

# **LEGAL ASSISTANCE CENTRE**

## **ANNUAL REPORT 2021**

**FIGHTING FOR HUMAN RIGHTS IN NAMIBIA SINCE 1988**





# INTRODUCTION TO THE LAC

## Vision

*Namibia is a human-rights-based democracy founded on equality, justice and dignity.*



The LAC Office in Windhoek

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## Mission

*We, the Legal Assistance Centre, being a public interest law centre, collectively strive to make the law accessible to those with the least access, through education, law reform, research, litigation, legal advice, representation and lobbying, with the ultimate aim of creating and maintaining a human rights culture in Namibia.*

## Main Activities

The Legal Assistance Centre (LAC) carries out its mission through three main activities:

- ➔ Legal advice and litigation
- ➔ Education and training
- ➔ Research, advocacy and lobbying

These activities are carried out through the LAC's three main units:

### Social Justice Project (SJP)

**Works directly to fight human rights violations.**

- ➔ Human rights and constitutional test-case (impact) litigation – in relation to socio-economic rights particularly
- ➔ Human rights educational materials
- ➔ Legal advice
- ➔ Training of candidate legal practitioners, government officials and law enforcement agents
- ➔ Refugee rights

### Gender Research and Advocacy Project (GR&AP)

**Works to promote gender equality and to empower women through legal research, law reform and related advocacy work.**

- ➔ Gender research for law reform and public debate
- ➔ Advocacy and lobbying for law reform
- ➔ Educational materials on family law issues with a focus on issues that affect women and children
- ➔ Education and training for communities and policy-makers on legal issues related to gender

### Land, Environment and Development Project (LEAD)

**Works on land, environment and rural community empowerment issues.**

- ➔ Test case litigation on land disputes and access to land rights
- ➔ Legal assistance to community conservancies and community-based organisations
- ➔ Focus on wildlife crime
- ➔ Community dispute resolution
- ➔ Research and policy formulation on land rights
- ➔ Education and training on land rights and land administration



# DIRECTOR'S FOREWORD

The Legal Assistance Centre works to attain its vision by focusing on the following:

1. **Addressing inequality** – encompassing issues of discrimination, marginalised communities, LGBTQI, HIV, gender, children, disabilities and inheritance.
2. **Socio-economic rights** – particular emphasis on health, education, refugees rights and water and sanitation; also incorporating issues of disabilities, land, environment and poverty as well as wildlife crime
3. **Rule of law / Access to justice** – encompassing issues of public education, police brutality, due process, Namlex (online database of all laws in force in Namibia – ‘the Wikipedia of Namibian law’), governance, watchdog role, court process, elections and litigation.
4. **Emerging rights issues** – to allow us to respond to topical issues quickly.



LAC Director  
Toni Hancock

Each year when I write this foreword, I contemplate how the majority of our people live their daily lives. I see an old gentleman on my way to work most days, pushing a shopping trolley with all his possessions. I put food out for the people who rummage in dustbins for anything that can see them through another day. I see children standing on street corners begging, and families standing on the side of the road asking for food, not money. I see the state of our hospitals .... the list goes on. This is not the Namibia we imagined. Where did everything go wrong? Where do we go from here? My plea: To the Government, get it right. The resources are there, what are they being used for? Accountability please! To the Anti-Corruption Commission, help us to believe in you. To civil society, let's do more; let's think of innovative ways to address the pain of our people and find ways to work better together. To all Namibians, have compassion, give where you can, and respect all people all the time. Think of the grateful smile you see after handing a person in need an orange or apple. Some of our children have never tasted an apple before. We all need to do more. We are in this together.

This Annual Report is not an exhaustive document that details all LAC activities in the period under review, but rather it provides an overview of the work of each unit and the organisation in general in that period. More information on any topic can be made available on request.



Always walking our talk: protesting corruption in 2019; a pamphlet we produced in 2021; donating clothing and blankets in early 2022.



# SOCIAL JUSTICE PROJECT

## POLICE BRUTALITY

Each year we receive numerous complaints from persons incarcerated in correctional facilities around the country. We assist with legal advice when practicable, and decline to assist in matters which are purely criminal in nature. We only take on matters that involve a serious violation of human rights. The four cases outlined below are examples of cases dealt with in 2021.

- ➔ **Death in custody:** Our client is a member of the San community residing in Bwabwata National Park. He is the biological father of minor children whose mother died in police custody after she was arrested in November 2016. After several days of searching for her, family members found her decomposed body in the police yard. The police claim that she had been released from their custody. The matter was referred to mediation in November 2021, but no settlement was reached. The case is now under judicial case management. The next step is to prepare witness statements before the pre-trial conference in February 2022.
- ➔ **Farmers assaulted:** Our clients were assaulted by members of the Namibian Defence Force while grazing their cattle along the railway corridor between Okahandja and Omaruru. After receiving medical reports in respect of some of the farmers, we filed eight matters in the High Court in July 2021.
- ➔ **Minor children tortured:** Members of the Namibian Police Force took four minor children into custody without their guardian's permission. The children were kept in custody overnight at the police station. They were tortured and subjected to cruel, inhumane and degrading treatment.
- ➔ **Prisoner allowed to marry:** After our meeting at the Windhoek Central Correctional Facility with the Commissioner, our client and our client's fiancée in October 2021, the Regional Commander approved our client's request to be married, after almost two years of delays.

## MEDICAL NEGLIGENCE

SJP takes up cases that appear to involve medical negligence if the case holds potential for changing a law or policy, or if the litigation might force the Ministry of Health and Social Services to take notice and upgrade the level of care in its health facilities. Following are examples of cases taken up in 2021:

- ➔ **Death due to undetected deformity:** A baby was born without an anal passage, and the staff at the Grootfontein State Hospital failed to detect this deformity. The baby underwent corrective surgery at the Windhoek Central Hospital, but died soon after.
- ➔ **Defects due to lack of oxygen:** Our client, who was nine months pregnant, presented herself at the Windhoek Central Hospital complaining of breathing problems. She was informed that the ECG tests showed that the baby was in distress, and that she would undergo a caesarean on the same day. Later that day she was told that the operation had been cancelled, but no reason was provided. The next day she was induced and gave birth. The baby was born with defects which the expert doctor says were due to lack of oxygen during and before birth.
- ➔ **Stillborn due to absence of assistance:** Our client, who was seven months pregnant, presented herself at the Katutura State Hospital complaining of abdominal pain and spotting. She was told that a miscarriage may be inevitable, despite the foetus' heart still beating. While using the bathroom in the hospital, her water broke. She called for the nurses but nobody came to her aid. She gave birth in the bathroom to an allegedly stillborn baby, and never recovered her baby's remains.
- ➔ **Ongoing deterioration due to error in routine procedure:** Our client went to the Swakopmund State hospital for a routine uterus-cleaning procedure. After regaining consciousness, she was told that a considerable part of her small intestine had been cut off by mistake. Her internal organs are slowly deteriorating as she is unable to absorb nutrients.



SJP workshops and consultations at Osire Refugee Settlement in 2021

## ASYLUM SEEKERS AND REFUGEES

SJP continues to work in partnership with the United Nations High Commissioner for Refugees (UNHCR) to provide legal advice and support to asylum seekers and refugees at the Osire Refugee Settlement near Windhoek and the Reception Centre in Zambezi Region. Our work at Osire is complemented by our volunteers who run our office there. We provide ongoing training to our volunteers to capacitate them to take instructions and report any legal issues to us.

### ➔ Training workshops and client consultations at Osire Refugee Settlement

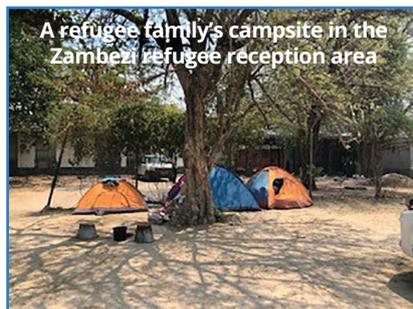
In 2021 we continued to run workshops for newly arrived asylum seekers and recognised refugees on human rights issues affecting them in Namibia. A workshop is held during each SJP visit to the settlement, with one full day always reserved for this exercise. To supplement the training, we give each participant a manual containing the workshop presentations for their future reference. The topics covered in the workshops held in 2021 are as follows:

- Refugee Application Process in Namibia;
- Loss and Withdrawal of Refugee Status;
- Derivative Status Applications;
- Marriage;
- Trafficking in Namibia; and
- Combating of Domestic Violence in Namibia.

We always receive positive feedback from workshop participants, to the effect that the training gave them a much better understanding of the topics themselves and the related Namibian laws, and they now know who to turn to for clarifications and guidance when facing such issues. During our visits we also reserve time for consultations with individuals, and we answer questions posed by asylum seekers and refugees on a daily basis.

### ➔ Visit to refugee reception area in Zambezi Region

Two SJP staff members visited the refugee reception area at Katima Mulilo in Zambezi in October 2021, to ascertain the status of refugees and asylum seekers in the region. We visited the Regional Commander of the Namibian Police to introduce ourselves and find out about refugees in police holding cells, and met with the region's Chief Administrative Officer for Refugee Affairs who briefed us on the status of refugees in the border town, and showed us around the reception area. We then visited the Namibia-Zambia border post where we spoke with immigration officials and gave them a copy of our poster outlining the "Refugee Application Process" in an easily comprehensible way, for displaying at the border post.



## PARTICIPATION IN EXTERNAL WORKSHOPS AND MEETINGS

➔ **Refugee Status Determination (RSD) Training Workshop:** SJP representatives participated in this week-long workshop facilitated by the UNHCR in Windhoek in April 2021. The other participants were representatives of the Ministry of Home Affairs, Immigration, Safety and Security. During the workshop, the participants drafted a "Standard of Procedure Manual" relating to asylum seekers and refugees, and conducted a comparative analysis of Namibia's status determination modules with those of other countries. After the workshop, SJP fulfilled the UNHCR's request to provide insight on Namibia's legislative framework for refugees for the workshop report.

➔ **Mainstreaming Human Rights in Cybersecurity and Cybercrime Policymaking Processes:** In July 2021, the Institute for Public Policy Research (IPPR) requested SJP to provide a commentary on this topic. Research was conducted by SJP staff with input from the LAC Director, Toni Hancox, and the LAC Gender Research and Advocacy Project (GR&AP) Coordinator, Dianne Hubbard. SJP presented the research findings at a workshop at the House of Democracy in Windhoek in August.

➔ **University of Cape Town Regional Training Workshop on "Ending Statelessness":** SJP staff participated in a 4-day online training workshop hosted by UCT's Refugee Rights Unit in November 2021. The other participants were civil society organisations, government officials, academics and legal practitioners from the SADC region. The aim was to attain an understanding of the different procedural and legislative frameworks in SADC relating to statelessness. Expert academics from around the world gave lectures, and SJP gave a presentation on statelessness in Namibia on behalf of the Namibian delegation, composed of the LAC, the AIDS and Rights Alliance for Southern Africa (ARASA) and the Ministry of Home Affairs, Immigration, Safety and Security. Our presentation was hailed as one of the best inputs into this workshop.





# GENDER RESEARCH AND ADVOCACY PROJECT

## 2021 HIGHLIGHTS BY THE NUMBERS

- 200 clients assisted by our department
- 82 media appearances (print media, radio, television, online interviews, podcasts)
- 26 training sessions on the Child Care and Protection Act and other family laws, involving a total of 840 participants
- 18 versions of the amended Covid-19 regulations
- 16 *ProBono* columns published in *The Namibian* newspaper (see topics on page 13 of this report)
- 8 new publications for the general public, and distribution of 216 000 copies of publications
- 4 updates of the *Index to the Laws of Namibia* (NAMLEX)

## TRAINING AND INFORMATION SESSIONS

GR&AP facilitated 26 training sessions for a total of 840 participants on the Child Care and Protection Act (CCPA), targeting MPs, magistrates, police officers, social workers, school principals, regional school inspectors, school counsellors, life-skills teachers, learners, church leaders and other interested groups. We also gave presentations on other legal topics to a range of groups – including virtual presentations and events that mixed in-person and online participation.

- **Training for professionals:** Trainings on the CCPA were presented to many groups, in spite of the challenging COVID restrictions. Almost all of the professional groups expressed concern about their lack of thorough knowledge of this law, and welcomed the workshops. Service providers received the link to the LAC website to access CCPA materials, and most received the extensive *Guide to the Child Care and Protection Act*, comprising 28 chapters (714 pages) in a lever-arch file. As the stock of hard copies of this *Guide* was entirely depleted in 2021, we reprinted in January 2022. The *Guide* is also available at [www.lac.org.na/index.php/projects/gender-research-advocacy-grap/child-care-and-protection-act/](http://www.lac.org.na/index.php/projects/gender-research-advocacy-grap/child-care-and-protection-act/).



Magistrates from central and southern Namibia



Pastors in Otjiwarongo



Community members in Karasburg

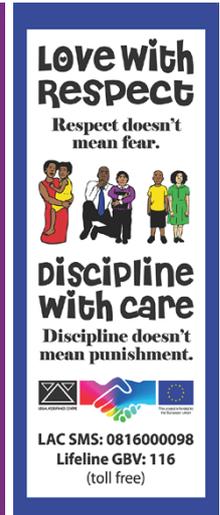


Professionals and community members in Otjiwarongo

➔ **School outreach:** We held workshops on the Child Care and Protection Act for learners at 12 schools in 2021. Due to COVID throwing school schedules into disarray, our school outreach had to be somewhat curtailed. However, in an attempt to find a positive angle on the COVID situation, we produced high-quality washable masks for school children, each printed with a single word expressing an important value in a democratic society – “equality”, “love”, “respect”, “discipline”, etc. As part of a civic education exercise, we asked the learners to choose a mask and then describe how they relate to the word on that mask. This exercise proved very popular with the learners, and sparked interesting discussions. They were allowed to keep the masks they chose.



Cosmos High School learners with LAC materials: masks, bumper stickers and the Namibian Constitution



Publicity materials: a newspaper advert and a banner

## NEW PUBLICATIONS

GR&AP produced 8 new publications in 2021. All are available online at [www.lac.org.na](http://www.lac.org.na).

- ➔ **Learn about the Law: Statute Summaries:** A set of 12 short summaries of statutes that are of broad public interest, organised around three themes: (a) citizenship; (b) crime, corruption and policing; and (c) public protests. The next set of summaries will be published in 2022.
- ➔ **Our shared duty to protect Namibia's children: Reporting Child Abuse and Neglect:** A comic and an accompanying pamphlet on child protection under the Child Care and Protection Act.
- ➔ **Becoming Pregnant from Rape: Your Options:** An information package consisting of a pamphlet, a poster and a circular for magistrates (prepared in conjunction with the Magistrates' Commission) on options for dealing with a pregnancy resulting from rape, including steps to access a legal abortion.
- ➔ **Combat Corruption with Accountability:** A pamphlet (pictured on page 3 of this report) combating corruption in the legal profession with accountability, detailing in simple terms what to expect from legal practitioners and what to do if there is a problem.
- ➔ **Research briefs** on (1) vaccine mandates and (2) the constitutionality of telecommunications data retention under Namibia's Communications Act.



## LEGAL DATABASES

The LAC makes three legal databases available free to the public on its website: **NAMLEX**; **NAMLEX Appendix**; and **Annotated Laws**. Keeping these databases up to date is a mammoth ongoing task, but one that is worthwhile given that free public access to the law is a cornerstone of the rule of law. In 2021 we updated and improved the databases, and worked on a plan for long-term sustainability of this project as a joint project between the Government and civil society.

## ADVOCACY

Advocacy is probably GR&AP's most significant contribution to Namibia's legal landscape. Effective advocacy on legal topics typically requires investigating legal texts, court judgments and commentary from Namibia and other countries. Sometimes we conduct advocacy in partnership with specific ministries or the Law Reform and Development Commission. At other times, we criticise government policy and motivate for change. We use many different channels for this work, including media inputs and appearances, meetings with stakeholders, testimony at hearings convened by Parliamentary Standing Committees, and written submissions made directly to MPs and other policy-makers. We formulate positions on the basis of national and international human rights standards, and constitutional rulings on specific issues around the world. Following is an outline of our advocacy work in 2021. (See details in GR&AP's "2021 Annual Update" at [www.lac.org.na/projects/grap/Pdf/2021-GRAP\\_annual\\_update.pdf](http://www.lac.org.na/projects/grap/Pdf/2021-GRAP_annual_update.pdf).)

### ➔ **LGBTQI rights:**

- entitlement to Namibian citizenship of children born to a gay couple via surrogacy in South Africa, in light of the South African birth certificate listing the Namibian citizen parent as their father;
- repeal of the exclusion of same-sex couples from the protection of the Combating of Domestic Violence Act;
- repeal of the law that criminalises consensual sodomy.

### ➔ **Reproductive rights:** law reform on access to abortion in Namibia.

### ➔ **Educational issues:**

- amendment of provisions on corporal punishment in Namibia's new Basic Education Act;
- amendment of some regulations under the new Basic Education Act;
- changes to the proposed new Learner Code of Conduct.

### ➔ **Gender-based violence:**

- amendments of laws on rape and domestic violence;
- addressing concerns about the sex offender register proposed by gender activists.

### ➔ **Draft family laws:** addressing technical and policy issues in the Marriage Bill, Divorce Bill and Uniform Matrimonial Property Regimes Bill.

### ➔ **Child Care and Protection Act and Regulations:** addressing some contradictions and anomalies that we noticed while working with clients and preparing educational materials on this law.

### ➔ **Access to information:** changes to the draft Access to Information Bill.

### ➔ **Draft laws on harassment, sexual exploitation and hate speech:** We assisted the Ministry of Justice in drafting a Combating of Harassment Bill and Combating of Sexual Exploitation Bill, and gave input on the Combating of Unfair Discrimination, Discriminatory Harassment and Hate Speech Bill proposed by the Office of the Ombudsman.

GR&AP participated in a public demonstration in Windhoek that attracted a diverse crowd of supporters of LGBTQI rights.





# LAND, ENVIRONMENT AND DEVELOPMENT PROJECT

## ENVIRONMENT

### Environmental management

The Namibia Scientific Society (NSS) requested LEAD to give a presentation in an NSS workshop in 2021 on the **Environmental Management Act**, the **Environmental Impact Assessment process**, and **Environmental Clearance Certificates**. Due to late notice and prior commitments we were unable to be present in the workshop, but we contributed by providing (a) a LEAD PowerPoint presentation for the organisers to present, and (b) our comprehensive poster on **Free, Prior and Informed Consent (FPIC)**, produced by LEAD in collaboration with the Namibian Association of CBNRM Support Organisations (NACSO) and the Indigenous Peoples of Africa Co-ordinating Committee (IPACC) in 2021. This poster has proved to be in high demand, hence we have made it available on the LAC website ([www.lac.org.na/projects/lead/Pdf/IPACC\\_poster.pdf](http://www.lac.org.na/projects/lead/Pdf/IPACC_poster.pdf)), and we also produced a *ProBono* column on FPIC for publication in *The Namibian* newspaper, which is also posted on the LAC website ([www.lac.org.na/news/probono/ProBono\\_66-FREE\\_PRIOR\\_AND\\_INFORMED\\_CONSENT.pdf](http://www.lac.org.na/news/probono/ProBono_66-FREE_PRIOR_AND_INFORMED_CONSENT.pdf)).

### Wildlife crime

- ➔ **Court cases:** We assisted the Judiciary in two wildlife crime cases in 2021. One case involved the poaching of three rhinos in Okahao in Omusati Region in northern Namibia, and in the other case the same accused were found to be in possession of two rhino horns in Windhoek. The assistance we provided showcased the importance of having relevant and current information.
- ➔ **Workshops:** We conducted a total of eight training and awareness-raising workshops in 2021, with a total of 215 participants from Local Authorities and Traditional Authorities (TAs) in two northern regions, Kunene and Omusati, which had recently seen a spike in rhino-poaching cases, and hence are regarded as crucial regions for this training. As a rule, LEAD workshops address both wildlife crime and environmental aspects of communal land natural resource conservation. Both topics are relevant to land rights administration under the Communal Land Reform Act (CLRA), and to the powers and common obligations of TAs, communal conservancies and community forests. As such, the discussion of the environment and the harmonious interrelationship and interlinkages between the various statutes relevant to communal land, wildlife and natural resources provides for a holistic engagement of trainees. The conclusion to be drawn is that the political will of all leaders to ensure the implementation of laws and the rule of law will achieve the legislative and constitutional objectives, namely the social and economic upliftment of the local and often poorer subsistence communities that occupy communal lands. It is these leaders and their communities who hold the real wealth as custodians of the natural environment and the capital derived from maintaining functioning ecological systems to provide a sustainable generator of natural wealth in an era of climate change. A complacent state's capital wealth is founded on the money generated from mineral extracts, trees, animals and ecological systems, and mismanagement of these resources creates poverty. Our workshop itinerary also makes reference to other national environmental legislation and relevant international laws, treaties and conventions that guide the sustainable development of renewable resources (natural capital) on a global level, and this itinerary is guided by the imperatives of domestic legislation to perform in terms of those obligations imposed by law.



Screening of *Baxu and the Giants* at a school in Khorixas, Kunene Region, in March 2021.

➔ **CSO Wildlife Crime Working Group:** LEAD is one of this group’s founding organisations. In 2021 the group began discussing the idea of a wildlife crime court. The group envisages piloting such a court in one of the hotspots. One matter of concern is that in some areas magistrates are not aware of the seriousness of wildlife poaching.

In July 2014, the **Pupkewitz Foundation** donated an all-terrain field vehicle to the LAC in support of our anti-poaching activities. This vehicle is still in daily use, not only for anti-poaching purposes but also other LEAD outreach in rural areas, and the Foundation has supported the LAC with funding for various other projects over the years.



LAC and LEAD staff with Meryl Barry (centre left), CEO of the Pupkewitz Foundation, at the vehicle handover ceremony in July 2014.

➔ **Raising awareness:**

- To expand our reach and impact, we submitted the award-winning anti-poaching film *Baxu and the Giants* to the Environmental Investment Fund (EIF) for the Sustainable Development Awards 2021. It was nominated for the Pioneering Journalism category. Although the film did not bag this particular award, the publicity did serve our reach-and-impact objectives.
- As part of LEAD’s engagement on wildlife crime in Kunene Region, we held a school/community screening of “Baxu” in Khorixas, with 100 learners present, and then a screening in Okahao (the epicentre of poaching in Namibia) in Omusati Region, which the entire Protected Resource Unit of Omusati attended (incognito).
- We gave “Baxu” DVDs to Namibia’s biggest environmental education centre, the Namib Desert Environmental Education Trust (NaDEET), based in Swakopmund. NaDEET’s screening of the film was a big success, and the film now forms part of NaDEET’s standard programme. It is gratifying to know that a film made some years back is still being used as a tool for understanding wildlife crime in all contexts.

***Baxu and the Giants***, a film commissioned by the LAC and funded by GIZ, tells the story of rhino poaching from the perspective of a local Namibian family as they experience radical changes brought about by rhino poachers coming to their area. We see how the decisions of Namibians, especially the younger generation, determine the future of our rhino and the fate of Namibia’s rich cultural and natural heritage. The film was launched in September 2019 and has since made its way across the globe, winning eight international film awards.

## SUSTAINABLE DEVELOPMENT

- ➔ **Legal support for parties affected by oil exploration in Kavango Regions:** LEAD was granted status as an interested party to the oil-exploration proceedings in Kavango in 2021, and received complaints from directly affected parties regarding the process and stages of exploration. These parties include indigenous people who live from the natural resources affected by the operation. The international interest in this matter led to LEAD engaging in several zoom meetings, mostly with organisations offering support for litigating against the oil drilling. We advised that the case at hand deals with the aspect of clients' spoliated landholdings, but that we anticipated further direct intervention when such opportunity arises.
- ➔ **Training at the "Indigenous platform and community consultation and capacity building meeting on oil drilling in Namibia":** LEAD represented the LAC at this two-day workshop, in which we presented information about legal interventions and options available to aggrieved parties who want to deal with the threats posed by the oil exploration in the Kavango Regions. Our presentation covered domestic and international legislation (highlighting responsibilities, duties and obligations), and the processes that have to be followed to obtain environmental clearance for these activities. South African film producer Anita Khana ("Miners Shot Down") has approached the LAC about the possibility of including a potential LAC client's case against Recon Africa in a documentary about the climate crisis in southern Africa.

## NATURAL RESOURCE MANAGEMENT

- ➔ **Advising on conservation issues:** The Komeho Namibia Development Agency, a non-profit organisation located in the Kaisosi settlement (semi-urban) in the town of Rundu in Kavango East Region, invited LEAD to advise its staff and associates on various conservation issues. Komeho focuses on sustainable management of natural resources, capacity building, reducing income inequality and alleviating poverty in rural and urban areas. It tackles poverty alleviation and climate change in a direct way by seeking investment in, and promoting activities and projects for, protection and maintenance of natural resources. We opened the evening with a screening of *Baxu and the Giants* – a non-controversial approach in view of the tension in the area arising from the Recon Africa oil exploration and its effects on the local communities. The discussion that followed confirmed that the local communities feel uncertain, and fear speaking about/against the drilling activities. The discussion focused on how communities can benefit from local natural resources while ensuring sustainable utilisation thereof, and without jeopardising the rights of future generations. The participants weighed up the short-term versus long-term benefits and needs, and drew several conclusions. Apart from giving advice, we provided copies of the "Baxu" DVD for future screenings, and copies of our comic on wildlife crime and our leaflet on illegal fencing for Komeho to distribute.
- ➔ **Reaching children:** We screened "Baxu" for ±50 learners (ages 5-12) in a school in Mbambi, another Kavango village affected by Recon Africa. A short discussion followed about the film's messages, and how the film relates to Mbambi's situation in relation to wildlife, illegal deforestation, oil exploration and other issues faced there. We gave copies of "Baxu", our comic on wildlife crime and our pamphlet on illegal fencing to both the school and the Mbambi Village Development Committee.
- ➔ **Establishing alternatives for engaging Namibian youth on natural resource management and environmental education:** LEAD approached the National Youth Service (NYS) to include environmental education in its curriculum, given that it is a national institution with a mandate to educate the youth. It so happened that the NYS had been planning to revise its curriculum, and we met with the Director for Youth Development to discuss our possible input. LEAD will participate in the curriculum revision process in respect of environmental sustainability and other modules.



# OTHER HIGHLIGHTS OF 2021

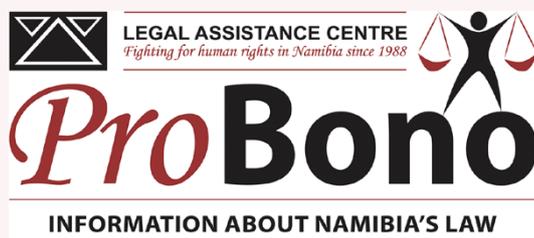


In September 2021 the LAC was one of 127 organisations (Namibian, regional and international) that petitioned for a moratorium and a public inquiry on oil and gas exploration in Namibia's Kavango Regions. The text of the petition and lists of the organisations are posted on the LAC website (at [www.lac.org.na/index.php/2021/09/18/no-oil-drilling-in-the-kavango](http://www.lac.org.na/index.php/2021/09/18/no-oil-drilling-in-the-kavango)).

## SCREENING SERVICES FOR WALK-IN CLIENTS

The LAC daily screening services assist walk-in clients and serve to identify possible areas of future intervention. In the first instance we assist these clients with legal advice or appropriate referrals. Any matters of potential public interest are referred to the lawyers' meetings for consideration. In 2021 more than 1000 walk-in clients were screened.

## PUBLIC EDUCATION



Since 2017 the LAC has produced a **ProBono** column for publication in *The Namibian* newspaper. The 16 columns listed below were published in 2021. The topics relating to land and the environment were drafted by our LEAD Project and edited by GR&AP, and the other topics were researched, drafted and edited by GR&AP. All 76 columns published to date are available on the LAC website.

1. What is international law and why does it matter to Namibia?
2. Harmful social, cultural and religious practices: What the Child Care and Protection Act says
3. Child marriages
4. Environmental assessments in Namibia
5. Combating of Immoral Practices Act
6. Ancestral Land Rights and Restitution Commission Report
7. Parental deception hurts the child
8. Ancestral Land Rights and Restitution Bill
9. The Ombudsman & children in detention
10. The infamous Red Line: Why does Namibia have a veterinary cordon fence?
11. Safeguarding children's rights
12. Free, Prior and Informed Consent in respect of natural resources
13. Hate speech: Recent South African Constitutional Court case
14. Vaccine mandates
15. Public interest litigation and human rights in Namibia
16. Natural capital and sustainable development

All **ProBono** columns can be accessed on the following page of the LAC website: [www.lac.org.na/index.php/news/probono](http://www.lac.org.na/index.php/news/probono).

## COLLABORATION WITH OTHER ORGANISATIONS

- ➔ **Action Coalition:** The LAC remains a member of the Action Coalition that advocates for access to information legislation, citing freedom of expression as an important human right, without which there cannot be a true democracy.
- ➔ **Civil Society Information Centre Namibia (CIVIC +264):** The LAC is a founding member of this body, whose primary aim is to build a database of active civil society organisations (CSOs) in Namibia and a website for information-sharing among them. A further aim is to provide civil society with regular funding opportunities and information that could affect such opportunities. CIVIC+264 will also provide contact details for anyone seeking to engage with various CSOs.
- ➔ **Law Society of Namibia (LSN):** The Director continues to serve on the Project Team of the LSN's Change Project. This project is conducting extensive research on the practice of law as it currently stands, and on what can be done to address same to make the law a proper tool for substantive change. The project is also looking at current realities for the legal profession, recognising that change must take place for the profession to remain relevant and viable. Draft legislation is presently being finalised.
- ➔ **Society of Advocates of Namibia:** An interesting opportunity presented itself when the Society of Advocates indicated their desire to do *pro bono* work for the LAC, according to the capacity required by the LAC, as a component of the Society's social responsibility project. The modalities are now being finalised, with possible areas of engagement already being discussed for adoption in 2022.
- ➔ **National Bioethics Working Group:** The Director continues to serve as a member of this group, established in 2017 to steer bioethics infrastructure in Namibia.
- ➔ **Namibia Media Trust:** The Director is a Trustee of this Trust.



## MEDIA ENGAGEMENTS

The Director and other LAC staff were interviewed on national television and radio a number of times in 2021, and participated in several virtual meetings/discussions with stakeholders in various national projects. A few examples of these engagements:

- ➔ **TV and radio interviews:**
  - COVID and business rights
  - The “Fishrot” case and responsible reporting
  - Privacy insertions in the High Court Act
  - International Women’s Day
  - Corruption
  - Vaccine mandates
- ➔ **Meetings/discussions:**
  - Engagement with various stakeholders on issues of racial discrimination
  - Participation in conceptualising a strategy to address “Cyber Crime and Human Rights”
  - Drafting of a Universal Periodic Review (UPR) for Namibia. (The UPR is a mechanism of the UN Human Rights Council for improving the human rights situation in each UN Member State.)
  - Input into a European Union civil society survey
  - Meeting with Africa Groups of Sweden (AGS) via Zoom



## PLANNED WAY FORWARD

Although 2021 placed strain on the work and staff of the LAC units, it also presented opportunities. We examined our internal structures and policies to identify ways to enhance a positive organisational culture, and we conceptualised new and innovative ways of doing things. We will be building on this process into the future. We will also continue to prioritise fundraising efforts, to ensure that the LAC can continue its valuable work, which we believe is essential for “making human rights real” in Namibia.



# OUR DONORS IN 2021

**We extend deepest thanks to our donors  
for supporting our work in 2021.**

Africa Groups of Sweden (AGS)

American Bar Association (ABA)

Brot für die Welt

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)

European Union (EU)

Friedrich Ebert Stiftung (FES)

German Partnership Group

Hanns Seidel Foundation (HSF)

Namibiaforeningen  
(a.k.a. Namibia Association of Norway – NAMAS)

High Commission of Canada

Ministry of Justice

Pupkewitz Foundation

Open Society Initiative for Southern Africa (OSISA)

Rosa Luxemburg Stiftung

United Nations Children's Fund (UNICEF)

United Nations High Commissioner for Refugees (UNHCR)

United States Agency for International Development (USAID)

World Wildlife Fund (WWF)

# GET IN TOUCH WITH US

A large volume of information about the LAC's activities (projects, cases, publications, etc.), donors and finances, as well as digital versions (PDFs) of most LAC publications, are available on our website: [www.lac.org.na](http://www.lac.org.na). Hard copies of many of our publications are available at our office – but first contact us for confirmation of current availability of a particular hard copy: 4 Marien Ngouabi Street, Windhoek.

You can also follow us on our Facebook page (LAC Namibia) and Twitter page (@LACNamibia).

The LAC Director and Coordinators of the LAC units can be contacted by telephone (061-223356) or at the following email addresses:

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Toni Hancox



Sharen Zenda



Dianne Hubbard



Corinna van Wyk

The **Financial Manager, Vasisee Kuvare**, oversees our accounts office. In so doing, she deals with the financial reporting to donors and also facilitates the annual audit of the LAC. These primary duties include:

- ➔ engaging with each donor;
  - ➔ providing financial updates to the LAC units vis-à-vis their donors;
  - ➔ overseeing the input required by the auditors; and
  - ➔ providing the final financial statements to our Board of Trustees.
- Vasisee can be reached by telephone or email: [vkuvare@lac.org.na](mailto:vkuvare@lac.org.na)



Vasisee Kuvare