



## Staff of the Ombudsman



## MISSION STATEMENT

*The Office of the Office of the Ombudsman of Namibia strives to promote and protect human rights, fair and effective administration, combat corrupt practices and protect the environment and natural resources of Namibia through the independent and impartial investigation and resolution of complaints and through raising public awareness*

# C O N T E N T S

## MESSAGE FROM THE OMBUDSMAN

## SCOPE OF ACTIVITIES

## MAJOR ACTIVITIES

- Investigations
- Management Services and Administration
- Special Events and Outreach/Public Education Activities

# MESSAGE FROM THE OMBUDSMAN

2011 Marked the “coming of age” of the Office, having been established twenty-one years ago with the independence of Namibia in 1990. During the twenty-one years of its existence, the Office has made significant strides in making itself more accessible to all the people through the establishment of regional offices in the North and in the South of Namibia, as well as through annual complaint intake clinics which take investigators to all four corners of the country; the Office also became more visible both nationally and internationally through its generic as well as human rights focused public education programs locally and its contributions at various human rights and Ombudsman fora in Africa as well as internationally. In pace with the Office becoming more accessible and more visible, the activities



in the Office steadily increased over the last twenty-one years with not only more “run-of-the-mill” complaints being received, but also high-level matters such as the annual seal harvesting in Namibia which was laid before the Ombudsman, as well as the plight of those whose houses are repossessed without judicial oversight and which is being taken to court in 2012.

The continuation of the development of the National Human Rights Action Plan was high on the list of priorities in 2011 in order not to lose the momentum which was gained since the start of the Plan with the National Human Rights Conference in 2009; the Office was very fortunate to receive funding from both the European Union (through the National Planning Commission), for the compilation of a comprehensive terms of reference for a baseline study project by a human rights expert, and the Australian Aid organization for the actual baseline study project. The progress is reported on elsewhere in the Report.

When the annual seal harvest commenced in 2011, the Office was inundated with complaints and requests for the Ombudsman to intervene and put a stop to the harvesting; it was decided to investigate the matter and what was intended to be a meeting where concerned parties could place facts regarding the annual seal harvesting before the Ombudsman, became a fully fledged conference with national and international coverage; the report will be released in 2012. The matter is reported on elsewhere in the Report.

As in previous years, I travelled widely both nationally and internationally and although most of my travels are memorable in their own way, I particularly enjoyed the Universal Periodic Review in Geneva, the Biennial Conference of the Network of African National Human Rights Institutions in Cape Town and the Launching of the Africa Ombudsman Resource Centre in South Africa. On occasions such as these, one has the opportunity to meet with your peers and enjoy the benefit of their experience and expertise and I remain grateful for all of their support and generous

sharing of their knowledge and finding solutions to the many challenges faced by Ombudsman offices and National Human Rights Institutions around the world.

Hosting the "Sharpening Your Teeth" Training Workshop for Investigators presented by the Ontario Ombudsman and attended by delegates from eight African countries in Windhoek during May 2011 was certainly one of the many highlights of 2011 and I need to extend my gratitude to André Marin and Gareth Jones for their willingness to travel all the way from Toronto, Canada to present this valuable training in Windhoek; I also need to thank the Namibian Government for making the funds available to enable me to host this training.

Another highlight was my overdue visit to Keetmanshoop to meet with traditional leaders from the Hardap and Karas regions; it is not always easy to travel to communities in all the regions of the country, but I trust that I can continue to visit as many communities as possible in 2012.

Last, but certainly not least, I again have to extend a special word of thanks to the donor countries and agencies who have supported the Ombudsman's office so generously over the last 21 years, not only financially or in kind, but moreover the consistent moral support which means so much as one embarks on challenging roads less travelled, especially in terms of the various human rights efforts.

I also want to use this opportunity to recap some of the highlights of the past 21 years, as follow:

- 1990 : Promulgation of the Ombudsman Act, Act no 7 of 1990  
Appointment of Adv Pio M Teek as Acting Ombudsman
- 1992 : Appointment of Adv Fanuel J Kozonguizi as first Ombudsman of Namibia
- 1996 : Appointment of Adv Bience Gawanas as the second Ombudsman of Namibia
- 1997 : Implementation of the computerised case management system
- 1999 : Hosting of the 6<sup>th</sup> African Regional Ombudsman conference in Windhoek
- 2001 : Launching of the logo of the Office of the Ombudsman
- 2004 : Appointment of Advocate John R Walters as the third Ombudsman of Namibia
- 2005 : Establishment of Regional Offices in Keetmanshoop and Oshakati  
Launch of the 1<sup>st</sup> Service Charter of the Office of the Ombudsman
- 2006 : Status 'A' accreditation received from the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC)
- 2009 : Launching of the Human Rights Action Plan initiative at a national human rights conference Election of Namibia Ombudsman as Africa representative at the International Ombudsman Institute
- 2010 : 20 Year celebration of the Namibian Constitution which brought together all living members of the Constituent Assembly
- 2011 : Status 'A' re-accreditation received from the ICC  
Hosting of 'Sharpening Your Teeth' investigator training

For the commitment and dedication of the Ombudsman staff, I have only gratitude and admiration; without them, the achievements of the office under sometimes difficult circumstances, would not have been possible.

**JOHN R WALTERS  
OMBUDSMAN**



The official opening of the Keetmanshoop Regional office: 2005



Visiting schools in the South: 2007



Constitution Day: 2008



Human Rights training for prison officials: 2009



Constitution Day: 2009



Receiving a human rights award: 2009



20 Year celebration in Oshakati: 2010



Saying goodbye in 2011 to Dr. Tony Bösl of the Konrad Adenauer Stiftung, a staunch supporter of the Office for many years

# SCOPE OF ACTIVITIES

## Overview

There is little or no change in the scope of activities of the Ombudsman; being a creature of statute, the Ombudsman is obliged to comply with its statutory duties. The main functions and duties remain the receiving and investigation of complaints relating to maladministration, violations of human rights and fundamental freedoms, misappropriation of public monies and misuse of government property and, lastly, the overutilization of living natural resources and irrational exploitation of non-renewable resources.

Although the Constitution and the Ombudsman Act do not expressly place a duty on the Ombudsman to promote human rights, it is an assumed duty flowing from the mandate. Promotional activities are reported on under Special Events and Outreach/ Public Education Activities.

Any reflection on the discharging of the Ombudsman's broad and complex mandate, must take cognisance of both the financial and human resources that the Ombudsman have at his disposal.

## Complaints

In 2011, the Office received 2551 complaints, 424 more than the previous year. We managed to resolve 58% of the complaints received while the rest were carried over to the following year; if compared to 72% cases resolved on average over the past five years, the picture that emerges is not entirely satisfactory; however, this can mainly be ascribed to an acute staff shortage due to unfunded vacant positions, as well as problems generally experienced with the filling of vacant positions. We will nonetheless endeavour to meet the challenge head on and reverse the current position.

It is interesting to note that the number of complaints received during the complaint intake clinics increased significantly from 577 in 2010, to 929 in 2011. Although this proves that more people benefit from our policy of bringing the Office closer to the people, there is no place for complacency; we should work harder and extend our programme to all Namibians to give expression to their right of ready access to the Ombudsman in order to exercise their right to complain and have that complaint dealt with speedily and effectively.

## Participation in events/workshops/seminars

### National

10/02/2011	:	Windhoek: Attended and opened the Workshop on the Development of the National Human Rights Action Plan
8-9/3/2011	:	Windhoek: Attended the 2 <sup>nd</sup> Session of the Namibia/DRC Joint Permanent Commission of Cooperation
10/3/2011	:	Windhoek: Attended the National Budget Analysis Workshop organised by the Parliamentary Standing Committee on Economics, Natural Resources and Public Administration

- 4/4/2011 : Windhoek: Attended the Opening Ceremony of the African Organisation of Supreme Audit Institutions
- 5-7/4/2011 : Okahandja: Participated in the Workshop on Consumer Protection organized by the Law Reform and Development Commission (LRDC)
- 12/5/2011 : Windhoek: Participated in the Consultative Workshop with selected administrative bodies on the Administrative Justice Project of the Law Reform and Development Commission
- 16-19/5/2011 : Windhoek: Participated in the "Sharpening Your Teeth" Training Workshop conducted by the Ontario Ombudsman
- 24/5/2011 : Windhoek: Attended a Roundtable discussion on A Human Rights Strategy for Namibia
- 22-24/06/2011 : Keetmanshoop: Attended the Public Service Day Celebration meeting with public officials and Traditional Chiefs and Headmen
- 27/6-1/7/2011 : Windhoek: Participated in the National Conference on Education; introduced the topic at breakaway session on "*The Right of the Child and Education for all. An Epitome of National Pride*"
- 18-19/07/2011 : Windhoek: Participated in the Conference on Clarifying Economic, Social and Cultural Rights in Namibia hosted by the Human Rights and Documentation Centre of UNAM; delivered a paper on "*The Ombudsman's role in promoting and protecting economic, social and cultural rights*"
- 25-27/7/2011 : Swakopmund: Attended the LRDC's Workshop on Model Electoral Laws
- 5/8/2011 : Windhoek: Attended the National Planning Commission's Launch of the Census Campaign
- 2/9/2011 : Tsumkwe: Attended the opening ceremony of the new Magistrate's Court
- 20/9/2011 : Windhoek: Hosted the Seal Conference
- 2-3/12/2011 : Henties Bay; Cape Cross: Site visits to collect information for the drafting of the Seal Report

### **International**

- 30/1- 4/2/2011 : Geneva, Switzerland: Attended the United Nations Human Rights Council's Universal Periodic Review of the state of human rights in Namibia
- 11-20/2/2011 : Uganda: Part of the Commonwealth Observer Group for the Presidential and Parliamentary Elections in Uganda
- 14-18/3/2011 : Durban, RSA: Attended and participated in the Executive Committee meeting of the African Ombudsman and Mediators Association (AOMA), the Needs Assessment Workshop and the launch of the African Ombudsman Research Centre(AORC)
- 28-31/3/2011 : Gaborone, Botswana: Participated in the Konrad Adenauer Stiftung (KAS) Conference: Corruption and Human Rights
- 25-27/5/2011 : Vienna, Austria: Attended the Board of Directors meeting of the International Ombudsman Institution (IOI)
- 13-15/06/2011 : Malé, Maldives: Participated in the Commonwealth Government and Opposition Workshop on Role, Rights and Responsibilities; presented a paper on "*Transparency and Accountability: Engaging Oversight Institutions, Media, Civil Society and other Stakeholders*"



- 11/07/2011 : Geneva, Switzerland: Participated in the UN Workshop: Towards an Operational Guide for National Human Rights Institutions: Possible good practices in addressing the rights of Indigenous Peoples; presented a paper on "*the Namibian Experience*"
- 6-9/9/2011 : Rabat, Morocco: Attended the Network of African National Human Rights Institutions' (NANHRI) High-level conference on the role of National Human Rights Institutions in Preventing Torture in Africa
- 14-16/09/2011 : Addis Ababa, Ethiopia: Attended the Executive Committee meeting of AOMA
- 29/9-1/10/2011: Yaounde, Cameroon: Participated in the Regional Workshop: Business and Human Rights: The Role of African National Human Rights Institutions
- 19-21/10/2011 : Cape Town, RSA: Attended the General Assembly Meeting of NANHRI
- 30/10-2/11/2011 : Livingstone, Zambia: Attended the Board of Director's Meeting of the IOI
- 7/11/2011 : Pretoria, RSA: Attended a Donor Roundtable Discussion hosted by the Public Protector of SA
- 8-10/11/2011 : Durban, RSA: Conducted an investigation for the Public Protector of SA on behalf of AOMA
- 15-18/11/2011 : Arusha, Tanzania: Attended the Consultative meeting for African National Human Rights Institutions with the African Human Rights Court
- 19/11/2011 : Nairobi, Kenya: Attended the Steering Committee meeting of NANHRI
- 28-30/11/2011 : Gaborone, Botswana: Attended the Southern African Ombudsman Regional Meeting

### Visitors to the Office

- 7 April 2011 : Prof Barbara Olshansky and Ashley Johansen of the University of Maryland, USA
- 8 April 2011 : HE Raul Fuentes Milani: European Union Head of Delegation
- 25 May 2011 : Mr Steve Katjuanjjo: Permanent Secretary of Justice
- 1 June 2011 : Mr Neil Boyer: Deputy Resident Representative of UNDP
- 17 June 2011 : Amb Ayo Oke and Linford Andrews of the Commonwealth Assessment Team
- 5 July 2011 : Ms Catarina De Albuquerque: UN Special Rapporteur on Safe drinking water and sanitation
- 16 August 2011 : Chairperson and members of the National Disability Council
- 17 August 2011 : HE Marianne Young: British High Commissioner

31 August 2011 : Learners and Teachers of the Tsintsabis Junior Secondary School



6 December 2011: Mr Phillip Shimi: CEO of Namfisa

### International Membership

The Namibia Ombudsman is a member of the following international organizations whose conferences and meetings are regularly attended:

- The International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC)
- The Commonwealth Forum of Human Rights Institutions
- The Network of African National Human Rights Institutions (NANHRI)
- The International Ombudsman Institute (IOI)
- The African Ombudsman and Mediators Association (AOMA)

### Forthcoming Activities

- Celebration of Constitution Day on 9 February
- Conducting of the baseline study for the development of the National Human Rights Action Plan (NHRAP)
- Attending the General Meeting of the International Coordinating Committee of National Institution for the Promotion and Protection of Human Rights (ICC)
- Convening a training workshop on the rights of Indigenous Peoples
- Developing a Guide on the Rights of Indigenous Peoples in Namibia
- Attending the 10<sup>th</sup> World Conference of the International Ombudsman Institute

# MAJOR ACTIVITIES

## INVESTIGATIONS

The Ombudsman and investigators have contact with both the citizens and the public servants and it remains a challenge to gain the confidence of both. Independent investigations do not intend to undermine government, but rather to increase the public's confidence in government through the ready access they have to the Ombudsman, free of charge. When a just finding is reached, public servants will find the Ombudsman as a guardian against unfounded accusations towards them, while the public will find the Ombudsman as a resource to assist them to resolve their own complaints with their employers.

We usually receive complaints in person, telephonically, and in writing (letters received through the post office, e-mails, or faxes), but we also receive complaints directly during our regular visits to institutions such as prisons, police cells and hospitals/mental institutions, as well as during our annual complaint intake programmes covering the whole country, including rural areas. Our investigators found that a great number of complaints can be resolved at the point of contact without having to carry out a formal investigation, especially during regional complaint intake clinics. The majority of complaints, 1847 in total, were received from males and 606 from females. The Ministry of Justice topped the list of complaints against government institutions; the number of complaints increased to 518 compared to 400 in 2010. The Police is second on the list of complaints against government institutions and the number of complaints increased to 495 compared to 441 in 2010. The number of complaints against the Correctional Services increased to 215, compared to 166 the previous year and against the Ministry of Home Affairs and Immigration it increased to 257 compared to 166 the previous year. The majority of complaints, 579 in total, were received from the Khomas Region, followed by Oshana with 304 and Karas with 295 complaints.

During 2011 we received 933 complaints in writing, 650 in person and 929 during the complaint intake clinics where we visited places not served by a permanent regional office. In comparison with 2010, we received 900 complaints in writing, 608 in person and 577 during complaints intake clinics. In 2011, 54% of all complaints received were supported, while 46% were not supported. In 2010, 49% of all complaints we received, were supported, while 51% were not supported.

## MANDATES

### Human Rights

#### Overview

The Office of the Ombudsman is a classic Ombudsman, i.e. it has the mandate to investigate complaints of maladministration against government and public officials, with an additional mandate to investigate complaints relating to violations of fundamental rights and freedoms; consequently, the Ombudsman's Office is also the National Human Rights Institution (NHRI) in Namibia. The functions of the Ombudsman are set out in the Constitution and are defined and prescribed in the Ombudsman Act (Act 7 of 1990). The functions in regard to its human rights mandate include the following:

- a) the duty to investigate complaints concerning alleged or apparent instances of violations of fundamental rights and freedoms, abuse of power, unfair, harsh, insensitive or discourteous treatment of an inhabitant of Namibia by an official in the employ of any organ of Government (whether central or local)...
- b) the duty to investigate complaints concerning practices and actions by persons, enterprises and other private institutions where such complaints allege that violations of fundamental rights and freedoms under the Constitution have taken place.

#### Status "A" Accreditation for the Ombudsman

The Ombudsman applied for and received its status "A" accreditation in April 2006 and retained its status after re-accreditation in May 2011. That means that the Office fully complies with the principles relating to the status of national institutions for the promotion and protection of human rights (The Paris Principles).

The Paris Principles provide benchmarks against which new and existing National Human Rights Institutions (NHRI's) can be assessed or "accredited" by the Sub-Committee on Accreditation of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC). The ICC is the international association of NHRI's which aims to promote and strengthen NHRI's to be in accordance with the Paris Principles.

The Paris Principles set out the minimum standards for the roles and responsibilities of NHRI's, what a fully functioning NHRI is and identify six main criteria that these institutions should meet to be successful:

- Mandate and competence: a broad mandate based on universal human rights standards;
- Autonomy from government: includes legal, operational and financial autonomy;
- Independence: guaranteed by the Constitution or Legislation;
- Pluralism, including through membership and/or effective cooperation;
- Adequate resources;
- Adequate powers of investigation.

In 2005 the Commission on Human Rights accorded -

- speaking rights to "A" status NHRI's under all its agenda items;
- dedicated seating to NHRI's;
- the right to issue documents under their own symbol number.

Accreditation confers international acceptance of the NHRI, opens doors to participate in the work and decision-making of the ICC as well as the work of the Human Rights Council and other United Nations bodies. Status "A" accredited NHRI's may participate and address the Council in an independent capacity.

### The Universal Periodic Review

General Assembly 60/251, which created the Human Rights Council, decided that the Council should “undertake a universal periodic review (UPR) based on subjective and reliable information, of the fulfilment by each state of its human rights obligations and commitments.....”. On 30 January 2011, Namibia participated in the UPR and provided an overview of its human rights landscape. The Ombudsman, being a status “A” accredited human rights institution is entitled to file its own submission. In its submission the Ombudsman emphasized the following key human rights issues:

- Poverty and unemployment
- Education
- Fair trial
- Prisons
- Domestic Violence
- National Human Rights Action Plan (NHRAP)

The review of Namibia was held on 31 January 2012 and during the interactive dialogue, the following statements in regard to the Ombudsman were made:

- Chile believed that the creation of the Ombudsman as a National Human Rights Institution with “A” status in line with the Paris Principles, reveals Namibia’s commitment to society to protect and uphold human rights;
- Azerbaijan noted that Namibia’s national human rights institution is accredited with “A” status;
- Mozambique noted the Ombudsman’s power to protect, promote and enhance human rights;
- Mexico noted the establishment of a national human rights institution in accordance with the Paris Principles;
- The United States acknowledged the establishment of the Office of the Ombudsman and the projected national human rights action plan;
- Slovakia commended Namibia for the “A” status accreditation with the ICC of the Office of the Ombudsman.

The recommendations formulated during the interactive dialogue in regard to the Ombudsman which enjoyed the support of Namibia are the following:

- Explore the possibility of strengthening the institutional and operational capacity of the Office of the Ombudsman by allocating human and financial resources;
- Provide the Office of the Ombudsman with the necessary financial and human resources so that it can implement its NHRAP.

The following recommendations, formulated during the interactive dialogue of the UPR in regard to the key human rights issues raised by the Ombudsman enjoy the support of Namibia:

- Continue its (Namibia's) economic and social policies in the framework of Vision 2030 by paying greater attention to programmes for the fight against poverty and reduction of social inequalities;
- Remain steadfast in pursuing its exemplary policies towards gender equality, particularly by strengthening measures to eradicate gender-based violence;
- Put in place mechanisms to systematically collect and analyse disaggregated data to enable assessment of the effectiveness of policies and initiatives aimed at preventing and eliminating violence against women;
- Continue its efforts to prevent, punish and eradicate all forms of violence against women as well as stereotypes which provoke gender-based discrimination;
- Promote a policy of equality and non-discrimination and that Namibia step up its efforts to reduce poverty with economic and social measures which ensure equal opportunity to citizens in the social, economic and political life of the country;
- More efforts be made to combat gender violence, principally through the adoption of political measures to include the representation of women in decision-making-posts and in public administration;
- Take steps to fully implement and enforce laws on violence against women and to ensure that victims are able to benefit from the existing legislative framework;
- Move forward quickly with a national action plan to combat gender-based violence, including human trafficking;
- Improve the living conditions and infrastructure of detention facilities in the country;
- Undertake steps to guarantee that trials take place within a reasonable period of time, and that special measures be taken to address the backlog of criminal cases;
- Continue to ensure that trials take place within a reasonable period of time;
- Take immediate measures to address the capacity issues faced by security and justice sectors, including reducing the amount of time it takes for court cases to be heard;
- Investigate the cases and assess the possibility of making improvements to the facilities in local prisons;
- Take measures to safeguard the human rights of prisoners and to separate juvenile and adult prisoners.

#### Human Rights Action Plan

When we were faced with a number of human rights challenges, we said to ourselves that an essential step to achieve the objective of respect for human rights, is to increase knowledge and awareness of these rights and efforts to increase knowledge and awareness should be an ongoing process. For that, there must be a plan. We then committed ourselves to develop a National Human Rights Action Plan (NHRAP) for Namibia; we knew that it would not be an overnight achievement, but a slow process of planning and executing depending heavily on human and financial resources.

A consultant was contracted to compile a framework for the NHRAP, which was presented to the committee during a consultative workshop held on 10 February 2011, as follows:

<b>Duration:</b>	3 calendar years (36 months)
<b>Goal and specific objective:</b>	<ul style="list-style-type: none"> <li>• <u>Goal</u> – “improvement in both institutional and individual culture of respect for human rights and increased ratification of and compliance to the international human rights instruments by the Namibian government”.</li> <li>• <u>Specific objective</u> – “To realize a comprehensive and achievable Human Rights Action Plan for Namibia”.</li> </ul>
<b>Partners:</b>	<ul style="list-style-type: none"> <li>• To be identified</li> </ul>
<b>Target Group:</b>	<ul style="list-style-type: none"> <li>• Vulnerable groups (old age, children, marginalized groups - especially presently marginalized groups inclusive of the SAN and Ovahimba people, disabled, those in detention hosted by the police and prison services, disenfranchised urban and rural dwellers - in urban and peri-urban areas we have considerable number of people living in informal settlements or “squatter camps”, and those living in abject poverty), the government of the Republic of Namibia, and Namibian populace.</li> </ul>
<b>Final Beneficiaries:</b>	<ul style="list-style-type: none"> <li>• Primary beneficiaries are vulnerable groups inclusive of people of old age, children, marginalized groups, disabled, those in detention, disenfranchised urban and rural dwellers and those living in abject poverty. GRN and people of Namibia stand to benefit from better international standing and image and more responsive programming of development.</li> </ul>
<b>Estimated results:</b>	<ul style="list-style-type: none"> <li>• Functional secretariat, interaction media strategy, public awareness raised on human rights, coordinating structures established, baseline study on human rights situation, increased public profile of and awareness of human rights issues, increased participation of stakeholders in human rights discourse, sectoral human rights research reports, draft 1<sup>st</sup> NHRAP Framework, comprehensive and nationally endorsed 1<sup>st</sup> NHRAP, donor and government commitment to fund 1<sup>st</sup>.</li> </ul>
<b>Main Activities:</b>	<ul style="list-style-type: none"> <li>• <u>Preparatory measures for the development of the 1<sup>st</sup> NHRAP</u> - Establishment of Coordination and Steering Structures, Establishment of a National Secretariat, and Interaction Media Campaign launched.</li> <li>• <u>Participatory and consultative process for developing the 1<sup>st</sup> NHRAP</u> - Baseline Study on Human Rights Situation in Country, Regional Consultative sessions and Public Hearings, 2<sup>nd</sup> National Consultative Conference, Sectoral Working Group Establishment and Research, Preparation of draft Framework for 1<sup>st</sup> NHRAP, 3<sup>rd</sup> National Consultative Conference, Implementation Plan Development for the 1<sup>st</sup> NHRAP, Donor Roundtable on 1<sup>st</sup> NHRAP, and 4<sup>th</sup> National Consultative Conference.</li> </ul>
<b>Total anticipated cost:</b>	<ul style="list-style-type: none"> <li>• N\$9,186,869.95</li> </ul>

The framework called for a human rights baseline study to be conducted as a basis for further development of the Plan, but there were no funds available to carry out such a study. However, I am happy to report that an agreement between the Ombudsman and AusAid was signed on 6 June 2011 for a total amount of AUD 115 050 (N\$ 866 000-00), after the Ombudsman approached them for financial assistance; the money was earmarked to conduct a baseline study to solicit information from the broader public, focus groups and government officials/policy makers with a view to assess the human rights situation in the country, the national human rights context, what the NHRAP should deal with, in what order of priority and so on.

Since we did not have the capacity to compile the Terms of Reference for the baseline study, we approached the National Planning Commission on 22 July 2011 to solicit technical assistance from the European Union (EU). A human rights expert, Mr Greg Moran was contracted by the EU to compile a comprehensive Terms of Reference for the baseline study. He visited us from 4-10 October 2011 and the Terms of Reference were finalised on 15 November 2011. The following tender with initial closing date 22 December 2011 appeared in all major local newspapers as well as the Southern Times distributed throughout Southern Africa (the closing date was however later extended to end January 2012, since prospective tenderers felt that they were not given enough time to compile their submissions for a project of this magnitude):



## TENDER TO CONDUCT A BASELINE STUDY OF HUMAN RIGHTS IN NAMIBIA

The Ombudsman Namibia is a national human rights institution created by the Constitution of Namibia and the Ombudsman Act, 7 of 1990. In response to the call to translate fundamental human rights and freedoms into practical realities, the Ombudsman Namibia is assisting the Government of the Republic of Namibia to develop a national human rights action plan (NHRAP) for Namibia. An NHRAP is essentially a human rights policy document, identifying comprehensive and measurable steps that a country will take to improve the promotion and protection of human rights.

As part of this process, and to inform the development of the NHRAP, the Ombudsman seeks to appoint a suitably qualified company or concern to conduct a baseline study of human rights in Namibia. The study will involve at least:

- Research and document review drawing on existing studies such as country reports to United Nations human rights treaty bodies, conclusions by United Nations treaty bodies and special rapporteurs, government reports, and existing sectoral reports or reports by NGOs
- An overview and assessment of Namibia's ratification of relevant international instruments and compliance with reporting requirements
- An overview of the legislative and policy framework, including the provisions of the Namibian Constitution
- A national household survey targeting at least 2 000 household interviews
- Focus Group Discussions and interviews with government, civil society and other stakeholders

It is expected that the baseline survey will be implemented by suitably qualified national or international consultants working together with a national research organisation or institution.

The full terms of reference for the study must be obtained from the Director of the Office of the Ombudsman, Ms Eileen Rakow, telephone number 264-61-2073215/6, or email [erakow@ombudsman.org.na](mailto:erakow@ombudsman.org.na) (in hard copy or electronically)

The closing date for submission of proposals is 12 noon, Namibian time, on Thursday, 22 December 2011. Proposals must be delivered to the Office of the Ombudsman, corner of Feld and Lossen Streets, Ausspanplatz, Windhoek, for the attention of Ms Elizabeth Cline

We foresee that a consultant to conduct the baseline study will be appointed in the first quarter of the new year and that the consultative meeting on the baseline study report will be held soon after the completion of the study.



### Human Rights Case Summaries

#### **No access to medical services**

The complainant, an inmate in one of the prisons, alleged that he was suffering from a liver disease and that the Correctional Services refused to take him to a medical doctor. With our intervention the complainant was taken to a doctor, who examined him and found nothing wrong with him.

#### **Religion vs human rights**

The complainant filed complaints of human rights violations and contraventions of the Namibian Constitution by his church in the name of Christianity. He alleged that the church doctrine teaches "*that human beings are born sinners and they are guilty of unknown sins*" which is contrary to the Universal Declaration of Human Rights which states that "*all human beings are born free*". Indeed a very difficult one for the Office – the complainant did not accept our initial findings and requested a review. On review it was again found that no violation of any human right or freedom took place and the complainant was advised to exercise his right of freedom of association, if he is not satisfied with the teachings of his church.

#### **Prescribed diet ignored**

The complainant, an inmate in one of the prisons, alleged that he was suffering from hypertension and that the Correctional Services did not provide him with the diet recommended by the doctor. With our intervention, the complainant was since then provided with the prescribed diet.

#### **Police violating the Constitution**

The Oshakati regional office noted with concern that some Namibian police officials violate the Constitution, in so far that they keep people detained without bringing them before a Court of Law within 48 hours; they pointed out that this state of affairs, apart from violating peoples' rights, may also result in civil proceedings against the Namibian police. The following are examples:

The complainant was detained for 10 days at **Ruacana police** station before he was taken to court; a 'book' release was indicated on 24/8/2011 at 07h38 and re-arrest the same date at 07h57, but in fact the suspect was never released.

The complainant was arrested as a suspect in a criminal case, but detained under Section 42 of the Immigration Act; he was detained for 8 days without a detention warrant, either from Immigration or from Court.

The complainant informed us of his unlawful detention at **Eenhana police** station, where he was detained for 7 days and then released without being charged or taken to court.

The complainant was detained at the **Rundu Police** station for 7 days before he was taken to court; following our enquiries, the matter is now being investigated internally by the police.

## Environment

### Overview

Besides its mandates of maladministration and human rights, the Ombudsman's third mandate concerns the environment. The functions of the Ombudsman in regard to the environment include the duty to investigate complaints concerning the over-utilization of living natural resources, the irrational exploitation of non-renewable resources, the degradation and destruction of ecosystems and failure to protect the beauty and character of Namibia.

As in previous years, the public still seem reluctant to submit environment-related complaints to the Ombudsman; however, 2011 saw a complaint lodged that spiked national and international interest and became one of the highlights of the year, albeit not necessarily for the right reasons (see environment case summaries).

### Environment Case Summaries

#### **Seal harvesting**

During June 2011, the Office received a complaint in the form of a legal opinion by Dawson Edwards and Associates from Cape Town, South Africa on behalf of Seal-Alert, alleging illegalities pertaining to the annual seal harvest in Namibia, with the following request:

*"...based on the evidence presented to you we are of the opinion that there are sufficient grounds on which to obtain an urgent interdict preventing the Minister from commencing the harvest pending investigation into the legalities of it..."*

In addition to Seal-Alert SA (a South African organization that seeks to end the seal harvest in Namibia), the International Fund for Animal Welfare (IFAW - a global animal welfare organization that campaigns against seal hunting in Southern Africa and elsewhere), Windhoek Society for the Prevention of Cruelty to Animals (SPCA), South African Seal Saving Initiative, Seal Sheppard Conservation Society, National Council of SPCA – South Africa (NSPCA), World Society for the Protection of Animals (WSPA), Seals of Nam and many other individuals and groups raised grave concerns about Namibia's seal harvest because, in their respective opinions:

- it is contrary to Namibian law and Namibia's obligations under international law;
- Namibia's law regulates it inadequately;
- it violates the principle of sustainable utilization contained in the Namibian Constitution and the Marine Resources Act (2000), Act 27 of 2000 (MRA);
- the MRA and the Regulations are contradictory and together inadequately protect seals;
- the Regulations are impossible to implement;
- it violates the Animal Protection Act, no 71 of 1962 (APA);
- it violates the "rights" of seals and the brutal killing of seals negatively affect sealers; and
- the Minister of Fisheries and Marine Resources, in authorising seal harvest in areas not governed by the MRA, exceeds the jurisdiction of his powers (jurisdictional issues).

### The Investigation

It was decided to divide the investigation into the complaints into three parts, namely, a stakeholder's consultative meeting, site visits and interviews/desk research.

#### *Stakeholders Consultative Meeting:*

The purpose of the meeting was to provide stakeholders and concerned persons and organizations an opportunity to make presentations to the Ombudsman based on facts which would support their respective view points.

The consultative meeting took place in Windhoek on 20 September 2011 and the following organizations made oral presentations and submitted written representations and documents:

- Windhoek Society for the Prevention of Cruelty to Animals; (SPCA)
- International Fund for Animal Welfare (IFAW)
- South African Seal Saving Initiative
- Seal-Alert SA
- Seal Products (Pty) Ltd
- Sea Sheppard Conservation Society
- The Seals of Namibia
- National Council of SPCA – South Africa (NSPCA)
- World Society for the Protection of Animals (WSPA)
- The Ministry of Fisheries and Marine Resources

At the end of his presentation, the representative of the Ministry of Fisheries and Marine Resources, informed the meeting that an aerial survey will be conducted during December 2011 under the auspices of the Benguela Current Commission (BCC) by experts of Angola, Namibia and South Africa. The results of the seal stock assessment of Namibia will only be available in 2012. The meeting was adjourned, awaiting these results and for the Ombudsman to continue his investigation.

#### *Site visits and interviews/desk research*

During November 2011, the Ombudsman visited Cape Cross to observe the shooting of male seals. On 3 December 2011, the Ombudsman and Ms Rakow, the Director of the Office, visited the seal factory in Henties Bay and conducted interviews with the owner of the factory and ten of his employees.

Later in the afternoon they visited Cape Cross to observe the seal colony after the cows gave birth and also took photographs of the colony. A visit to Seal-Alert SA's seal sanctuary in South Africa was set for January 2012 as well as the continuation of the investigation.



The Ombudsman at the seal colony at Cape Cross



The further investigation, the report, findings and recommendations will be covered fully in the 2012 annual report

## Maladministration

### Overview

As has been the case since the Office opened in 1990, the bulk of complaints received relate to maladministration matters. A total of 1656 maladministration complaints were received in 2011, 259 more than in 2010.

One of the biggest challenges remain the speedy resolution of these complaints, which are seldom of an intricate, complex nature, yet it can take a year or longer to resolve due to the lack of co-operation from institutions. If one considers that these type of complaints often relate to peoples' livelihood (salary, pension, housing, subsistence and travel, etc), one simply cannot understand the reluctance on the part of institutions to have the matters resolved as quickly as possible.

It has been the intention to have a workshop with institutions to order to discuss the delays and perhaps get institutions to appoint designated persons in the respective organizations to deal with enquiries from the Ombudsman; however, this has not yet materialized.

### Maladministration case summaries

#### **Unpaid gratuity and missing money**

The complainant, a former prisoner, informed us that he was granted parole on 19 September 2008; he further indicated that he worked as a bricklayer from September 2004 until 2006, but he was not paid his gratuity when he was released. He also alleged that he booked N\$80,00 in at the Windhoek Central Prison, which he likewise did not receive upon his release, despite several enquiries to that effect.

A letter of enquiry was forwarded to the Commissioner General of Prisons, requesting him to comment on the allegations made. He responded that an amount of N\$86,00 was due to the complainant, while his gratuity was also not paid out due to the fact that he was temporarily transferred to Oluno Prison and was released on parole while he was there. We were also informed that the claim was submitted to the Head Quarters and that the complainant would be informed as soon as his claim was approved for payment. However, the complainant kept on coming back, alleging that he has not yet been informed to collect his money; during 2010, we struggled for the whole year to secure a further response from the Commissioner-General of Prisons, however, to no avail.

In July 2011, the Ombudsman informed the Commissioner-General of Prisons that, should he fail to resolve the matter within three months, he will be served with a subpoena to appear before the Ombudsman and give evidence regarding the matter.

With this intervention, we were informed in a letter dated 23 December 2011 that the complainant received the money due to him and that we could close our file. The complainant confirmed telephonically to us that he indeed received his money and we closed our file.

**Value Added Tax (VAT) application for import exemption**

The complainant in the matter explained that she was married to a Namibian citizen and when they decided to permanently relocate to Namibia from South Africa, they requested the Directorate Inland Revenue to grant them an exemption from VAT on the importation of their personal and household effects, which was granted. However, when they arrived at the Trans Kalahari Border Post, the officials on duty disregarded the exemption letter issued to them and insisted that VAT be paid, unless they could provide a work permit or proof of domicile.

Having perused the VAT Act, we approached the Director of Inland Revenue and informed him that according to the Ombudsman's understanding, a foreign national who is lawfully and in good faith married to a Namibian citizen need not be in possession of any sort of permit to lawfully work, study, reside or travel to and from Namibia. We further requested to be advised on the following:

- Who qualifies for VAT exemption and whether the VAT exemption certificate issued to the couple was valid or not
- Whether there is any reasonable prospect for the couple to succeed in claiming back the VAT on the importation of their personal and household effects

The Director Inland Revenue responded as follows:

- In terms of the VAT Act, personal and household effects of returning residents are exempted from VAT
- With regard to the couple's complaint, the Customs and Exercise Officials at Trans Kalahari Border Post fully recognised the exemption letter issued by the Directorate Inland Revenue

We were also advised that the couple could claim their refund from the Ministry of Finance at the Customs Refund Office once their passports were endorsed by customs with a rebate stamp. The complainant was provided with the response and we closed our file.

**Promotion**

The complainant, a member of the Namibian Police, informed us that he was promoted to the rank of Warrant Officer with effect from 1 December 2008; however, since his promotion there was no salary adjustment up until 2011. The complainant wrote letters to the Police Headquarters requesting them to rectify the mistake, but to no avail.

We followed up on the matter and was informed that the complainant could not be promoted because of a pending case against him. After further enquiries from our side, the Police indicated that they provided us with the wrong information, since the alleged case against the complainant could not be proved. The complainant was given his promotion and accompanying salary increase.

**Prize money not paid out**

During April 2011, a complainant informed us that she participated in two youth expo's organized by the Ministry of Youth and Sport in August 2008 and November 2008, respectively; the complainant alleged that she won certain prize money which were never paid to her.

Following our enquiries to the Ministry regarding the matter, the Ministry paid out the prize money to the complainant.

**Irregularities with water meter readings**

The complainant, pensioner, informed us that she experienced some irregularities concerning the water meter readings at her erf, since the amounts were extremely high. When she informed the City of Windhoek and asked them to investigate the matter, they responded by sending her an arrear bill amounting to N\$14 000,00, with no explanation as to how such a huge amount accumulated.

The matter was investigated and through the intervention of the Ombudsman, the arrear amount was written off by the City of Windhoek.

**Salary**

An employee of the Ministry of Home Affairs approached us regarding the fact that he was transferred from another Ministry, but that his salary was reduced after the transfer. The complainant struggled for a long time to have the issue resolved, but to no avail.

We investigated the matter and found that indeed the complainant's salary was reduced erroneously; we advised the Ministry to correct the salary back dated to date of commencement of duty at the Ministry and we were later informed by the complainant that the matter was finally resolved.

**No access to water**

The complainant alleged that her husband of 19 years left their common home and instituted divorce proceedings. He then approached the City of Windhoek and instructed them to disconnect the water at the common home, since the municipal account was registered in his name. After the water was disconnected, the wife approached the City of Windhoek to have the water re-connected, but she was informed that it could not be done because the instruction to disconnect the water came from her husband, who was the account holder. As a result, only the husband could authorise the re-connection of the water to the residence.

The complainant begged her husband to re-connect the water for the benefit of their five children, but he still refused; complainant then entered into an agreement with her neighbours to get water from them on a daily basis, at N\$300,00 per month. This untenable arrangement lasted for two years and complainant again approached the City of Windhoek, but to no avail.

We approached the City of Windhoek for round table discussions, submitting letters from complainant's lawyer proving that she was in a divorce battle with her husband; we further submitted proof that not only was the complainant in a position to pay the arrear account, but she was also in a position to pay the monthly bill. Following our intervention, the water was re-connected in the complainant's name.

**Refusal to replace faulty water pump**

The complainant informed us that he was one of the beneficiaries of a farm and was assisted financially by the Ministry of Lands and Resettlement to purchase water tanks, water pipes and a water pump through a private contractor. However, barely a few months later, the water pump became unserviceable and he requested the Ministry of Lands and Resettlement to establish the quality of the pump installed, with a view to have it replaced. In addition, he wanted to be supplied with a stronger water pump that would last instead of the one that had continuing problems since the beginning.

In a response from the Ministry to him, he was informed that the Ministry would interact with the contractor to establish the quality of the engine installed at his unit for possible replacement and that he would be informed accordingly. However, the Ministry failed to provide to the complainant with the outcome of the interaction between the Ministry and the contractor, as promised. The complainant then decided to approach the Ombudsman for assistance.

#### Preliminary enquiries

A formal letter of enquiry was addressed to the Permanent Secretary of the Ministry of Lands and Resettlement, requesting him to urgently look into the matter and to assist our client as soon as possible. The Ministry responded as follows:

- The investigation into the matter was conducted in collaboration with the Ministry of Agriculture, Water and Forestry
- The outcome of the investigation was that the contractor carried out the work as was quoted for
- The engine installed was of a good quality
- It is the responsibility of the resettled farmer to ensure that water and other infrastructure on the farm are in a good condition and maintained at all times
- The Ministry has effected repairs on the unit in the amount of N\$223 234,23 and could not afford to spend more funds on the unit

Having studied the response from the Ministry, the office invited the complainant to hear his views. He indicated that he understood the sentiments expressed by the Ministry, however, his bone of contention was that the engine had worked for less than a year and had continuous problems since its installation; this despite numerous calls and letters requesting the Ministry to intervene in view of government funds spent fruitlessly. In addition, he referred us to another private contractor who on two occasions came to repair the engine 6 months after its installation.

We contacted this contractor and he confirmed that he indeed visited the farm on two occasions to repair the unit and he detected at the time that the engine was of a low quality because it mixed water and oil from the sub; he advised the complainant to approach the contractor for possible replacement since the machine was not repairable.

#### Site visit

On 4 April 2011, two experienced investigators went to the farm to verify the conditions of the engine. On arrival at the site, they found the engine and observed the following:



Investigators had to wear gumboots to get to the farmstead due to heavy raining at the time

- The exhaust was broken
- The filter was broken, causing the engine not to idle
- The engine was placed too low and was unable to spin or discharge the dirty engine oil
- The machine stands were unstable, causing some part such as the engine oil top cover and exhaustion to shake off
- The room where the engine was placed, was made out of boards and on the brink of collapsing
- The two pits of water were open throughout and greenish in colour
- The room door was broken due to the dilapidation of the boards





The investigations took place during the rainy season and the 4 x 4 vehicle of the office got stuck in the mud. It had to remain there until the next day because the 1<sup>st</sup> truck sent to the rescue by the Ministry of Works and Transport, also got stuck and a 2<sup>nd</sup> truck had to be dispatched to the scene to rescue both our vehicle and one of their own



**Communal land**

There was an outcry from villagers where communal land was proclaimed as town land and occupants moved to pave the way for development. The rights of such occupants were not respected and people were mostly not consulted; if prior consultation did take place, it was not done fairly. Below follow a few cases in point:

A group of residents of **Nkhurenkhuru** Town complained that they were moved from their land and houses to pave the way for town development; an agreement to that effect was signed with the Town Council, but payment to occupants were delayed; following our intervention, all individuals affected received their due compensated.

A complainant approached us regarding the fact that the **Divundu** Settlement Committee in the Kavango Region refused to compensate him for the loss of his plot and improvements thereon. After our intervention, the complainant received compensation in the amount of N\$291 430,00.

The complainant, owner of a lodge in **Rundu**, informed us that he was illegally charged rates and taxes on land that he leased on a Permission To Occupy basis. After various engagements with Town Council staff, they agreed to reverse and close the rates and taxes account in question and to write off the accumulated amount.

**Undue delays in processing subsistence claims and pension**

The complainant approached us regarding the fact that he had twenty subsistence and travel claims not paid out, some dating back five years. He performed authorized official work away from his duty station, claims were approved accordingly, however, staff in the finance section of the Ministry simply did not process his claims. Following our intervention, we found that the claims were indeed not paid out without any valid reason, and we advised the Ministry to process the claims; the complainant informed us at a later stage that all his claims were paid out.

The complainant approached us regarding the fact that her sister, employed by the Ministry of Health and Social Services from 1983 to 2000, did not receive any pension payout when she left. Her pension record allegedly indicated that her service started in 2000 and the 17 years contributions were not recorded. When we enquired, we found that the complainant's sister was indeed a contributing member for 17 years, but that she did not claim her pension when she left the government service. With our intervention, her pension was processed and the amount owed to her, paid out accordingly.

**Harsh and insensitive treatment by government officials**

The complainant went to a health center in the North for a medical consultation; she found nurses whose attitude was rude toward her, eg. asking about her boyfriend 's HIV status and questioning the logic of having a baby knowing that she was poor. We took up the matter with the person in charge of the health center; they apologized to the complainant on behalf of the nurses and took internal action against the responsible nurses.

**Reluctance to prosecute prison official**

The complainant approached us to inquire about the delay in a criminal case opened against a prison official; on our initial enquiry, the prison provided feedback that the complainant withdrew the case, but upon further investigation it came to light that the case was withdrawn without the knowledge of the complainant. With our intervention, the case was re-opened and assigned to a new investigator; the accused has since appeared in the Ondangwa Magistrate Court.

**Complaints benefiting more people than only the complainant**

The complainant approached us regarding the fact that he was prejudiced through the actions of the National Housing Enterprise (NHE); he bought a house financed through the NHE, but constructed by a private company. Although the company did not complete the house, the NHE paid out progress payments for work not done. The company in fact then abandoned the project and the unfinished house was badly vandalized, but the NHE made the complainant pay for the property for over 3 years. Our investigation found negligence on the part of the NHE and it was recommended that they should repair the damage, not only to the complainant's house, but also that of his neighbor, who was in a similar position with the same company. The complainant could finally move into his house almost five years after the start of the saga.

The complainant informed us that the action of the Road Contractor Company (RCC) caused him a great loss; they allegedly destroyed his farm's fence, making it difficult to control his livestock; he was also not consulted and no compensation was paid to him in line with government policy. We intervened and the RCC acquired the services of a consultant to calculate complainant's loss; through this complaint, not only the complainant, but also other farmers in the vicinity affected in the same way, were duly compensated.

The complainant informed us that he and some other pensioners in his constituency did not get their old age pension payouts for the month of December 2010. Following our intervention, all the pensioners received their pension during July 2011.

We received a complaint that nursing staff at the Oshakati hospital failed to perform their duties; one of the allegations was that they neglect to wash patients themselves, but rather waited for family members to come and wash them; they allegedly also ignored patients' calls for help. The allegations were taken up with the Superintendent of the hospital and he introduced measures to avoid a repetition of such behavior.

**Service delivery**

The complainant approached us regarding the fact that the Rundu Town Council was reluctant to service the road to his lodge. Through our intervention, the relationship between the lodge owner and the Council improved to such a degree that they agreed to share the responsibility, in that the Council provided a grader and the lodge owner provided a loader.

### **To build or not to build (failure to follow the building and density regulations)**

The complainant, a pensioner from Okahandja, initially complained about the construction of flats on the erf adjacent to his, without obtaining all the necessary approvals from the Okahandja Municipality and without complying with the building regulations. Also, that the building contractor, who also drafted the plans, was employed at the municipality.

An investigation was conducted and it was found that one of the employees of the municipality, a health inspector, indeed drafted the plans and inspected the buildings; this despite the fact that no building permit was issued, nor were the final plans approved by the section responsible for electricity and water.

The Ombudsman recommended that the municipality investigate whether the owner of the erf where the flats were erected, deviated from the plans and if so, compel him to file amended plans; he recommended further that action be taken against the owner of the erf for failing to comply with his obligations under the regulations. Amongst others, the density capacity was exceeded by far with the erection of 6 flats on the erf.

Unfortunately, the municipality initially did not adhere to the recommendations despite further interaction with the Chief Executive Officer of the Okahandja Municipality, also by the Hon Minister of Regional and Local Government, Housing and Rural Development. However, the latest information is that the Chief Executive Officer gave notice to the owner of the erf to have the flats vacated by its tenants, since chances are that the structures may be demolished if not brought in line with building and other regulations.

### **Relief aid not reaching the affected people following floods in Northern Namibia**

A flood victim complaint to us that donated items did not reach the intended beneficiaries, that there was a lack of proper management and that the system had loops which could result in abuse; also, that the Town Council failed to address the problem of relocating residents in flood areas permanently.

The investigation was confined to the Oshana Region, one of the regions affected by flooding and also the region where the complaint hailed from. We focused our attention on the flood relocation camps in order to gain a comprehensive understanding of the situation.

We interviewed various people in the different relocation centers, those with responsibilities and also those without responsibilities. We also interviewed officials assigned to manage the flood emergency as well as officials in the Ministry of Health and Social Services in Oshakati. During the investigation, the following places were visited: Ekuku Centre, Oshoopala centre, Olunkono centre – Ondangwa, Oshakati Town Council, Oshana Regional Council, Ministry of Health – Oshakati, Main Warehouse – Oshana, Ompundja Constituency

All flood affected people interviewed in camps expressed the view that government assistance via Town Councils are disorganized and in many cases do not reach everybody, while the records of recipients are questionable. The procedure used to determine beneficiaries in cases of limited items (gas stoves, wood, fresh meat, umbrellas and school bags from the Ministry of Health) was also found to be questionable.

Three towns in the Oshana region had the responsibility for flood victim camps in their respective towns. Amongst others, 17 schools were closed and turned into relocation points, accommodating thousands of affected families, while camps such as Ekuku accommodated 1505 people.

Various businesses made donations; one such a business for instance donated 143 mattresses and duvets; the difficulty was that a decision had to be taken to which relocation camp it would be distributed, creating an impression of non delivery in the minds of those in other camps, who gained knowledge of donations through the TV.

The investigation concluded that an emergency was declared, thus bureaucratic procedures were not followed to the letter; however, a degree of accountability and control was exercised. The question of abuse or undue advantage could not be determined as a result of various loopholes which existed, for example lack of proper recording of all items and verification of recipients. It was recommended to the coordinators of the flood relief from the Office of the Prime Minister to tighten control mechanisms and to ensure that the procedures already in place, are followed. The impression was that relief organizations such as the Red Cross dealt with the distribution of aid in a very organized manner and that they could serve as an example for government on how to deal with the distribution of relief aid.

### General complaints received during intake clinics

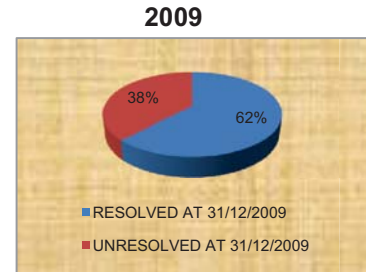
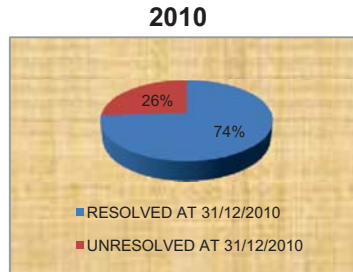
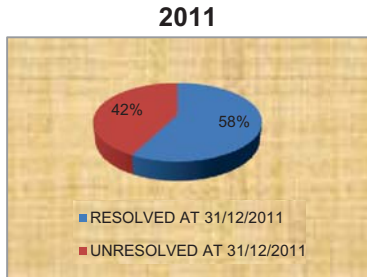
In most instances the 1<sup>st</sup> part of an intake clinic is used as a public education opportunity where the investigator talks to the community members present and inform them briefly about the functions and duties of the Ombudsman as well as which type of complaints we can investigate or provide assistance with. In many of the rural areas, the investigator conducting the intake is expected to assist in providing explanations on a number of issues falling outside the scope of the Ombudsman, since the community sees the investigator as a representative from government who is expected to have knowledge and solutions to a wide range of issues. Below follows a summary of matters gathered from a community beforehand by the Constituency Development Committee and submitted to the investigator for answers/solutions upon his arrival:

Issues raised	Response/advice provided
Why does the Ombudsman not give a report or feedback on issues raised at the previous meeting	An individual's concern would not be shared with a group unless presented as a social or community concern at the community platform; so the specific complainant who raised the complaint will receive the feedback, not the community
The drought relief food should not only be given to San people, but should be extended to other vulnerable communities in a Constituency	The policy is clear that the vulnerable people be identified by the community leaders in consultation with the Constituency councillor. If there is a directive that the food should be given to San people only, then such a directive need to be discussed with the regional leadership

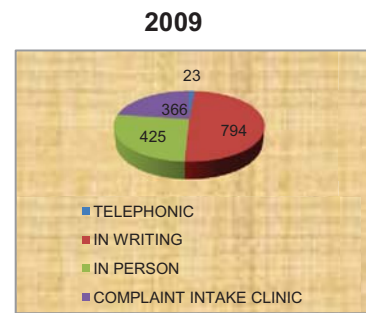
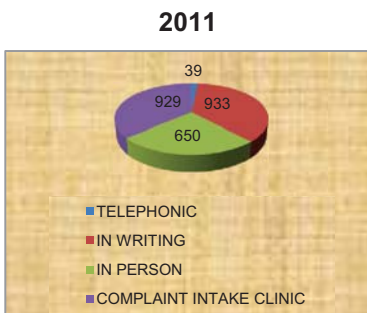
Issues raised	Response/advice provided
The San peoples' coffins for funerals must be provided as a service, as most of them cannot afford to buy a coffin	The proposal will be taken up with the Office of the Deputy Prime Minister
The Labour Commissioner is suspected of taking sides in cases	The process of labour dispute resolution was explained in detail
Why is there a delay in building a mortuary for Epukiro and how long does it take to build once a feasibility study is completed	Will be taken up with relevant authority, but it may take a few years
How long does a parastatal take to have a staff member employed permanently	Explained that it depends on the contract of employment that an individual acceded to. If the contract stipulates that the employment is for a certain period, then that is how it will be
Why does government expect other sectors to build houses for their workers while they themselves do not build houses for government employees	Advised that government provides a housing subsidy scheme/rent allowance to its employees and employees are thus encouraged to build or rent their own houses; government however still build houses in exceptional cases where there is no accommodation available for essential staff
Government employees are not getting training	Many training programmes for civil servants are currently being designed
Nobody wants to take responsibility for the maintenance of settlement roads; who is actually responsible	The settlements resort under the Ministry of Regional and Local Government, Housing and Rural Development. Hence, maintenance is government's responsibility
Build-together programme may be a failure as it now requires the beneficiary to clean the area as well as collecting sand, which many cannot afford due to lack of funds	It was explained how the build-together programme works; however, a lot of questions emerged as the approach used at their constituency was not clear. Community members were advised to familiarize themselves with the terms and conditions of loans granted to them, also what is included when quotations are obtained and so on
The traditional counselors have difficulty in stopping illegal fencing as they are not empowered to do so, neither is the police allowed to intervene unless instructed from 'above'	Such matters should be taken up with regional governors

Statistical breakdown

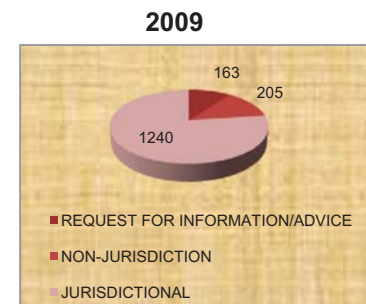
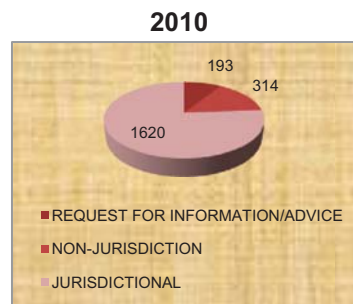
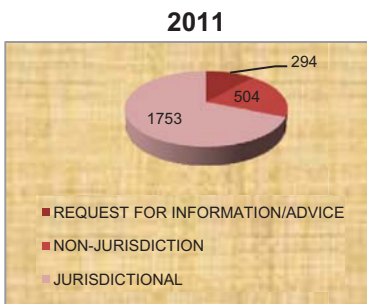
Cases resolved/unresolved



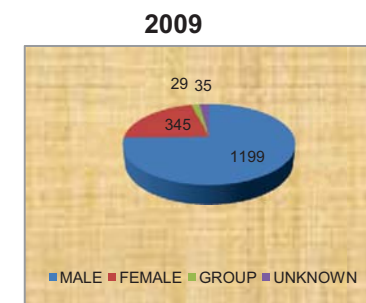
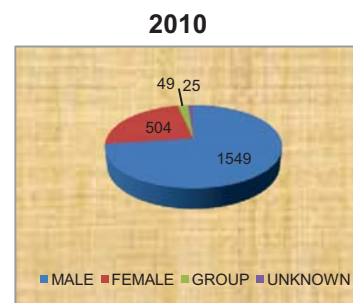
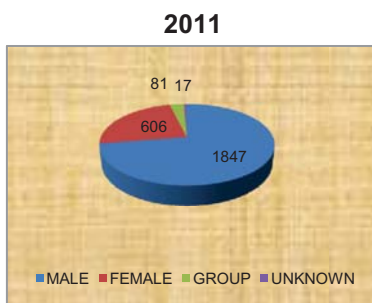
Complaints by intake type



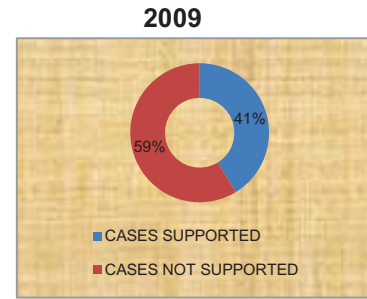
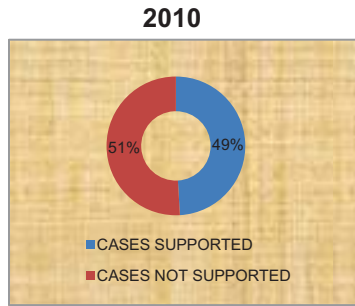
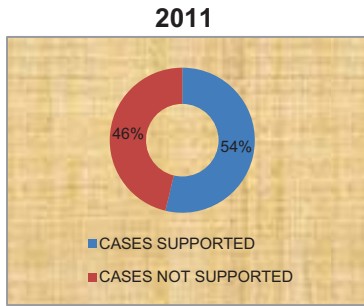
Complaints by complaint type



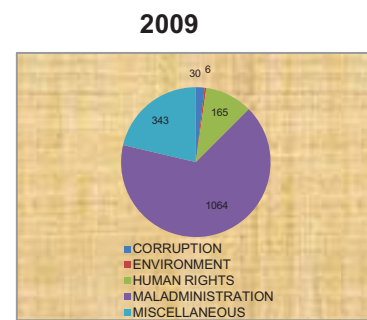
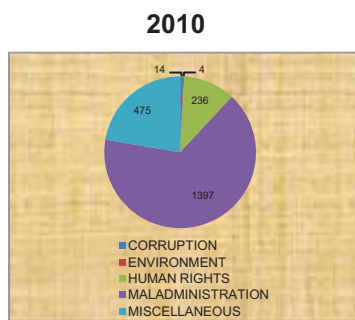
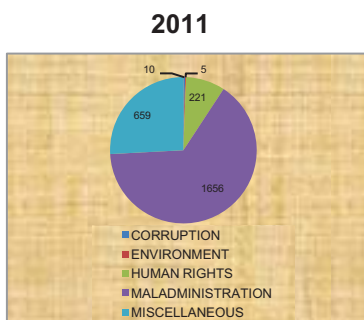
Complaints by gender



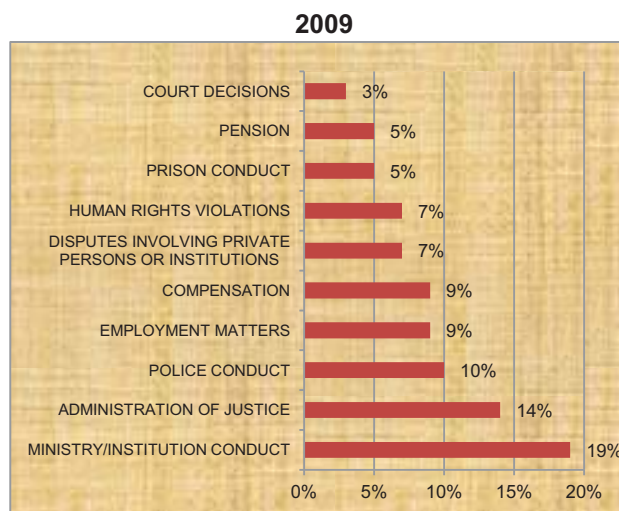
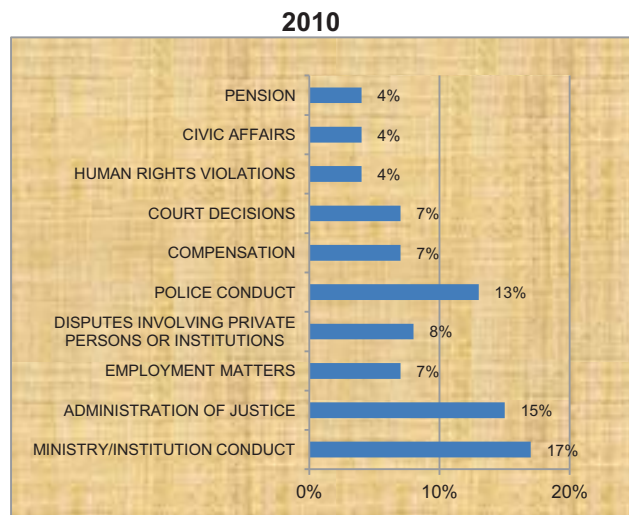
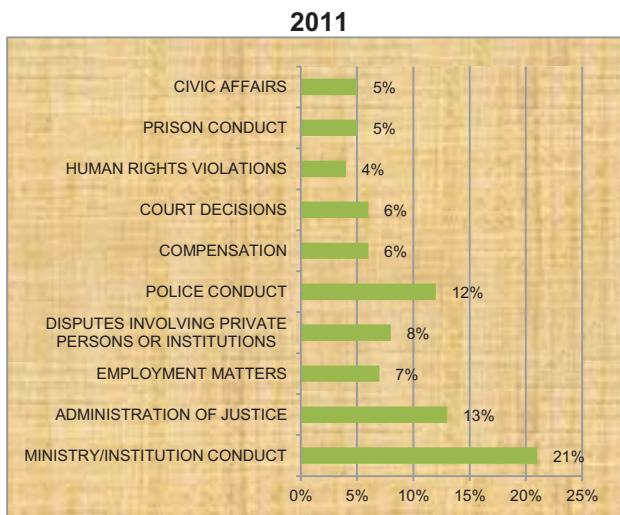
Complaints supported/not supported



Complaints by mandate

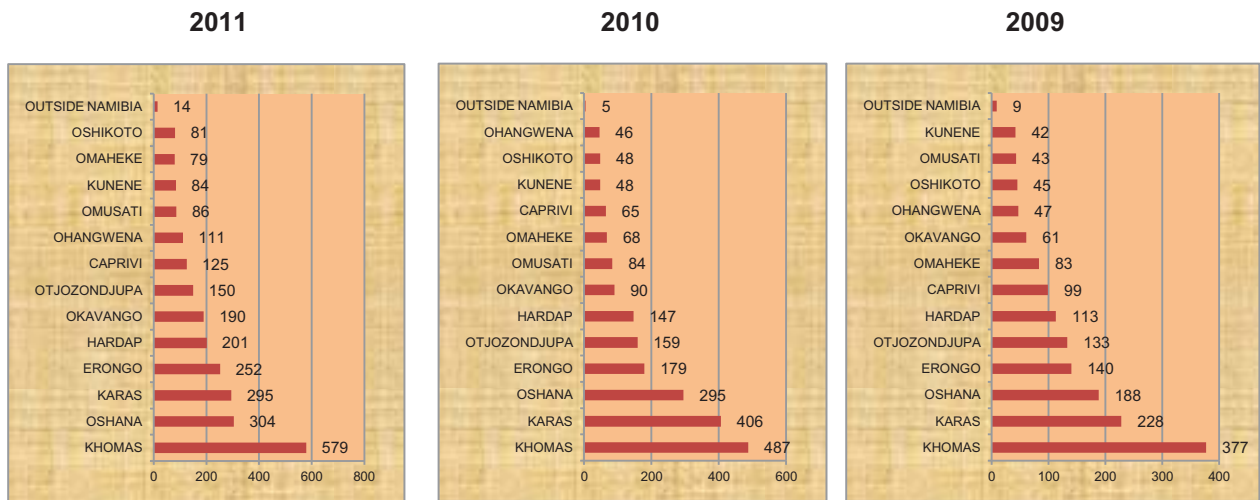


Complaints by category

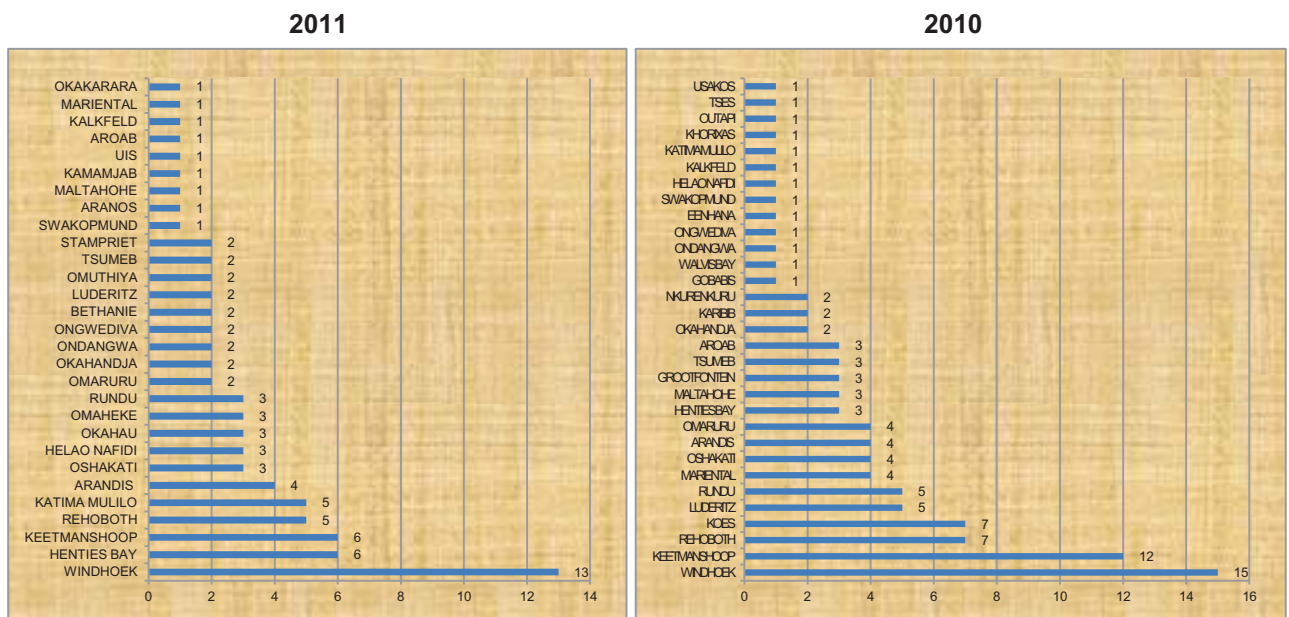




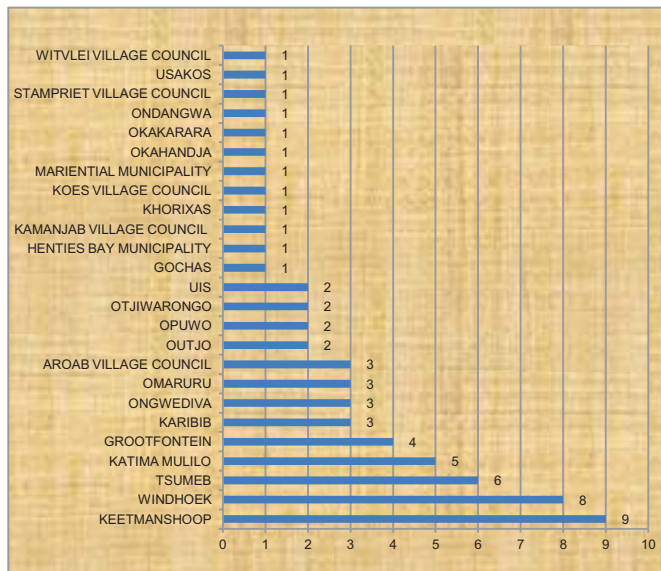
### Complaints by Region



### Complaints against Local Authorities

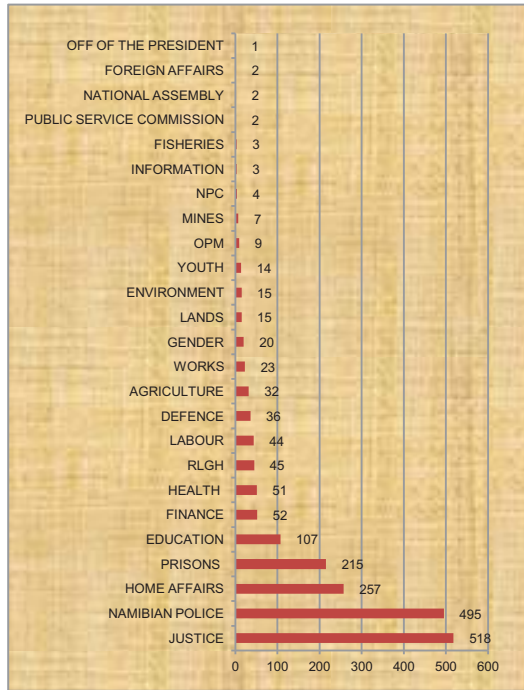


### 2009

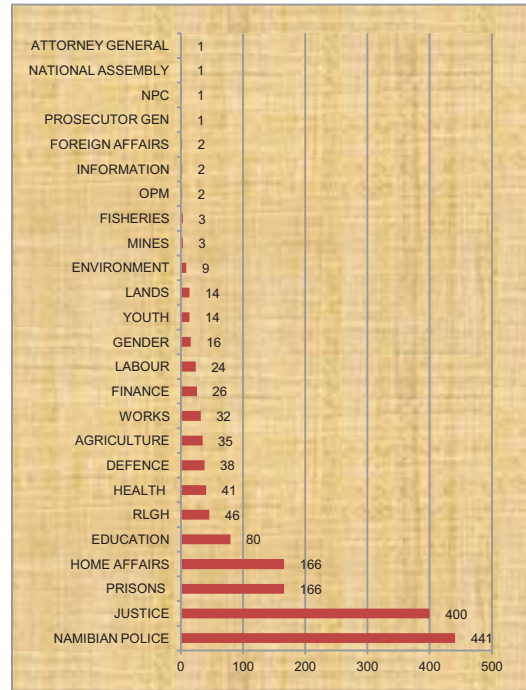


Complaints against Government Offices/Ministries/Agencies

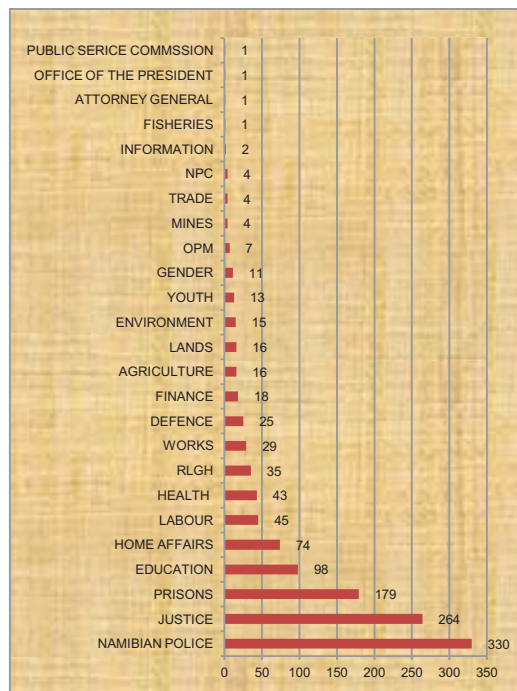
2011



2010

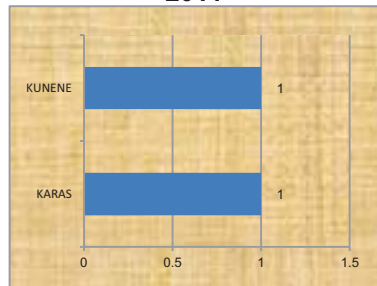


2009



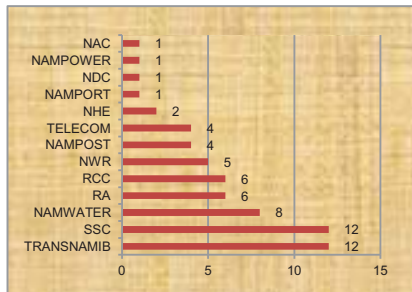
**Complaints against Regional Councils (previously included as complaints against Ministry of Regional, Local Government and Housing and Rural Development)**

2011

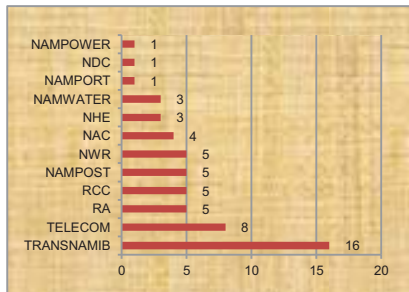


**Complaints against parastatals**

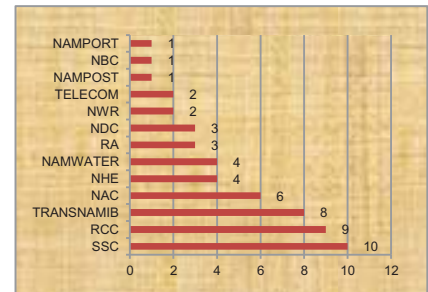
2011



2010

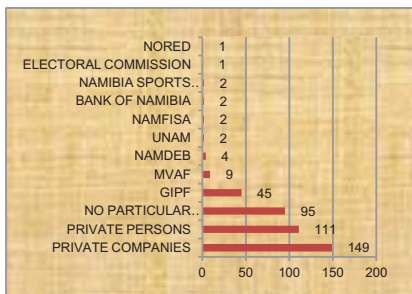


2009

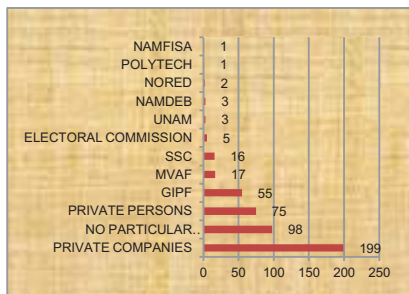


**Complaints against Other Institutions**

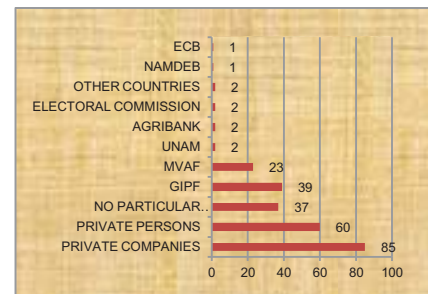
2011



2010



2009



**On a lighter side...**

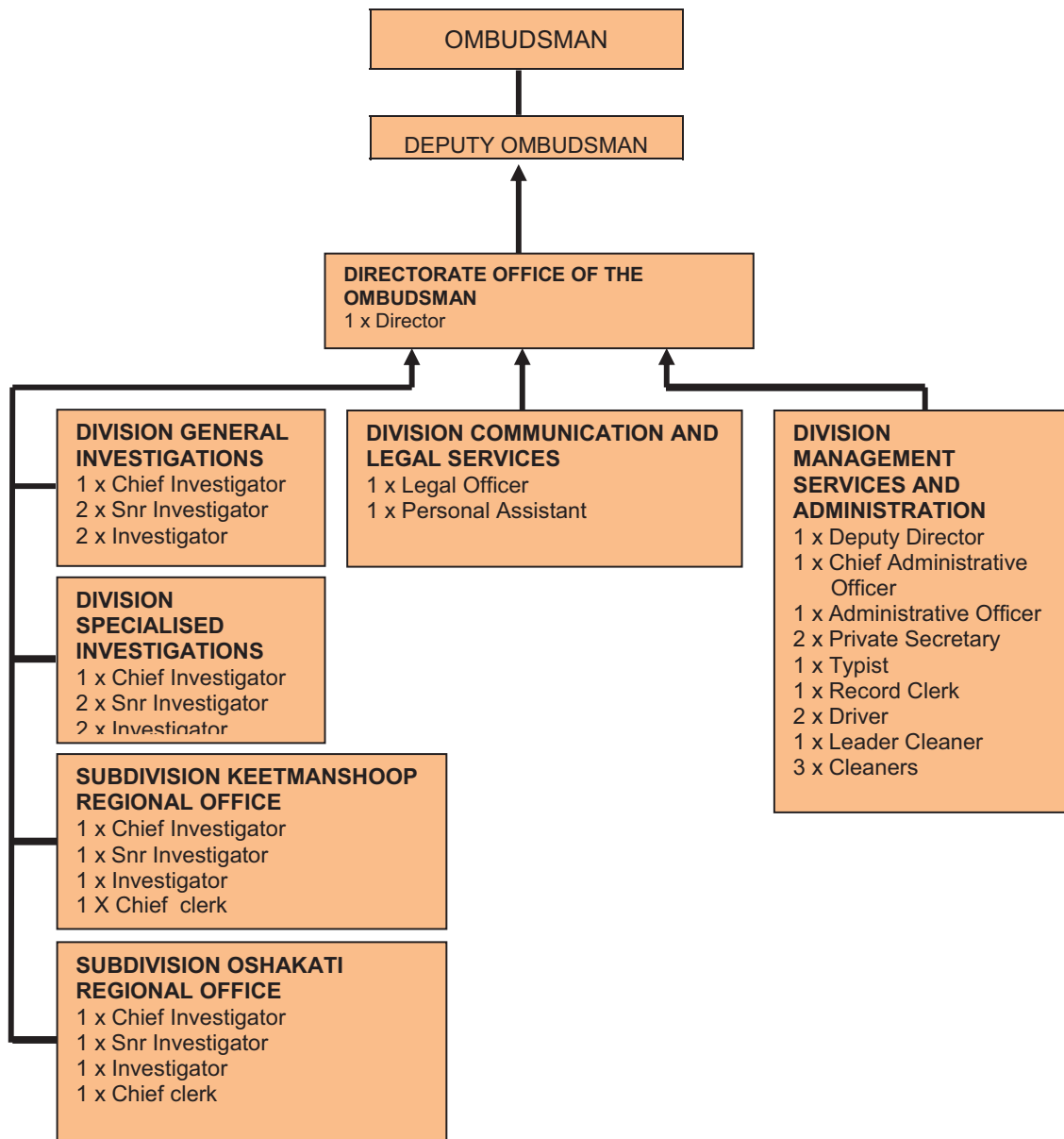


The complainant, a detainee in a police cell in the North of the country, approached us regarding the fact that he did not have money to pay bail, so he requested the police to assist him to sell some of his cattle in order to get the bail money together; however, they refused to assist him. He was advised that his request was perhaps a bit beyond the call of duty of the police and that he should rather request family members to assist him

**MANAGEMENT SERVICES AND ADMINISTRATION**

**Organisational structure**

In 2010, we requested the Ministry of Justice to approach the Office of the Prime Minister with the proposed restructuring, which was depicted in the 2010 Report; we were informed by the Office of the Prime Minister that their investigation would be concluded during December 2011. However, the structure remains the same for now.



**General**

The Management Services and Administration Division provides support to the line function in terms of human resources and financial administration, logistical management and general administrative support.

**Human Resources**

Appointments and terminations of service

Mr Johannes Rooi was appointed as Senior Investigator in the vacant position at the Keetmanshoop Regional Office; prior to his appointment, Mr Rooi was employed at the same Office as an Investigator.

Ms Loide Hamutenya was appointed as Chief Clerk at the Keetmanshoop Regional Office with effect from 1 October 2011, but during the same month she applied for a transfer to another Ministry and she was relieved of her duties at the Regional Office with effect from the 1<sup>st</sup> of December 2011.

Staff training and participation in workshops/seminars/conferences

Staff were involved in the following training activities/workshops during the course of 2011:

Workshops/seminars/conferences attended	Date	Location
Staff retreat, training in Case Management System and general office procedures/staff code directives	02/2011	Swakopmund, Namibia
		
Workshop for Education officers, Advisory teachers and Regional Textbook officers	11-12/04/11	Otjiwarongo, Namibia

Investigative training course "Sharpening Your Teeth"	15-20/05/11	Windhoek, Namibia
Regional workshop on Access information LAW	27-29/06/11	Midgard, Namibia
Gender Mainstreaming Workshop	27-29/07/11	Otjiwarongo, Namibia
Emerging leadership	29/08-01/09/11	Windhoek, Namibia
Pan African Conference on Access to Information	17-19/09/11	Cape Town, South Africa
8 <sup>th</sup> Biennial Conference of the Network of African National Human Rights Institute	19-22/10/11	Cape Town, South Africa
Policing oversight in South Africa: Advances, Challenges and Prospects	23-24/03/11	Johannesburg, South Africa
Human Rights Training	15-19/09/11	Pretoria, South Africa
Lesbian, Gays, Bisexual and Transgender (LGBT) and Human Rights 17 October-November 2011.	17/10-06/11/11	Stockholm, Sweden

"The training equipped me with the necessary knowledge, which I believe I would use to train the colleagues in the office, the public and the nation at large in protecting the LGBT people's rights...."

**Alpheus Haufiku**  
Snr Investigator

## Financial Resources

Description	Amount (N\$)		
	2009/10	2010/11	2011/12
<b>Personnel Expenditure</b>	4 538 000	5 369 000	6 809 000
<b>Travel and Subsistence Allowance</b>	327 000	500 000	568 000
<b>Materials and Supplies</b>	86 000	117 000	87 000
<b>Transport</b>	683 000	Incorporated into General Services, Min of Justice	Incorporated into General Services, Min of Justice
<b>Utilities</b>	130 000	60 000	16 000
<b>Maintenance Expenses</b>	65 000	65 000	45 000
<b>Other Services and Expenses</b>	255 000	255 000	446 000
<b>Membership Fees and Subscriptions</b>	50 000	100 000	94 000
<b>Furniture and Office Equipment</b>	175 000	Incorporated into General Services, Min of Justice	Incorporated into General Services, Min of Justice
<b>Total appropriation</b>	6 309 000	6 466 000	8 065 000

## Transport

The Office fleet consist of nine vehicles, as follow:

- 1 x Toyota Hilux double cab (government garage pool vehicle temporarily allocated to us) utilised for regional complaint intake clinics (our Nissan double cab became unserviceable during the year with no prospect of repairing it economically)
- 2 x Corsa bakkies utilised at the Southern and Northern regional offices
- 2 x Mazda 4x4 bakkies utilised at the Southern and Northern regional offices
- 2 x Nissan Tiida sedans utilised in Windhoek for administrative tasks and investigations
- 1 x Mazda 4x4 bakkie earmarked for utilization at the Swakopmund regional office
- 1 x Mazda 4x4 bakkie utilized for investigations outside of Windhoek

### Stock Control

Equipment, materials and supplies which were budgeted for, were mostly acquired, the exception being the acquisition of office furniture and computers. Since the funds for these items were incorporated into the budget of General Services of the Ministry of Justice, it has been a constant struggle to replace unserviceable or outdated computer equipment, or to acquire new furniture to replace the old unsightly and broken furniture. The incorporation of these funds into General Services should be revisited.

### Accommodation

The Office occupies a building on the corner of Feld and Lossen Streets in Windhoek, since January 2009, with regional offices in Keetmanshoop and Oshakati. The Keetmanshoop regional office is in urgent need of major renovations which was already brought under the attention of the Ministry of Justice in 2008; however, no provision has yet been made for the renovations. Regarding the Oshakati regional office, a new office building in Ongwediva is in the pipeline and the expectation is that construction will start in 2012. The regional office in Swakopmund is scheduled to open in 2012, while regional offices in Otjiwarongo and Rundu is also envisaged.

### Information Technology

All staff members in Windhoek as well as the Oshakati and Keetmanshoop regional offices have access to the main server and to the computerized case management system as well as e-mail and internet facilities. The Ministry of Justice was requested to replace obsolete personal computers and printers, while the internet should be upgraded as a matter of urgency.

The Office maintains a website at [www.ombudsman.org.na](http://www.ombudsman.org.na), which will hopefully be revamped in 2012 and staff members trained to update and maintain the site.

### Office support Systems

- ❖ A switchboard with adequate incoming and outgoing lines is in use at head office in Windhoek, while one each are in use at the Keetmanshoop and Oshakati regional offices, respectively
- ❖ Three fax machines are in use at head office in Windhoek, of which one became unserviceable and had to be replaced, while both the fax machines at the Keetmanshoop and Oshakati regional offices also had to be replaced
- ❖ Two photo copiers are in use at head office in Windhoek, as well as one each in the Oshakati and Keetmanshoop regional offices
- ❖ The offices of the Ombudsman, the Director, and the control administrative officer in Windhoek as well as both regional offices have colour laserjet printers

**SPECIAL REPORTS/EVENTS AND OUTREACH/PUBLIC EDUCATION****Constitution Day 9 February 2011**

Due to other commitments, the Office could not have a substantive Constitution Day celebration, but the following advert appeared in all major local newspapers on the day:

**9 FEBRUARY  
CONSTITUTION DAY**

The Ombudsman and staff wish to congratulate the Namibian Nation on celebrating 21 years of constitutionalism and would like to take this opportunity to remind all citizens of their fundamental human rights guaranteed in Chapter 3 of the Namibian Constitution, which the Ombudsman will always promote and protect. In keeping with international human rights best practices, the Ombudsman is in the process of facilitating the drafting of a National Human Rights Action Plan (NHRAP) which would address human rights concerns in Namibia and citizens' participation in the process is vital for success; we therefore encourage you to be on the lookout for invitations which will appear in the media



## Sharpening-Your-Teeth (SYT) investigative training



The Namibia Ombudsman invited the Ontario Ombudsman and his staff to present their internationally acclaimed “Sharpening your Teeth” (SYT) training program in Windhoek from 16-19 May 2011. The Namibia Ombudsman also used this opportunity to invite members from other English speaking African Ombudsman offices to attend the training. The Ontario Ombudsman, André Marin, developed this training module to assist Ombudsman and staff with the conducting of systemic investigations. Gareth Jones, the Director of the Special Ombudsman Response Team (SORT) at the Office of the Ontario Ombudsman, assisted him with the facilitation of the training in Namibia.



Adv John Walters (middle) with Messrs Marin and Jones

Mr Marin and his personnel have presented the Sharpening Your Teeth investigative training program to Ombudsman, Human Rights, United Nations and other watchdog agencies across the world. He is the author of *Conducting Administrative Oversight and Ombudsman Investigations*, published by Canada Law Book in 2009.

The investigators from the Office of the Ombudsman as well as from the Anti-Corruption Commission and the Namibian Police attended the training, while we also had the honor of hosting participants from Botswana, Lesotho, Zambia, Angola, Uganda and Rwanda; we were especially honoured to have both the Ombudsman of Angola and currently the President of the African Ombudsman and Mediateurs Association, Dr Paulo Tjipilica as well as the Commissioner for Investigations of Zambia, Mrs Caroline Sokoni, also attending the training.



Dr Paulo Tjipilica and Mrs Caronine Sokoni with Adv John Walters

The four pillars of an effective Ombudsman as universally identified are:

- Independence
- Impartiality
- Public reporting
- Credible investigations

This specific training focused on the conducting of credible systemic investigations and then on a lesser level, the public reporting, especially the format and build-up to such a report, that should follow after the conclusion of a systemic investigation. Attention was specifically given to the two questions that are always raised with regard to SYT investigations, one being how to identify systemic issues and the second, when to launch a systemic investigation.

A systemic issue is one that goes beyond the immediate issue raised in individual complaints, is not easily resolved, has the potential to affect large numbers of people and is in the public interest. When one goes further to identify whether issues are of a systemic nature for the purpose of possible investigation by an Ombudsman as a systemic issue, one should monitor complaint trends or patterns, be aware of public debate and discussion in the legislature or media and look beyond individual complaints to the underlying causes. Launching a systemic investigation should be considered when informal resolution of the issue has failed or is not an option, resolution is not possible without a considerable amount of fact-finding and complaint(s) appear symptomatic of a larger problem.

Sessions were tailor made for the Namibian context and covered a wide variety of topics including the principles of SYT investigations, identifying the core problem, the interviewing of witnesses, the collection of information and evidence, the drafting of investigation documents and ultimately the final report, the relationship with the media and especially communicating your message through social media and the benefits of using these free sources.

The participants were given lots of practical examples and were also given the opportunity to practice their newly learned skills practically with group sessions where they were required to come up with investigation plans etc. based on fictional scenarios designed to test the comprehension and understanding of the participants of the topics that were presented.



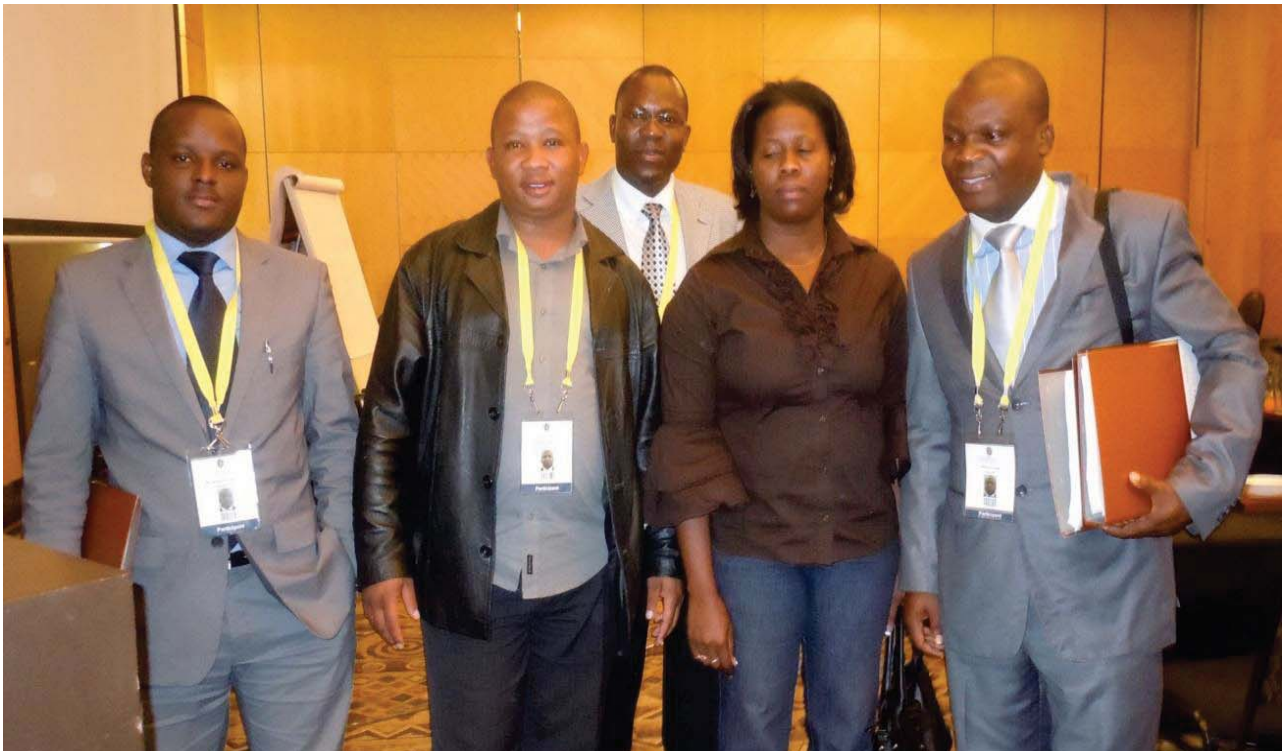
The participants together with Mrs Sokoni, Mr Marin, Adv Walters, DrTjipilica and Mr Jones

At the end of the 4 day course, the participants received certificates indicating that they completed the training course.





Namibian and Zambian female colleagues building networks



Namibian Ombudsman investigators with colleagues from Angola

### **Ombudsman meets with traditional leaders to co-incide with Africa Public Service Day Celebrations (22-23 June 2011)**

The Africa Public Service Day Celebrations, under the theme “Transformative Leadership - creating a better life” took place in Keetmanshoop on 22 June 2011 and the Regional office staff thought it a good idea to merge these celebrations with a visit to the South by the Ombudsman. In this regard, they invited Human Resources personnel of all government institutions in Keetmanshoop to attend a gathering during which the role and functions of the Ombudsman were explained in detail, including the type of complaints received from the public against different institutions, which were discussed at length. Future consultations with those departments regarding the type of complaints received were arranged during the deliberations that followed after the meeting. The Ombudsman again strongly encouraged civil servants to deliver a quality service to the public in terms of the Namibian Public Service Charter and the Africa Public Service Charter.

Since the theme of the commemoration of the day was “Transformative Leadership - creating a better life”, we thought it would tie in nicely to invite the Traditional Leaders of the Karas and Hardap regions to a special meeting with the Ombudsman on the 23<sup>rd</sup> of June 2011. The event was well attended by the invitees and they had the opportunity to convey problems experienced in their communities directly to the Ombudsman. After the discussions the leaders enjoyed lunch with the Ombudsman and his staff members.



The Ombudsman with Traditional Leaders from the Hardap and Karas regions

## Regional Offices

### Keetmanshoop

The Keetmanshoop regional office is situated on the corner of 2<sup>nd</sup> Ave and Sam Nujoma Drive, while office space at different locations are utilized during complaint intake clinics in the Karas and Hardap regions.

The office is equipped with a switchboard with four extensions, a colour laser printer, a photocopier, a fax machine and computers with access to the main server in head office, Windhoek, including internet access. One of the problems experienced with this link to the server, is that it is extremely slow and the Keetmanshoop staff have experienced difficulty at times to enter cases into the computerized case management system, as well as using Microsoft word. Although Telecom Namibia, the suppliers of the linking technology, has been consulted about the problem on many occasions, no solution could yet be found to address this untenable situation; renewed efforts will be made in 2012 to find the cause of the problem.

The regional office have two vehicles namely, a Corsa bakkie and a Mazda 4x4, which is utilized to cover vast areas during complaint intake clinics.

During 2011, the Corsa bakkie travelled 17 679 kilometres; the vehicle was serviced on time and no major repairs or damages were experienced. However, the vehicle is a 2005 model with more than a 100 000 kilometres on the clock and it may become due for replacement very soon.

The Mazda 4x4 travelled 23 461 kilometers in 2011; the vehicle was serviced on time and no serious defects or damages were incurred, except for a tyre and rim damage on 18 October 2011, when the vehicle was nearly overturned on a gravel road between Koës and Gochas.

As has been the case in 2010, all police cells were visited during the complaint intake clinics and below follows a brief overview of the police cell visits:

#### **Gibeon Police Station:**

General complaints were received about the quality of food, bail, cleaning material and visits from outside.

#### **Koës Police Station:**

The detainees did not have individual complaints and did not have significant problems. The role and functions of the Ombudsman were explained to the detainees in detail.

#### **Kalkrand Police Station:**

There were 6 detainees in the holding cells and they were concerned about bail, being detained while innocent and relations between the police members and detainees. Through discussion, the concerns were resolved and one detainee informed us that he wanted to write letters to the newspapers, but that he would no longer do that since all his concerns were resolved through the discussion.

**Mariental Police Station:**

We visited the 50 detainees in the police cells and they had the following general complaints: Inadequate clinic/hospital visits, cleaning material and cleaning of cells, letters and phone calls to relatives, quality of food and bail issues. We discussed the issues with them in the presence of the police officials and most of the concerns were resolved amicably.

**Stampriet Police Station:**

We spoke to 27 persons in custody in the holding cells, complained in general about the quality of food, bail, cleaning of the facility, visits from relatives, as well as the fact that most of them are apparently not guilty of an offence; in this regard, it was explained that it is outside the Ombudsman's jurisdiction to make a judgement and that they should prove their innocence in a Court of Law.

**Tses Police Station:**

There were 20 detainees in the holding cells; their main concerns were about the quality of food, cleaning of the cells on a regular basis, no proper ventilation, lack of telephone facilities or the opportunity to make phone calls, lack of sufficient running and drinking water and the opening of the solid entrance door to the facility.

In addition to the police cell visits, 24 towns and villages in the Hardap and Karas regions were visited 48 times, yielding a record number of 217 complaints received during complaint intake clinics.

OSHAKATI***“We should not allow ourselves to become a window dressing institution”***

Timothy Shangadi  
Regional head

The Oshakati regional office is situated in the magistrate's court building in main street and is equipped with a switchboard with four extensions, a colour laser printer, a photocopier, a fax machine and computers with access to the main server in head office, Windhoek, including internet access. As is the case in Keetmanshoop, problems are experienced with this link to the server, in that it is extremely slow and the Oshakati staff have experienced difficulty at times to enter cases into the computerized case management system, as well as using Microsoft word. Renewed efforts will be made in 2012 to find the cause of the problem.

The regional office have two vehicles namely, a Corsa bakkie and a Mazda 4x4, which is utilized to cover vast areas during complaint intake clinics.

During 2011, the Corsa bakkie travelled 12281 kilometres; the vehicle was serviced on time and no major repairs or damages were experienced. However, the vehicle is a 2005 model with more than a 100 000 kilometres on the clock and it may become due for replacement very soon.

The Mazda 4x4 travelled 44 897 kilometers in 2011; the vehicle was serviced on time and no serious defects or damages were incurred, except for cattle that was bumped into in Opuwo during night time; fortunately the speed was so slow that hardly any damage was caused to the vehicle.

The Oshakati regional office on complaint intake clinics:

Intake clinic fulfils the promise to make the Office accessible to all and to reach people wherever they may find themselves. It especially give citizens in rural areas and marginalized people the opportunity to access and lodge complaints with the Office. It also provides Ombudsman investigators with an opportunity to regularly monitor indigenous (marginalized) communities, such as the San and the Ovatomia. The opportunity is also used to conduct police cell inspections, while detainees are provided with the opportunity to lodge complaints. It was also found that our scheduled visits prompt police officials to attend to cell and detainee affairs, such as having cells properly cleaned and detainees' concerns addressed.

They however recommend the following improvements to make the intake clinics even more efficient:

- A specific person should be tasked with the responsibility of announcing/advertising/communicating complaint intake clinics ahead of time to afford all people in the area the opportunity to approach the investigators
- Sufficient time be availed in the intake programs to carry out investigations (existing and new cases), while on intake
- That intake clinics be extended in those regions where an increased demand for our services are experienced, such as the Kavango Region

The Oshakati regional office also indicated that the citizens in the areas visited by them, are generally becoming more aware of their rights and more knowledgeable about the duties and functions of Ministries and service delivery institutions; as a result, they expect persons employed in those institutions to do what they are paid for and when they detect a problem with the service delivery, they know where to report it; this trend holds public officials accountable and help them to improve service delivery.



## Intake Clinics



## REGIONAL COMPLAINT INTAKE PROGRAMME 2011: WINDHOEK

TOWN	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT
Rehoboth (Including police cells)	26			11			
Groot Aub (Including police cells)	27			12			
Dordabis (Including police cells)	28			13			
Seeis		5		15			
Hosea Kutako (Including police cells)	29			14			
Omitara (Including police cells)		5		15			
Okakarara (Including police cells)		9			29		
Waterberg		10			30		
Otavi (Including police cells)		11			31		
Otjiwarongo (Including police cells)		12				1	
Okahandja (Including police cells)		13			23		
Ovitoto	19			19			
Uis(Including police cells)				18			17
Okombahe				19			18
Omaruru (Including police cells/prison)				20			19
Otjimbingwe				21			20
Karibib (Including police cells)				21			20
Usakos (Including police cells)				22			21
Arandis (Including police cells)				25			24
Hentiesbay (Including police cells)				26			25
Walvisbay (Including prison and police cells in Walvis Bay/Narraville)				27			26
Swakopmund (Including police cells/prison)				28			27
Khorixas(Including police cells)		30					04
Kamanjab (Including police cells)		31					05
Outjo (Including police cells)			1				06
Transkalahari (Including police cells)			6		8		
Aminuis (Including police cells)			7		9		
Chaka			8		10		
Leonardville (Including police cells)			9		11		
Gobabis (Including police cells/prison)			10		12		
Witvlei (Including police cells)		24			18		
Otjinene (Including police cells)			14		17		
Epikuro Post 3			15		16		
Plessisplaas (Including police cells) /Epikuro RC			15		16		
Tallismanus (Including police cells)			13		15		
Mukwe (Including police cells)			20			06	
Divundu Prison			21			05	
Omega (Police Cells)			22			06	
Sangwali			23				
Katima (Including police cells)			24			07	
Chindimane			27			08	
Sibinda						09	
Sesheke			28				
Ngoma (Including police cells)			29			12	
Schumansberg						13	
Kabbe/Mubiza			30				
Bukalo						14	
Impilila Island (Including police cells)						15	
Kongola				01			



## REGIONAL COMPLAINT INTAKE PROGRAMME 2011: SOUTH

TOWN	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT
Koes			20				17
Gochas			21				18
Gibeon					10		19
Tses			23				20
Berseba					11		21
Kainachas			24				
Mariental	26				16		24
Hardap	27						28
Kalkrand	28						25
Maltahohe	29				19		
Aranos					17		27
Stampriet					18		26
Aroab		9				5	
Karasburg		10				6	
Ariamsvlei		11				7	
Warmbad		12				8	
Noordoewer		13					
Grunau				19		9	
Bethanie				5		26	
Aus			1			30	
Luderitz				6		27	
Luderitz prison				7		28	
Rosh Pina		30		8			
Oranjemund		31				29	
Kosis				4			





## REGIONAL COMPLAINT INTAKE PROGRAMME 2011: NORTH

TOWN	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT
Eenhana		9		4			3
Ongenga						5	
Endola						06	
Helao Nafidi		10		5		7	4
Omundaungilo				6			
Epembe						8	
San Community Centers		11					5
Okongo		12		7			
Ondobe							6
Okahau		30					
Tsandi					9		
Okalongo						13	
Ongongo						14	
Onesi					10		
Outapi		31				15	
Ruacana			6			19	
Oshikuku				20			
Elim				21			
Opuwo			7			20	
Epupa			8			21	
Ovatwe Centres			9			22	
Okatana Constituency/ Oshakati East	27				11		
Ongwediva	28						
Ondangwa Eheke Constituency	29				12		
Gam	6			13			
Tsumkwe	7			14			
Mangeti Dune	5			12			
Omatoko				12			
Maroela boom	4			11			
Kombat	18						10
Grootfontein	19		21				11
Tsumeb	20		22				12
Tsinsibis /Farm Scott Prison			23				13
Omuthiya			24				14
Mashare							24
Ndiyona							25
Mukwe							26
Kapako		23					
Rundu		24		25			27
Nkrenkuru		26		26			28
Nepemba Prison/Kahenge Constituency		27		27			
Rundu Rural				28			







# A P P R E C I A T I O N

Dear Mrs Rakow,  
 Earlier in the year I contacted you with regards my citizenship certificate for which I had to "wait". You assigned a gentleman by the name of Sylvester to my case and within a while he managed to get my certificate.  
 I have since recieved my passport, ... all thanks to your office.  
 A huge Thank You to you and all your staff for all your assistance and help, it's nice to know there are people like you out there that really care...  
 greetings  
 Yours Sincerely

Herewith I would like to inform you that Marie-Paul Ghenet and I have received the reimbursement of the VAT on our purchases in Windhoek.  
 Even if the process was very long and painful administrative wise, I would like to thank everyone of you for your understanding and intervention for the good end of this matter. A special thanks to the Ombudsman who made it possible to have a quick reaction as from the moment of knowing the facts.  
 I hope that future foreign tourists visiting Namibia will have less problems.  
 Best personal regards

Ingrid De Maeyer

Dear Mr Walters

I am writing to express my appreciation to your for taking part in the Commonwealth Observer Group for the 18 February Presidential and Parliamentary Elections in Uganda .....We are most grateful to you for your part in ensuring that the Observer Group was successful.....



**The Ombudsman can be contacted at:**

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**VISIT OUR WEBSITE FOR INFORMATION OR TO LODGE COMPLAINTS, AT:**

**WWW.OMBUDSMAN.ORG.NA**