



2022 IN REVIEW

Gender Research & Advocacy Project (GR&AP)

Legal Assistance Centre

MISSION: GR&AP promotes gender equality and the empowerment of women and children through legal research, law reform and related advocacy work.

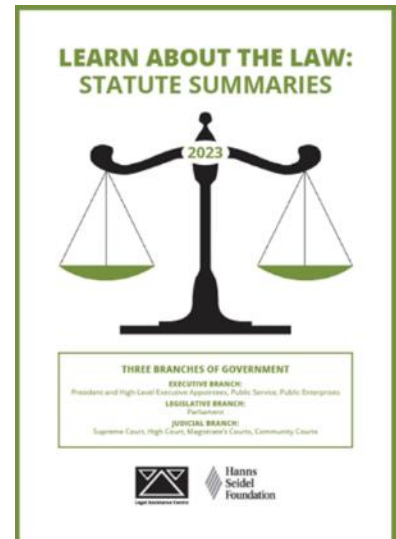


STAFF: GR&AP has 3 permanent staff members (left to right) - Dianne Hubbard, Yolandé Engelbrecht & Celine Engelbrecht. The department is assisted from time to time by short-term local & international interns.

HIGHLIGHTS IN 2022

PUBLICATIONS

- **Statute Summaries** on the three branches of Government: Executive, Legislature and Judiciary
- **Civil Society Registration Laws: Malign or Benign?**
- Three updates to **NAMLEX: Index to the Laws of Namibia** along with **regularly updated texts of amended statutes and regulations**, all available free online
- **Regular ProBono newspaper columns** researched and written for publication in *The Namibian* (15 columns published, 9 drafted by GR&AP and 6 drafted by LAC colleagues and edited by GR&AP)
- Update and revision of the pamphlet on **how to set up an NGO**
- **Reprints** of our comprehensive *Guide to the Child Care and Protection Act* for service providers as well as 18 existing comics and several posters on corporal punishment, gender-based violence and the *Child Care and Protection Act*



RESEARCH AND ADVOCACY

- **Research and advocacy on a range of legal topics:**
 - draft bill on civil registration
 - draft bills on marriage, divorce and marital property
 - amendments to the laws on rape and domestic violence
 - proposals for law reform on harassment and sexual exploitation
 - various LGBTI+ issues



2022 BY THE NUMBERS

- **49 media appearances**, including print media, radio, television & online interviews
- **17 training sessions on the Child Care & Protection Act, family laws and gender-based violence**, for professionals, community groups & schools, involving over 1000 participants
- over **152 000 publications** distributed
- close to **2 200 clients** assisted

ADVOCACY

Civil Registration and Identification Bill



Robyn Kleinhans (legal drafter), Tulimeke Munyika (MHIASS) & Dianne Hubbard (GR&AP) working on what they hope will be the final draft of the Bill

This Bill covers a range of important issues, including the registration of births, deaths, marriages and divorces; protection against statelessness; and access to information in the government databases. GR&AP worked in partnership with the Ministry of Home Affairs, Immigration, Safety and Security (MHAISS) and the legal drafters in the Ministry of Justice to polish the provisions in the draft bill, particularly to ensure that it improves birth registration of marginalised groups by providing for the registration of children born to undocumented parents. We hope this Bill will be passed in 2023.

Amendments to the Combating of Rape Act

GR&AP supported the proposed amendments aimed at fine-tuning this law, by sharing a presentation explaining the proposed amendments on our website and in various workshops, and by popularising the proposals on the *Parliamentary Brief* programme on Desert Radio and publishing an article on the amendments in *The Namibian* newspaper.

The proposed amendments were passed by Parliament in late 2022. While these amendments are very welcome we believe that future amendments should clarify the definition of “sexual act” to ensure that child rapists do not escape conviction on the basis of technicalities.

PROPOSED AMENDMENTS TO RAPE LAW



Gender Research & Advocacy Project
LEGAL ASSISTANCE CENTRE

2022

Amendments to the Combating of Domestic Violence Act

The Combating of Domestic Violence Amendment Bill was introduced in Parliament in February. We supported all of the proposed amendments, which were based on part on past GR&AP research findings. However, in conjunction with other civil society groups, we lobbied for an additional amendment that would address the exclusion of same-sex couples from the coverage of the law.

A variety of lobbying materials were shared with Parliamentarians and partners concerned with LGBTIQ+ issues.

This advocacy effort was unsuccessful. The amendments ultimately passed by Parliament did *not* include the proposed change on same-sex couples. We hope that this issue can still be taken forward in the future, through additional law reform or by means of a constitutional challenge.

7 REASONS TO PROTECT SAME-SEX COUPLES UNDER THE COMBATING OF DOMESTIC VIOLENCE ACT



Legal Assistance Centre, 2022

The current *Combating of Domestic Violence Act 4 of 2003* is about to be amended. Section 3(1) of the Act lists several forms of domestic relationships. The assistance for victims of domestic violence applies only to these listed types of relationships. Currently, the section is worded so that it covers only people “of different sexes” who are cohabiting or in dating relationships. Thus, same-sex couples are excluded from any protection under the Act. **The LAC suggests removing the phrase “being of different sexes” from the Act, so as to extend protection against domestic violence to same-sex couples, for the following reasons:**

1. Failing to protect persons in same-sex relationships from domestic violence may violate the Namibian Constitution, which is Namibia’s Supreme Law. This could violate the constitutional right to dignity and protection against cruel, inhuman or degrading treatment (Art 8) or the right to equality before the law (Art 10(1)). Even though the Supreme Court of Namibia ruled in the 2001 *Frank* case¹ that the existence of a same-sex relationship was irrelevant to an application for permanent residency, the Court explicitly stated: “Nothing in this judgment justifies discrimination against homosexuals as individuals, or deprive[s] them of the protection of other provisions of the Namibian Constitution.”

2. All persons living in Namibia, regardless of their sexual orientation, deserve the same protection from violence. Protecting same-sex couples from domestic violence does not necessarily mean that the government approves of or encourages such relationships. It merely fulfils government’s obligation to protect all persons in the Namibian house. It is a reality that some Namibians are living in same-sex relationships. Protecting same-sex couples against violence will not lead to more people living in such relationships; conversely, failing to protect same-sex couples from domestic violence will not discourage them from staying together.

3. Namibia’s National Human Rights Action Plan 2015-2019 proposes as a key intervention the need to “research and review laws and policies to identify provisions that discriminate against vulnerable groups”, including “sexual minorities”.² The exclusion of same-sex couples from the protection from domestic violence is an example of such discrimination against “sexual minorities” – and on the issue of discrimination against vulnerable groups, the Plan includes a commitment to implement legal reform as necessary to implement “the right not to be discriminated against” (Focus Area 7).

VCRC: *Well received. Will amplify on all our networks*

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

Magano Bauman, Namibia Diverse Women's Association:

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 centre ourselves in advocacy as a collective in order to address the current status. Once again, thank you for sharing.

Adv Bience Gawanas: *Thank you for this update and alert.*

Journalist: *Unfortunately, the Ministry side-steps this issue all the time, despite the Minister having said time and again that Namibia does not discriminate against the LGBTQ community.*

Sister Namibia: *Very helpful and we appreciate this a great deal!*

Combating of Sexual Exploitation Bill & Combating of Harassment Bill

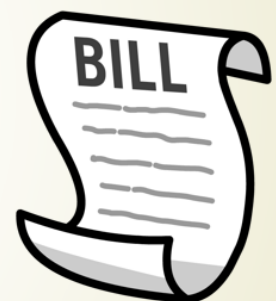
GR&AP has expressed concern in numerous forums about the inadequacy of the provisions in the draft Cybercrime Bill regarding harassment and child sexual exploitation and grooming. We favour a more comprehensive and detailed approach that covers both online and offline manifestations of these harms, which often occur in tandem. We have also pointed out the need to carefully balance protection with freedom of speech and expression. During 2022, we promoted a draft Combating of Sexual Exploitation Bill and a Combating of Harassment Bill prepared by LAC – which are designed to form a trio of legislation along with the Prohibition of Unfair Discrimination, Discriminatory Harassment and Hate Speech Bill which has been prepared by the Office of the Ombudsman. This set of proposed bills would provide for quick and accessible remedies similar to domestic violence protection orders, as well as new crimes aimed at all aspects of sexual exploitation of children and persons with severe mental disabilities.



During 2022, we gave presentations on the proposed bills to the Namibia National Child Online Protection Taskforce, the School Health Task Force, and a consultative meeting on the Cybercrime Bill convened by the Ministry of Information and Communications Technology (MICT) and the Ministry of Gender Equality, Poverty Eradication and Social Welfare (MGEPEWSW) in October 2022.

What is the Draft Combating of Sexual Exploitation Bill?

- A proposed law creating offences for child pornography, voyeurism, non-consensual distribution of intimate images, grooming and other forms of sexual exploitation
- It gives particular attention to the protection of children and persons with severe mental disabilities
- It addresses all forms of sexual exploitation, online and offline in one law
- It provides remedies mainly in the form of criminal sanctions, plus procedures for quick removal of illegal online material



What is the draft Combating of Harassment Bill?

- **Harassment** encompasses physical, verbal, and online harassment behavior that causes physical or mental harm - such as following a person or lurking outside a person's home or place of business, or sending repeated unwanted or frightening messages.
- This proposed law **prohibits all forms of harassment, both online or offline**, and in all situations, regardless of the existing relationship between perpetrator and victim.
- It aims to create an accessible legal approach for providing **quick protection to a victim**, particularly in situations where there is no act of violence or overt threat of violence, meaning that the issue is not addressed by existing criminal laws.

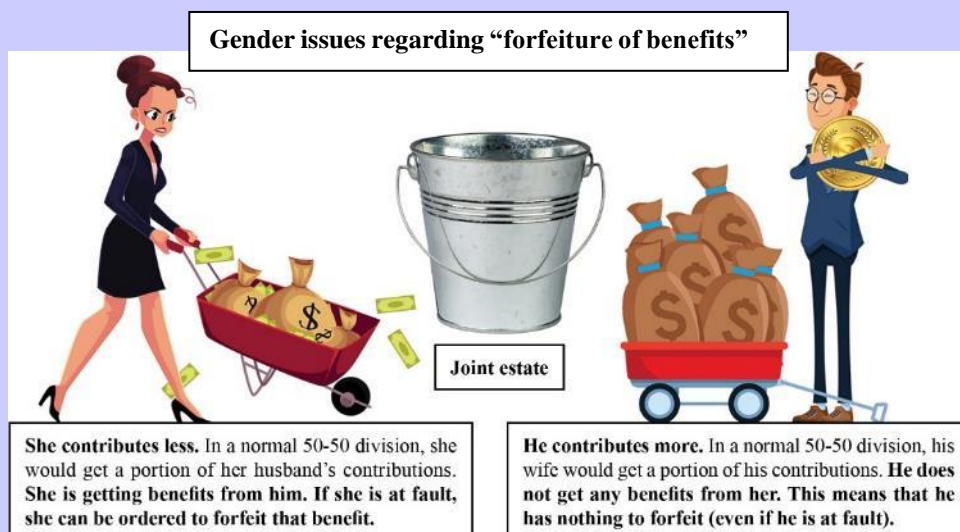


Law reform on family issues

We provided research and input to the relevant ministries on the **Marriage Bill**, **Divorce Bill** and **Uniform Matrimonial Property Regime Bill**. We discussed these Bills at numerous workshops and information sessions, including a consultation on the Divorce Bill convened by the Ministry of Justice in June.

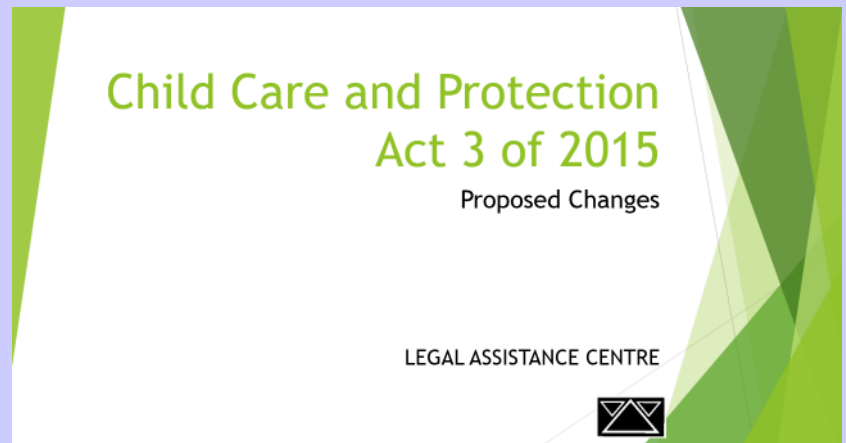
While some groups worry that the proposed change to a no-fault system might encourage divorce, research shows that making divorce difficult does not keep couples together – for the most part, it just pushes them to separate informally while remaining legally married, creating difficulties down the line when one partner dies. Moreover, making it hard for spouses to separate in the Namibian context of widespread domestic violence amplifies the danger for vulnerable women.

GR&AP also opposed the idea of retaining “forfeiture of patrimonial benefits” under the new Divorce Act, since this often disadvantages women who typically earn less; we suggest a system that would give the court discretion to adjust the division of property where appropriate, in light of the contributions of each spouse (taking into account financial contributions as well as the work of child-rearing and caring for the household).



Future amendments to the Child Care and Protection Act

GR&AP has compiled some suggestions for fine-tuning the Child Care and Protection Act and its accompanying regulations, based on issues which have come to our attention while preparing educational materials and working with clients and service providers. We made presentations on some of the concerns which have come to light at meetings attended by magistrates and staff from the Office of the Ombudsman and the Ministry of Gender Equality, Poverty Eradication and Social Welfare (MGEPEWS). We hope to continue to support the Ministry as it takes forward the process of refining the law.

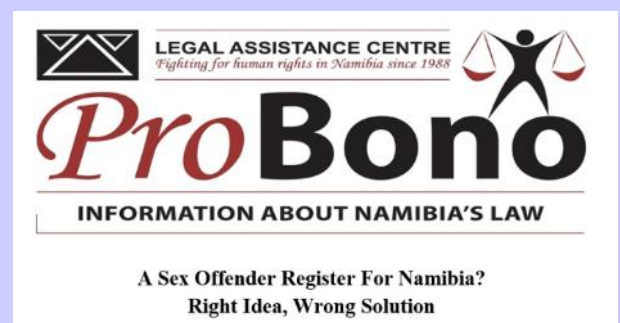


*We just want to make use of the opportunity to thank you
for your valuable presentations and sharing of knowledge at the two meetings
with gender and the magistrates.*

Ingrid Husselmann, Children's Advocate in 2022

Sex offender register

One issue that inspired a great deal of debate during 2022 is a proposal for a sex offender register, which refers to a list of persons who have committed certain criminal offences, often with information about their current place of residence and employment. GR&AP supports the alternative of expanding on the existing system of police clearance certificates, expanding on the existing scheme under the Child Care and Protection Act aimed at protecting children from sexual predators by extending it to persons who seek to work with persons with mental disabilities, in care homes



for the elderly, or in other settings where they would have access to vulnerable persons. We also proposed more emphasis on targeted rehabilitation programmes as a means of reducing re-offending. We made presentations on this issue at various forums, including a stakeholder consultation organised by the Ministry of Justice in March. We also produced a ProBono article and a PowerPoint presentation on this topic, which are both available on the LAC website.

Repeal of Obsolete Laws Bill

GR&AP provided research and information to the Law Reform and Development Commission as background to this law. LAC's input was acknowledged by the Minister of Justice in her Parliamentary speech introducing this Bill, which was passed by Parliament in late 2022.

REPEAL OF OBSOLETE LAWS BILL

... the second phase of the Repeal of Obsolete Law Project was reinforced by the submission of proposals by various organisations, ministries, agencies and civil societies in Namibia... **In particular, I want to single out the Legal Assistance Centre (LAC) for their role in identifying some obsolete laws and assisting with some research...**

We further found that there is some confusion as to whether a particular statute does or does not find application in Namibia. **The Namlex resource maintained with regular updates by the LAC is valuable in this regard, as it provides information that clarifies the correct position....**

Honourable Deputy Speaker, Honourable Members, members of the public, the Repeal of Obsolete Laws Bill will provide for the repeal of certain obsolete laws many of which are discriminatory on the grounds of gender, race, colour, ethnic origin, religion, creed, as well as social and economic status.

Minister of Justice, National Assembly,
13 October 2022

Trafficking

GR&AP has for some years now been compiling information on trafficking cases from press reports and court cases, to inform our understanding of this issue. We recently updated this information and have shared it with the Ministry of Gender Equality, Poverty Eradication and Social Welfare (MGEPEWS) and other interested stakeholders.

Draft Data Protection Bill

GR&AP submitted comments to the Ministry of Information and Communications Technology (MICT) on the draft Data Protection Bill, as a supplement to the ACTION Coalition submission which LAC joined.

NGO registration

In October, GR&AP gave input at a consultative meeting on the government's attempt to revive a 2005 "Civic Organisation Partnership Policy" aimed at NGO registration. The input focussed on how registration schemes in other countries in Africa have evolved into government control and suppression.



Advocacy Advice for Civil Society

GR&AP presented three sessions of advocacy advice to representatives of civil society in October. The sessions were open to civil society only, to encourage frank discussion, but the three associated PowerPoint presentations are available on the LAC website.



Advocacy Advice for Civil Society



Dianne Hubbard
Legal Assistance Centre

- RESEARCH TIPS
- WRITING SKILLS
- ENHANCING EFFECTIVENESS







Sample comments:

- Presentation was clear and understandable
- The session was thorough and simple in its explanations. I'm looking forward to many more sessions.
- The presenter gave interesting insights and gave an amazing presentation.
- Very informative and to this point Dianne is a great teacher/ presenter.
- This was very informative, and I've learned so many things that I will put into practice going forward.
- The classes were fruitful and productive
- Great practical tips, should be used for more NGOs
- Very concise, well-explained and fully explored.
- It's mind-blowing.



PUBLICATIONS

LEARN ABOUT THE LAW: STATUTE SUMMARIES



THREE BRANCHES OF GOVERNMENT

EXECUTIVE BRANCH:
President and High-Level Executive Appointees, Public Service, Public Enterprises

LEGISLATIVE BRANCH:
Parliament

JUDICIAL BRANCH:
Supreme Court, High Court, Magistrate's Courts, Community Courts



Legal Assistance Centre



Hanns
Seidel
Foundation

Our series of Statute Summaries provides short and simple summaries of some key statutes that affect many members of the public. Each summary discusses the main topics covered by each statute, along with some background information and commentary.

In 2021, we published summaries of statutes on three themes: (1) **Citizenship**; (2) **Crime, corruption and policing**; and (3) **Public protests**.

In 2022, we added another volume of statute summaries on the three branches of government: (1) **Executive branch** (2) **Legislative branch** (3) **Judicial branch**.

We hope to gradually add summaries of additional statutes in future years. See www.lac.org.na/index.php/laws/statute-summaries/.

LAC prepared submissions on the concept of NGO registration for a consultation around the government's Civic Organisations Partnership Policy. We produced a background paper on the experience of other countries in African with "voluntary registration", which often evolves into "mandatory registration" that is often used to restrict civil society space. The paper includes a discussion of the links between NGO registration and allegations of money-laundering and terrorism financing by NGOs.

This report is available online here: www.lac.org.na/index.php/projects/gender-research-advocacy-grap/civil-society/.

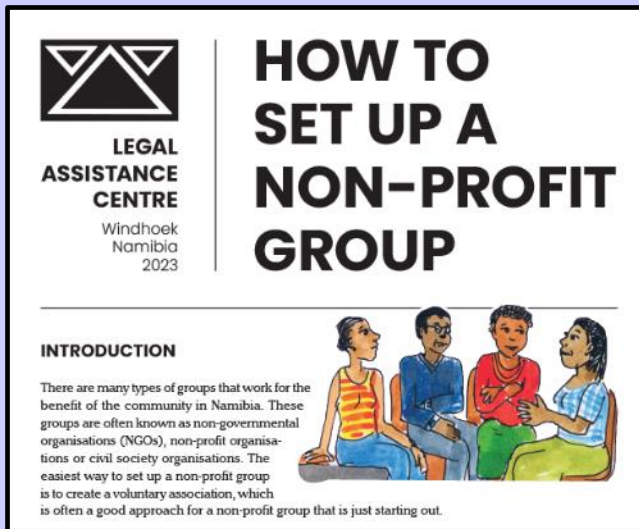
Civil Society Registration Laws: Malign or Benign?



Legal Assistance Centre
Input on Draft Civic Organisations Partnership Policy
December 2022, revised February 2023



1. Introduction
2. Key concerns regarding the draft policy
3. Overview of draft Partnership Bill
4. African trends in NGO registration and regulation
 - 4.1 Registration and re-registration of civic organisations
 - 4.2 Government supervision and monitoring
 - 4.3 Consequences of laws that restrict civil society space
5. Examples of NGO registration schemes in other African countries
 - 5.1 Egypt
 - 5.2 Rwanda
 - 5.3 Uganda
 - 5.4 Malawi
 - 5.5 Zambia
 - 5.6 Tanzania
 - 5.7 Zimbabwe
 - 5.8 Botswana
 - 5.9 South Africa
6. Money laundering and terrorist financing concerns
7. Conclusion



Our short guide on setting up an NGO in the form of a voluntary association was completely revised. It includes a sample constitution. This publication is available online at www.lac.org.na/projects/grap/Pdf/non-profit.pdf

GR&AP also reprinted many of its popular publications, and distributed publications throughout the country.



*Our publications were also featured at the **Civil Society Exhibition & Networking Event** in October which was well-attended in person as well as being live-streamed on Facebook and Zoom.*





Learn more about Namibia's Child Care and Protection Act

EDUCATIONAL MATERIALS AVAILABLE FROM THE LEGAL ASSISTANCE CENTRE



The Child Care and Protection Act 3 of 2015 is Namibia's key legislation on children. It came into force in early 2019. This law covers a wide range of topics, including the respective rights and duties of parents of children born outside marriage, procedures to assist children in need of protective services, the registration of various facilities for the care of children, consent to medical interventions involving children, kinship care, foster care, adoption and social grants for children. The materials described below have been prepared by the Legal Assistance Centre in partnership with the Ministry of Gender Equality, Poverty Eradication, and Social Welfare.

1. Factsheets

A set of 23 factsheets, available in English, Afrikaans and Oshiwambo, which can be used individually or combined as a set in a summary booklet.

2. Comic books

Nine comics on specific topics in the Act:

- Age of majority
- Parenting plans
- Kinship care
- Child protection proceedings
- Children born outside marriage
- Guardianship after the death of a parent
- Exploitation of children

There is also an illustrated booklet on this topic.

- Reporting child abuse and neglect

There is also a pamphlet on this topic, as well as a poster suitable for display at clinics and other medical facilities.

3. Guide to the Child Care and Protection Act

A detailed illustrated Guide in 28 chapters which can be used individually or combined into a comprehensive manual.

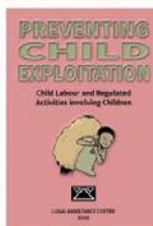


PDFs of all these materials are available on the Legal Assistance Centre website: www.lac.org.na

Summary of Namibia's CHILD CARE AND PROTECTION ACT (Act No. 3 of 2015)

Opsomming van Namibie se KINDERSORG- EN BESKERMINGSWET (Wet Nr. 3 van 2015)

ENGONGO
LYOVETA YEGAMENO
NESILOSHIPWIYU LYOKA
NONA OKANAMIBIA
CHILD CARE AND PROTECTION ACT



4. Four sets of PowerPoints

- **Overview:** for the general public
- **Summaries:** for community workshops
- **Guide chapters:** for service providers and trainers
- **Police presentations:** for police training

OTHER RELATED MATERIALS:

The LAC has also produced many materials on **alternatives to corporal punishment:** a research report and research brief, a fact sheet on the links between corporal punishment and gender-based violence, two comics, a short animated cartoon and a film available on DVD.

This advert is sponsored by UNICEF. The materials featured were funded by the Finnish Embassy, UNICEF, the European Union and the German Embassy.



LEGAL ASSISTANCE CENTRE CONTACT DETAILS
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email info@lac.org.na • website www.lac.org.na



We published a newspaper advertisement in the Windhoek Observer to publicise GR&AP's key educational materials on the Child Care and Protection Act.

MEDIA APPEARANCES

The following is a sample of our 2022 media appearances.



In January, Dianne Hubbard discussed research on **vaccine mandates** on NBC's *Covid-19 Update*.

In February, Dianne gave a talk on the *Parliamentary Brief* programme on *Desert Radio* on the **Combating of Rape Amendment Bill** (along with James Ithana from Regain Trust). This programme was used as the basis for an article in *The Namibian*.

Dianne was a panellist on NBC's *Talk of the Nation*, alongside the First Lady of Namibia, Professor Anicia Peters and Dr Ellison Tjirera, for a discussion of the **defamation** award won by the First Lady. The programme can be viewed here:



www.facebook.com/watch/live/?ref=watch_permalink&v=687551702382817



In April, Yolandé Engelbrecht did two radio interviews on the **Child Care and Protection Act** with NBC's Setswana radio station, and one radio interview on the same topic with the NBC Damara/Nama service.

Dianne also spoke on the **Divorce Bill** on *Kosmos Radio* during April.

In April, a Parliamentary discussion on **rape in marriage** inspired a great deal of public debate. GR&AP contributed remarks for articles in *The Namibian* and *Namibian Sun*, and put brief posts on the issue on Twitter and Facebook.

Key point from the Combating of Rape Act, 2000:

“No marriage or other relationship shall constitute a defence to a charge of rape under this Act.”



In May, Dianne appeared with the Minister of Justice on the NBC programme *Wheels of Justice* to discuss the **proposed sex offender register**. Excerpts can be found here: www.youtube.com/watch?v=jRC53GV9AkM

Dianne also did a live interview with *Desert Radio* on the regulations on **SIM card registration** in May, and a pre-recorded interview with *Future Media* for their Business Report on the same topic.

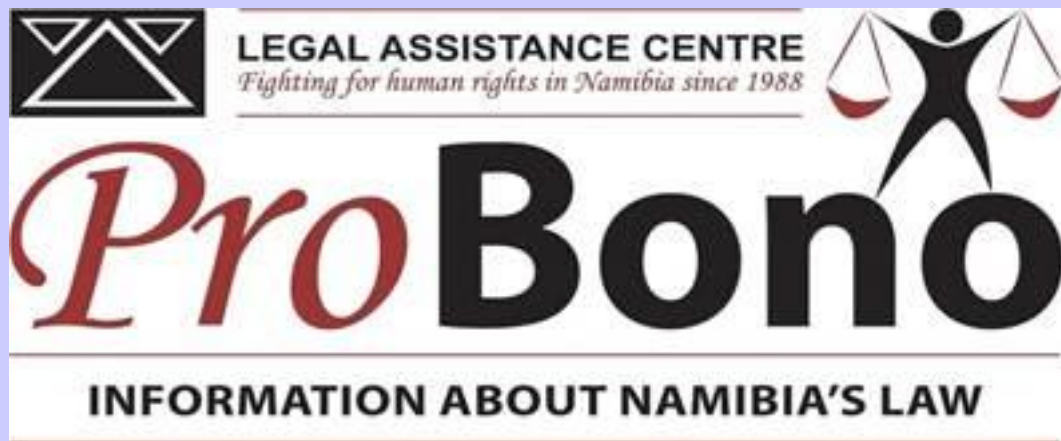
In June, Yolandé did a radio slot on the **Child Care and Protection Act** on Oshiwambo radio. Dianne appeared on NBC *Wheels of Justice* with lawyer Doris Hans-Kaumbi to discuss **marriage and inheritance issues**, particularly the impact of the “Native Administration Proclamation 15 of 1928” which remains in force. Excerpts can be found here: www.youtube.com/watch?v=bJRr09qZJOE



In November, Dianne provided comments for a front-page article in *The Namibian* on the **informal resolution of rape cases** through family meetings, and a recorded statement on **false reports of rape** for *Kosmos Radio*.

In December, Dianne did an interview with *Desert Radio* on **divorce**, which was converted into a newspaper article for *The Namibian*. Yolandé did two radio shows for NBC Afrikaans service (Hartklop) on **protection orders** and one for *Kosmos Radio* on the **amendments to the rape law**.

Our radio and television appearances often result in an increase in client contact in respect of the issues discussed, indicating their relevance and impact.



*GR&AP was involved in researching, writing or editing **15 newspaper columns** for publication in The Namibian (nine drafted by GR&AP and six drafted by LAC colleagues and edited by GR&AP).*

PROBONO COLUMNS PUBLISHED IN 2022

ProBono#70 - 6 Jan 2022 - **Rule of Law and Danger of taking law into own hands**

ProBono#71 - 10 Jan 2022 - **Sexual orientation and the Digashu case**

ProBono#72 - 3 Mar 2022 - **Covid vaccines for Children and the Law on Consent**

ProBono#73 - 17 Mar 2022 - **The Land Bill: What is it all about & is it needed?**

ProBono#74 - 31 Mar 2022 - **What is Namibia doing about urban land reform?**

ProBono#75 - 7 April 2022 - **The Divorce Bill-What's good and what's not**

ProBono#76 - 19 May 2022 - **A Sex Offender Register for Namibia? Right Idea, Wrong Solution**

ProBono#77 - 23 June 2022 - **The Media, Informed Opinion and Free, Prior and Informed Consent?**

ProBono#78 - 7 July 2022 - **The mission of the Legal Assistance Centre: What it can and cannot do**

ProBono#79 – 11 Aug 2022 - **The Etosha case: Who can bring ancestral land rights claims?**

ProBono#80 - 8 Sept 2022 - **Expungement of Criminal Records: Should criminal convictions follow you forever?**

ProBono #81 - 22 Sept 2022 - **Universal Basic Income Grant-Social Justice for All**

ProBono #82 - 6 Oct 2022 - **Mandatory Pro Bono Work by Legal Practitioners**

ProBono #83 - 17 Nov 2022 - **Responsible logging**

ProBono #84 - 22 Dec 2022 - **Administration of Communal Land**

TRAINING AND INFORMATION SESSIONS

GR&AP facilitated **17 training sessions** for a total of **1065 participants** (553 females, 512 males) on issues related to gender-based violence, family law and the Child Care and Protection Act, The outreach mostly targeted community members, schools (teachers & learners), religious leaders and social workers.

Training and information sessions 2022		
1) Men Engage Workshop at invitation of MGEPEWSW social workers assigned to the Khomas Regional Council's Office	25 (all male)	9 Feb-Tobias Hanyeko Constituency, Whk
2) Men Engage Workshop at invitation of Zeeviinok, a local organisation fighting GBV in the community	24 (all male)	11 Feb-Okahandja
3) Berg Aukas church and community leaders (Berg Aukas is a village near Grootfontein.)	40 (29f, 11m)	15 Feb-Grootfontein
4) Tsumkwe primary and secondary school learners	42 (23f, 19m)	16 Feb-Tsumkwe
5) Tsumkwe leaders: traditional authorities, teachers, church leaders	14 (6f, 8m)	17 Feb-Tsumkwe
6) Mangetti Dune Secondary School: 200 school learners and 40 teachers	240 (120f, 120m)	18 Feb-Mangetti Village
7) Havana Project School learners plus two teachers	32 (16f, 16m)	11 Mar-Havana, Katutura
8) Refugees and asylum seekers: training conducted jointly with LAC's Social Justice Project.	156 (55f, 101m)	28-30 April -Osire Refugee Camp
9) Outreach to communities in the north: training for community members, youth, and various service providers	87 (68f, 19m)	13–16 June- Oshakati & Ongwediva
10) "Capacity Strengthening workshop for the Parliamentary Standing Committee on Gender Equality, Social Development and Family Affairs on Gender-Based Violence"	30 (18f, 12m)	25-29 July-Swakopmund
11) Ministry of Health local office (family law, Child Care and Protection Act and intestate estates)	45 (33f, 12m)	9 & 10 Aug-Rehoboth
12) Children's Movement of Namibia: two sessions on domestic violence, rape and the Child Care and Protection Act.	90 (48f, 42m)	9 July & 10 Sept
13) Lingua College GBV training: lecture for law and business students on GBV laws and Child Care and Protection Act	+/-100 (60f, 40m)	29 Sept Windhoek
14) NDF training for military officials (domestic violence, rape, maintenance Child Care and Protection Act)	60 (25 f, 35m)	15 Sept -NDF Resource Centre. Whk
15) UNAM Legal Aid Clinic public event: wills, Child Care and Protection Act, inheritance by children born outside marriage.	+/-50 (32f, 18m)	24 Sept- UN Plaza Katutura
16) Social workers & psychologists: Child Care and Protection Act	10 (all female)	28 Oct-Windhoek
17) NAMPOL heads of stations and GBV Units, with City Police officers, social workers, etc (violence against children)	+/-20 (10f, 10m)	25-27 Oct-Windhoek
TOTAL	1065 participants (553f, 512m)	



Berg Aukas community and church leaders



Training community members, youth and various service providers in Oshakati and Ongwediva

Discussing GBV issues with Members of Parliament



Mangetti Dune Combined School



Learners in Tsumkwe



NDF training in Windhoek



NAMPOL and City Police officers

PARTICIPANT FEEDBACK: “This is one of the best and educative trainings I have attended. It has really given me a better and clearer understanding on how to deal with issues... Now I can say I am more and well equipped to face the community and give better service than before.”

NAMLEX LEGAL DATABASES

NAMLEX: NAMLEX is a list of the laws in force in Namibia organised by topic, with brief descriptions of each law and its subsidiary regulations, rules, notices etc.

NAMLEX APPENDIX: NAMLEX APPENDIX contains information on international treaties applicable to Namibia.

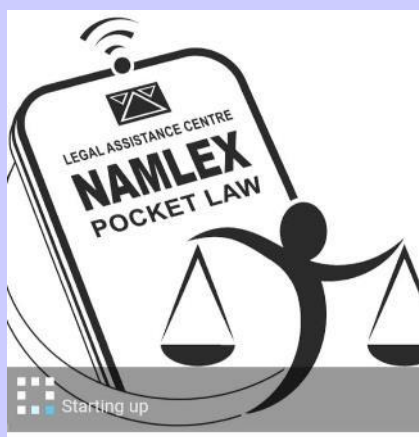
ANNOTATED LAWS: This database contains the full text of all statutes and post-independence regulations in force in Namibia, with consolidated amendments.

During 2022, we completed **three updates of NAMLEX** and **two updates of NAMLEX APPENDIX**, with all amendments and reported court cases incorporated as well as references to legal commentary published in Namibia.

The **annotated statutes and regulations** are up-to-date, and we have managed to add information about **pre-independence regulations** in respect of most of the statutes.

The process of **scanning all of Namibia's pre-independence Official Gazettes** is continuing, with the help of Assens Siloka.

Anèl Stegmann developed the **NAMLEX Pocket Law** app for LAC, which provides optimal access to the databases on cell phones and other mobile devices. It is available for free on the Apple and Google Play stores.



Republic of Namibia
Annotated Statutes

Stock Theft Act 12 of 1990

(GG 63)

came into force on date of publication: 28 August 1990

as amended by

Stock Theft Amendment Act 4 of 1991 (GG 201)

came into force on date of publication: 14 May 1991

Stock Theft Amendment Act 19 of 1993 (GG 703)

brought into force on 1 October 1993 by GN 117/1993 (GG 725)

Stock Theft Amendment Act 19 of 2004 (GG 3351)

came into force on date of publication: 20 December 2004

General Law Amendment Act 14 of 2005 (GG 3565)

came into force in relevant part on date of publication: 28 December 2005

Note that portions of section 14 were struck out and read down as a result of *Daniel v Attorney-General & Others; Peter v Attorney-General & Others* 2011 (1) NR 336 (HC), confirmed on appeal in *Prosecutor-General v Daniel & Others* (SA 15/2011) [2017] NASC 31 (28 July 2017).

ACT

To consolidate and amend the laws relating to the theft of stock and produce.

(Signed by the President on 20 August 1990)

ARRANGEMENT OF SECTIONS

1. Definitions
2. Failure to give satisfactory account of possession of stock or produce
3. Absence of reasonable cause for believing stock or produce properly acquired
4. Entering enclosed land or kraal, shed, stable, or other walled place with intent to steal stock or produce
5. Delivery of stock or produce between sunset and sunrise
6. Document of identification to be furnished by person who disposes of stock
7. Acquisition of stock or produce from persons whose places of residence are unknown
8. Stock or produce driven, conveyed or transported on or along public roads
9. Arrest and search without warrant

OUR TEAM

Permanent staff

Dianne Hubbard – Coordinator (dhubbard@lac.org.na)

Dianne is a graduate of Harvard Law School. She also has degrees in English from the University of North Carolina in the USA and Stellenbosch University in South Africa. She has been the Coordinator of GR&AP since its inception in February 1993, and she served a 3-year term as Deputy Chairperson of the Law Reform and Development Commission.



Yolandé Engelbrecht – Paralegal

(yengelbrecht@lac.org.na)

Yolandé joined GR&AP at the beginning of 2009, after having worked in the legal field in government and private institutions. Yolandé takes the main responsibility for running workshops on behalf of the department as well as developing training programmes and providing information to clients and other platforms. Yolandé has a Bachelor of Commerce in Law (B.Comm Law) degree and is currently enrolled for the Bachelors of Law (LLB) degree at Stadio (formerly Southern Business School).

Celine Engelbrecht – Project Assistant

(cengelbrecht@lac.org.na)

Celine joined GR&AP in March 2019 as Project Assistant, after a stint as a GR&AP volunteer in 2018. She assists with all kinds of administrative tasks and is the person to contact for copies of our publications.



Key networks

ACTION Coalition

CIVIC +264

Permanent Task Force on Children

Namibia National Child Online Protection Taskforce

Consultants and professional assistance

Perri Caplan regularly assists GR&AP with publications design and layout, often working long hours and over weekends to help us meet tight deadlines. She has been working with us for many years, and is a valued member of our team.

Anél Stegmann, who is the Manager of the legal department at Paratus, is a regular voluntary contributor to Namlex and the annotated statutes. She got involved with this project while employed by the Ministry of Justice, and has continued to work on it *pro bono* since moving to the private sector. We really appreciate her commitment.

Klaus Striewe, our most frequent visiting volunteer, assisted GR&AP for a fourth stint from Dec 2022 until February 2023. Klaus is a law graduate of the University of Trier in Germany. He maintains a legal practice in Germany as well as being currently enrolled for a Master of Laws at the University of Cape Town, with a dissertation on jurisprudence around international law in Namibia. He regularly helps update the Namlex Appendix of international law in force in Namibia.

We would also like to thank **John Meinert Printing (JMP)**, which frequently prints our publications, for going the extra mile to assist us with our often-complicated printing orders, and for helping us to meet tight deadlines.

Volunteers and interns

Thanks to our other local and international volunteers in 2022:

- Lea-Theresa Voss
- Siiri Sinnemaki
- Christina Breunig
- Livia Häberli
- Assens Siloka.



LOOKING FORWARD TO 2023

Having passed the retirement age for the Legal Assistance Centre, Dianne Hubbard will be ending her 30-year stint as the coordinator of the Gender Research & Advocacy Project at the end of February 2023. Yolandé Engelbrecht and Celine Engelbrecht will continue the work of advancing gender and child rights.

Most heartfelt thanks to the many colleagues and friends who have offered support and assistance over the last 30 years, and to the clients who have given us their trust.

Dianne Hubbard



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