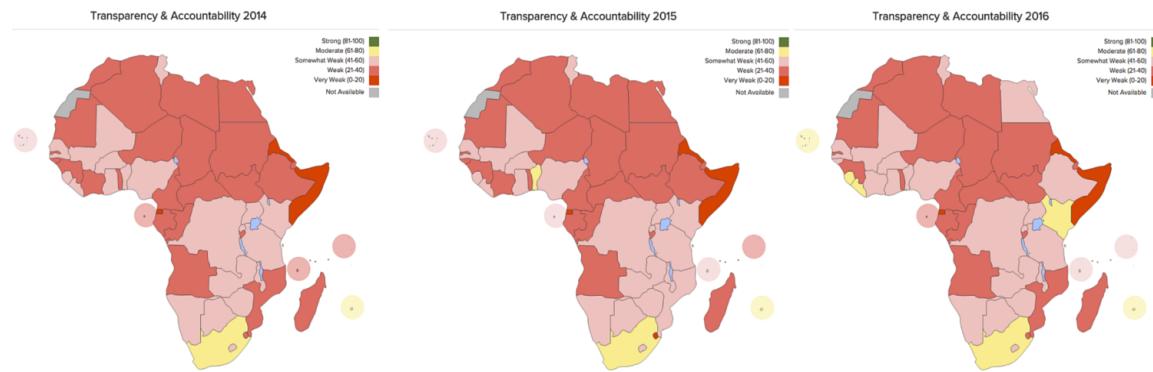


## Africa Integrity Indicators – Country Findings



### Who is Global Integrity?

Global Integrity supports progress toward open and accountable governance in countries and communities around the world. We focus on generating research and data, supporting the work of country-level reformers, and influencing global conversations on open governance. Our work covers a number of themes, with data, learning and citizen engagement at the core of everything we do. To know more about us, visit our website at [www.globalintegrity.org](http://www.globalintegrity.org).

### What are the Africa Integrity Indicators?

In 2012, Global Integrity embarked on a five-year collaboration with the Mo Ibrahim Foundation to generate the Africa Integrity Indicators (AII), which assesses key social, economic, political and anti-corruption mechanisms at the national level across the continent. Global Integrity staff recruits and manages teams of in-country contributors in 54 countries to generate original governance data on an annual basis.

The questionnaire has 114 indicators and is divided in two main categories: Transparency & Accountability and Social Development. The Transparency & Accountability category consists of 59 indicators examining issues divided in the thematic areas of rule of law, accountability, elections, public management, civil service integrity, and access to information. The Social Development indicators category consists of 51 indicators about gender, rights, welfare, rural sector, business environment, health and education.

The rich data set is designed to be particularly fruitful in identifying both bright spots as well as areas for improvement at the country level. The years of data include [2013](#), [2014](#), [2015](#), [2016](#); the next round of research will begin later in 2016 and be published in April 2017. To access our data, visit our project website at <http://aai.globalintegrity.org>.

Note: Each round of research is named from its year of publication. Thus, the 2016 round of research covers the period from September 2014 to September 2015, with only sources relevant to this period of study being accepted.

### Get in touch with us

Global Integrity is dedicated not only to producing high quality data, but ensuring that it is as useful as possible for reformers (both inside and outside of government) around the world. If you're interested in working with this data to identify opportunities to support open governance efforts in your country, contact us at [aai@globalintegrity.org](mailto:aai@globalintegrity.org).

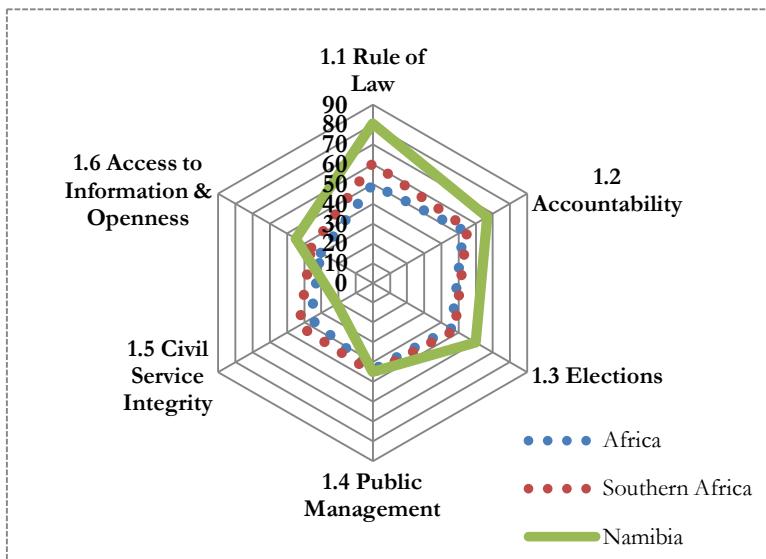
# Namibia – Country Findings Summary

## 1. Transparency & Accountability

The Transparency & Accountability category consists of 59 indicators examining issues divided in the thematic areas of rule of law, accountability, elections, public management, civil service integrity, and access to information & openness. The indicators look into transparency of the public procurement process, media freedom, asset disclosure requirements, independence of the judiciary, and conflict of interest laws, among others.

The overall category score decreased by four points from 57 in 2015 to 53 in 2016 (“somewhat weak” on the Global Integrity scale).<sup>1</sup>

Rule of Law was the highest performing subcategory and its aggregate score increased from 78 in 2015 to 81 in 2016, entering the “strong” area on the Global Integrity scale. Only four other countries had aggregate scores for Rule of Law within the same area. The aggregate score was also significantly higher than the Southern African average of 60 and the continental average of 50. Rule of Law was followed by the subcategories Accountability (67) and Elections (60). The subcategories Public Management and Access to Information & Openness both earned aggregate scores of 45. Civil Service Integrity was the lowest performing subcategory with an aggregate score of 21 (“weak” on the Global Integrity scale), which stood below the regional average of 43 and the continental average of 36.



< Figure 1 > **Namibia's subcategory scores in comparison to the region and the continent.** The radar chart depicts the country's aggregate scores of each of the six subcategories under Transparency & Accountability, in comparison to average scores of the continent (blue dotted lines) and the country's region (red dotted lines).

## Selected highlights

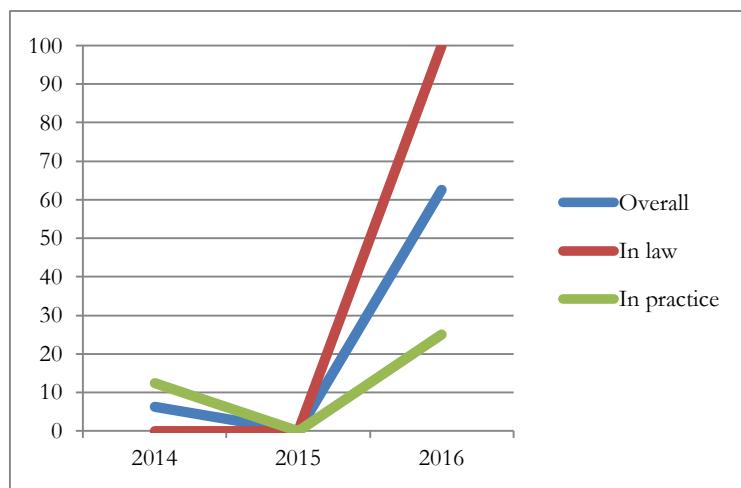
- Judges were able to operate independently from other branches of government and made their reasoning for rulings available to the public. The country's judiciary was not subject to any pressure or influence from the executive or legislative branch and when necessary, ruled against the government or members of the ruling party SWAPO ([indicator 2](#)). For example, in November 2014,

<sup>1</sup> The Global Integrity scale on the Africa Integrity Indicators website is as follows: 81-100 (Strong), 61-80 (Moderate), 41-60 (Somewhat weak), 21-40 (Weak), 0-20 (Very Weak)

the Supreme Court dismissed an appeal by the government against a prior High Court decision. According to the High Court decision, the Namibian government was obliged to compensate three women who had been sterilized in state hospitals without their proper consent. The judiciary's independence was further supported by the merit-based appointments of national-level judges. By law, judges are appointed by the president upon recommendation of the independent Judicial Service Commission. The president also decides on the removal of judges upon recommendation of the same Commission. In January 2015, then-President Hifikepunye Pohamba appointed several judges to the High and the Supreme Court ([indicator 3](#)). All appointments during the study period were based on merit, with some appointees having more than 20 years of experience in justice delivery. There was also no evidence that judges were disciplined or removed without due process. In addition, the constitutional amendment of October 2014 explicitly recognized the Chief Justice as the head of the Judiciary, separate from the Ministry of Justice, reinforcing the judiciary's independence by law ([indicator 1](#)). Judges also conformed to the standard practice of providing formal reasoning for the judgments and making such rulings publicly accessible, as reported in [indicator 4](#). Some of them can be found online, and in general, courts make rulings available within a week upon submission of a request.

- **Despite weak legal frameworks to guarantee integrity within the civil service, civil servants were relatively free from political interference in practice.** According to [indicator 35](#), the Anti-Corruption Act of 2003 only requires public officers to report bribery, but does not touch upon other cases of corruption. The same Act also contains provisions to protect the identity of whistleblowers, but does not explicitly forbid termination, transfer, harassment or other negative consequences against such whistle-blowers ([indicator 36](#)). The Public Service Act of 1995 prevents conflict of interest, yet certain officials classified as public office bearers, such as members of parliament or cabinet members, are not subject to this Act ([indicator 37](#)). Finally, Namibia has no laws that place restrictions on civil servants entering the private sector after leaving the civil service ([indicator 40](#)). Despite such weak legal frameworks on civil service integrity, civil servants were relatively free from political interference during the study period, as report indicators [38](#) and [39](#). Appointments, disciplinary measures and removals of civil servants are managed by the independent Public Service Commission. Appointments are based on professional criteria and benchmarks, and all disciplinary measures and transfers during the study period followed the established procedures. In addition, no civil servants were removed when a new administration took office in May 2015. However, performance evaluations were not widely used. Only in August 2015 did permanent secretaries and accounting officers within government ministries sign performance agreements to be evaluated on a six-month basis.

- The amended Electoral Act requires political parties to regularly disclose both state funding and private donations. In practice, such information was not yet available to the public. The Electoral Amendment Act of 2014 not only requires political parties to report on all funding received and how it is spent at the end of each financial year, but also obliges them to publish their accounts in at least two daily newspapers of the country. No such requirements had existed until the previous round of research, explaining the score change of indicators [48](#) and [50](#) from 'No' in 2015 to 'Yes' in 2016. However, none of the 16 political parties published their accounts in any newspapers during the study period, as the new law had just been passed and the financial year to which the publication requirement applies had not been over ([indicator 49](#)). As previous research rounds illustrate, there has been no culture of political parties publishing their accounts. When it comes to private donations, [indicator 51](#) also reported that certain political parties leave their accounts unpublished to protect the identity of donors from being vilified by the ruling party SWAPO. SWAPO, on the other hand, is reported to provide a breakdown of its donors to the media when it holds fundraising campaigns. While the *in law* average went up (Figure 2), an increased implementation gap was observed during the 2016 research, as the *in practice* indicators continued to remain on the low side.



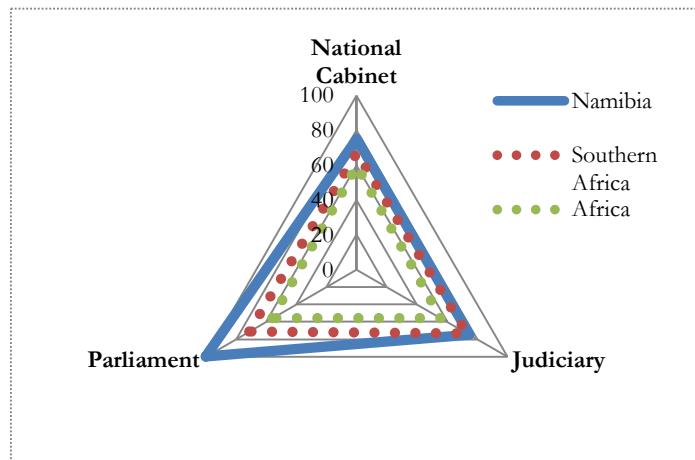
< Figure 2 > *De jure* and *de facto* gap of Namibia's indicators on the disclosure of political party funding (48-51): This graph provides an overview of the aggregate gap between *in law* indicators (green) and *in practice* indicators (red) of a particular set of indicators, and how they affect the change of the overall aggregate score (blue) between the three rounds of research 2014, 2015 and 2016.

## 2. Social Development

This category covers seven subcategories, including rights (civil society space and minority rights), gender, business environment and infrastructure, rural sector, welfare, health, education, and civil registration. Because the Social Development portion of the research only includes a small number of questions per each topic area, we only provide the scores for each individual indicator and don't provide aggregated category or subcategory scores. However, the individual indicators themselves contain a wealth of information across a breadth of topics, a select few highlights of which are noted below.

### Selected highlights

- **Citizens were generally able to associate freely and to express dissent in public settings. Isolated cases of the police dispersing demonstrations were reported during the study period.** For instance, in July 2015, the Windhoek High Court conducted an inquest into the case of 26-year old Frieda Ndatipo who had been fatally shot in August 2014 during a demonstration of the group “children of the liberation struggle” demanding more employment ([indicator 67](#)). NGOs were able to operate freely in Namibia, and new NGOs did not face any major obstacles in getting registered ([indicator 68](#)). While NGOs were confronted with uncooperative stances of the government or individual politicians, no specific cases were reported of NGOs being shut down or harassed with unwarranted administrative burdens ([indicator 70](#)), nor were there any known cases of NGOs employees being killed or physically threatened in retribution for their work ([indicator 69](#)). Likewise, workers generally enjoyed a high degree of freedom to exercise their right to unionize ([indicator 65](#)), except for isolated instances. For example, in April 2015, demonstrating employees of the Roads Contractor Co. faced an intervention by armed policemen. A bigger challenge for workers in Namibia is identified in [indicator 66](#), which earned a low score of 25 compared to all aforementioned indicators that scored 75 or higher. A large number of companies, including state-owned as well as Chinese enterprises, do not observe labor and human rights of their workers, in the form of unregulated working hours, unpaid overtime or refusal of claims for sick and maternity leave.
- **Women's representation is relatively high in all three branches of government.** Including Prime Minister Saara Kuugongelwa-Amadhila, Namibia's national cabinet had seven female ministers out of 26 members (26.9%). [Indicator 85](#), thus, earned a score of 75, which stood above the Southern African average of 67 and the continental average of 60. 26.3% of the highest branch of the judiciary is composed of female judges, as four out of 11 judges on the High Court are women, and one out



< Figure 2 > Namibia's female representation in the three branches of government compared to the country's region and the continent.

of eight judges on the Supreme Court is a woman. [Indicator 86](#) also earned a 75 score, as compared to the regional average of 74 and the continental average of 56. Namibia's sixth parliament, sworn in in December 2014, had 46 women out of 104 members (42.3%), translating into a 100 score for [indicator 87](#). The regional average on this indicator was 71 and the continental average 56.

- **The Namibia Statistics Agency sporadically publishes statistics on youth unemployment and poverty. However, it does not collect any data on infrastructure.** The most recent statistics on youth unemployment are from the Namibia Labour Survey 2013, published in March 2014 and available on the Agency's website for free ([indicator 91](#)). The latest data on poverty are from the Household Income Expenditure (NHIES) 2009-2010, published in 2012 ([indicator 92](#)). Previous data included in the Review of Poverty and Inequality of 2008 was based on statistics from the NHIES 2003-2004. During the study period, another round of NHIES was expected for August 2016, including data on youth unemployment and poverty. However, the Namibia Statistics Agency does not collect or publish data on infrastructure ([indicator 93](#)). While it is the Ministry of Works and Transport that is in charge of keeping such statistics, no information is available to the public even upon request. Moreover, out of the six state-owned companies specialized in airports, railways, water pipes, electric grids and telecommunications, only NamPower released data on electric grids during the study period, in its financial report for 2015.

*The above findings capture selected highlights and are not an exhaustive analysis of the collected data. We encourage interested users to access our website [here](#) for detailed comments and sources for 114 individual indicators.*