote fair and effective administration, protect the environment and natural resources of Namibia through independent and impartial investigation and resolution of complaints, as well as raising public awareness.*



# Letter to the speaker of National Assembly

Hon. Peter Katjavivi, MP  
Speaker of the National Assembly  
Private Bag 13323  
Windhoek

Dear Hon. Speaker,

ANNUAL REPORT 2021/2022

1. I am pleased to submit the Annual Report of the Ombudsman for 2021/2022, which covers the period of 12 months ending 31 March 2021.
2. In accordance with Section 6 (2) of the Ombudsman Act, (Act No. 7 of 1990), I recommend that this report be tabled in the National Assembly.



Yours Sincerely,

Adv. Basilius Dyakugha  
**Ombudsman**





# TABLE OF CONTENTS



OMBUDSMAN'S MESSAGE .....	04
OUR MISSION, VISION AND VALUES.....	06
ORGANISATIONAL STRUCTURE.....	07
ABOUT OUR OFFICE.....	09
• Factors that affected operations in the 2021/2022 financial year.....	11
• Statistics.....	14
INVESTIGATION REPORTS.....	18
• Discrimination in the Promise for jobs.....	18
• Report on complaints about the unilateral termination of PSEMAS membership.....	19
• Report on Swapo allegedly distributing manifesto at GRN offices.....	20
HUMAN RIGHTS MANDATE .....	22
• Summaries of selected human rights cases.....	22
• Selected summary of cases in Children's Rights.....	24
• The Children's Advocate.....	25
• Awareness raising and public engagement.....	25
• Reports on residential child care facilities.....	26
• Monitoring places of detention.....	29
MALADMINISTRATION MANDATE .....	34
• Summaries of selected maladministration cases.....	34
ENVIRONMENTAL MANDATE.....	36
• Inspection of solid and liquid waste management systems .....	37
MANAGEMENT SERVICES AND ADMINISTRATION.....	40
• General human resources.....	40
• Financial resources.....	40
• Logistical resources .....	40
• office support systems.....	41
• Regional offices.....	41
SPECIAL EVENTS AND PUBLIC EDUCATION/OUTREACH ACTIVITIES.....	43
• Launch of 30th anniversary booklet.....	43
• Official opening of Keetmanshoop Office.....	43
• Public hearings and workshop with Persons With Albinism .....	43
INTERNATIONAL RELATIONS AND RELATIONSHIPS WITH STAKEHOLDERS.....	44
COMPLAINT INTAKE SCHEDULE.....	49

# Ombudsman's Message



*Adv. Basilius Dyakugha,  
Ombudsman of Namibia*

I am pleased to present the 2021/2022 Ombudsman's annual report. Since being appointed as the Ombudsman of Namibia in October 2021. The Constitutional mandate to protect people from maladministration, violation of their human rights and protection of the environment in terms of Article 91 and 92 of the Namibian Constitution was performed by the Adv. John Walters, who was the 6th Ombudsman of Namibia since 2004 and retired in July 2021.

There is no doubt that on a daily basis he performed the tasks of Ombudsman with many challenges and he took the office to the level where it is now. I, and the entire staff in the office of the Ombudsman, therefore want to thank him for his valuable contribution, the foundation and the good work he has done for the Namibian people during his term of office.

My appointment as the 7th Ombudsman of Namibia was made after the interviews of three potential candidates, including myself. The interviews were broadcast publicly on the Namibia Broadcasting Corporation live (NBC), and also on the NBC's social media platforms. It was the first-time in the history of our country that such a process was followed for the filling of the position of Ombudsman. The position of Ombudsman is a very important constitutional institution in terms of our constitution which is Namibia's supreme law.

For purposes of this report and for the benefit of other readers I have decided to provide a brief

profile about myself. It is important to note that I changed my career after I was elected and served for six years as the first Regional Councilor for Mukwe Constituency, in Kavango East. I then decided to leave politics to go and study law full time at the University of Namibia.

I hold a Baccalaureus Juris (B. JURIS) and Bachelor of Laws (LLB) degrees from the University of Namibia. I was admitted as a Legal Practitioner of the High Court and Supreme Court of Namibia in 2007. I worked at a local law firm in Windhoek for a short period; thereafter I joined the Ministry of Justice as a Principal Legal Officer in 2008.

While at the Ministry of Justice, I was the Head of the Human Rights and Humanitarian Law Division, responsible for drafting State reports to the UN Treaty bodies, the African Commission on Human and Peoples' Rights, and Universal Periodic Review (UPR) to the Human Rights Council for 13 years. I was a member of Namibia's team to the Human Rights Council from 2014 until 2016 in Geneva, Switzerland. I also served in various capacities including as a member and Secretary of the Disciplinary Committee of Legal Practitioners (Law society of Namibia), and a member of the Labour Advisory Council.

In 2019, I was appointed as Chief (the Head) of Directorate: Law Reform, in the Ministry of Justice and Secretary to the Law Reform and Development Commission of Namibia. On the 1st of October 2021, I was appointed as the new Ombudsman of Namibia by His Excellency the



President of the Republic of Namibia, Dr. Hage G. Geingob on the recommendation of the Judicial Service Commission.

I came into the office very much at the end of the year 2021, and I had to familiarise myself with the staff members, the operations, the setup of the offices including the challenges being faced by the Ombudsman's offices in the five regions. Some of the first pressing issues I dealt with was, directing the Ministry of Justice to fill the vacant position of the Chief: in the office of Ombudsman which had been vacant for more than a year, and subsequently the Acting Chief who was also one of the potential candidates was appointed into the position with effect from 1st of January 2022.

I was pressured because of time to pay courtesy visits to some Government Ministries including to the Prime Minister, the Speaker of the National Assembly, the Minister of Justice as well as other Ministers before they could go on December holidays. I specifically went to share with the Prime Minister my concerns on some policy issues that were still not being finalised such as; the Ombudsman's Bill and the White paper on Indigenous or Marginalized community and also to introduce myself formally. These courtesy visits were very helpful and were

appreciated by both the ministries and the senior staff in my office, because they strengthen our cooperation, and at the same time we reached agreements with some ministries to have similar engagements in the future to address some of the systematic complaints which were reported to the Ombudsman.

In short, the first three months in office were very busy because of the combination of issues that I had to address as well as responding to courtesy visits from various stakeholders and individuals who also came to my office. There were also several old cases or complainants who wanted me to review their cases which were actually closed long before, because they were of the views that since I am new in the office, I might have a different opinion on their cases. My staff members however, assisted me well with many of these cases.

The issues of office accommodation both at the head office and in the regions were also vital. Thus, I had a fruitful discussion on the issue with the Honourable Minister of Works and Transport and the Executive Director during my courtesy visit to his office. I am hopeful that the situation will improve.



# OUR MISSION, VISION AND VALUES



## Mission

The office of the Ombudsman in Namibia strives to promote and protect human rights, promote fair and effective administration, protect the environment and natural resources of Namibia through independent and impartial investigation and resolution of complaints, as well as raising public awareness.



## Vision

To be a public institution that serves citizens in a way that is fair, accountable, transparent and respectful to their rights.



## Values

- Fairness, independence and objectivity
- Accessibility
- Confidentiality
- Respect for the opinions of others
- Non-discrimination - equal service for all members of the public
- Integrity
- Empowering people to find their own solutions to problems
- Responsiveness, efficiency and effectiveness





# ORGANISATIONAL STRUCTURE

OMBUDSMAN



DEPUTY OMBUDSMAN



CHIEF: OFFICE OF THE OMBUDSMAN



## DIVISION INVESTIGATIONS

1X DEPUTY DIRECTOR  
1X CHIEF COMPLAINTS INVESTIGATOR  
2X SNR. COMPLAINTS INVESTIGATOR  
3X COMPLAINTS INVESTIGATION

## SUBDIVISION KEETMANSHOOP REGIONAL OFFICE

1X CHIEF COMPLAINTS INVESTIGATOR  
2X SNR. COMPLAINTS INVESTIGATOR  
1X COMPLAINTS INVESTIGATION  
1X SNR. ADMINISTRATIVE OFFICER  
1X CLEANER

## SUBDIVISION SWAKOPMUND REGIONAL OFFICE

1X CHIEF COMPLAINTS INVESTIGATOR  
1X SNR. COMPLAINTS INVESTIGATOR  
1X COMPLAINTS INVESTIGATION  
1X SNR. ADMINISTRATIVE OFFICER  
1X CLEANER

## SUBDIVISION OSHAKATI REGIONAL OFFICE

1X CHIEF COMPLAINTS INVESTIGATOR  
1X SNR. COMPLAINTS INVESTIGATOR  
2X COMPLAINTS INVESTIGATION  
1X SNR. ADMINISTRATIVE OFFICER  
1X CLEANER

## SUBDIVISION RUNDU REGIONAL OFFICE

1X CHIEF COMPLAINTS INVESTIGATOR  
1X SNR. COMPLAINTS INVESTIGATOR  
1X COMPLAINTS INVESTIGATION  
1X SNR. ADMINISTRATIVE OFFICER  
1X CLEANER

## SUBDIVISION OTJIWARONGO REGIONAL OFFICE

1X CHIEF COMPLAINTS INVESTIGATOR  
1X SNR. COMPLAINTS INVESTIGATOR  
1X COMPLAINTS INVESTIGATION  
1X SNR. ADMINISTRATIVE OFFICER  
1X CLEANER

## DIVISION OF HUMAN RIGHTS AND LEGAL SERVICES

1X DEPUTY CHIEF (CHILDREN'S  
ADVOCATE)  
1X CHIEF LEGAL OFFICER  
1X SNR. LEGAL OFFICER  
1X SNR. SOCIAL WORKER

## DIVISION OF MANAGEMENT SERVICES AND ADMINISTRATION

1X DEPUTY DIRECTOR  
1X CONTRL ADMIN OFFICER  
1X CHIEF ADMIN OFFICER  
1X PERSONAL ASSISTANT  
1X PUBLIC RELATIONS OFFICER  
2X PRIVATE SECRETARY  
2X ADMINISTRATIVE OFFICER  
2X ADMINISTRATIVE ASSISTANT  
2X DRIVER  
1X LEADER CLEANER  
2X CLEANERS

The positions indicated below are vacant.

1x Deputy Chief Grade 3: Windhoek

2x Senior Complaints Investigators Grade 7: Windhoek

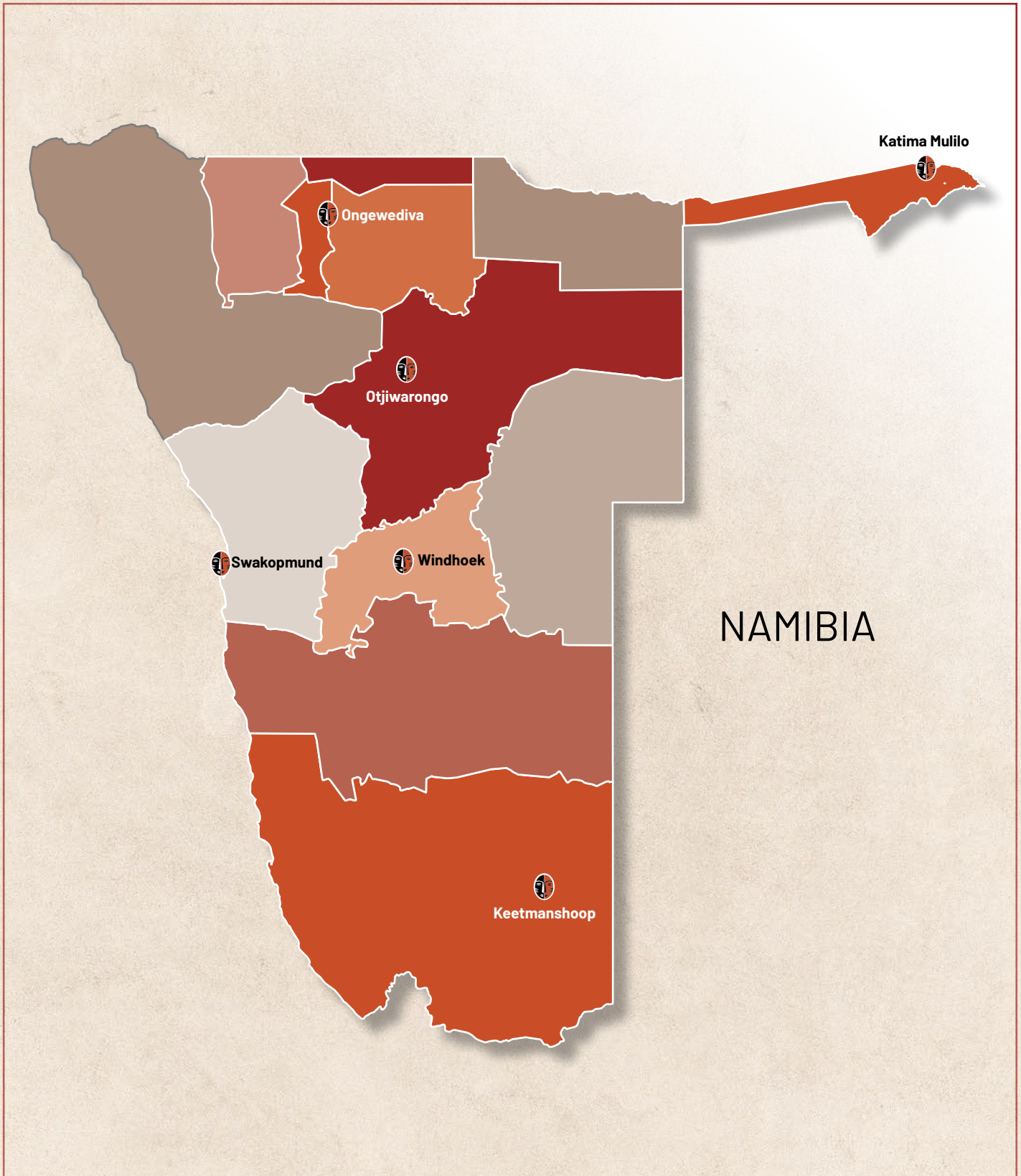
1x Senior Complaint Investigator Grade 7: Oshakati

1x Complaint Investigator Grade 8: Keetmanshoop

1x Cleaner Grade 15: Otjiwarongo

1x Driver Grade 12: Windhoek

# WHERE TO FIND US





## ABOUT OUR OFFICE

### *What is an Ombudsman?*

The first parliamentary ombudsman was established in Sweden in 1809. The word ombudsman is Swedish which means “citizen’s representative” and is considered to be gender-neutral. If a complaint has merit, an ombudsman will first seek to resolve the dispute at the lowest level possible, but will conduct an investigation when necessary. The Ombudsman’s findings and recommendations are based on an impartial assessment of the facts and evidence. An ombudsman acts impartially, not on behalf of either party.

We review and investigate complaints about Government ministries, administrative bodies, municipalities, Universities, schools, and other institutions that provide public services. We try to determine whether or not the organisation’s actions or processes were fair by conducting a formal investigation, if the Ombudsman determines that it is warranted, recommendations for constructive change are made. Through our work, we flag trends in complaints to Government officials and recommend best practices and/or ways to improve administrative fairness.

### *Ombudsman’s mandate*

An Ombudsman is an independent and impartial public official who raises all people’s concerns with Government Institutions, bodies, and civil servants as well as any company or private individuals in Namibia, when it relates to violation of human rights, maladministration and protection of the environment in Namibia.

In terms of Article 91 and 92 of the Namibian Constitution, read together with the provisions of the Ombudsman’s Act, Act No. 7 of 1990, the Ombudsman’s mandate can be summarized as

follows: to promote fairness, accountability and transparency in the public sector by resolving and investigating public complaints and systemic issues within the Ombudsman’s jurisdiction, human rights violations and protection of the environment.

The Act stipulates that all complaints to Ombudsman’s office are confidential and investigations are conducted in private and our services are free of charge. Thus, all Ombudsman around the world or Human Rights Institutions protect people from maladministration and against the violation of their rights in more than 100 countries worldwide. Consequently, the work of an Ombudsman is more collaborative and corrective in nature.

### *Independence of the Ombudsman*

Article 89 (2) of the Namibian Constitution provide that Ombudsman shall be independent and subject to the Constitution and the law. In this regard, the Ombudsman acts impartially in the public interest, and will report directly to the National Assembly. We cannot be directed by any ministers, Government officials, the people who complain to us, the agencies and or officials whom we oversight and investigate.

### *How we work; complaint intake*

We take complaints via the complaint form on our website, by email, phone calls, letters, or in person. Our staff will contact you for more details to pursue your complaint. We do not divulge the names or information of the complainants to anyone without their consent, and there is no charge for our services. We also handle inquiries; our staff can answer general questions, provide advice and guidance or refer you to the appropriate institution.

## Referrals

If your complaint is not within the Ombudsman's jurisdiction, we will refer you to the right office or institution accordingly. If you have not tried or followed the existing complaint mechanisms of the organisation or institution you are complaining against, we suggest you do that first and return to us if the issue is not resolved.

## Early Resolution

We always seek to resolve complaints at the lowest level possible. To do so, we often make informal inquiries and requests for information with the relevant bodies, for example, to learn more about their processes and policies.

## Investigation

If we are unable to resolve the matter informally, the Ombudsman may decide to conduct an investigation. We notify the organization in question, and we may conduct interviews and request documents or other relevant evidence. If the Ombudsman determines that there is a potential systemic issue underlying the complaints, he may decide to launch a systemic investigation.

## Findings and Reports

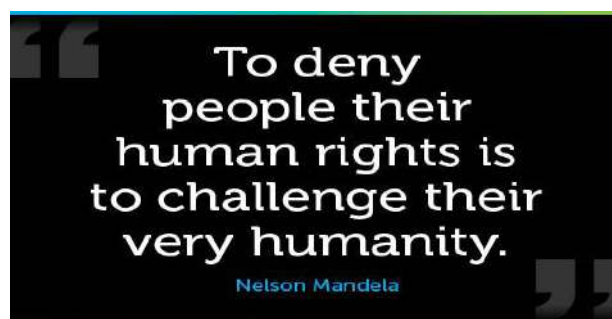
The Ombudsman provides his findings to the organisation in question for a response before it is finalised. His findings and recommendations are published in investigation reports and/or in our Annual Reports, and shared publicly on our website, via social media, news media and in the near future in our e-newsletter. Copies are also available from our office.

## Results

We communicate the outcome of individual investigations and most reviews and informal resolutions to the complainants and the relevant public sector bodies or institutions, as warranted. Summaries of many such cases are published in our Annual Reports and other communications. When the Ombudsman's recommendations are accepted, our staff follows up to ensure they are implemented, and we monitor to ensure problems do not recur.

## What we cannot do

Both the Namibian Constitution and the enabling legislation prevent us from receiving and handling certain complaints. Therefore, the Ombudsman cannot investigate and overturn decisions of elected officials or set public policy; Redo the work of other investigative bodies or accountability mechanisms; Take sides in disputes; Provide legal advice or representation; Act as an advocate for a person or public body; take complaints about Judges and other judicial officers presiding in courts (except administrative matters); Legal disputes; Private companies or private individuals/ persons disputes; Self-regulating professions (e.g., lawyers, doctors, nurses, teachers); Student associations and student unions just to mention few.







Ingrid Husselmann,  
Chief: Office of the  
Ombudsman

## *Factors that affected operations in the 2021/2022 financial year*

### *Vacancies*

The Chief of operations, Ms. Eileen Rakow was appointed as acting Judge of the High Court of Namibia in June of 2019. In her absence, the Deputy Chief, Ms. Ingrid Husselmann who was also the Children's Advocate had to act as chief with the resultant affect that her duties as children's advocate fell to the wayside. The position could not be filled while Ms. Rakow was serving in acting capacity as a judge.

It eventually became evident that her appointment was going to be extended for some time and in February 2020 the then Ombudsman approached the Chief Justice to request that she be released from her duties or be appointed permanently as the absence of the Chief was adversely affecting operations.

However, Ms. Rakow was only appointed as a permanent judge of the High Court on 1 October 2020, and it was only then that the position of Chief could be advertised. Despite the recruitment process having been initiated by our office in October 2020, interviews for the position were not held until October 2021 and subsequently being filled in January 2022.

Other vacancies and particularly the position of Deputy Director – Head of the administration division has been vacant since the retirement of the previous Deputy Director in 2018. This

position has not been funded since then. The filling of other vacant positions such as complaints investigator for Swakopmund and the chief complaints investigator for Keetmanshoop has been cumbersome as the HR department of the Ministry of Justice routinely takes an unreasonably long time to comply with their duties in relation to the recruitment process, for instance subsequent to the early retirement of the chief of our Regional office in Keetmanshoop, it took them six months to shortlist candidates from the time we requested the advertisement of the position in July 2021. The short listing was only done end January 2022.

The 6th Ombudsman of Namibia, Adv. John Walters retired on the 31st of July 2021, and was appointed as acting Ombudsman until 30 September 2021. His retirement in the middle of the calendar year led to us not taking on any major projects during the year as he was focused on finalising projects/investigations that he had commenced with during his tenure. The appointment of Adv. Basilius Dyakugha on the 1st of October 2021 was a momentous occasion and a great achievement for the institution as it has continued its legacy of seeing a smooth transition from the end of one Ombudsman's tenure to the next.

Covid-19 and the ensuing of Public health regulations that continued to place restrictions on inter alia, number of people to attend public gatherings, movement etc. had an effect on our operations during 2021 as we were unable to conduct our regular complaint intake clinics around the country. This meant that we were unable to take our services to the remotest and poorest communities across the country.

In addition, while the rest of the world had shifted to conduct business on an online platform because of Covid-19 restrictions we found adapting to the new world order, challenging if not impossible because of a lack of proper technological

infrastructure. Work from home modalities proved difficult as staff do not have access to our servers or internet outside of the office.

However, the pandemic also had the effect that the Children's Advocate embarked on an extensive media campaign to raise awareness on the services of the Children's advocate and children's rights. We successfully created a radio advert which was translated into several local languages as well as a series of animations which will be utilised for some time to hopefully reach more children.

### *Regional offices and official accommodation.*

Keetmanshoop regional office opened its doors on 1 March 2005 with a single staff member housed in an office at the Ministry of Environment and Tourism. On 2 May 2021 we inaugurated a brand-new building on the road entering Keetmanshoop. The office now has three investigators, a cleaner and one senior administrative officer on its establishment.

Swakopmund regional office commenced operations on 7 December 2012 with a single staff member based in an office in the Magistrates court. In 2021, we relocated to a rented office space in the heart of Swakopmund with five staff members.

Otjiwarongo regional office became operational in January 2018 with a single staff member. Currently the office has three staff members, however securing official accommodation remains a challenge as we occupy space in the building of the Ministry of education which is too small, currently all three staff members share one small office. We continue our quest to find suitable accommodation. Our Katima Mulilo Office is located at the government offices and consist of three staff members.

### *IT support*

In December 2020, we saw the end of the office's contract with a close corporation that hosted our website and provided IT support on a needs basis. This contract was entered into in terms of section 7 of the Ombudsman Act 7 of 1990, between the Ombudsman and the service provider. However, since the provisions of the Public Procurement Act supersede the Ombudsman Act, we had to follow the necessary procurement processes in order to procure new IT support services. Despite having started this process at the beginning of 2021, with the support of the ministry of Justice, we are still without the acquired necessary IT services. During this tedious process we have been without a website, as the license thereof has expired and we have no one to renew or host it. In addition, we have suffered numerous crashes of our servers and had to make use of the expertise of one of our administrative officers who was previously employed as a technician at the Ministry of Justice.

### *No separate budget for the Ombudsman*

Since the Ombudsman's office is essentially treated like one of the directorates of the Ministry of Justice, it does not have a separate budget. At the beginning of the 2021 financial year the Ombudsman had a meeting with the Executive Director to attempt to gauge an understanding of what funds are available for our activities/operations for the year ahead. Save for salaries and a separate amount budgeted for subsistence and traveling allowance, he was informed that there are no other amounts specifically budgeted for the operations of the Ombudsman's office as the ministry operates on a centralised budget for all the directorates. This situation had an adverse effect on operations of the Ombudsman's office, because it is impossible to prioritise areas of operations if one has no idea as to the availability of funds.



## *The new Ombudsman Bill*

The Ombudsman Act, (Act No. 7 of 1990) is outdated and needs a complete review. In 2015 the Ombudsman appointed a consultant to draft amendments to the Act. The suggested amendments were too many, and as a result it was decided to draft a new bill for the Ombudsman. The bill was drafted and is now with the Ministry of Justice to follow through with the legislative process before it can be tabled in the National Assembly.

The speedy adoption of the Bill will not only strengthen the mandate and powers of the Ombudsman, but will also give expression to the independence of the Ombudsman, as guaranteed in our Constitution.

Furthermore, the Bill gives a broader definition of fundamental human rights and freedoms to include the rights and freedoms guaranteed in international human rights instruments which are part of our legal framework as provided for in Article 144 of Namibian Constitution. It provides inter alia:

- An Executive Director who will be the head of the Office of the Ombudsman and the appointment of staff on the recommendation of the Ombudsman.
- It gives an express duty to the Ombudsman to promote human rights and freedoms.
- It empowers the Ombudsman to visit places of detention announced or unannounced.
- It provides for rights to any person to complain to the Ombudsman.
- It empowers the Ombudsman to start an investigation out of own motion.
- It delinks the Ombudsman from the Ministry of Justice, where the Ombudsman Office was the past 31 years was regarded as one of its directorates. The “budget” of the Ombudsman was and has been controlled

by the Ministry of Justice. To function effectively, the Ombudsman must be provided with an appropriate level of funding to guarantee his independence and his ability to freely determine the office’s priorities and activities. He must have the power to allocate funding according to the office’s priorities.

- *Failure and/or disregard to respond to the Ombudsman enquiries – a systemic problem in the public service*

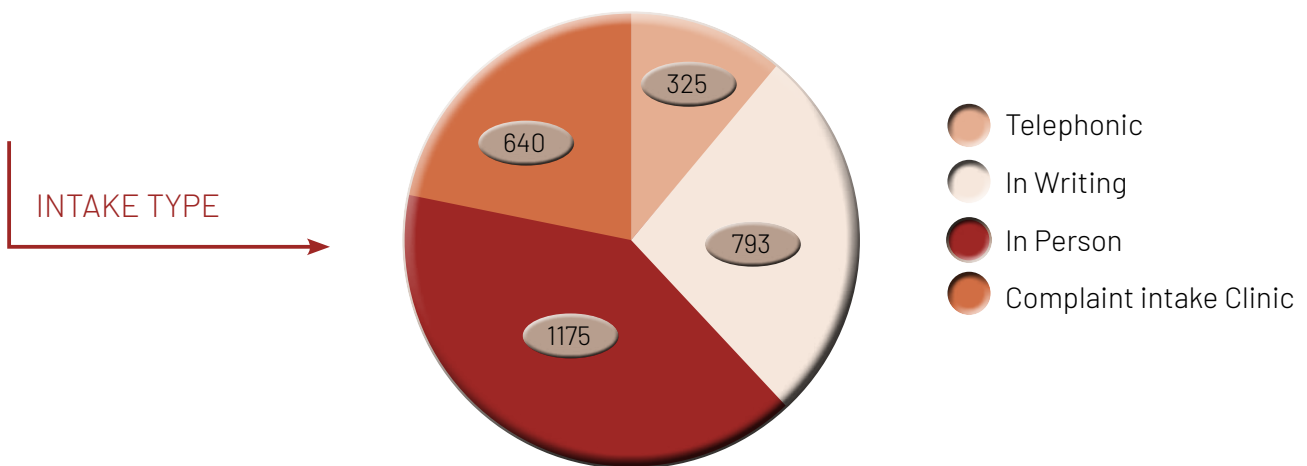
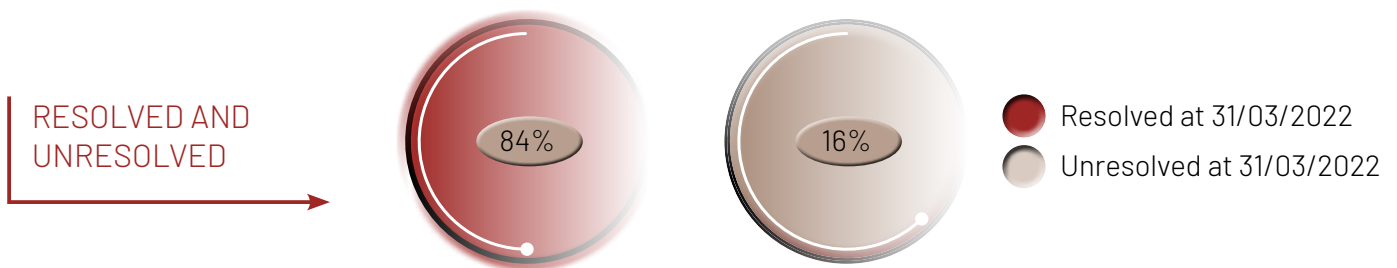
It is our experience that public officials such as Ministers, Executive Directors and senior officials are guilty of failure to respond to the Ombudsman’s requests. Since the turn-around time at the Ombudsman’s office for any complaint is 90 days; it is vital to have good cooperation from all stakeholders. Otherwise if we do not receive any feedback from institutions or individuals within the time limit, we cannot effectively deliver on our mandate. After numerous reminders the Ombudsman must subpoena individuals to appear before him and produce the requested information. Sometimes it does not have the desired effect. The last resort is to approach the courts. The ombudsman tries by all means to avoid litigation as it is a very expensive process. Unfortunately, in 2021 the Ombudsman had to approach the High Court twice. First, to seek relief because the Secretary to Cabinet had ostensibly refused to accept the Ombudsman’s recommendation regarding the unlawfulness of directing O/M/As to appoint children of the liberation struggle contrary to the provisions of Section 5 (1) of the Public Service Act, Act 13 of 1995 as this amounted to unfair discrimination. In the second instance, the Ombudsman approached the High Court to ask the Court to order the release of children who were being detained in police holding cells together with adults. The court eventually ruled in favour of the Ombudsman in both instances.

## Complaints reported to the Ombudsman during 2021/2022

A total of 2880 complaints were recorded for the reporting year. We avail different platforms such as phone calls, emails, fax, Facebook, SMS line, letters and face to face consolation for the public to lodge their complaints. During this reporting year, as was the case last year, most of our complaints (1175) were registered in person. The nature of complaints' range from maladministration, especially against human resource practitioners and local authority employees to human rights violation such as access to healthcare and protracted court cases. For examples the types of complaints received are provided in the forms of comaplint summaries, in this report.

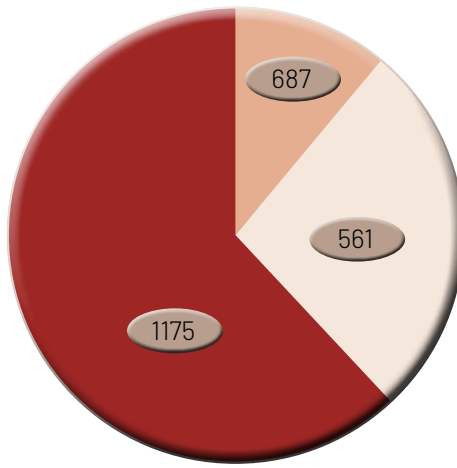
## Statistics

The Ombudsman statistics provide insight into the cases investigated in the previous year. The statistics serve as a tool for planning and improving on certain aspects of our investigations. The statistics are derived from data entered into our electronic case management system and comprises of data from all our offices. The complaints are broken down into various categories as depicted below.



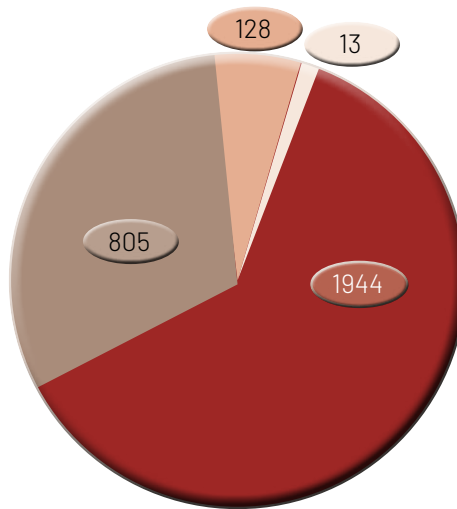


COMPLAINT TYPE



- Request for Information/Advice
- We do not have the mandate
- We have the mandate

GENDER



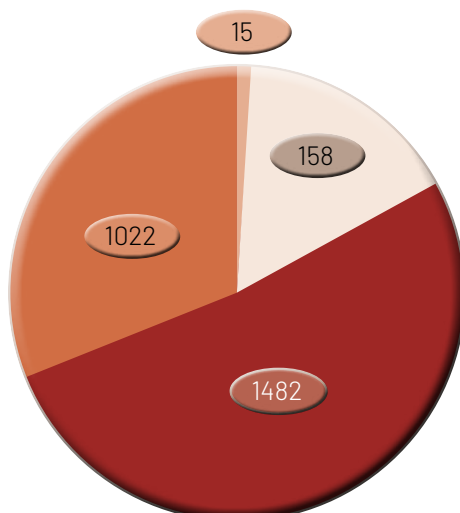
- Male
- Female
- Group
- Unknown

SUPPORTED & NOT SUPPORTED



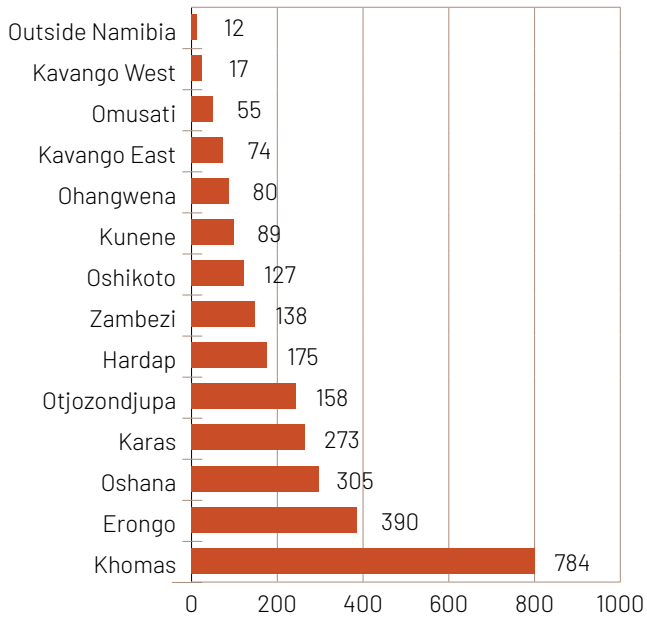
- Cases supported
- Cases not supported

MANDATES

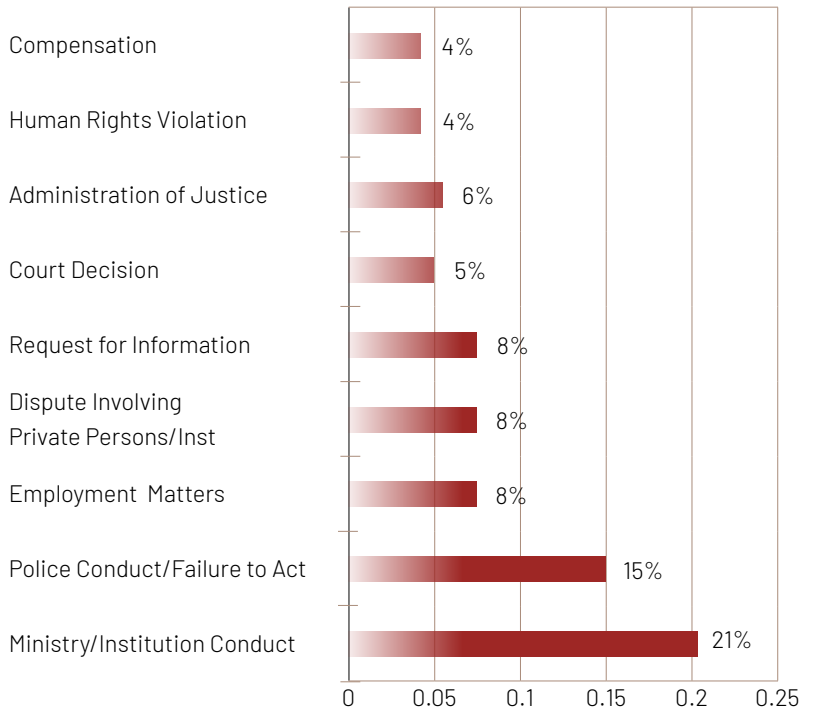


- Environment
- Maladministration
- Human Rights
- Miscellaneous

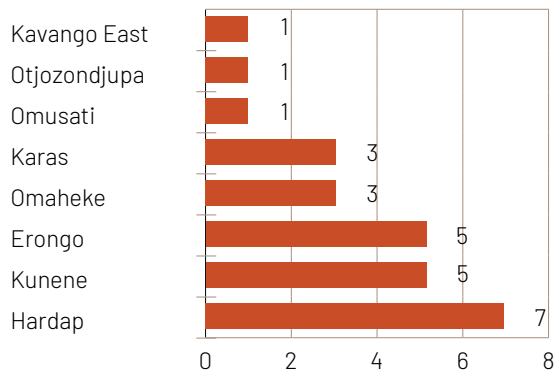
REGIONS



CATEGORY/TYPE

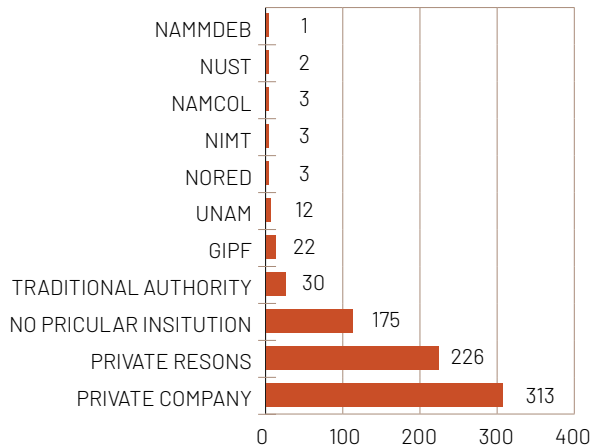


REGIONAL COUNCILS

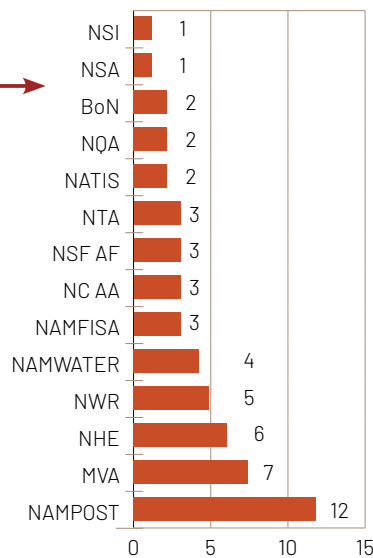




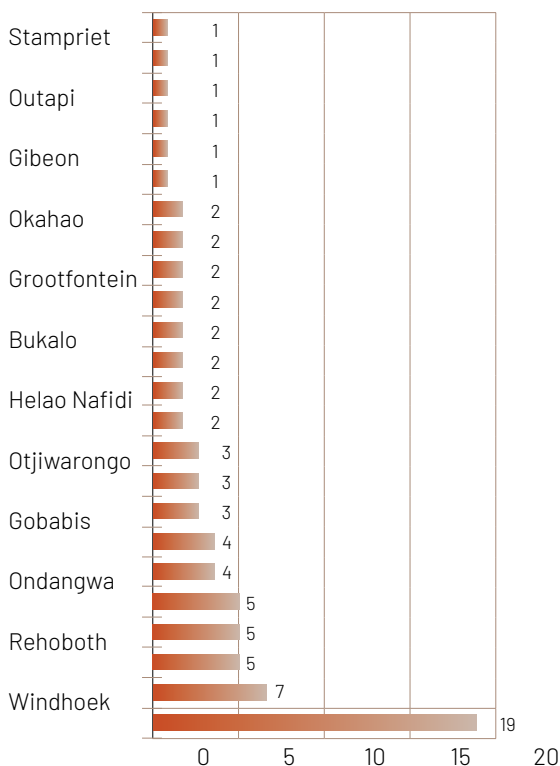
## OTHER INSTITUTIONS



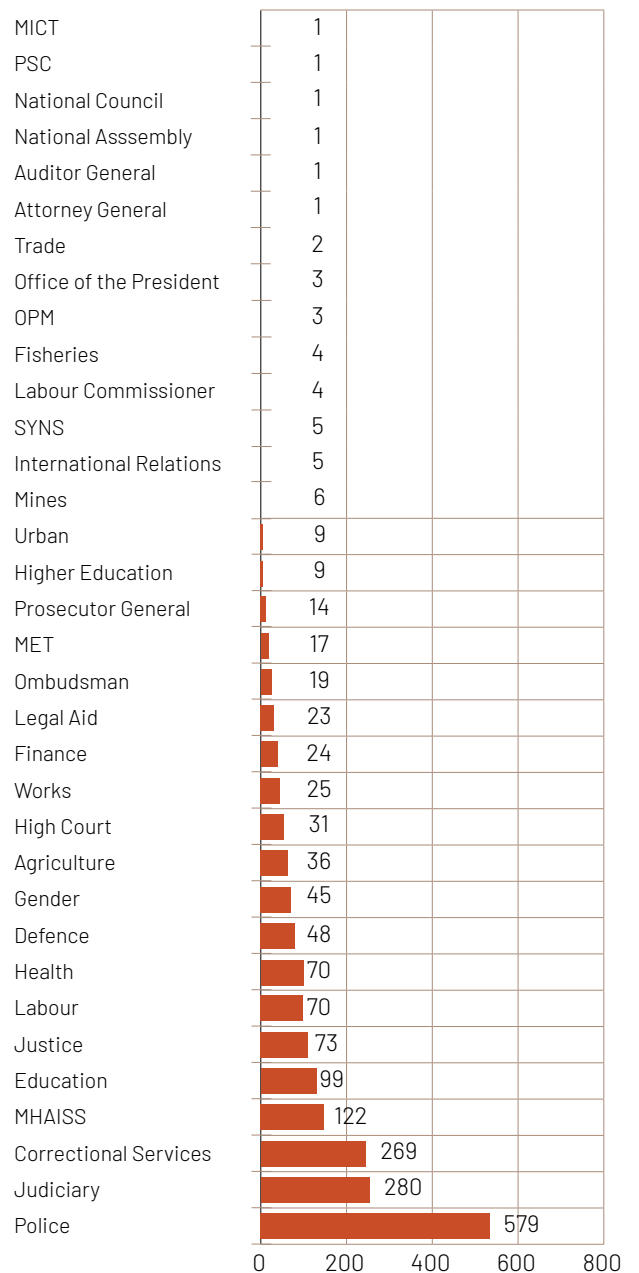
## PARASTATALS



## LOCAL AUTHORITIES



## GOVERNMENT MINISTRIES, INSTITUTIONS, OFFICES & AGENCIES



# INVESTIGATIVE REPORTS

## *A brief report on the plight of the Children of the Liberation Struggle (CLS)*

The Ombudsman received a complaint from the volunteer cleaners at the Ministry of Health and Social Services (MOHSS) who felt extremely disgruntled and discriminated against when CLS were employed permanently in cleaners' positions without going through the Public Service recruitment process. They believed that they were unfairly discriminated against by their exclusion from the recruitment process. Cabinet passed a resolution which provided for the appointment of CLS, especially in entry-level positions in O/M/As ... *"Thus, the Children of the Liberation Struggle who have undergone training are to be employed in various Government Offices/Ministries/Agencies in reserved positions."*

In a letter dated 8 May 2020 addressed to the Secretary to the Cabinet, the Ombudsman inter alia advised that the Cabinet should refrain from issuing instructions to offices in the Public Service to employ CLS without going through the formal recruitment process.

When the Ombudsman received no response on his letter, he took the matter to court and the High Court ruled on 18 March 2021 that:

*"The decision by the Fourth Respondent, authorizing the appointment of Children of the Liberation Struggle as part of the Public Service without going through an interview process like all other Namibian persons who seek to be employed in the Public Service or having to apply for such employment when seeking employment in the Public Service into entry-level positions, be and is hereby reviewed, corrected and set aside."*

On 17 May 2021, the Ombudsman met a delegation of the CLS and after they shared their concerns and challenges with the Ombudsman, he decided to address their concerns and challenges through public hearing. The purpose of the public hearings was to provide aggrieved persons a platform to share their grievances, experiences, expectations, frustrations, and etc; with the panel, consisting of the Ombudsman and staff members.

On 21 April 2021 the public hearing commenced at Brakwater where a selected group of the CLS made oral submissions to the panel chaired by the Ombudsman.



## *Conclusion and Recommendations*

The then Ombudsman stated the following:

"I cannot make any finding on these bare allegations, which are not evidence – based more so, where I did not hear the other side of the story. What runs like a golden thread through the oral submissions, is that Government promised to provide the CLS with employment. The general perception amongst the CLS is that Government broke its promise of providing them with jobs. In any case, Government expressed its commitment to address the plight of the CLS in a letter dated 5 July 2021 (a copy of which was submitted to me), emanating from the Office of the Prime Minister and signed by the Executive Director. I have no





reason to doubt Government's commitment to address the plight of the CLS.

Having relied for too long on the Cabinet resolution, which provides for the appointment of CLS in the public service without going through the prescribed recruitment process of the public service, the Government is now faced with a challenge of looking into other ways to assist the CLS. Making them part of the solution of their plight may be a starting point. I therefore recommend that:

- Government ensures effective consultation, participation and representation of CLS on the basis of free, prior and informed consent in all decision-making processes; i.e. "nothing about us without us"
- Government through its agencies assists CLS to register companies to apply for fishing rights under the Marine Resources Act 27 of 2007,
- Government invites and encourages CLS to apply for group resettlement under the Land Resettlement Programme of the Ministry of Agriculture, Water and Land Reform,
- Government considers amending the Veterans Act 208 (Act No 2 of 2008) to include CLS under a definition in the Act in order for them to benefit from the projects which may be established under section 35 (1) and the Veterans Fund established under section 4 (1) of the Act."

### *Report on complaints about the unilateral termination of membership of the Public Service Medical Scheme (PSEMAS) by the Ministry of Finance*

#### *The Complaints*

The Ombudsman received complaints from three retired public service employees who alleged that the Ministry of Finance unilaterally terminated

their membership of PSEMAS during November 2020 without giving them the opportunity to state their cases.

#### *Brief background of the complaints*

All three complainants were public service employees who retired during the period 1990-1992 from the public service and relocated to South Africa; all three retained their membership of the Government Employees' Medical Aid Scheme. The sources of this Scheme are the Public Service Act, (Act No. 2 of 1980) and the applicable regulations which were promulgated under Government Notice AG 28 of 1981;

Mr. R and Mr. G commuted their pension benefits, received their lump sums thereby terminating their memberships of the Government Institution Pension Fund (GIPF). Whereas Mr. S retained his membership of the GIPF. The membership of PSEMAS of all three complainants was terminated during November 2020; PSEMAS was set up in terms of rules published under Chapter D IX which in turn were issued in terms of section 35 of the Public Service Act, Act 13 of 1995.

#### *Application of the Law*

By terminating the membership of PSEMAS of the complainants, the Ministry of Finance (Executive Director) was acting in clear breach of the most basic tenet of the law; that the complainants should have been given an opportunity to be heard and to be informed of considerations adverse to them before the decision affecting their membership was taken.

The statutory source of PSEMAS is the Public Service Act, No 13 of 1995 and section 34(1) deals with the mandating of regulations by the Prime Minister. The Executive Director by letters

terminated the membership of PSEMAS of the complainants and stated that she did so on the strength of applicable statutory provisions; that constitutes administrative action.

When terminating the complainants' membership of PSEMAS, the Executive Director was performing a public duty and implementing legislation. The procedure adopted by the Ministry of Finance in terminating the membership of PSEMAS of the complainants was wrong, even if the Ministry believes that it had sufficient reason to terminate the membership.

The Ministry was under no obligation to grant membership of PSEMAS to Mr R and Mr G because they were no longer members of GIPF after their retirement from the public service, however the Ministry did and thereby created by that very act, rights and expectations in favour of the complainants, i.e. to remain members of PSEMAS. The complainants organized their medical care for almost 30 years in reliance of the medical benefit of PSEMAS; their lives were negatively affected and their right to health care was violated by the summary termination of the medical benefit.

The Ministry of Finance granting the medical benefit for the past 30 years did not respect the dictates of our Constitution and it did not act fairly and reasonably when it unilaterally terminated the membership of PSEMAS of the complainants.

After retirement from the public service in 1990, Mr. S became a member of GIPF and his PSEMAS membership contributions were deducted from his pension until it was stopped in November 2020. All three complainants retired under the Public Service Act, No 2 of 1990 and the applicable Public Service Staff Rules. Their membership of PSEMAS was inter alia terminated in terms of sub-clause 4.3.3 which only came into existence in 1995. The Ministry made this sub-clause retrospectively applicable to their membership of

PSEMAS, which is wrong. The sub clause applies only from the date on which it came into effect.

## **Conclusion**

In this report, I made adverse findings in relation to the Ministry of Finance and wish to give them the opportunity to contradict my findings or my interpretation of the law.

## **Report on the Request by Mr. McHenry Venaani, MP for investigation into the distribution of SWAPO Party manifestos to government offices 28 September 2021**

### **Introduction**

The Ombudsman cannot exercise powers which are not expressly stated in the Ombudsman Act No 7 of 1990 or the Namibian Constitution. There may be instances where authority may be implied not to defeat the purpose of the Act.

### **The Complaint**

The complainant, Hon. McHenry Venaani filed a complaint on 17 June 2020 with the Ombudsman alleging inter alia the following:

- "I have been made aware and it is my understanding that the ruling party SWAPO has been distributing its party manifestos to government offices and top branches.
- We contest the distribution of party material to offices especially the judiciary.
- SWAPO's conduct is unconstitutional and tantamount to politicise government offices. Distribution of party materials in government offices makes people from other political parties feel unwelcome, whether as workers or people seeking government services. It also creates (sic) wrong impression that the government is SWAPO and that SWAPO is the government.



- Why then, should one particular party be allowed to hand out its manifestos to civil servants?

The PDM also asked for the following findings:

1. "That the ruling party must be informed to halt the distribution of its manifestos in Government offices.
2. That the distribution of such manifestos be investigated thoroughly to establish the purpose of what such distribution is trying to signify."

Does the Ombudsman have the competence to investigate the actions of the SWAPO Party, a political party?

This is a legal question which must be answered with reference to the provisions of the Namibian Constitution and the enabling legislation, the Ombudsman Act, No. 7 of 1990 (the Act) supported by judicial precedents.

Article 91 of the Namibian Constitution read together with section 3 of the Ombudsman's Act accentuate that the sphere of competence or jurisdiction and powers of the Ombudsman, is limited to matters involving public administration, which include the exercise of public powers or functions, public monies, or matters concerning violation of fundamental rights and freedoms. It is implicit in this circumscription that the Ombudsman cannot investigate matters falling within the private sphere unless it involves allegations about violations or threats of violation of human rights and environmental issues. Otherwise, the sphere of competence to investigate is limited to State or Government bodies or officials when performing their functions as public officials. In other words, the Ombudsman has a distinct and limited jurisdiction in terms of the Namibian Constitution and the enabling legislation.

I agree with the complainant that "any ruling party that assumes public office must translate its manifesto into public policy", but it does not mean that the ruling party and the State becomes one entity. Ordinarily political parties win elections on the basis of their policies and manifestos. This occurs worldwide and once in power, they promote the policies that made them win the elections. But the bright light separating the party from the state remains intact. This is clear from the provisions of the Constitution which establishes three branches of State.

The distribution of SWAPO Party manifestos is by nature the activity of members of a private group of persons, and not a statutory body. Thus, the activity of distributing SWAPO Party manifestos does not fall within the jurisdiction of the Ombudsman. The Ombudsman's competence to investigate private persons, enterprises or private institutions exists only if the complaints allege violations or threats of violations of fundamental rights and freedoms and environmental issues as stipulated under the Constitution.

The Common law and the Namibian Constitution require the Ombudsman to observe the rules of natural justice by acting in a fair manner. Encapsulated in this principle is the maxim *audi alteram partem* (hear the other side) which is part of our law.

## Findings

I researched to the following findings:

- in the instant matter the complaint refers to an organization not under the jurisdiction of the Ombudsman and the complaint relates to a matter or instance not covered by section 3(1) or (2) of the Ombudsman's Act;
- this is not a matter where the Ombudsman can read into the Act or assume powers which are not expressly provided for to investigate a complaint;

- the mere fact that the SWAPO Party was (is) the ruling party at the relevant time did (does) not leap that the distribution of their party manifestos into the area of the performance of public functions and thus subject to the Ombudsman's jurisdiction;
- the SWAPO Party is a private organization and not a public body;
- by distributing party manifestos, the SWAPO Party did not exercise a public power or perform a public function in terms of the Namibian Constitution or the enabling legislation;
- the Ombudsman would act unlawfully if it should require the SWAPO Party to respond to the allegations;
- the SWAPO Party and its activities do not fall under the jurisdiction of the Ombudsman; therefore, the Ombudsman cannot inform them to stop distributing party manifestos in Government offices.
- the mere fact that the SWAPO Party was (is) the ruling party at the relevant time does not make it an organ of state/government or part of the public administration.
- the complaint does not allege that a violation of fundamental rights or freedom under the Constitution have taken place.
- the complaint is excluded from the jurisdiction of the Ombudsman.
- the complaint is excluded from the jurisdiction of the Ombudsman.

### **Recommendation**

I recommend that when the new Ombudsman Bill is tabled in the National Assembly, members will scrutinise it with open and enquiring minds with the sole purpose of strengthening the powers of the Ombudsman.

## HUMAN RIGHTS MANDATE

### *Selected Human rights case summaries*

#### *Trial awaiting detainee denied opportunity to write examination*

In a rather unique complaint, a detainee at the Opuwo Police station approached us, claiming that he was being denied his right to education. The inmate, a registered NAMCOL student stated that he sought permission from the Office of the Station Commander to take his examinations at a local school. The complainant informed us that his request was denied on the basis of him being suspected of a crime. We approached the Station Commander with the complaint and informed him of the complainant's right to education, despite being accused of a crime. After our intervention, the Station Commander informed us that he would allocate the complainant a study room and make arrangements for the complainant to be escorted to his examination venue, in order for him to take his exams. The complainant subsequently informed us that the matter was resolved and he was allowed to prepare for and write his exams.

#### *Refusal to assist complainants with labour issue*

A group of five complainants alleged that they entered into an agreement to do manual labour (debushing) for a certain private company, in return for monetary compensation. However, upon completing their task, the company refused to pay them the agreed amount of N\$ 1600, per person. The complainant reported the matter to the Ministry of Labour, Industrial Relations and Employment Creation. The Ministry informed them that they could not be assisted and referred them to the police. The police referred them back to the Ministry of Labour, unsatisfied with the assistance received from the Ministry, the complainants finally approached our office and we took up the matter.



During our engagements with officials from the Ministry of Labour, we were informed that the matter was not within their jurisdiction and they advised us to refer the complainants to private lawyers. Our complaints Investigator refused to accept these explanations and reminded the officials that they have a duty to all Namibian workers and further informed that, the complainants were all unemployed and could not afford the services of a lawyer. The matter was finally resolved after our intervention and the complainants received their payments.

### *Statelessness status for more than 40 years*

The complainant was representing a group of 50 people ranging from infants to a 90-year-old individual. The complainant alleged that she and her elder sister came to Namibia in the 1970s, from Angola. She got married to a Namibian citizen and managed to obtain national identity documents. However, her sister, her children and her sister's children were never granted national identity documents. The complainant alleged that they have approached the Ministry of Home Affairs, Immigration, Safety and Security on various occasions, to no avail. We held a meeting with the Councilor of the constituency in which the complainants reside. He informed us that he was aware of them and their plight, and that they were beneficiaries of the drought relief program in that area.

Our complaints investigators and the Councilor approached the Ministry and met with officials who informed us that they would visit the complainants in order to get more information and to verify what we had brought to their attention. We followed up and confirmed that the complainants were indeed visited by officials from the Ministry. Applications for birth certificate and national identity documents were also done, with the assistance of the Councilor.

### *Right to a fair trial*

The complainant alleges that he has been detained in the Eenhana police holding cells for eight years and that his case has been referred to Ohangwena regional court. However, the regional court has not been operational due to a lack of magistrate officers as a result he is not being granted bail. We brought the matter before the Chief Magistrate's office and following this intervention, a permanent magistrate officer was appointed for the Ohangwena Regional Court. The complainant was granted bail of N\$ 1000 and his trial has since resumed.

### *Police conduct*

A man claimed that he was arrested and detained without any reason in 2021. He further claims that he wanted to open a case, the police however refused to assist him in doing so. The complainant being a police officer himself felt that he was being victimised by his commander as such, upon being released he failed to return to work. He accordingly sought the intervention of this office. In assessing the matter, it became apparent that the complainant suffers from a mental/psychological illness. We also uncovered that he was detained due to a violent outburst he had and, on request of his family who feared for their safety as well as his. Whilst in detention he was taken for medical treatment. The complainant was accordingly advised that the action taken was not arbitrary but in fact provided for by law. He was further reminded about the importance of taking his medication. The complainant subsequently returned to work.

## *Access to healthcare*

The Complainant (in police custody) was on ARV medication, and he informed us that his tablets were finished, and police officials allegedly informed him that they do not have a vehicle to transport him to the clinic. We requested the station commander to assign a police officer to us, while we drive the complainant to the clinic. The station commander complied and we, together with the police officer took the complainant to the clinic where his medication was provided.

# SUMMARIES OF ELECTED CHILDREN'S RIGHTS CASES

## *Prolonged custody application*

**A** mother of a minor alleged that she had a pending custody application in the children's court and that the matter has not been brought to finality. Our inquiries revealed that the court commissioned a second social worker report as the initial report did not contain the stepfather's version of an allegation of abuse against him. The second report was requested in January 2021 and was only provided to court in August of the same year for hearing dates for the custody application. The complainant informed us that she did not have the funds to continue paying for a lawyer. We informed her that she could request that the matter be referred to the social workers for mediation and / or the drafting of a parenting plan, as she no longer had objections to the father retaining custody and her being granted reasonable access to the concerned child. She suggested to the father that the matter be mediated by the social workers, for his consideration. The father agreed and the matter was resolved.

## *Dissatisfaction with the amount received for child maintenance*

The complainant narrated that, the amount she was receiving from her child's father (N\$ 600) was insufficient. She further alleged that she had been receiving this amount since 2017 and that she could not afford the child's upkeep with this amount and her monthly salary of N\$ 1500. She alleged that the Court informed her that an increment was not necessary. Our Social Worker intervened and acted as mediator between the complainant and the father of the child. The two parties agreed to increase the amount. The complainant and the child's father jointly informed the court of their agreement.

## *Child denied access to school due to hairstyle*

The complainant approached our office and alleged that his son was denied admission to school in 2021, because of the length of his hair. The complainant requested our assistance in assisting his son to access his right to education. We held various meetings with the Ministry of Education Arts and Culture and the school at which the child was placed, and finally, in March 2022 the child was reintegrated into the education system and is now able to access his right to education.

# THE CHILDREN'S ADVOCATE

**T**he Child Care and Protection Act, (Act No 3 of 2015)—which came into operation on the 31st of January 2019 provides for the designation of a Children's Advocate in the Office of the Ombudsman. The Children's Advocate is the head of the Legal Services and Human Rights Division in the office of the Ombudsman. She is assisted in her duties by two legal officers and one social worker. Together they work closely with



stakeholders in various sectors to address issues affecting the Namibian children.

Some of the functions of the children's advocate are:

a) receiving and investigating complaints, from any source, including a child, concerning children who receive services under the CCPA or any other law or relating to services provided to children under the CCPA or any other law or concerning any violation of the rights of children under the Namibian Constitution or any law, and where appropriate, attempting to resolve such matters through negotiation, conciliation, mediation or other non-adversarial approaches;

b) monitoring the implementation of the Convention on the Rights of the Child (CRC), the African Charter on the Rights and Welfare of the Child (ACRWC) and any other international instruments relating to child protection which are binding on Namibia;

c) monitoring the implementation of the CCPA and any other law pertaining to children;

d) bringing proceedings in a court of competent jurisdiction for an interdict or other suitable remedy to secure the termination of an offending action or the abandonment or alteration of offending procedures to further the interests of children; and

e) raising awareness throughout Namibia of the contents of the CCPA and the protection of children generally. (all the text highlighted in red should be shifted above)

## CHILDREN'S ADVOCATE'S ACTIVITIES

*Awareness raising and public engagement*



A radio advert to provide information about the Children's Advocate and contact details of the Office was translated into three local languages namely; Setswana, German and Silozi was aired on NBC radio. This same advert was aired last year in other local languages including English. The children's Advocate maintained a good relationship with the media and conducted several interviews in the year under review. The children's Advocate further engaged the public through other platforms like public discussions organized by civil society organizations, scholars and the private sector. Following the observation of the Day of the Namibian Child which is observed on 28 September, the Children's Advocate participated in an online discussion pertaining to safeguarding Namibian children.



Constitution day celebrations



# REPORTS ON RESIDENTIAL CHILD CARE FACILITIES

As part of our annual visitation program for the financial year 2020/2021, the Children's Advocate conducted visits to nine child care facilities (CCF) in Erongo, Kavango East and West, Zambezi, Kunene, Otjozondjupa, and Khomas regions, between January and December 2021 respectively.

The general purpose of these visits was to inspect compliance with the National Minimum Standards for Residential Child Care Facilities (RCCFs) as determined by the Ministry of Gender Equality and Child Welfare, and the minimum standards for child care facilities as provided in section 71 of the Child Care and Protection Act, (Act, No.3 of 2015)

## Summary of the facilities visited

### 1. Happy land-Walvis Bay

This facility operates as a children's home, but it is not yet registered with the Ministry of Gender Equality Poverty Eradication and Social Welfare (MGEPEWSW), neither is it registered as a welfare organisation. At the time of our visit they were in the process of applying for registration as a welfare organization, and the process was halted due to a lack of funds.



This facility started off as a kindergarten in 2005, and eventually got transformed into a safe house (place of safety). They currently operate from the manager's personal house. The staff compliment consists of a manager and three staff members.

### 1.1 Admission

The facility admits orphans and vulnerable children between the ages of 0 to 18 years. None of the children under their care were placed there in terms of court orders. The manager however records and keeps record of each child's particulars as well as their particular conditions at admission. The facility received children who were brought in by Social Workers as well as the Police. At the time of our visit, they had 16 children in total with none being boys and seven girls. There are four other children who are the manager's biological children. The oldest child is 17 years old while the youngest is one year old. Two of the children are differently disabled; one is blind and the other has special needs.

### 1.2 Observations

Overall the facility is well kept, neat and organized given the fact that it is in located in a suburb. Part of the structure is used as a place for gatherings for church activities such as prayers, youth meetings, etc. All school going children are enrolled into schools, with some attending kindergarten at the facility.

### 1.3 Funding

The facility relies solely on donors, some of whom have allegedly stopped assisting them due to covid-19. They however still have certain corporate that help them. The manager indicated that they received a once off donation from a donor overseas which she then used to open a tuck-shop at the facility from which they get some money for daily sustenance.

## 2. Children of Zion Village - Katima Mulilo

This facility is a registered children's home. It is made up of eight houses, a kitchen and classrooms. It caters for 53 children. Of these 53 children, 51 are accommodated at the facility. The other two are living with their families while having their basic needs provided for by the facility. The staff complement consists of 25 people including the Director and his wife. They offer holidays classes for their children. Additionally, they also run a feeding project (Mafuta feeding project) where they provide food to the needy community members.



### 2.1 Admission

They admit children between the ages of 0-18 years who are in need of protective services. All their children were placed with the court orders, except two who recently came in as victims of

human trafficking from DRC. All the children who are of school going age are in schools.

### 2.2 Funding

According to the Director, 99% of their funding comes from the United Methodist Church in the USA, while the rest is from Government subsidy and once of donations from individuals or companies. The funding from donor has been affected since the onset of Covid -19. It has reduced thus causing them to cut down on their spending as a facility.

### 2.3 Observation

The facility generally appeared to be well maintained, it was clean and well organized. The children appeared to be well taken care of and happy, and freely interacting with their caretakers. In terms of the diet, the Director indicated that they try to provide the children with the necessary diet based on the funds available.

## 3. Hompa Shiyambi Children's Home- Kavango East

The facility is now registered as a Children's Home, which was not the case during our last visit in 2019. It consists of four houses, with one being the Girls' house, and another one for the boys. The other houses are occupied by the care takers and used as an office, respectively.



### **3.1 Admission**

The home admits children in need of care who are between the ages of 0-18 years. During the time of the visit, they had 29 children (10 boys and 19 girls) in their care. All the children were placed with the Court orders, and all children of school going age were enrolled into schools.

### **3.2 Funding**

Since all their children are placed with court orders, the home receives State subsidy. The Catholic Church and Kayova Lodge are the two entities that assist the home, financially. Their donors in Germany had at some point stopped supporting due to Covid-19, but they eventually reinstated their support once again.

## **4. Sunrise OVC Centre- Khorixas**

This facility is not yet registered with the Ministry, they first have to meet the requirements for registration. It is however registered as a Welfare Organization with the Ministry of health. The staff compliment only consists of the founder (Ms. Maria Garises) who is assisted by her daughter. The house used as the facility belongs to Ms. Garises, hence her family members also reside there. It is a four-bedroom house, with a kitchen, living room and a toilet.

### **4.1 Admission**

They admit children under the age of 18. At the time of the visit they had only six children. Some of the children were allegedly sent back to their families during the Covid -19 lock down period as per the instructions from the Ministry. None of the children at the facility were placed with the Court orders, and Social workers do not visit the facility to investigate the circumstances of these children. The children are also not in possession of birth certificates.

### **4.2 Funding**

The facility receives donations locally and some financial assistance from Europe. They have also initially received funding from donors in Germany which was meant for the construction of a new facility. They managed to get two plots on which they had initially started with construction. However, the construction was halted, apparently due to the donors not approving the type of structures they wanted to build.

### **4.3 Observation**

The building which is currently being used as the facility is somewhat dilapidated. The general up keep of the facility is poor. This could perhaps be due to lack of proper supervision from the care taker as she has allegedly been unwell medically for a period of time.

## **5. Conclusions and recommendations**

It can fairly be concluded that overall the facilities which are registered with the Ministry are doing much better in terms of operations, availability of funding, and the general care of the children under their care.

It is however a different picture all together for those that are not registered. Although there might be zeal to care for the children in need of protective services, these facilities are limited in terms of how much they can provide. Specific facilities are affected differently with varying issues.

The caretakers raised concerns regarding the Ministry's lack of and/or delayed support towards them. They highlighted that Social Workers allegedly take too long to visit the facilities, or sometimes they do not even go back to monitor how the children they placed at these facilities are doing. They urged the Ministry of Gender



Equality Poverty Eradication and Social Welfare to take the plight of these centers more seriously. The MGEPSW should no longer delay their interventions as their assistance is paramount to the effective management of these centers.

## MONITORING PLACES OF DETENTION

As part of the protection mandate of the Ombudsman, places of detention are visited annually and report on the conditions of these facilities that were discovered. Places of detention including the police cells (detention for trial awaiting inmates) and correctional facilities (for sentenced inmates). We also visit places where illegal immigrants are detained. In general, the purpose of these visits is to monitor the condition of these facilities, the provision of food as well as to determine the legality of such detention. We further provide inmates the opportunity to submit their complaints to us and raise awareness about our Office.

### Facilities visited during 2021/2022

#### Otjozondjupa Region

Otjituuo Police holding cells: During the time of our visit there were 19 suspects in police custody, the total capacity of the holding cell is 20. We did not find any female or juvenile inmates, in custody. Inmates raised concerns about alleged long delays in bail applications, being unable to afford bail and food shortages.

#### Outjo Police Station

We found the station in the same dilapidated and unclean state as last year. The entire station needs renovating. On a positive note; there was no issue of overcrowding at the station, there

were a total of 68 inmates while the capacity of the holding cell at the station is 70. The station has no facilities for juveniles and females and the infrastructure is falling apart.

#### Coblenz Police Station



We found 20 male trial awaiting prisoners in custody, there were no female or juvenile detainees. The station commander received the Ombudsman officials and accompanied us during our the inspection of the holding cells.

The cells were extremely dirty and inmates alleged that their request to be provided with cleaning products fall on deaf ears. As it can be seen in



the image, the sewerage pipes were blocked and sewage was flowing around the facility. There were inmates who alleged that they are not taken for medical assistance when they are sick.

We spoke to the station commander who ensured us that he will make arrangements that those in need of medical care, will receive it timely.

### ***Grootfontein Police Station***

We found 123 trial awaiting inmates, including four foreign nationals. The capacity of cell is 12, but it was however overcrowded by at least 15 people, with 27 or more people in a single cell. The issue of overcrowded cells is a major concern, especially during COVID-19. There were seven cases of the virus detected in the cells. Those who tested positive were taken to the State hospital for isolation. The concerns of food shortages and a lack of cleaning material were also raised.

### **Omusati Region**

#### ***Outapi Police Station***

The entire premises are falling apart and dilapidated, With large cracks visible all over the walls. On a more positive note, inmates are timeously taken to hospital for medical attention and medicine collection. There was also not a shortage of food at the time of our visit. This entire building needs an overhaul as its current condition poses a risk to those inhabiting it. The



station commander informed us that his numerous requests for the renovation of the station, seem to be falling on deaf ears.

### **Khomas Region**

#### ***Dordabis Police Station***

At this station, there were allegations of inmates being assaulted and not being taken for medical care on time. We found 39 suspects in custody, spread out across five cells. Of these inmates, four were females. We encouraged the inmates to open criminal cases against those officers who are allegedly assaulting them. The issue of not taking suspects to clinic was also raised and a lack of manpower was attributed to this. Suspects further complained about their toothbrushes that



are cut extremely short to the point where they are unusable; as it appears in the picture. The station commander informed us that, this was a safety measure as some suspects use the toothbrushes as weapons.

#### ***Windhoek Police Station***

None of the cells had functional lights, causing the cells to be dark even during the day. In addition, most of the toilets were dysfunctional. The cells were overcrowded with little spaces between the detainees, under poor hygienic conditions due to the non-provision of cleaning materials. A total of five complaints were registered at the station.

### ***Windhoek Correctional facility***

This facility was constructed before independence and most units' buildings are worn-out. Some renovations are visible but, it appeared that regular maintenance has not been conducted. Broken shower handles, blocked toilets, and broken doors were amongst the issues that need urgent attention. The prolonged detention of trial awaiting inmates is a matter of concern at the facility as it contributed to overcrowding.

### ***Otjomuise Police Station***

Despite the station being relatively new, there are several issues with regards to the infrastructure which need attention. As is the case at other stations across the country, detainees complained about insufficient food, and a lack of cleaning material and blankets.

## **Ohangwena Region**

### ***Omungwelume Police Station***

The station has three cells with the capacity of 30 inmates. During the time of our visit, we found that all the cells were overcrowded with 57 inmates in custody. It was found that crime is on the increase in the area and there are not enough holding cells to detain suspects. The holding cells were dirty and the infrastructure was dilapidated.

### ***Oshikango Police Station***

At the time of our visit, we found 92 inmates in custody, three of them were juveniles. There was no incidence of overcrowding at this station as the total cell capacity is 100. There is no cook or institutional worker at this station, inmates therefore have to prepare their own food.

### ***Ohangwena Police Station***

A total of 109 inmates were found in the holding cells with capacity of 90 inmates. The station commander informed us that the overcrowding is due to an increase in crime in the area, and a limited number of holding cells. The holding cells are in a dilapidated state; none of the lights in cells are functional. Sewage was found flowing into the holding cells due to blocked sewers. We received complaints in writing but were unable to interact with suspects due to COVID 19 restrictions.



### ***Eenhana Police Station***

The station commander explained that the station has six holding cells with the total capacity of 60 inmates. We found a total of 156 inmates in custody of which 13 were Angolan nationals with pending criminal cases, and four juveniles with schedule one offences. No illegal immigrants were found in custody. Inmates narrated that they are denied the opportunity to open cases against police officers and members of the reserve force, who allegedly assault them. We informed the Station commander that such behavior was unacceptable and should be ceased with immediate effect.



## **Erongo Region**

### ***Uis Police Station***

The station is manned by 18 Police officer and has one cook. There area has four cells with a total capacity of 40, but only one was in use at the time of our visit. We recorded only two complaints at the station.

### ***Omaruru Police Station***

During our visit, we found 17 inmates, all of them were trial awaiting. The cell capacity is 50 and one sanitation is well maintained. No cleaning material is available despite the fact that requisitions for such products were forwarded to the regional offices. All the cells have portable water and showers were in good conditions. Food supply is sufficient but the detainees continue to receive food in containers that are damaged. This food containers are not in good condition since each detainee brought from outside. The Kitchen is dirty and not clean as the cook claims that a lack of cleaning material makes it difficult to keep the kitchen clean.

well as broken cell doors. Cells in which inmates are detained were found to be quite clean. Despite the lack of cleaning materials, the inmates indicated that they sweep the floor at least once a day. Unfortunately, the ablution facilities cannot be properly cleaned with just clean water, causing the ever-present stench of urine. Furthermore; toilets have to be flushed by making use of buckets filled with water.

### ***Walvisbay Police Station***

We found 87 adult males in custody; and we were informed that females and juveniles are transferred for detention at the Narraville police station. At this station, provision is made for the isolation of COVID-19 positive inmates in a separate cell. Despite the high amount of inmates the cells are filled to capacity although not overcrowded. No specific complaints were received in this regard. However, inmates complained in general that for quite some time, the food they received was not sufficient nor was it cooked properly. The Station Commander indicated that there was indeed a delay with the delivery of the food which was ordered.

### ***Narraville Police Station***



### ***Henties Bay Police Station***

At the time of our visit there where 10 male inmates in custody, three of them being juveniles. Out of a total of four cells, only two were fit for habitation. The other cells had broken and non-functional toilet pots, washing basins, lights, as



A general complaint received from inmates was that the station was not providing sufficient blankets to inmates. The station commander upon being questioned about this indicated that there are unfortunately not sufficient blankets in



stock and for that reason inmates are allowed to receive blankets from outside. We found a total of 28 suspects, 10 of them were females. Despite the inmates claiming that the food they receive is insufficient, we found sufficient stockpiles of food at the station. The Station Commander informed us logistical factors out of their control, is causing the delays in the food being delivered and ultimately, food shortages.

## //Karas Region

### *Lüderitz Police Station*

This station has five holding cells and at the time of our visit we found 23 inmates in custody, there were no females or juveniles in custody.—The holding cells were found in a clean condition, with sufficient bedding and food for the inmates.

### *Lüderitz Correctional Facility*



The Commissioner welcomed us to the facility, but the Office was served with a letter stating that some of the Correctional Officers as well as inmates tested positive for COVID 19 virus and all visits to the facility had to be stopped. Due to this setback, our Complaints Investigator requested that inmates write down their complaints, we received a total of seven complaints from the facility. The facility had 143 inmates, all of them were male.

### *Rosh Pinah Police Station*

This was a relatively well maintained and clean station. We found 11 persons in custody at the time of our visit.

### *Aus Police Station*

The station has six holding cells, we found 11 male detainees including three juveniles. The cells were in a dilapidated state, holding cells are cleaned by inmates and it appeared clean but the overall state of the infrastructure was bad.

### *Oranjemund Police Station*

There were no complaints recorded at this station where we found 11 detainees. The total cell capacity is 15 hence overcrowding was not a concern at the station.

### *Karasburg Police Station*



This is one of the cleanest and newly renovated stations in the //Karas Region. The total cell capacity is 50 and we found 18 male inmates in custody. There was sufficient food supply and cleaning material. At the time of our visit, two inmates were COVID positive; these inmates were kept isolated from the others. There were no complaints registered at this facility.

## *Ariamsvlei Police Station*

We found six inmates at this relatively small, border station. There are three holding cells with a total capacity of 15. There is one institutional worker who prepares meals for the inmates. The station needs renovations as the infrastructure is old and dilapidated. There were no issues of food shortages at the station.

## MALADMINISTRATION MANDATE

As was the case last year, the majority of the complaints that were received fall under the maladministration. During 2020, we received 1401 complaints pertaining to maladministration, whereas in 2021 this number increased to 1482 complaints. The high number of maladministration cases speaks to the level of service delivery in the public sector. The public feel the short hand of the stick with delayed applications, requests for information being denied, incorrect calculations of leave gratuities, etc. The summaries below provide an insight into what is considered maladministration.

## SUMMARIES OF SELECTED MALADMINISTRATION CASE

### *Maintenance funds transferred into wrong bank account*

The complainant alleged that the Ministry of Justice wrongly deposited money into her previous bank account; this is despite the complainant providing the ministry with her new banking details. Upon enquiry with the ministry of justice, she was informed that the bank would reverse the transaction, this did not happen for

two weeks, leading the complainant to seek our office's intervention.

We approached the bank and they reversed the funds to the Ministry of Justice within two days of our intervention. Thereafter the Ministry then paid the funds into the correct bank account.

### *Refusal to pay salary into new bank account*

The complainant alleged that her employer, the Ministry of Education Arts and culture was conducting unfair labour practices against her. She informed us that she was implicated in a fraud criminal case, while in the employ of the ministry. She alleged that her bank account was frozen by NAMPOL as part of the investigations. The complainant subsequently opened a new bank account for her salary to be paid in, however her employer refused to pay the money into her new account. She asked the office of the Ombudsman to intervene as her livelihood was affected, while she has not been convicted of any criminal offence and still being employed. We consulted the Human Resource officials at the Ministry of Education Arts and Culture and informed them that the complainant was still entitled to her salary, as long as she was still employed by the ministry. The Ministry agreed to pay the money into the complainant's bank account and the matter was resolved.

### *Illegal detention of Angolan national*

The complainant was an Angolan citizen who was allegedly being detained for entering the country illegally. He alleged that he was detained for two months and two weeks without a formal charge. The complainant was only informed that he would be deported. He further informed us that the immigration officers made no efforts to transport him to the Namibia-Angola border. We engaged the a senior official in the ministry of Home Affairs, Immigration Safety and Security, who informed us



that he was not aware of the matter. The official however assured us that he would escort the complainant to the border, the following day. We followed up and we found that the complaint had indeed been deported via Shikongo border.

### *Delay in processing application for hunting permit*

A farmer alleged that the Ministry of Environment and Tourism (MET) personnel failed to inspect her farm, after an application was submitted for the huntable game permit in March 2021, which means no action was taken by the Ministry's officials to visit her farm. The MET is required to inspect a farm upon receiving an application for the hunting of huntable game to confirm whether there is enough huntable game before issuing a hunting permit. The complainant applied in March 2021 and the hunting season even passed without the Ministry inspecting the complainant's farm. We had consultations with the ministry and the complainant and reminded the ministry of their duty in this regard. Subsequent to our consultations, an official from the ministry inspected the farm and a hunting permit was issued to the complainant in September 2021.

### *Delays in assigning a legal aid lawyer to inmate*

Three trial awaiting inmates alleged that they had applied for legal aid through the Ministry of Justice's Directorate of Legal Aid Services. They alleged that they paid the required administrative fee and their applications were subsequently approved. However, the complainants alleged that there was a long delay in assigning them with lawyers. They narrated that this delay has come at a cost to them as it meant; the commencement of their trials was further delayed. We took up the matter with the Directorate of Legal aid and lawyers were appointed, after our intervention.

### *Delays in processing deportation.*

The complainant is a Tanzanian national who had served a prison sentence and was due to be deported after serving his sentence. The complainant alleged that two months had passed since the completion of his sentence but he was still detained in police custody, allegedly awaiting deportation. The complainant alleged that he had not seen any signs of deportation being processed, he was not provided with any information, despite enquiring several times.

We consulted with the Chief Immigration Officer who informed us that the Complainant's deportation process was at an advanced stage. A week after our consultation was informed that the complainant was successfully deported.

### *Failure to provide document required for refund processing*

The complainant alleged that he overpaid on his monthly house installment with NHE, and tried numerous times to get a letter from his employer, the Ministry of Works and Transport to provide NHE with proof stating that he does not have any outstanding bond debt with the Government. This letter was said to be a condition of NHE processing the complainant's refund. The complainant alleged that he had been waiting for this written confirmation from his employer since 2020, to no avail. We took the matter up with the Ministry of Works and Transport's human resources and finance departments respectively. Few weeks after our intervention, the Ministry provided us with the letter which we then gave to the complainant. The complainant subsequently informed us that his refund was affected.

### *Failure to pay pension benefits*

A man alleged that he was appointed as an executor of his late sister's estate. He further stated that his sister was unmarried and had no children, and his (complainant's) children were nominated by their late aunt to receive her pension, upon her death. After the death of his sister, he on behalf of the minors approached GIPF and they informed him that in order for his children to receive the pension, complainant should provide a liquidation account. The complainant could not provide the account because the sister left no assets only the government pension. We approached the fund and it was discovered that there was in fact, no need for a liquidation account. The complainant was assisted and the children received their pension benefits.

### *Delays in paying out leave gratuity*

The complainant alleged that she had resigned from a certain ministry several months before approaching us, but her leave gratuity was not processed. We took up the matter with the Human Resources department of the Ministry, they informed us that they were gathering some relevant information from the complainant's previous employer, hence the delay. A few days after our intervention, the complainant informed us that the money was paid to her.

### *Failure to appoint right candidate to position*

In March 2021, a complainant alleged that alleges that she applied for a teaching position at a school in Hardap Region. She narrated that, she attended the interview and she emerged as the second-best candidate. It came to the complainants' attention that the candidate who scored highest in the interviews, turned down the job offer, leaving the complainant as next in line to be recommended for the job. However, despite this, the job was offered to the candidate who came third. She protested

the decision to the human resource department but she was not heard. Upon our intervention, we approached both the human resource department and the director of education in the region, to no avail. We then escalated the matter to the office of the Executive Director (ED) of the Ministry of Education, Arts and Culture. We were informed in April that the ED gave a directive for the complainant to be appointed to the position. We followed up with the Human Resource officials and established that the complainant was appointed.

## ENVIRONMENTAL MANDATE

The Constitutional and statutory duty of the Ombudsman with regard to the environment is to: "investigate complaints concerning the over-utilization of living natural resources, the irrational exploration and destruction of eco systems and failure to protect the beauty and character of Namibia." Great pressure is place on the environment due to poor waste management practices which inevitably lead to degradation of our environment. Therefore, waste disposal sites that are badly sighted, designated and separated, increase the risk of soil, water and atmospheric pollution.



# INSPECTION OF SOLID AND LIQUID WASTE MANAGEMENT SITES

## OTJOZONDJUPA REGION

### *Kalkfeld*

The dumping is not fenced off neither were there any warning or direction signs/boards. There are no designated areas for disposing of different types of waste and, illegal dumping is evident across the settlement.

We found drains without covers, blocked and overflowing. The officials at the resettlement office informed us that, residents steal the drain tops and throw solid objects into the drains, causing blockages. These blockages impact the settlement's waste management system.



### *Outjo*

Residents of the town are provided with domestic waste containers and these waste bins are removed on a weekly basis.

According to the Municipality, there is a waste management plan in place. The dumping site was however not fenced off and there was no signage. Illegal dumping is evident across the town, this is despite the fact that there are two designated dumping sites. We are two dumping sites; one in the location nearby the houses and one outside the town but both dumping sites were not fenced off until to date. Some residents collect food and other items from the dumping sites.



### *Coblentz*

The solid waste site is owned privately and not fenced off, neither does it have the required warning signs. The site is officially approved by the responsible authorities and an EIA completed. The community informed us that waste is not removed/ collected on a regular basis and resulted in households burning waste anywhere. The septic tank is situated at the Police station and is owned by a private contractor. The management and maintenance are therefore a problem, overflowing and blocking.



## Grootfontein

The approved dumping site is situated 5km out of the town area; the dumping site has no fence or sign board. The road is easy to access and not well maintained. We found five people who informed us that they live at the dumping site.



The town has a septic dam; the area surrounding the dam is unsecured. We also found that children swim in the dam, which could be fatal as they may drown.

# ZAMBEZI REGION

## Katima Mulilo

Despite having designated dumping sites for both solid and liquid waste, the sites are not properly managed. We found the solid waste site overflowing with litter and the waste appeared to have been there for a very long time. The area



surrounding the liquid waste site is not regularly cleaned, as was evident by vegetation such as tall grass, small trees and weeds.

## Bukalo

The solid and liquid waste sites are easily accessible by both humans and animals as it was not fenced off. Untreated and dry sludge and sewage spillage was found on the grounds, there is no supervision at the site to protect the infrastructure and to assist with the segregation of solid waste. All these sites pose serious health hazards to the inhabitants of Katima Mulilo and place immense pressure on the environment because of poor waste management practices which inevitably lead to degradation of our environment. Waste disposal sites that are badly sited, designated and operated increase the risk of soil, water and atmospheric pollution inevitably causing damage to the environment.



We informed the leadership of both the Katima Mulilo Town Council the Bukalo Village council of our findings and concerns. We were informed by the Katima Mulilo Town Council that plans were under way to rehabilitate the dumpsite and that an area of land had already been identified, 15 KM out of town. The Bukalo Village Council had not provided us with a response at the time of compiling this report. Subsequent to our consultations, the Ministry of Environment and Tourism closed down Katima Mulilo's dump site.

# OHANGWENA REGION

## Helao Nafidi



The town has two modern purification plants situated approximately four kilometers east of town area and one situated at about five kilometers west of Oshikango. There is a security guard and care taker employed at the site. The warning or prohibition signage is properly erected and legible. Both the sewage pump station and water purification plants are completely fenced off.

The raw sewage is received by two pumps at the purification plant and then pumped to the sewage water purification plant. Solid waste such as paper are excluded and dried at the point of entry, after being dried up, they are discarded at the solid waste dumping site. The final effluent/semi purified water is then chlorinated and released into the reservoir for irrigation or car wash purposes.

The town however still experiences problems with regards to solid waste management. The current site has no security guard and the gate is unlocked. An area has been identified for this purpose but at the time of our visit on 08 June 2021, the clearance certificate for the identified site had not yet been issued.

## Eenhana

The liquid waste site is adequately fenced off and the gate was found locked with a padlock. There were prohibition signs displayed around the site. Reeds that grow in abundance are not cleared. There is no water treatment taking place at the site. The ponds have been properly constructed and are lined with thick plastic. We found that the sewage from the ponds is overflowing but it was within the parameters of the fence. As is depicted in the image, a pile of sand was placed around the ponds to prevent the water from flowing into the fields.

The solid waste site is located almost next to the liquid sites, a security officer found at the site, the site is fenced off but the gate was found unlocked. It was evident that segregation and recycling is taking place on the site. Expired food discarded by local shops is destroyed through burning.



# MANAGEMENT SERVICES AND ADMINISTRATION



Advocate: Basilius Dyakugha

## New appointments and termination of service

Advocate John Walters left the employ of the office on 30 September 2021, after serving for 17 years as Ombudsman.



Mr. Titus Mupo was appointed as the Ombudsman's Personal Assistant with effect from 01 December 2021

Advocate Basilius Maketo Dyakugha was appointed as Ombudsman, with effect from 01 October 2021. Prior to his appointment as Ombudsman, Adv. Dyakugha served as the Chief/Head of the Directorate, Law Reform in the Ministry of Justice and Secretary to Law Reform and Development Commission of Namibia.

Ms. Ingrid Husselmann who previously served as Children's Advocate was appointed in the position of Chief, with effect from 01 January 2022.

## Financial resources

Description	Amount (N\$)
Financial year	<b>2020/2021</b>
Personnel expenditure	15,678,944.14
Employees contribution to GIPF	1,998,073.17
Leave gratuity	171,379.77
Employers' contribution to social security	40,790.07
Travel and Subsistence allowance	431,947.20
Office refreshments	13,676.94
Membership fees and subscriptions	114,840.40
<b>Total appropriation</b>	<b>18,439,651.69</b>

## Logistical resources

The office has a fleet of 11 motor vehicles, these include sedans and light delivery vehicles. These vehicles are used for daily operations such as deliveries, attending meetings and for long distance trips. The vehicles are spread across the regional offices as follows:

OFFICE	DESCRIPTION OF VEHICLE
Ongwediva	4X4 bakkie & sedan
Katima Mulilo	4X4 bakkie
Otjiwarongo	4X4 bakkie
Keetmanshoop	4X4 bakkie & Sedan
Swakopmund	4X4 bakkie & sedan
Windhoek	4X4 bakkie & 2 sedans





### *Information Technology*

Staff members in Windhoek as well as the entire regional offices have access to the main server and the computerized case management system as well as e-mail and internet facilities. The office website, [www.ombudsman.org.na](http://www.ombudsman.org.na), is updated and maintained regularly, as is the Facebook page. As was alluded to in the beginning of this report, staff had difficulties with IT services in 2021 with the server regularly crashing and staff being forced to use their personal email accounts due to the official email service malfunctioning.

### *Office support systems*

- A switchboard with adequate incoming and outgoing lines is in use at head office in Windhoek, while one each, is in use across our regional offices. Three fax machines are in use at head office in Windhoek and one each at the regional offices.
- All staff members have access to computers and complaints investigators and some administrative staff are issued with laptops and cellular phones.

### *Stock control*

Stock registers and inventories at both head office and the regional offices are updated on a regular basis. Materials and supplies which were budgeted for were mostly acquired, however, the unstable budget situation impacted significantly on other areas of expenditure.

### *Office accommodation*

The office occupies a leased building on the corner of Feld and Lossen Streets in Windhoek since January 2009, with regional offices in Keetmanshoop, Oshakati (Ongwediva) and Swakopmund. The Ministry of Justice took over

the responsibility for the monthly rental of the Head Office of the Ombudsman and it is currently up to date. The construction of the Keetmanshoop office is complete and the staff has since moved in. the completion of the Keetmanshoop office means that the Ombudsman now owns two office buildings, the other one being in Ongwediva.

### *Information Technology*

Staff members in Windhoek as well as the regional offices have access to the main server and the computerized case management system as well as e-mail and internet facilities. The office website, [www.ombudsman.org.na](http://www.ombudsman.org.na), is un-operational since January 2021 due to the contract with the service provider having expired. After a drawn-out process, the Ministry of Justice finally appointed a new service provider to design and host the Ombudsman website as well as to deal with all IT related matters of the office. However, at the time of compiling this report, the service provider has not commenced with their duties yet.

### *Regional offices*

The Ombudsman believes that all persons have a right to complain and a right of access to the Ombudsman. In a bid to make the services of the Ombudsman accessible to all Namibians, the Ombudsman has five fully - functional regional offices. We recognize the fact that most of the citizens that make use of our services hail from previously disadvantaged backgrounds, and as such are unable to access us through email or telephones. Having offices strategically placed in all corners of the country helps we reach those who could otherwise not afford to do so. We have Offices in Katima Mulilo, Keetmanshoop, Otjiwarongo, Swakopmund and Otjiwarongo. Complainants are encouraged to express themselves in their mother tongue as we have a diverse staff complement across our regional offices.

## *Swakopmund*

The Swakopmund Office caters for the Erongo Region as well as parts of the Kunene Region. The staff complement of six includes; a chief complaints investigator, a senior complaints investigator, a senior administrative officer and a cleaner. The contribution of the Swakopmund office is noted under various sections throughout this report.

## *Ongwediva*

Established in 2005, the Ongwediva office caters for the far northern regions of the country. There are five staff members, namely; a chief complaints investigator, two complaints investigators, a senior administrative officer and a cleaner. The Ongwediva office investigators also conduct intake in the Kunene and Kavango regions, when the need arises. The contribution of the Ongwediva office is highlighted throughout this report, the complaint intake schedule at the end of this report showcases the regions and places visited throughout the year.

## *Keetmanshoop*

The Keetmanshoop office has a staff complement of four, namely; a chief complaints investigator, one complaints investigator, a senior administrative officer and a cleaner. This office caters for the //Karas region and parts of the Hardap Region. The Keetmanshoop office, along with Ongwediva office are the oldest regional offices, they were both established in 2005. The Keetmanshoop investigators regularly monitor the police holding cells at the Noordoewer border. The contributions of the office are highlighted in various aspects of this report. In 2021 we opened the doors of a brand-new office building.

## *Otjiwarongo*

The Otjiwarongo office was established in 2017 and serves the Otjozondjupa and parts of the Kunene regions. The staff complement at Otjiwarongo is three, this include; a Chief complaints investigator, a senior complaints investigator and a senior administrative officer. As previously allude to, office space at Otjiwarongo remains a challenge as the staff is currently accommodate in the Ministry of Education Arts and Culture building. Despite this challenge, the office is equipped with the necessary IT infrastructure and is fully functional. (Ask Ombudsman where it should belong)

## *Katima Mulilo*

The Katima Mulilo office began operations in February 2019. There are three staff members, these include two Complaints Investigators and a senior Administrative Officer. The office is located within the Zambezi Regional Council building. The staff of the Katima Mulilo office also serve the two Kavango Regions.

# SPECIAL EVENTS AND PUBLIC EDU- CATION/OUTREACH ACTIVITIES

## *Launch of the 30th Ombudsman Anniversary Booklet*

To celebrate the 30th anniversary of the Ombudsman institution, the Ombudsman drafted a commemorative booklet which was printed with the generous financial support of the Hanns Seidel Foundation. The booklet was launched on 18 May 2021 where the Ombudsman, former Ombudswoman Bience Gawanas and former Deputy Ombudsman, Efraim Kasuto addressed the audience.



## *Official opening of Keetmanshoop office*

The new Ombudsman Keetmanshoop office was officially inaugurated by //Kharas Regional Governor, Hon. Aletta Fredericks. The Ombudsman remains committed to serving the Namibian people and to being accessible all across the country. There are currently five regional Ombudsman offices in Keetmanshoop,

Ongwediva, Swakopmund, Otjiwarongo and Katima Mulilo.



## *Public hearings and workshop with Persons with Albinism (PWA)*

The Ombudsman in collaboration with Ms Shirley Gunn from the Human Rights Media Centre, Cape Town organized a workshop with PWA with the theme: "Understanding Albinism: Equipping ourselves with knowledge and resources to share with others for advocacy." The workshop which was held in Windhoek on 27 September 2021 brought together 32 participants and it was facilitated by Ms. Gunn. Each participant received a copy of the book: "Understanding Albinism: An inherited and manageable condition and disability".

Hon. Alexia Manombe-Ncube, Deputy Minister for Disability Affairs delivered the keynote address. She said inter alia the following:

*"Persons with albinism deserve to have their right to life and security protected as well as the right not to be subjected to torture and ill treatment. Education and awareness raising campaigns should be intensified in order to help combat superstition and stigma associated with Albinism.... Thank you, Ms. Gunn, for your commitment to raise awareness on albinism and for availing yourself to be here today. I am impressed with the effort that was made by the Office of the Ombudsman since 2019 to dig deeper*





*into understanding Albinism and to raise awareness about Albinism among persons with disability and the public.... The Directorate (of Disability Affairs) plans to develop a National Albinism Action Plan."*



The topics of the workshop speak to the heart of the challenges faced by PWA. They are: How does albinism affect the eyes? How does albinism affect the skin? Is albinism a disability? Special Schooling vs Mainstream Schooling; Dealing with discrimination and name-calling and Public education and awareness raising. What needs to be done?

The workshop was conducted in a participatory manner, was very informative and the attendees left the workshop with a better understanding about albinism. The contributions of the participants are included in the report, which we will make available soon.

### *Summary of albinism report*

The purpose of the report was to consolidate the findings dating back to 2018 on the issues affecting persons with albinism in Namibia. Persons with albinism were the primary source of information for the report. The findings emanated from submissions made by the workshop and public hearing attendees. It is interesting to note

that parents of persons with albinism might not have albinism themselves; this has created a new type of discrimination against the parents who are called names and treated unfairly within their communities, for the sole reason of bearing children with albinism. The report further provides recommendations for various stakeholders.

## INTERNATIONAL COOPERATION AND RELATIONSHIP WITH OTHER OMBUDSMAN INSTITUTIONS, NATIONAL HUMAN RIGHTS INSTITUTIONS (NHRIS) AND OTHER STAKEHOLDERS

Namibia's Ombudsman is a member of the International Ombudsman Institute (I.O.I), the African Ombudsman Research Centre (AORC), and International and Regional Human Rights Networks. Our participation in the activities of the above-mentioned organizations optimizes our knowledge and skills and enables us to better serve Namibia. The International Ombudsman Institute (IOI) was established in Canada in 1978, the IOI is the only global ombudsman organization, with a membership of almost 200 independent institutions from more than 100 countries.

In compliance with the requirements of the Principles relating to the status of national human

rights institutions (the Paris Principles) and the Bylaws of the International Ombudsman Institute to cooperate with fellow Ombudsman institutions, NHRIs and international and regional bodies, the Ombudsman of Namibia participated in the events and meetings via zoom hosted by the institutions mentioned above. These events strengthened relations between Ombudsmen and NHRIs and allowed the sharing of useful information to enhance the work of Ombudsman Offices and NHRIs throughout the world.

### *African Ombudsman Research Centre*

On the invitation of AORC, the Ombudsman of Namibia facilitated the Webinar discussion on the UN Resolution on Ombudsman and Mediators on 23 February 2021. As a Board Member of AORC, he also attended the 21st AORC Board meeting on 14 May 2021 Meeting which was held virtually.

On 21 September 2021, again on the invitation of AORC the Ombudsman participated in a facilitated discussion on Strengthening the Mandate of the Ombudsman which was held virtually. In his presentation on "The most practical and effective tool to empower the Ombudsman to execute their mandate optimally," he stated inter alia:

"First and foremost, the legislation must give the Ombudsman all the powers that are necessary to adequately fulfill his/her mandate. In order to ensure the effective functioning of the Ombudsman, his/her mandate must first be inscribed either in the Constitution or the enabling legislation. The mandate must be clearly defined in the enabling legislation.

### *International Ombudsman Institution (I.O.I)*

On invitation of the President of the I.O.I, the Ombudsman participated in the World Conference of the I.O.I which was held on 26 May 2021, virtually. The Ombudsman chaired the workshop

on "Minority Ethnic Groups and First Peoples, and he delivered a presentation on the Indigenous Peoples of Namibia" where he inter alia stated:

"I make the case that everyone has the right to complain and the right of access to the Ombudsman. It is poor consolation for a person to know that he/she has the right to complain to the Ombudsman but cannot exercise that right because the Ombudsman is inaccessible. For these reasons we established regional offices in different parts of the country. We follow an annual complaint intake clinic programme whereby complaints investigators visit all towns, villages and settlements in their area of jurisdiction to conduct complaint in-take clinics, visit schools and places of detention and hold community meetings. Together they travel not less than 85 000km per year to reach even the most remote communities; who would otherwise not have the opportunity to raise their voices."

Following this presentation Ms. Collette Langlois, the Northwest Territories Ombudsman of Canada requested the Ombudsman of Namibia to share his best practice with her, which the Ombudsman did.

### *International and Regional Human Rights Networks*

On 18 March 2021, the Ombudsman attended the Annual Meeting of the Commonwealth Forum of National Human Rights Institution (CFNHRI) which was held virtually. On 29 June 2021, the Ombudsman also attended the Global Alliance of National Human Rights Institution (GANHRI) Bureau Meeting which was also held virtually.

### *Parliament*

The Paris Principles relating to the status on Human Rights Institutions of 1993, inter alia require that the Ombudsman as a status "A" accredited NHRI should cooperate and advise Parliament. In fulfillment of this requirement, the Ombudsman

submitted his Annual report to the National Assembly as required by the Ombudsman Act, No 7 of 1990. The Ombudsman also cooperated as follows with the National Assembly:

### *Parliamentary Standing Committee on Constitutional and Legal Affairs*

On 27 May 2021 the Ombudsman attended a Stakeholders Consultation Workshop of the Standing Committee in Tsumeb. The Ombudsman addressed the members of the Committee on the mandate of the Ombudsman, functions, achievements, challenges, solutions and collaboration with Parliament and the Standing Committee. The Ombudsman proposed the following solutions to his challenges:

- The speedy adoption of the new Ombudsman Bill, which will not only strengthen the mandate and powers of the Ombudsman, but will give expression to the independence of the Ombudsman as guaranteed in the Namibian Constitution;
- The Bill proposes to delink the Ombudsman from the Ministry of Justice, where the Ombudsman office was for the past 31 years like a directorate.
- The Bill also proposes that the Ombudsman needs to be assisted by a Deputy Ombudsman;
- The Ombudsman also informed the Parliamentary Committee that no vacancy must be frozen but rather all vacancies should be filled in a reasonable time;
- the office needs a specialized unit for human rights promotion, research, advocacy, outreach, monitoring, documentation and awareness raising;
- The office needs an environmental specialist to give justice to the environmental mandate of the Ombudsman;
- The office needs at least one more social worker;

- Compulsory human rights and tolerance education in schools.

### *Induction program for members of the National Assembly*

The Ombudsman attended the "Induction program for members of the National Assembly on 24 February 2021 on the invitation of the Speaker of the National assembly." He delivered a presentation on "Human Rights and the Constitution.

### *Civil Society Organizations, Non-Governmental Organizations and other Bodies*

In compliance with the Paris Principles which require that the Ombudsman should cooperate with civil society and the Government, the Ombudsman participated at the following events and meetings:

### *Civil Society Organisations' Workshops*

On the 9th of February 2021, the Ombudsman attended the above-mentioned workshop on the invitation of Mr. Uhuru Dempers and said the following:

*"For many Namibians the "reality" of the Namibian Constitution may often be remote. Under conditions of poverty, unemployment, crime, and lack of development; strong Government action becomes a priority. The Namibian Constitution cannot eradicate poverty, create employment, provide food, housing, water, sanitation, health care and education or delivers development; this is government's task."*

### *Stakeholder's Consultation Meeting with the Wages Commission*

On invitation of the Chairperson of the Wages Commission, the Ombudsman on 15 April 2021 delivered a presentation on "A national minimum wage, fundamental human rights and principles of state policy.



*Workshop with civil society organization  
on the Combating of Discrimination,  
Discriminatory Harassment and Hate  
Speech Bill*

With the assistance of the Ministry of Justice and Sisters for Change, a UK based NGO, a Bill on Combating of Discrimination, harassment and Hate Speech was developed. The Ombudsman arranged a workshop which was held on 28 May 2021 where civil society organisations were invited to participate and to give their input



on the Bill. The workshop was attended by a significant number of participants representing various interest groups. The contributions of the participants were included in the final draft which was submitted to the Minister of Justice for further action.





# STAKEHOLDER ENGAGEMENT IN PICTURES

Since taking office on 01 October 2021, Advocate Basilius Dyakugha emphasized the importance of collaboration and working closely with stakeholders. It is with this in mind that the Ombudsman had courtesy visits with various stakeholders ranging from the police, church representative and civil society organisations. The meetings were not simply for introductory purposes but also for the Ombudsman to share his plans and vision for the office. Below are some of the institutions that met with the Ombudsman.



Ombudsman, Adv. Basilius Dyakugha with members of Namibia Agricultural Union



The Ombudsman and staff with the leader of the official opposition, Mr. Mchenry Venaani



Lt. General Sebastian Ndeitunga with the Ombudsman



Freya Gruenhagen, country representative of FES pays a courtesy visit to the Ombudsman



The Ombudsman with Minister of Gender Equality, (2nd from right) Poverty Eradication and Social Welfare, Doreen Sioka with senior staff



The Ombudsman and senior staff with the Director of KAS Namibia (3rd from right) Natalie Russmann



# Complaints Intake Schedules

Below is a depiction of our annual intake program that sees complaints investigators travel across the country in order to raise awareness, monitor places of detention, conduct investigations and follow-ups, inspect solid and liquid management waste sites, consult with regional leaders, as well as take up complaints.

## Windhoek: Head Office

PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	VENUE
<b>Rehoboth</b>								
<b>Police Cells</b>		5(9H00-12H00)			9(9H00-12H00)			Police Station
<b>Solid &amp; Liquid Waste Dumpsite</b>		5(12H00-13H00)			9(12H00-13H00)			Site visit
<b>Community</b>		5(14H00-16H00)						Constituency Office
<b>Groot Aub</b>								
<b>Solid &amp; Liquid Waste Dumpsite</b>		6(09H00-10H00)			10(09H00-11H00)			Site visit
<b>Community</b>		6(10H30-13H00)						Constituency Office
<b>Dordabis</b>								
<b>Police Cells</b>		7(09H00-12H00)			11(9H00-12H00)			Police Station
<b>Solid &amp; Liquid Waste Dumpsite</b>		7(12H00-13H00)			11(12H00-13H00)			Site visit
<b>Community</b>		7(14H00-16H00)						Constituency Office
<b>Omitara</b>								
<b>Police Cells</b>		10(9H00-12H00)			12(9H00-12H00)			Police Station
<b>Solid &amp; Liquid Waste Dumpsite</b>		10(12H00-13H00)			12(12H00-13H00)			Site visit
<b>Community</b>		10(14H00-15H30)						Constituency Office
<b>Seeis</b>								
<b>Police Cells</b>		8(09H00-12H00)			13(09H00-11H00)			Police Station
<b>Solid &amp; Liquid Waste Dumpsite</b>		8(14H00-15H30)			13(14H00-15H30)			
<b>Okahandja</b>								
<b>Police Cells</b>		11(9H00-12H00)			16(9H00-12H00)			Police Station
<b>Solid &amp; Liquid Waste Dumpsite</b>		11(12H00-13H00)			16(14H00-15H30)			Site visit
<b>Community</b>		11(14H00-15H30)						Constituency Office
<b>Ovitoto</b>								
<b>Police Cells</b>		12(9H00-12H00)			17(09H00-12H00)			Police Station



PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	VENUE
<b>Solid &amp; Liquid Waste Dumpsite</b>		12(12H00-13H00)			17(14H00-15H30)			Site visit
<b>Community</b>		12(14H00-15H30)						Constituency Office
<b>Hochfeld</b>								
<b>Police Cells</b>		14(09H00-12H00)			18(9H00-12H00)			Police Station
<b>Hochfeld</b>								
<b>Solid &amp; Liquid Waste Dumpsite</b>		14(12H00-13H00)			18(14H00-15H00)			Site visit
<b>Community</b>		14(14H00-15H30)						Constituency Office
<b>Windhoek</b>								
<b>WHK Correctional Facility</b>	12(09H00-13H00)			5(09H00-13H00)				WHK Corr Fac.
<b>WHK Police Cells</b>	13(09H00-13H00)			6(09H00-13H00)				WHK Police Station
<b>Wanaheda Police Cells</b>	14(09H00-13H00)			7(09H00-13H00)				Wanaheda Police Station
<b>Otjomuise Police Cells</b>	15(9H00-11H00)			8(9H00-11H00)				Otjomuise Police Station
<b>Klein WHK Police Cells</b>	15(14H00-16H00)			8(14H00-16H00)				Klein Windhoek Police Station
<b>Solid &amp; Liquid Waste Dumpsite</b>	16(09H00-12H00)			9(9H00-12H00)				Site visit
<b>Omaheke</b>								
<b>Transkalahari</b>								
<b>Police Cells</b>			7(9H00-12H00)		2(9H00-12H00)			Police Station
<b>Immigration</b>			7(14H00-15H00)					Immig. Offices
<b>Solid &amp; Liquid Waste Dumpsite</b>			7(12H00-13H00)		2(14H00-16H00)			Site visit
<b>Community</b>			7(14H00-16H00)					Constituency Office
<b>Gobabis</b>								
<b>Police Cells</b>			8(8H00-13H00)		3(08H00-13H00)			Police Station
<b>Prison</b>			8(8H00-13H00)		3(8H00-13H00)			Gobabis Corr. Fac.
<b>Community</b>			8(14H00-16H30)					Epaku Munici.
<b>Solid &amp; Liquid Waste Dumpsite</b>			8(14H00-15H00)		3(14H00-15H30)			Site visit
<b>Leonardville</b>								
<b>Police Cells</b>			9(9H00-12H00)		4(9H00-13H00)			Police Station
<b>Community</b>			9(14H00-16H00)					Constituency Office
<b>Solid &amp; Liquid Waste Dumpsite</b>			9(12H00-13H00)		4(14H00-16H00)			Site visit
<b>Plessis Plaas</b>								
<b>Police Cells</b>			10(9h00-12h00)		5(9H00-13H00)			Police Cells

PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	VENUE
Community			10(14H00-16H00)					Constituency Office
Solid & Liquid Waste Dumpsite			10(12H00-13H00)		5(14H00-16H00)			Site visit
Skoonheid								
Community			11		6			Constituency office
Talismanus								
Police Cells			14(9H00-12H00)		9(9H00-13H00)			Police Cells
Talismanus								
Community			14(14H00-16H00)					Constituency Office
Solid & Liquid Waste Dumpsite			14(12H00-13H00)		9(14H00-16H00)			Site visit
Epikuro Post3								
Police Cells			15(9H00-12H00)		10(09H00-13H00)			Police Station
Community			15(14H00-16H00)					Constituency Office
Solid & Liquid Waste Dumpsite			15(12H00-13H00)		10(14H00-16H00)			Site visit
Otjinene								
Police Cells			16(9H00-12H00)		11(09H00-12H00)			Police Station
Community			16(14H00-16H00)					Constituency Office
Solid & Liquid Waste Dumpsite			16(12H00-13H00)		11(14H00-15H30)			Site Visit
Aminuis								
Police Cells			17(9H00-12H00)		12(09H00-12H00)			Police Station
Community			17(14H00-16H00)					Constituency Office
Solid & Liquid Waste Dumpsite			17(12H00-13H00)		12(14H00-15H30)			Site visit
Hardap								
Gibeon								
Police Cells				5(9H00-12H00)	30(09H00-13H00)			Police Station
Community				5(14H00-16H00)				Constituency Office
Solid & Liquid Waste Dumpsite				5(12H00-13H00)	30(14H00-16H00)			Site visit
Maltahohe								
Police Cells				6(9H00-12H00)	31(9H00-13H00)			Police Station
Community				6(14H00-16H00)				Constituency Office
Solid & Liquid Waste Dumpsite				6(12H00-13H00)	31(14H00-16H00)			Site visit
Mariental								
Police Cells				7(08H00-13H00)		1(9H00-13H00)		Police Station

PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	VENUE
<b>Hardap Correctional Fac.</b>				8(08H00-13H00)		1(09H00-13H00)		Hardap Correctional Fac.
<b>Community</b>				7(14H00-16H30)				
<b>Solid &amp; Liquid Waste Dumpsite</b>				8(14H00-15H30)		1(14H00-16H00)		Site visit
<b>Stampriet</b>								
<b>Police Cells</b>				9(9H00-12H00)		2(09H00-12H00)		Police Station
<b>Stampriet</b>								
<b>Community</b>				9(14H00-16H00)				Constituency Office
<b>Solid &amp; Liquid Waste Dumpsite</b>				9(12H00-13H00)		2(12H00-15H00)		Site visit
<b>Aranos</b>								
<b>Police Cells</b>				12(9H00-12H00)		3(09H00-12H00)		Police Station
<b>Community</b>				12(14H00-16H00)				Constituency Office
<b>Solid &amp; Liquid Waste Dumpsite</b>				12(12H00-13H00)		3(12H00-15H00)		Site visit
<b>Gochas</b>								
<b>Police Cells</b>				13(9H00-12H00)		6(9H00-12H00)		Police Station
<b>Community</b>				13(14H00-16H00)				Constituency office
<b>Solid &amp; Liquid Waste Dumpsite</b>				13(12H00-13H00)		6(12H00-15H00)		Site Visit
<b>Hoachanas</b>								
<b>Police Cells</b>				14(9H00-12H00)		7(9H00-12H00)		Police Station
<b>Community</b>				14(14H00-16H00)				Constituency office
<b>Solid &amp; Liquid Waste Dumpsite</b>				14(12H00-13H00)		7(12H00-15H00)		Site visit
<b>Schlip/kalkrand</b>								
<b>Police Cells</b>				15(09H00-12H00)		8(9H00-12H00)		Police Station
<b>Schlip/Kalkrand</b>								
<b>Community</b>				15(14H00-16H00)				Constituency office
<b>Solid &amp; Liquid Waste Dumpsite</b>				15(12H00-13H00)		8(12H00-15H00)		Site visit



# Swakopmund Regional Office

PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	VENUE
<b>Swakopmund Constituency</b>								
<b>Swakopmund (Prison)</b>	Swakopmund Correctional Facility 14/04/2021 09H00 – 13H00				Swakopmund Prison 23/08/2021 09H00 – 13H00			
<b>Swakopmund (Police Cells)</b>	Swakopmund Police Station 15/04/2021 09H00 – 13H00				Swakopmund Police Station 24/08./2021 09H00 – 13H00			
<b>Swakopmund (Municipality)</b>	Solid & Liquid Waste Sites 16/05/2021 10H00 – 13H00				Solid & Liquid waste sites 25/08/2021 10H00 – 13H00			
<b>Arandis Consituency</b>								
<b>Henties Bay (Police cells)</b>	Hentiesbay Police Station 26/04/2021 11h00 – 13h00				Hentiesbay Police Station 30/08/2021 11h00 – 13h00			
<b>Henties Bay (Community)</b>	Hentiesbay Community Hall 26/04/2021 14h00 – 16h00				Hentiesbay Community Hall 30/08/2021 14h00 – 16h00			
<b>Hentiesbay (Municipality)</b>	Solid & Liquid Waste Sites 27/04/2021 10h00 – 12h00				Solid & Liquid Waste Sites 31/08/2021 10h00 – 12h00			
<b>Daures Constituency</b>								
<b>Uis (Police Holding Cells)</b>		Uis Police Station 17/05/2021 09h00 – 11h00			Uis Police Station 09/08/2021 09h00 – 11h00			
<b>Uis (Solid &amp; Liquid Waste Dumpsites)</b>		Solid & Liquid Waste Sites 17/05/2021 11h00 – 13h00			Solid & Liquid Waste Sites 09/08/2021 11h00 – 13h00			
<b>Uis (Community)</b>		Uis Constituency Office 17/05/2021 14h00 – 17h00			Solid & Liquid Waste Sites 09/08/2021 11h00 – 13h00			
<b>Okombahe (Community)</b>		Okombahe Constituency Office 18/05/2021 09h00 – 12h00			Okombahe Constituency Office 10/08/2021 09h00 – 12h00			
<b>Tubuses (Community)</b>		Tubusis Community Hall 18/05/2021 14h00 – 17h00			Tubusis Community Hall 10/08/2021 14h00 – 17h00			
<b>Otjiperongo (Community)</b>		Otjiperongo Constituency Office 19/05/2021 09h00 – 12h00			Otjiperongo Constituency Office 11/08/2021 09h00 – 12h00			

PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	VENUE
<b>Omatjete (Community)</b>		Omatjete Community Hall 19/05/2021 14h00 – 17h00			Omatjete Community Hall 11/08/2021 14h00 – 17h00			
<b>Omaruru Constituency</b>								
<b>Omaruru (Police Holding Cells)</b>		Omaruru Police Station 20/05/2021 08h00 – 11h00			Omaruru Police Station 12/08/2021 08h00 – 11h00			
<b>Omaruru (Municipality)</b>		Solid & Liquid Waste Sites 20/05/2021 11h00 – 13h00		Round table discussion CEO Omaruru 20/07/2021	Solid & Liquid Waste Sites 12/08/2021 11h00 – 13h00			
<b>Omaruru (Community)</b>		Omaruru Constituency Office 20/05/2021 14h00 – 17h00			Omaruru Constituency Office 12/08/2021 14h00 – 17h00			
<b>Omaruru (Prison)</b>		Omaruru Correctional Facility 21/05/2021 09h00 – 13h00			Omaruru Correctional Facility 13/08/2021 09h00 – 13h00			
<b>Walvis Bay Urban Constituency</b>								
<b>Walvisbay (Prison)</b>		Walvisbay Correctional Facility 05/05/2021 09H00 – 13H00			Walvisbay Correctional Facility 04/08/2021 09H00 – 13H00			
<b>Walvisbay (Police cells)</b>		Walvisbay Police Station 06/05/2021 09H00 – 11H00		Round table discussion Nampol Erongo Regional Headquarters 13/07/2021	Walvisbay Police Station 05/08/2021 09H00 – 11H00			
<b>Narraville (Police Cells)</b>		Narraville Police Station 06/05/2021 11H00 – 13H00			Narraville Police station 05/08/2021 11H00 – 13H00			
<b>Walvisbay (Solid &amp; Liquid Waste Sites)</b>		Solid & Liquid Waste Sites 07/05/2021 11h00 – 13h00			Solid & Liquid waste sites 06/08/2021 11h00 – 13h00			
<b>Karibib Constituency</b>								
<b>Otjimbingwe (Settlement Office)</b>			Solid & Liquid Waste Sites 07/06/2021 10h00 – 12h00			Solid & Liquid Waste Sites 06/09/2021 10h00 – 12h00		
<b>Otjimbingwe (Community)</b>			Otjimbingwe Settlement Office 07/06/2021 12h00 – 16h00			Otjimbingwe Settlement Office 06/09/2021 12h00 – 16h00		
<b>Karibib (Police Holding Cells)</b>			Karibib Police Station 08/06/2021 08h00 – 11h00			Karibib Police Station 07/09/2021 08h00 – 11h00		

PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	VENUE
<b>Karibib (Town Council)</b>			Solid & Liquid Waste Sites 08/06/2021 11h00 – 13h00			Solid & Liquid Waste Sites 07/09/2021 11h00 – 13h00		
<b>Karibib (Community)</b>			Karibib Constituency Office 08/06/2021 14h00 – 17h00			Karibib Constituency Office 07/09/2021 14h00 – 17h00		
<b>Usakos (Police holding cells)</b>			Usakos Police Station 09/06/2021 08h00 – 11h00			Usakos Police Station 08/09/2021 08h00 – 11h00		
<b>Usakos (Town Council)</b>			Solid & Liquid Waste Sites 09/06/2021 11h00 – 13h00			Solid & Liquid Waste Sites 08/09/2021 11h00 – 13h00		
<b>Usakos (Community)</b>			Usakos Youth Hostel 09/06/2021 14h00 – 17h00			Usakos Youth Hostel 08/09/2021 14h00 – 17h00		
<b>Spitzkoppe (Community)</b>			Spitzkoppe Community Trust Office 10/06/2021 09h00 – 13h00			Spitzkoppe Community Trust Office 09/09/2021 09h00 – 13h00		
<b>Arandis Constituency</b>								
<b>Arandis (Police holding cells)</b>			Arandis Police Station 11/06/2021 09h00 – 11h00			Arandis Police Station 10/09/2021 09h00 – 11h00		
<b>Arandis (Solid &amp; Liquid Waste Dumping Sites)</b>			Solid & Liquid Waste Sites 11/06/2021 11h00 – 13h00			Solid & Liquid Waste Sites 10/09/2021 11h00 – 13h00		
<b>Arandis (Community)</b>			Arandis Constituency Office 11/06/2021 14h00 – 16h00			Arandis Constituency Office 10/09/2021 14h00 – 16h00		
<b>Kunene South</b>								
<b>Anker (Community)</b>			Anker Community Hall 21/06/2021 09h00 – 12h00			Anker Community Hall 20/09/2021 09h00 – 12h00		
<b>Kamanjab (Police holding cells)</b>			Kamanjab Police Station 21/06/2021 14h00 – 16h00			Kamanjab Police Station 20/09/2021 14h00 – 16h00		
<b>Kamanjab (Community)</b>			Kamanjab Community Hall 22/06/2021 09h00 – 12h00			Kamanjab Community Hall 21/09/2021 09h00 – 12h00		
<b>Fransfontein (Police Holding Cells)</b>			Fransfontein Police Station 22/06/2021 14h00 – 16h00			Fransfontein Police Station 21/09/2021 14h00 – 16h00		



PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	VENUE
<b>Fransfontein (Community)</b>			Fransfontein Community Hall 23/06/2021 09h00 – 11h00			Fransfontein Community Hall 22/09/2021 09h00 – 11h00		
<b>Fransfontein (Town Council)</b>			Solid & Liquid Waste Sites 23/06/2021 11h00 – 13h00			Solid & Liquid Waste Sites 22/09/2021 11h00 – 13h00		
<b>Khorixas (Police holding cells)</b>			Khorixas Police Station 23/06/2021 14h00 – 17h00			Khorixas Police Station 22/09/2021 14h00 – 17h00		
<b>Khorixas (Town Council)</b>			Solid & Liquid Waste Sites 24/06/2021 09h00 – 11h00	Round table discussion CEO Khorixas 27/07/2021		Solid & Liquid Waste Sites 23/09/2021 09h00 – 11h00		
<b>Khorixas (Community)</b>			Khorixas Community Hall 24/06/2021 12h00 – 16h00			Khorixas Community Hall 23/09/2021 12h00 – 16h00		

## Ongwediva Regional Office

PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER
<b>Kunene Region</b>							
<b>Okanguati Constituency</b>		10/5/2021 Okanguati Police 10:00-13:00			02/8/2021 Okanguati Police 10:00-13:00		
<b>Okanguati Constituency</b>		11/5/2021 Otjiyandjasemo 10:00-13:00			03/8/2021 Ohaiwa 10:00-13:00		
<b>Okanguati Constituency</b>		12/5/2021 Otjomuro 10:00-13:00			04/8/2021 Otjikoyo 10:00-13:00		
<b>Opuwo Constituency</b>		14/5/2021 Opuwo Police 09:00-13:00 Town Council 14:00-16:00			05/8/2021 Opuwo Police 09:00-13:00		
<b>Oshana Region</b>							
<b>Onamutayi Constituency</b> <b>Day trip</b>	12/4/2021 Ongwediva Police 09:00-13:00 Town Council 14:00-16:00				16/8/2021 Ongwediva Police 09:00-13:00		
<b>Oshakati West Constituency</b> <b>Day trip</b>	13/4/2021 Oshakati Police 09:00-13:00 Town Council 14:00-16:00				17/8/2021 Oshakati Police 09:00-13:00		
<b>Ondangwa Urban Constituency</b> <b>Day trip</b>	14/4/2021 Ondangwa Police 09:00-13:00 Town Council 14:00-16:00				18/8/2021 Ondangwa Police 09:00-13:00		

PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER
<b>Ondangwa Town</b> <b>Day trip</b>	15/4/2021 Oluno Correctional Facility 09:00-13:00				19/8/2021 Oluno Correctional Facility 09:00-13:00		
<b>Oshikoto Region</b>							
<b>Onyaanya Constituency</b>		26/5/2021 Okatope police 09:00-13:00			24/8/2021 Okatope police 09:00-13:00		
<b>Omuthiya Constituency</b>		27/5/2021 Omuthiya Police 09:00-13:00 Town Council 14:00-16:00			25/8/2021 Omuthiya Police 09:00-13:00		
<b>Guinas Constituency</b>		28/4/2021 Oshivelo Police 09:00-13:00 Dumping Site 14:00-16:00			27/8/2021 Oshivelo Police 09:00-13:00		
<b>Ohangwena Region</b>							
<b>Ongenga Constituency</b> <b>Day trip</b>			03/6/2021 Omungwelume Police 09:00-13:00 Dumping site 14:00-16:00			09/9/2021 Omungwelume Police 09:00-13:00	
<b>Oshikango Constituency</b>			07/6/2021 Oshikango Police 09:00-13:00			13/9/2021 Oshikango Police 09:00-13:00	
<b>Ohangwena Constituency</b>			08/6/2021 Ohangwena Police 09:00-13:00 Helao Nafindi 14:00-16:00			14/9/2021 Ohangwena Police 09:00-13:00	
<b>Eenhana Constituency</b>			09/6/2021 Eenhana Police 09:00-13:00 Town Council 14:00-16:00			15/9/2021 Eenhana Police 09:00-13:00	
<b>Okongo Constituency</b>			10/6/2021 Onamata Settle- ment 09:00-12:00 Eendombe Settlement 14:00-16:00			16/9/2021 Oshana Settlement 09:00-12:00 Ekoka settlement 14:00-16:00	
<b>Okongo Constituency</b>			11/6/2021 Okongo Police 09:00-13:00			17/9/2021 Okongo Police 09:00-13:00	
<b>OMUSATI REGION</b>							
<b>Okalongo Constituency</b>			21/6/2021 Onandjamba Police 09:00-13:00 Dumping Site 14:00-16:00			27/9/2021 Oshikuku 09:00 & Onandjamba Police stations 14:00 -16:00	

PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER
<b>Outapi Constituency</b>			22/6/2021 Outapi Police 10:00 -16:00			28/9/2021 Outapi Police 09:00-13:00	
<b>Ruacana Constituency</b>			23/6/2021 Ruacana Police 09:00-13:00 Town Council 14:00-16:00			29/9/2021 Ruacana Police 09:00-13:00	
<b>Tsandi Constituency</b>			24/6/2021 Tsandi Police 09:00-13:00			30/9/2021 Tsandi Police 09:00-13:00	
<b>Okahao Constituency</b>			25/6/2021 Okahao police 09:00-13:00 Town Council 14:00-16:00				01/10/2021 Okahao Police 09:00-13:00

## Otjiwarongo Regional Office

PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER
<b>OTJITUUO (OKATJORUU)</b>		7 June 2021 Police Station 10H00 - 13H00 Community 14H00 - 16H00			6 Sep 2021 Police Station 10H00 - 13H00 Community 14H00 - 16H00		
<b>COBLENZ</b>		8 June 2021 Police Station 10H00 - 13H00 Community 14H00 - 16H00			7 Sep 2021 Police Station 10H00 - 13H00 Community 14H00 - 16H00		
<b>GROOTFONTEIN POLICE STATION</b>		9 June 2021 Police Station 10H00 - 13H00 Community 14H00 - 16H00			8 Sep 2021 Police Station 10H00 - 13H00 Community 14H00 - 16H00		
<b>GROOTFONTEIN PRISON</b>		10 June 2021 10h00 - 13-00 Prison 14H00 - 16H00 Solid waste			9 Sep 2021 10H00 - 13H00 Prison 14H00 - 16H00 Solid waste		
<b>NEUSUMMERAU</b>		11 June 2021 10h00 - 13-00 Police Station			10 Sep 2021 Police Station 10H00 - 13H00 Community 14H00 - 16H00		
<b>TSINSABIS</b>	17 May 2021 Police Station 10H00 - 13H00 Community 14H00 - 16H00						
<b>TSUMEB POLICE STATION</b>	18 May 2021 Police Station 10H00 - 13H00 Community 14H00 - 16H00						
<b>TSUMEB PRISON</b>	19 May 2021 Prison 10H00 - 13H00 Community						
<b>OTAVI</b>	20 May 2021 Police Station 10H00 - 13H00 Community 14H00 - 16H00						



PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER
<b>KOMBAT</b>	21 May 2021 Police Station 10H00 – 13H00 Community 14H00 – 16H00						
<b>GAM</b>	24 May 2021 Police Station 10H00 – 13H00 Community 14H00 – 16H00			16 Aug 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00			
<b>TSUMKWE</b>	25 May 2021 Police Station 10H00 – 13H00 Community 14H00 – 16H00			17 Aug 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00			
<b>MANGHETTI DUNE</b>	26 May 2021 Police Station 10H00 – 13H00 Community 14H00 – 16H00			18 Aug 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00			
<b>OMATAKO</b>	27 May 2021 Police Station 10H00 – 13H00 Community 14H00 – 16H00			19 Aug 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00			
<b>MAROELA BOOM/ ROOIDAG</b>	28 May 2021 Maroela Boom Police Station 10H00 – 13H00 Rooidag Community 14H00 – 16H00			20 Aug 2021 Maroela Boom Police Station 10H00 – 13H00 Rooidag Community 14H00 – 16H00			
<b>OKAMATAPATI</b>		21 June 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00			20 Sep 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00		
<b>OKONDJATU</b>		22 June 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00			21 Sep 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00		
<b>UITKOMS (OTJOMISAONA)</b>		23 June 2021 Community 10h00 – 13-00			22 Sep 2021 Community 10h00 – 13-00		
<b>OKAKARARA</b>		24 June 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00			23 Sep 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00		
<b>OSIRE</b>		25 June 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00			24 Sep 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00		
<b>KALKVELD</b>	7 May 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00			10 Aug 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00			
<b>OTJIWARONGO</b>	5 May 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00			11 Aug 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00			

PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER
<b>OUTJO</b>	6 May 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00			12 Aug 2021 Police Station 10h00 – 13-00 Community 14H00 – 16H00			

## Keetmanshoop Regional Office

PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER
<b>KEETMANSHOOP</b>		12/05/2021 Municipality 10h00-12h30 Solid & Liquid Waste Facilities LOCAL		02/07/2021 Police Station 09h00-12h00 LOCAL		23/09/2021 Municipality 10h00-12h00 LOCAL		
<b>KEETMANSHOOP Correctional Facility</b>	16/04/2021 08h30-12h30 LOCAL				18/08/2021 08h30-12h30 LOCAL		07/10/2021 08h30-12h30 LOCAL	
<b>TSES</b>		18/05/2021 Police Station 09h00-11h00 Village Council 14h00-16h00 Solid & Liquid Waste Facilities DAY TRIP			04/08/2021 Police Station 09h00-11h00  Village Council 14h00-15h30 DAY TRIP			
<b>KÖES</b>	29/04/2021 Police Station 09h00-11h00 Village Council 14h00-15h30 Solid & Liquid Waste Facilities DAY TRIP					09/09/2021 Police Station 09h00-11h00  Village Council 14h00-15h30 DAY TRIP		
<b>KARASSBURG</b>	12/04/2021 Police Station 09h00-11h00 Town Council 14h00-16h00				09/08/2021 Police Station 09h00-11h00  Town Council 14h00-16h00			
<b>ARIAMSVLEI</b>	13/04/2021 Police Station 09h00-11h00 Village Council 14h00-16h00 Solid & Liquid Waste Facilities				10/08/2021 Police Station 09h00-11h00  Village Council 14h00-16h00			
<b>WARMBAD</b>	14/04/2021 Police Station 09h00-11h00 Settlement Office 14h00-16h00 Solid & Liquid Waste Facilities				11/08/2021 Police Station 09h00-11h00  Settlement Office 14h00-16h00			
<b>KOMSBERG Familiarizing &amp; taking the office to the community</b>	TO	BE	DETERMINED	TO	BE	DETERMINED		

PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER
<b>NOORDOEWER</b>	15/04/2021 Police Station 09h00-11h00 Village Council 14h00-16h00 Solid & Liquid Waste Facilities				12/08/2021 Police Station 09h00-11h00 Village Council 14h00-16h00			
<b>AUSSENKEHR Familiarizing &amp; taking the office to the community</b>	16/04/2021 Police Station 09h00-13h00				13/08/2021 Police Station 10h00-13h00			
<b>LÜDERITZ</b>		17/05/2021 Police Station 09h00-10h00 Town Council 14h00-16h00 Solid & Liquid Waste Facilities				06/09/2021 Police Station 09h00-10h00  Town Council 14h00-16h00		
<b>LÜDERITZ Correctional Facility</b>		18/05/2021 09h00-13h00 14h00-16h00				07/09/2021 09h00-13h00 14h00-16h00		25/11/2021 09h00-13h00 & 14h00-16h00 DEPART ON 24/11/2021& RETURN ON 25/11/2021
<b>ORANJEMUND</b>		19/05/2021 Police Station 09h00-11h00 Town Council 14h00-16h00 Solid & Liquid Waste Facilities				08/09/2021 Police Station 09h00-11h00  Town Council 14h00-16h00		
<b>ROSH PINAH</b>		20/05/2021 Police Station 09h00-11h00 Roshkor Office 14h00-16h00 Solid & Liquid Waste Facilities				09/09/2021 Police Station 09h00-11h00  Roshkor Office 14h00-16h00		
<b>AUS</b>		21/05/2021 Police Station 09h00-11h00 Settlement Office 14h00-16h00 Inspection Solid & Liquid Waste Facilities				10/09/2021 Police Station 09h00-11h00  Settlement Office 14h00-16h00		
<b>BETHANIE</b>		06/05/2021 Police Station 09h00-12h00  Village Council 14h00-15h30 Solid & Liquid Waste Facilities DAY TRIP				21/09/2020 Police Station 09h00-11h00  Village Council 14h00-15h30 DAY TRIP		
<b>MARIENTAL</b>			07/06/2021 Police Station 11h00-16h00				11/10/2021 Police Station 10h00-16h00	



PLACE	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER
<b>STAMPRIET</b>			08/06/2021 Police Station 09h00-11h00 Village Council 14h00-16h00 Solid & Solid & Liquid Waste Facilities				12/10/2021 Police Station 09h00-11h00  Village Council 14h00-16h	
<b>MALTAHÖHE</b>			09/06/2021 Police Station 09h00-11h00 Village Council 14h00-16h00 Solid & Liquid Waste Facilities				13/10/2021 Police Station 09h00-11h00  Village Council 14h00-16h	
<b>GOCHAS</b>			10/06/2021 Police Station 09h00-12h00 Village Council 14h00-15h30 Solid & Liquid Waste Facilities				14/10/2021 Police Station 09h00-11h00  Settlement Office 14h00-16h00	
<b>GIBEON</b>			11/06/2021 Police Station 09h00-11h00 Village Council 14h00-16h00 Solid & Liquid Waste Facilities				15/10/2021 Police Station 09h00-11h00  Village Council 14h00-16h00	
<b>AROAB</b>			24/06/2021 Police Station 09h00-11h00 Village Council 14h00-16h00 Solid & Liquid Waste Facilities DAY TRIP					10/11/2021 Police Station 09h00-11h00  Village Council 14h00-16h00 DAY TRIP

## Katima Mulilo Regional Office

PLACE	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	VENUE
<b>Katima Mulilo</b>	10(09h00-13h00) LOCAL			10(09h00-13h00) LOCAL			1.Police Station
<b>Katima Mulilo</b>	11(09h00-15h00) LOCAL			11(09h00-15h00) LOCAL			1.Wenela Police Cells 2.Dump & Sewerage System
<b>Ngoma</b>	12(09h00-13h00) LOCAL			12(09h00-13h00) LOCAL			1.Police 2. Masikili Primary School
<b>Kabbe</b>	13(09h00-15h00) DAY TRIP			13(09h00-15h00) DAY TRIP			1.Constituency Office 2.Lusese Combined School
<b>Nakabolelwa</b>	14(10h00-15h00) DAY TRIP			14(10h00-15h00) DAY TRIP			1.Constituency Office 2. Combined School

PLACE	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	VENUE
<b>Bukalo</b>	17(09h00-15)			17(09h00-15)			1.Constituency Office 2.Mutikitila Primary school
<b>Omega</b>	18(10h00-15h00)			18(10h00-15h00)			1.Police Station 2. Kayuwo Comb. School
<b>Kongola</b>	19(10h00-15h00)			19(10h00-15h00)			1.Police Station 2.Dump Site
<b>Impalila</b>	20/21 (09h00-15h00) OVERNIGHT TRIP			20/21 (09h00-15h00) OVERNIGHT TRIP			1.Police station 2.Combined School 3.Mpukano Settlement Muzii Combined
<b>Divundu</b>		07(09h00-16)			07(09h00-16)		1.Correctional Facility 2. Police
<b>Diyona</b>		08(10h00-13h00)			08(10h00-13h00)		1.Police 1.Constituency Office
<b>Rundu</b>		09(08h00-15h00)			09(08h00-15h00)		1.Mururani police 2.E. Nepembe Correctional 2.Solid/Liquid. Dumping Site
<b>Nkurenkuru</b>		10(09h00-16h00)			10(09h00-16h00)		1. Kahenge Police 2.Rupara Constituency Office 3.Katwitwi Boarder
<b>Rundu</b>		11(09h00-13h00) (14h00-16h00)			11(09h00-13h00) (14h00-16h00)		1.Ncaute Police 2.Rundu 3. .Mashare Constituency Office











# CONTACT US

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## **Otjiwarongo**

Ministry of Education Building  
Sonweg Street  
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## **Katima Mulilo**

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Private Bag 1012  
Ngweze

## **Swakopmund**

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Gurka Trust building  
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Swakopmund  
Tel: 064-406834, Fax: 064-406833

## **Keetmanshoop**

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