



LEGAL ASSISTANCE CENTRE



LAC

FIGHTING FOR HUMAN RIGHTS IN NAMIBIA SINCE 1988

ANNUAL REPORT 2022



INTRODUCTION TO THE LAC

Vision

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

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.

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LEGAL ASSISTANCE CENTRE

Main Activities

The LAC carries out its mission through three main activities:

m Legal advice and litigation

m Education and training

m 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.

m Human rights and constitutional test-case (impact) litigation – particularly in relation to socio-economic rights

m Human rights educational materials

m Legal advice

m Training of candidate legal practitioners, government officials and law-enforcement agents

m 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.

m Gender research for law reform and public debate

m Advocacy and lobbying for law reform

m Educational materials on family law issues with a focus on issues that affect women and children

m Education and training for communities and policymakers on legal issues related to gender

Land, Environment and Development Project (LEAD)

Works on land, environment and rural community empowerment issues.

m Test case litigation on land disputes and access to land rights

m Legal support to community conservancies and community-based organisations

m Focus on wildlife crime

m Community dispute resolution

m Research and policy formulation on land rights

m Education and training on land rights and land administration



Toni Hancox

LAC 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, LGBTQIA+, HIV, gender, children, disabilities and inheritance.
2. **Socio-economic rights** – emphasising health, education, refugees rights and water and sanitation, and also incorporating issues of disabilities, land, environment, poverty, and wildlife crime.
3. **Rule of law / Access to justice** – encompassing matters 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.

In 2022, the LAC agreed on a new strategic path that will maximise our impact in an increasingly challenging environment. Our longstanding focus on assisting individual clients to redress rights abuses they had suffered will now be replaced by a much-increased focus on public-interest engagement. Litigation will be undertaken only if it will make a difference to a class of persons, not to specific individuals. The LAC is the only public-interest law firm in Namibia, and its financial and human resources are limited. The host of new issues facing the country, such as the extractive industries and related possible “resource curse”, and the effects of climate change, must also form part of our overall strategy.

On this new strategic path, we will strive to address the inequalities of the past, by increasing access to land and natural resources, providing legal assistance in relation to utilisation of the environment and wildlife as tools for livelihoods, and providing access to justice or legal advice as appropriate.

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.

On Human Rights Day, 10 December 2022, an LAC team went to Gobabis to conduct a Legal Aid Clinic, interact with the locals, and provide an array of LAC information materials such as comics and pamphlets.





SOCIAL JUSTICE PROJECT (SJP)



The SJP is LAC's main litigation vehicle. In 2022 we litigated largely on access to health and police assault matters. In conjunction, we provided legal support and advice to the refugees and asylum seekers residing in the Osire Refugee Settlement as a vulnerable community. This is an ongoing project that we wish to continue as far as possible. There are no other institutions providing such services to refugees in Namibia. A large amount of SJP work relates to court litigation and is guided by the rules of court and the rules of the profession. Litigation is almost never an easy or short intervention, although the increasing use of mediation in the early stages of a litigious matter has led to some early settlements. Following is a short summary of the litigation files currently managed by the SJP. For easier reading, these matters are reported on by topic.

ACCESS TO HEALTH

Access to healthcare remains a major concern. State hospitals cannot provide the quality care required. Ward conditions are extremely unfavourable (e.g. broken ablutions, insufficient beds and a lack of cleanliness), and in some instances patients have to purchase medication elsewhere. Given that Namibia has an unemployment rate of over 50% and no Basic Income Grant, the demand for state services is very high. Those with private medical aids do not make use of state healthcare services, even though the rates are much lower. In 2022 the Government paid a total of N\$4 705 000 to our clients in settlement. The following are examples of cases settled:

- m SKK:** This is a case of medical negligence involving a baby who was born without an anal passage. Medical personnel failed to detect the deformity and discharged the mother and baby. Soon after the subsequent corrective surgery, the baby died. In court, the Government offered N\$300 000 to settle the matter, and our client accepted this offer. Although money can never make up for the death of a child (or any person) caused by negligence, this payment may at least provide some consolation and closure.
- m GK:** Our client presented herself at the Katutura State Hospital with light vaginal bleeding and was admitted. The medical personnel administered an abortifacient after misdiagnosing her with a miscarriage. After being discharged she suffered excruciating abdominal pain, and was referred to the Windhoek Central Hospital where a sonar was ordered. It was concluded that she had been suffering from an ectopic pregnancy which would have required a different treatment. She accepted the Government's settlement offer of N\$250 000.
- m BK:** At the Oshikuku St Martin State Hospital, our client's 4-month-old baby was misdiagnosed with epilepsy and hence was incorrectly treated and managed. Our client accepted the Government's settlement offer of N\$700 000.
- m NM:** Our client's son was at school when a concrete wall fell on his back, severely injuring him. He is now partially paralysed from the waist down. Litigation commenced against the Government for its negligence in failing to provide a safe environment for schoolchildren. Our client accepted the Government's offer of N\$300 000 in settlement.
- m RR:** Our client went to the Swakopmund State Hospital for a uterus-cleaning procedure after a miscarriage. During the procedure, the medical personnel negligently cut off a portion of her small intestine and stitched her up without informing her of same. She was then diagnosed with short-bowel syndrome. We instituted action and settled the matter. Our client received a payment of N\$1 500 000, and the municipal council is considering building her a house with ablution facilities as she currently lives in a shack.

The number of medical negligence matters brought to the SJP's notice continues to rise, and it must be said that the right to health is under serious threat in Namibia. We cannot assist in every matter, but a continual settlement of matters will impact the government coffers, and should force an upgrade of the level of care in state hospitals. Additionally, research is underway to determine how an NGO could sue the Ministry of Health and Social Services to provide better healthcare services.



Staff of GR&AP joined the SJP at Osire in 2022 to give input on Namibian laws, focusing on issues such as child care and protection.

SUPPORT FOR REFUGEES

This support is rendered under the LAC Access to Legal Advice and Support for Refugees in Namibia Project initiated in 2018 in collaboration with the UNHCR. In 2022, LAC lawyers and support staff paid 13 visits to the Osire Refugee Settlement near Windhoek, where they provided legal advice and information to the refugees and asylum seekers on three key topics: rights and responsibilities; the Resettlement and Status Determination (RSD) process; and how to appeal a final rejection by the Government. Where appropriate, we made referrals to service providers or organisations who could assist. The issues most commonly raised by the Osire residents related to: derivative status applications pending for protracted periods, even years; healthcare and medicine; appealing a final rejection by the Ministry of Home Affairs, Immigration, Safety and Security (MHAISS) in court; appealing an initial RSD rejection; amending or correcting identification documentation; divorce proceedings; resettlement or repatriation; and socio-economic matters in the settlement.

A strategy change adopted in 2022 was to provide training to new arrivals at Osire on seeking asylum and refugee status in Namibia, to capacitate those making initial applications for refugee status. A prevalent problem is that many refugees and asylum seekers enter into a bogus/illegal marriage to secure status from their spouse. We decided to approach this issue holistically by offering training on general laws applicable to refugees and asylum seekers and specific laws relating to RSD applications. This has the effect of streamlining the process in that it prevents an uninformed application. This information sharing and training is also of value to successful applicants who are then given information on Namibian laws which they in turn can impart to new arrivals and assist them further. Our manual and pamphlet setting out the RSD process were rolled out to the Otjozondjupa, Kavango and Zambezi Regions. (A poster outlining this process was rolled out to the refugee reception area in Katima Mulilo and the Wenela and Ngoma Border Posts in 2021.) In 2022 we provided training to 701 asylum seekers and refugees, the majority of whom were new arrivals. In addition to the 13 visits, we joined town hall meetings and delegations to enhance our relationships with refugees and asylum seekers in a different setting, and to help to engender a sense of community between all parties.

As in previous years, we distributed LAC publications with simplified explanations of general legal issues to Osire residents, schools, the Namibian Police, the Society for Family Health (SFH) and the MHAISS. A total of 9000 copies of publications were distributed in 2022, on the following topics: Birth Registration; Maintenance of Children and Spouses; Guardianship/Parental Plans; Child Protection; Kinship Care; the Age of Majority; Rape; Medical Intervention; Medical Intervention in Children; the Married Persons Equality Act; and Trafficking.

An information-sharing session during one of the LAC's 13 visits to the Osire Refugee Settlement in 2022.



POLICE ASSAULT

Incidences of police assault and brutality have been increasing. The following are examples of resolved and ongoing matters taken up by the SJP:

- m PN:** Our client was assaulted by police at her place of employment, with the police alleging that she was involved in the theft of goods. This proved to be incorrect. The Court awarded her N\$10 000 to compensate her for the damages she suffered. After the Government delayed the payment, interest was requested and paid, and she received N\$12 000.
- m LMT:** Members of the Namibian Defence Force (NDF) physically assaulted our client with AK-47 firearms until she lost consciousness. This happened after she asked police officers why they had forcefully harassed and physically assaulted her neighbour. On the date of the trial, the Government made a settlement offer which our client accepted and the Court ordered.
- m BM:** A Zimbabwean national in Otjiwarongo was shot and died in June 2020. Our client, a family member, claimed for damages, loss of support and funeral expenses. The defendants demanded that our client pay security for their legal costs. Our application was opposed on the grounds that the plaintiff was rendered free legal representation. We were successful and a settlement figure was offered and accepted by client.
- m AM:** Police officers physically assaulted our client on 12 February 2020 in Oshoongela village when they came to her homestead looking for her brother in connection with a theft. We instituted legal proceedings, whereafter the Government offered a settlement of N\$100 000 which our client accepted.
- m IS:** A man was shot dead by an NDF officer for recording, with his phone, members of the NDF assaulting a civilian. We filed summons on behalf of the deceased's minor children, claiming wrongful death and loss of support. The Government offered N\$360 000 as full and final settlement. After the deceased's mother refused this offer, the amount was increased to N\$400 000 which she accepted, and this settlement was made an order of court.
- m DA:** Our client was assaulted by police officers and held in police custody without receiving medical care. The assault led to the loss of his teeth. We issued summons and the matter went to trial. After finding in our client's favour and awarding him N\$136 096,60, the Court asked the officers who assaulted him to show why they should not be held personally liable for the costs. This matter is postponed for a status hearing.
- m LR:** Our client's 17-year-old son was assaulted by Windhoek City Police officers. The injuries inflicted proved fatal; the child died in the hospital eight days later. The officers were convicted for murder and attempting to obstruct the course of justice, and are now serving substantial prison sentences. We issued summons against the Government and the ex-officers, and the matter is at case planning before the High Court.
- m JJ:** Our client was sleeping in a makeshift home in an informal settlement when he was struck by a bullet fired by a member of the NDF. It was alleged that the shot was fired to diffuse an unruly crowd. We have instituted action against the Government and the matter is ongoing.
- m T & 13 Others:** Our clients were assaulted by members of the NDF while grazing cattle along the railway corridor between Okahandja and Omaruru. After summons was served and the Government indicated its intention to settle, the Court ordered the parties to attend mediation. This will take place in March 2023.



The community of Khorixas in Kunene Region in north-western Namibia demonstrating against police brutality

GENDER RESEARCH AND ADVOCACY PROJECT (GR&AP)



Ever since its inception shortly after Namibian Independence in 1990, GR&AP has contributed enormously to new legislation relating to women and children, to help ensure that such laws conform to human rights standards. GR&AP also provides extensive training on matters affecting women and children, and advocates for their rights and protections – work that remains essential, not least because gender-based violence (GBV) continues to be a scourge in our society, despite all efforts by the Government and civil society organisations to curb it. Following is a brief summary of GR&AP's work in 2022.

HIGHLIGHTS IN 2022

m PUBLICATIONS

- **Index to the Laws of Namibia (Namlex):** There were four updates in 2022. Each update of the *Namlex* database includes updates of the relevant texts in the database of annotated statutes and regulations. These databases are available to the public free of charge on the LAC website.
- **Learn About the Law – Statute Summaries: Three Branches of Government:** This is the second volume in our series providing short and simple summaries of key statutes that affect many members of the public.
- **Guide to Namibia's Child Care and Protection Act:** The high demand for hard copies of this comprehensive guide and related materials (comics, posters and pamphlets) necessitated reprints.

m RESEARCH AND ADVOCACY

The focal topics in 2022 were: the draft bills on marriage and divorce; the proposed amendments to the laws on rape and domestic violence; obsolete laws; civil registration; hate speech; access to abortion; and LGBT issues.

m 2022 BY THE NUMBERS

- 17 training sessions on the Child Care and Protection Act and other family-related laws, for professionals, community groups and schools, with a total of 1065 participants (553 females, 512 males)
- 49 media appearances – in the print media, on radio and television, and in online interviews and podcasts
- Distribution of over 152 000 copies of GR&AP publications
- Assistance to approximately 2 200 clients

Participants in a GR&AP training session in the village of Berg Aukas near Grootfontein in southern Namibia



TRAINING AND INFORMATION-SHARING

GR&AP facilitated 17 training sessions on the Child Care and Protection Act, with a total of 660 participants (343 females and 317 males), including community members, school teachers and learners, religious leaders and social workers. Among the groups targeted were San community members and schoolchildren in Tsumkwe and Mangetti Dune (a village outside Tsumkwe). This was the first time that GR&AP trained San people directly.

The most concerning issues raised by participants in the workshops were: cases of corporal punishment inflicted by teachers and hostel staff; no visits by social workers; challenges in registering births; teenage pregnancy; schoolchildren abusing alcohol and drugs; juveniles committing offences; and insufficient social grants.

We also paid a courtesy visit to the Nampol Station Commander in Tsumkwe, Inspector Shikulu, to introduce the LAC and explain what we do, and to briefly discuss some of the concerns raised by workshop participants, such as children complaining about corporal punishment and drug and alcohol abuse. The Inspector noted that people are not eager to report violence, since the victim is normally the same person who will post bail for the perpetrator. Police officers mostly give verbal warnings which seem to help in the majority of cases.



Learners trained at Mangetti Dune Combined School



Inspector Shikulu with the GR&AP trainer, Yolande Engelbrecht

INPUT INTO DRAFT LEGISLATION

- m Family law:** Extensive comments on the draft Divorce Bill were submitted to the Ministry of Justice and copied to some key stakeholders. The submission consisted of:
 - (1) the draft Divorce Bill with extensive margin comments;
 - (2) a summary of key concerns; and
 - (3) a short input focusing specifically on forfeiture of patrimonial benefits.
- m Rape amendments:** GR&AP provided background information to the Minister of Justice on motivations for increasing the sentences for rape. An existing PowerPoint to match the tabled Bill was edited, and the Bill and PowerPoint were posted on the LAC website, along with a Facebook post to call attention to them.
- m Domestic violence amendments:** The Combating of Domestic Violence Amendment Bill was introduced in Parliament on 23 February. Despite the intense lobbying that has already taken place, the Bill fails to address the exclusion of same-sex couples from the coverage of the law. GR&AP emailed the Bill, the Minister's tabling speech and a variety of lobbying materials to partners concerned with LGBTQI+ issues.

"Thanks for the heads-up. A very key omission from the bill that you mention." – Gwen Lister

"Thank you very much for sharing the information. It is indeed regressive to note that our existence and GBV realities experienced within our domestic settings still remain the same as the state clearly dismisses our advocacy reform engagements. I am hoping that as the LGBTI movement we will center ourselves in advocacy as a collective in order to address the current status. Once again thank you for sharing."

– Magano Bauman, Namibia Diverse Women's Association

"Thank you for this update and alert." – Adv. Bience Gawanas

"Unfortunately, the Ministry sidesteps this issue all the time, despite the Minister having said time and again that Namibia does not discriminate against the LGBTQ community." – Journalist

"Very helpful and we appreciate this a great deal!" – Sister Namibia

ADVOCACY ON GENDER-BASED VIOLENCE

While doing the *Namlex* updates on case law, it came to our attention that judicial applications of the definition of “sexual act” (as defined in the Combating of Rape Act) to cases of alleged child rape have not consistently resulted in the intended broadened understanding of this term. We discussed this with the Minister of Justice, and then quickly (within 24 hours) prepared an input on the issue. The haste was necessary to ‘catch’ the Bill which was steaming ahead at last. Our input was well received by the Minister.

NEW PUBLICATIONS

- m Statute Summaries Vol. 2:** This volume focuses on the three branches of government: Executive; Legislative; and Judicial. Vol. 1 (2021) focuses on three themes: Citizenship; Crime, corruption and policing; and Public protests.
- m Civil Society Registration Laws: Malign or Benign?:** This is a submission for a consultation on the Government’s Civic Organisations Partnership Policy.
- m How to Set up a Non-Profit Group:** Our short guide on setting up an NGO in the form of a voluntary association was completely revised. It includes a sample constitution.

“Good day Dianne.

Thank you very much for this very comprehensive report on this important issue. I have accepted and asked the drafters and my researchers to look at the full scope and advise. I will let you know if there is anything else.”

– Hon. Yvonne Dausab, Minister of Justice, email to the GR&AP Coordinator on 23 May 2022

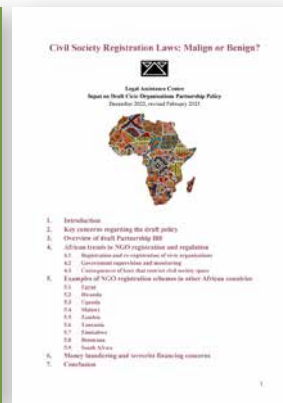
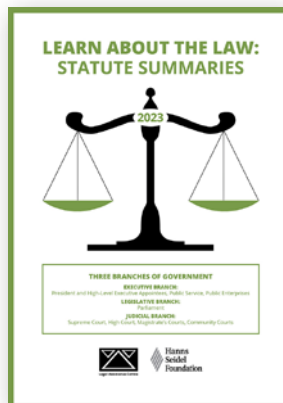
“I would also like to acknowledge and thank the person who published the Guide to the Maintenance Act 9 of 2003. It surely serves its purpose by bringing awareness to the public of the rights we (especially helpless mothers and children) have when it pertains to maintenance. I have studied the guide and it has greatly assisted me in defending my case in the maintenance court.”

– Email from a client on 8 April 2022

GR&AP publications are available on the Publications page of the LAC website: www.lac.org.na/index.php/publications



Distributing GR&AP publications



NAMLEX POCKET LAW

This is an exciting new LAC activity that will provide access to Namibian legislation on a cellphone app at a cost. The idea is to make the app subscription-based to raise money for the maintenance of the legal databases, while access to the web page via a browser will remain free as always. A trial run was done and useful feedback was received:

“First and foremost, it allows for a convenient research capability on a mobile device. This allows research to be conducted easily, and without necessarily having to use a laptop, browser and search engine or to download the entire Namlex on a mobile device. There is also the added assurance that the information on the app is updated and current.

The search functionality was basically instantaneous in responding to a query, and accurate. The app is easy to navigate and user-friendly.

Quite frankly, I have no suggestions regarding improvement to the research aspects of the app. It met all my research requirements. All I could think of was some form of automatic notification via the app (a) alerting if Namlex is updated (indicating the changes / additions) and (b) alerting if any new legislation is gazetted. But I appreciate that such functionality could be challenging to implement and maintain.

Keep up the excellent work, and many thanks for this important initiative.”



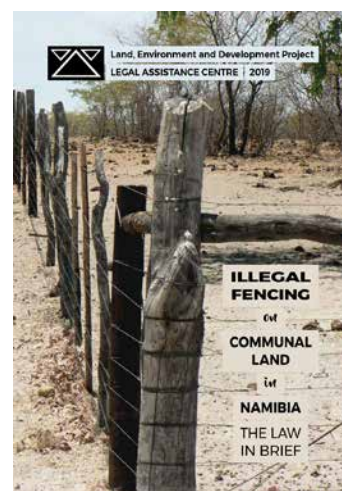
LAND, ENVIRONMENT AND DEVELOPMENT PROJECT (LEAD)

L EAD deals with access to land and protection of the environment and natural resources in order to improve livelihoods. In 2022, as in previous years, LEAD focused strongly on wildlife as a very important resource, not only for income generation today, but also for the world that we want to leave to the generations to come. Following is an overview of a few selected areas of LEAD research, outreach and advocacy work in 2022.

LAND

Illegal fencing and unlawful occupation

The Ncumcara Community Forest Management Committee requested LEAD's assistance to have illegal settlers and illegal fences removed from the community forest (located about 35km south of Rundu in Kavango East). More and more illegal fences are being erected in parts of the forest, but there is no knowledge as to who owns them, because only cattle herders from Angola are there and they are unable to communicate with our clients. The forest is under enormous strain. All of the committee members are founding members who have worked at establishing and maintaining the forest for 16 years without any remuneration whatsoever. Now the fruits of their careful custodianship practices are being stolen. Illegal fences place more pressure on the environment. Many trees are being randomly cut for fencing material with no regard for forest conservation practices, and fruit trees and other food-producing trees and plants are being destroyed, particularly by illegal settlers' cattle.



This recent LEAD publication summarises Namibia's law regarding illegal fencing.



The LEAD coordinator made a presentation to Standing Committee on Natural Resources of the Namibian Parliament to raise issues of concern.

ENVIRONMENT

Extractive industries

LEAD visited the office of the Environmental Commissioner to inspect documents concerning the activities of Recon Africa, a Canadian company drilling for oil in Kavango East and West. It appeared that the company had applied for an extension/renewal of its permit for a second phase of a seismic survey, but that no new Environmental Impact Assessment had been carried out.

Stampriet uranium mine activities

The LAC, through LEAD, agreed to assist in the drafting of the constitution of the Stampriet Aquifer Uranium Mining Committee (SAUMA), and to provide further support to SAUMA in the form of guidance and legal advice from time to time, as well as to continually access information regarding the proposed uranium leaching by Headspring Investments.

Communal farmers in the Stampriet area also approached the LAC for advice, and LEAD met with some of them. They reported on the main concerns of the communal farmers: a lack of consultation; the cutting down of trees in the area; and roads being created on their plots. The meeting concluded with the suggestion to bring the aggrieved parties together.



A LEAD workshop in Tsumkwe on responsible timber logging



A Recon Africa oil-exploration site in Kavango East Region

Tsaub//Khaieb National Park

Formerly known as the Sperrgebiet National Park, the Tsau //Khaeb National Park was proclaimed as a national park under Namibia's Protected Area Network. For more than a century after the discovery of diamonds in the area in 1908, most of the park area was left undisturbed and closed to the public. Although this was done to protect the diamond-mining magnates, it also contributed to safeguarding the Succulent Karoo ecosystem, which contains the highest diversity of succulent flora globally. The park has giant rock arches, meteor craters, fossil and archaeological sites including Africa's most important shipwreck, and some of the most pristine and wildest landscapes on the planet. Some 1050 plant species are known to occur there, which means that nearly 25% of all flora of Namibia occurs on less than 3% of the country's total land area. This led to the listing of the Succulent Karoo as one of the world's top 34 'biodiversity hotspots'. Tsau //Khaeb National Park is one of a 'new era' of protected areas, proclaimed to protect biodiversity while contributing to the local and national economy through tourism development and concessions.

It is part of this area that is now being promoted as the site of the much-vaunted green-hydrogen production facilities that allegedly will promote economic growth for the benefit of all Namibians. In this pristine place, an industrial-scale green hydrogen and ammonia production facility and related infrastructure is to be constructed and operated. What is highly questionable is whether green-hydrogen production is the best alternative for a hitherto protected location that is prized worldwide for its biodiversity. The situation is to be closely monitored.

Green hydrogen

LEAD met with officials of the Ministry of Mines and Energy to discuss concerns about the National Integrated Resources Plan (NRI). This is essentially an economic plan, the drafters of which considered only government policy plans without looking at compliance with existing laws. This will result in environmental aspects not being considered in future considerations of the viability of a proposed project. By separating these two issues, the extractive industries can rely on the NRI to start negotiations, hence in some cases civil servants have rubber-stamped a process with the thought that political approval is sufficient, without considering the Environmental Management Act or whether the Paris Agreement was complied with as per our government's commitment.

The "Illegal Fencing Training Workshop and Round Table Discussion" held in Katima Mulilo on 14-17 September 2022. This event, organised by the Hanns Seidel Foundation, provided training on illegal fencing to traditional authorities, the Zambezi Communal Land Board, and members of community forests and conservancies in Zambezi Region.





School groups discussing the LAC Wildlife Crime Comic Competition and practising for storytelling and creating a comic

WILDLIFE CRIME

Combating Wildlife Crime Comic Competition

LEAD launched a comic-production competition to engage with schoolgoing youth on wildlife crime. In preparation for the competition, we gave presentations on wildlife crime to a number of schools during their annual summer camp. They were given information about what constitutes wildlife crime, how it operates and what laws are affected. We tasked the learners to discuss, in group sessions, the idea of creating a story and putting it into comic form, and to practise doing this. The first prize went to **Suiderlig High School** in Keetmanshoop, for a comic titled **Fight Against Illegal Timber** (pictured on the right). LEAD is going to publish an edited version in 2023, and will also run another comic competition in 2023.



LEAD staff giving presentations on wildlife crime at schools to prepare the learners for entering the comic competition



The winners of the comic competition: Suiderlig High School in Keetmanshoop, //Kharas Region, southern Namibia

OTHER HIGHLIGHTS FOR THE LAC IN 2022



COLLABORATION WITH OTHER ORGANISATIONS

- m Action Coalition:** The LAC remains a member of this coalition which advocates for legislation on access to information, citing freedom of expression as a human right without which there cannot be a true democracy. The relevant legislation was finally passed in 2022, but has not yet been implemented.
- m Change Project of the Law Society of Namibia:** The LAC Director serves on the Change Project steering team. This project is conducting extensive research to critically assess all aspects of the legal profession in Namibia, and to propose changes to ensure that the profession is accessible, relevant and responsive to Namibian society, and that it maintains international standards and best practices.
- m BIG Coalition:** The LAC remains a member of this coalition which is advocating for a universal Basic Income Grant (BIG) in Namibia.
- m Civil Society Information Centre Namibia (CIVIC +264):** The LAC is a founding member of this association of civil society organisations (CSOs) which serves as a hub for the sharing of information for, by and among CSOs in Namibia, such as information about funding opportunities for CSOs, and developments that could affect CSOs. CIVIC +264 also provides a listing of all CSOs in Namibia with their contact details.
- m Namibia Media Trust (NMT):** The LAC Director is a trustee of the NMT, whose objective is to further the principles of press freedom and freedom of expression as well as access to information.
- m Society of Advocates:** An interesting opportunity presented itself in 2021 when the Society of Advocates indicated its desire to do pro bono work for the LAC as part of the Society's social responsibility project. The modalities were finalised in 2022, and the first matter under this project is now in progress.

SHOWCASING LAC PUBLICATIONS

The LAC was represented at the
Civil Society Exhibition & Networking Event
hosted by CIVIC +264 at the Gateway Conference Centre
in Khomasdal, Windhoek, on 19-20 October 2022.



PUBLIC EDUCATION

Since 2017 the LAC has produced a monthly column titled **ProBono** for publication in *The Namibian* newspaper, to inform the public about various aspects of Namibian law. Feedback confirms that this information is of assistance. All *ProBonos* are also posted on the LAC website. Fifteen columns were produced in 2022:



1. Rule of Law and Danger of Taking Law Into Own Hands
2. Sexual Orientation and the Digashu Case
3. Covid Vaccines for Children and the Law on Consent
4. The Land Bill: What is it all about and why is it needed?
5. What is Namibia Doing about Urban Land Reform?
6. The Divorce Bill: What's good and what's not
7. A Sex Offender Register for Namibia? Right Idea, Wrong Solution
8. The Media, Informed Opinion and Free, Prior and Informed Consent?
9. The Mission of the Legal Assistance Centre: What it can and cannot do
10. The Etosha Case: Who can bring ancestral land rights claims?
11. Expungement of Criminal Records: Should criminal convictions follow you forever?
12. Universal Basic Income Grant – Social Justice for All
13. Mandatory Pro Bono Work by Legal Practitioners
14. Responsible Logging
15. Administration of Communal Land

SCREENING SERVICES FOR WALK-IN CLIENTS

The LAC daily screening services assist walk-in clients, which enables them to also 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.

OUR NEW BOARD MEMBER

The Legal Assistance Trust (LAT), which oversees the work of the LAC, welcomed **Ms Gladice Pickering** as a new trustee as from 1 July 2022. Ms Pickering's wealth of experience will add great value to the Board's guidance of the LAC.



The LAC Director with the new Ombudsman, **Basilius Dyakugha**, who paid a courtesy call to the LAC in April 2022.

CAPACITY BUILDING

Capacity building within the LAC is continuous as the units work on their own and in conjunction with each other to holistically deliver the human rights message in different ways. In 2022 the LAC hosted four candidate attorneys who will further enlarge the pool of potential human rights lawyers in Namibia. In addition, several interns provided input to the LAC units in 2022. Each unit also constantly engages in workshops and conferences in relation to its area of interest.

PLANNED WAY FORWARD

Fundraising efforts will continue to be prioritised in order to ensure that the LAC can continue with its valuable work in 2023 and beyond. We believe that our work is essential in "making human rights real" in Namibia.

OUR DONORS

IN 2022



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

Africa Groups of Sweden

American Bar Association (ABA)

Brot für die Welt

European Union

Friederich Ebert Stiftung

Hanns Seidel Foundation

Julia Taft Fund

Konrad Adenauer Stiftung

Rosa Luxemburg Stiftung

United National High Commission for Refugees (UNHCR)

GET IN TOUCH WITH US

A large volume of information about the Legal Assistance Centre'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**. Hard copies of many LAC 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 **Facebook** (LAC Namibia) and **Twitter** (@LACNamibia).

The LAC Director and the 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:

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



Vasisee Kuvare