



2019 CIVIL SOCIETY ORGANIZATION SUSTAINABILITY INDEX

For Sub-Saharan Africa: Namibia
September 2020

Cover Photo: A group of youth gather at a free WIFI spot to access the internet in Maputo, Mozambique in March 2020. USAID is developing programs in several countries, mainly in Africa, to promote universal internet access. The program enables free access to information for young people who may not have the financial resources to access the internet otherwise, thereby helping them to participate in democratic processes, practice citizenship, and exercise their right to information.

Photo Credit: Gideon Américo Muiambo, representative of the Movement for the Prevention of Crime (MHPC)

This photo was a submission in the 2020 USAID Center of Excellence on Democracy, Human Rights, and Governance photo contest.

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For Namibia

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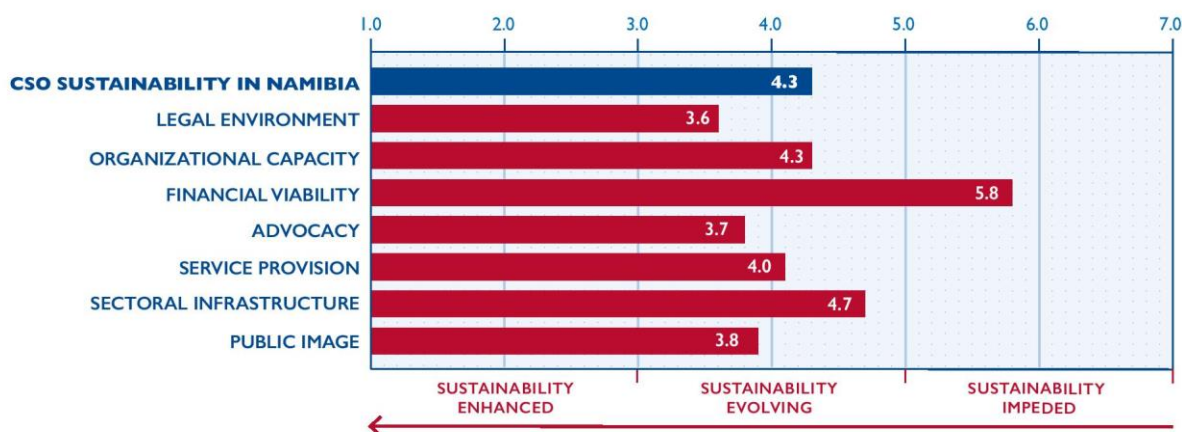
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OVERALL CSO SUSTAINABILITY: 4.3



Namibia experienced a turbulent year in 2019, characterized by an ongoing economic recession, the most closely contested national elections since independence in 1990, and a major corruption scandal.

The economy shrank by just over 1 percent in 2019, likely worsening the unemployment figures last recorded in the government's 2018 national labor survey, which showed that 33 percent of the labor force and 46 percent of young people under the age of thirty-five lacked jobs. A multi-year drought hampered agricultural production, increasing the number of people in need of food aid to more than 700,000 and prompting President Hage Geingob to declare a state of emergency in May. Public debt rose to above 50 percent of the gross domestic product, and the International Monetary Fund urged the government to undertake structural reforms to cut the debt, improve services, and boost business confidence. Perhaps not surprisingly in an election year, the government showed little appetite for taking any drastic actions, such as reducing the size of the civil service or closing loss-making public enterprises.

Just weeks before parliamentary and presidential elections at the end of November, news of Namibia's worst-ever corruption scandal, known as "FishRot," broke in local and international media. The scandal was unleashed by the leak of thousands of corporate documents indicating that an Icelandic fishing company had paid at least \$10 million in bribes to secure fishing quotas from Namibia. In the wake of the scandal, two cabinet ministers and several leading businesspeople were arrested and charged with fraud and money laundering. News of FishRot sent shockwaves through Namibian society and sparked several public demonstrations in Windhoek and Walvis Bay.

The adverse economic conditions and persistent drought, compounded by the FishRot scandal, led to losses by the ruling SWAPO Party of Namibia and particularly President Geingob in the elections. SWAPO lost its two-thirds majority in the National Assembly by a narrow margin, while the president bore the brunt of the protest vote, gaining only 56 percent of the vote compared to 80 percent in 2014. CSOs lacked the resources to undertake widespread electoral observation, but organizations such as the Namibia Institute for Democracy (NID) undertook voter education and research associates from the Institute for Public Policy Research (IPPR) offered analyses of electoral developments and results.

Namibia regained the top spot in Africa for its free media environment on the Reporters Without Borders' World Press Freedom Index 2019. However, the media did not escape official invective for allegedly showing anti-government bias, particularly as the November elections neared. The most outspoken comment came from the minister of industrialization, who called journalists "flies" because, he claimed, they were giving investors the wrong impression of the country.

Overall, the sustainability of Namibia's civil society was unchanged in 2019. A greater number of public protests focused on issues such as corruption and gender-based violence (GBV) contributed to an improved advocacy score. Service provision was slightly stronger as organizations explored new ways to broaden their reach. The sector's public image improved slightly with better media coverage and reduced anti-civil-society rhetoric from the

government. CSOs' legal environment, organizational capacity, financial viability, and sectoral infrastructure did not change.

There is no recent data available on the size of the civil society sector in Namibia. The best estimate comes from a database developed by CIVIC +264, which lists 225 active organizations countrywide.

LEGAL ENVIRONMENT: 3.6



The legal environment for civil society did not change in 2019. CSOs operating as trusts complained of arcane procedures and bureaucratic delays. No progress was made toward repealing the draconian research law or introducing access to information legislation.

CSOs register as trusts with the Master of the High Court or as companies not for gain with the Business and Intellectual Property Authority. CSOs continued to struggle with administrative procedures at the Office of the Master of the High Court in 2019. For example, they faced bureaucratic inefficiencies and delays in the registration process, and updating records was also a challenge. CSOs offering health-care or educational services are legally required to also register with relevant line ministries, and organizations involved in child

protection activities must comply with additional registration requirements. While such measures might be justified, given the need for expertise in such work, they impose additional administrative burdens on CSOs. Smaller organizations, which tend to operate as voluntary associations, are not required to register with any government authority but need only to have a written constitution.

Concerns rose in 2019 about the possible introduction of an initiative to regulate CSOs through a new umbrella body. It was not clear whether this initiative, which was developed without broad consultation with civil society, was driven by donors or the government. The German Agency for International Cooperation organized at least one meeting of civil society and government representatives in October to discuss the revitalization of a civil society-government partnership policy. A previous effort to formulate a similar policy was abandoned more than a decade ago, at a time when CSOs mistrusted the government's intentions, especially regarding their registration.

Civil society's attempt to challenge the Research, Science, and Technology Act of 2004 as unconstitutional and overly restrictive dragged on for an eighth year in 2019 without resolution in the High Court. The law requires all organizations and individuals to apply for permits for research projects. A more positive legal development was the Supreme Court's ruling in favor of a local newspaper, which had been prosecuted for reporting on corrupt property deals involving officials from the Namibian Central Intelligence Service. Despite the court's ruling in favor of the newspaper, the fact that the state spying agency used an apartheid-era law, the Protection of Information Act, to try to silence the newspaper was disquieting. No progress was reported in 2019 on the long-promised access to information bill.

CSOs in Namibia were generally free to plan and conduct activities as they deemed fit in 2019. While civil society has to contend with bureaucratic challenges and red tape, no incident of outright interference or state harassment of CSOs or their work was reported.

There are no legal controls on foreign funding of CSOs. Very few CSOs compete for government contracts, although in theory this is possible. CSOs are allowed to engage in income-generating activities, although this option is not often utilized. Charitable, religious, and welfare organizations are exempt from paying taxes on their incomes. However, in March 2018, the minister of finance proposed taxing any income that charities derive from commercial activities. In 2019, the government was drafting relevant legislation.

While private legal services are available to CSOs, they are very costly. Only the Legal Assistance Center (LAC) provides legal advice on a pro bono basis.

ORGANIZATIONAL CAPACITY: 4.3

The organizational capacity of Namibian CSOs did not change in 2019. Many organizations continued to operate with limited financial and human resources, which constrained their ability to plan strategically and maintain high standards of governance.

Some organizations showed improved ability to build constituencies in 2019. For example, the Namibia Media Trust (NMT), Editors Forum of Namibia, and the IPPR worked together to organize a high-profile event on World Press Freedom Day, which raised awareness of media sustainability in the digital age. The rise of informal social movements coalescing around single issues showed CSOs' improved ability to mobilize community support in 2019. With the support of volunteers, a group of feminists organized the Slut Shame Walk in April 2019 to protest the high prevalence of GBV in Namibia. While notable for its reach, this event also underlined the limits of social mobilization, as the protest was localized, and most participants were young urbanites. With the exception of a handful of organizations, such as the Shackdwellers Federation of Namibia, most CSOs have few to no grassroots connections, and their reach does not extend far beyond Windhoek, the capital.

Many CSOs continued to be hamstrung by weak boards in 2019. Few qualified and experienced Namibians are willing to act as board members, given the challenging circumstances and lack of remuneration. Once appointed, board members often lack commitment.

Donors increasingly demand internal documents such as strategic plans, vision statements, and detailed monitoring and evaluation reports. Given their limited resources, many CSOs find these requirements difficult to meet, which limits their ability to apply for funding successfully.

CSOs face varied management, staffing, and resource situations. The Namib Desert Environmental Education Trust (NaDEET) has reported a marked improvement in the skills and motivation of its new staff and volunteers in the past two years. On the other hand, many CSOs operate with limited staff, who are hired only for the duration of projects. Few organizations have the resources to fill permanent positions, and funding for support and administration staff is severely constrained. To mitigate staffing gaps, many CSOs make use of local and international volunteers, which comes with its own challenges, such as the need for extra supervision and training and uncertainty about legal obligations and recruiting guidelines.

In general, CSOs' first priority for their limited resources is to secure office space and cover utility and communication costs. NID, for example, covers operational costs, including its office and utilities, by deducting 10 percent from staff and consultants' wages. Few CSOs have access to modern office equipment, such as computers, printers, and furniture. Larger, more established CSOs, such as LAC and PositiveVibes, have managed to secure ownership of their own offices, which is unusual.

ORGANIZATIONAL CAPACITY IN NAMIBIA



FINANCIAL VIABILITY: 5.8

The sector's financial viability did not change in 2019. Although funding for activities related to climate change seemed to increase, the financial situation of most Namibian CSOs remained precarious and dependent on external donors, which offered limited core funding and short program cycles.

Exact figures of foreign funding are difficult to come by. Several factors are known to constrain international funding in general and funding for CSOs in particular. The World Bank's classification of Namibia as an upper-middle-income country often makes it ineligible or a low priority for donor funding. Moreover, much of the donor funding that Namibia receives is allocated to government institutions. For example, according to the U.S. embassy, the U.S. President's Emergency Plan for AIDS Relief provided approximately \$1.1 billion to Namibia for HIV/AIDS-related activities between 2003 and 2018, the bulk of which was allocated to the Ministry of Health and Social



Services. In addition, few local CSOs have the capacity to absorb and manage sizable, multi-year funding opportunities, such as those offered by the European Union (EU).

Namibian CSOs working on conservation have benefitted from growing worldwide interest in addressing the causes and consequences of climate change. The United Nations Development Programme runs a small grants program in Namibia, which funds activities related to climate change and environmental management. This program disbursed approximately NAD 33 million (\$2.6 million) to CSOs and communities between 2012 and 2018. Illegal wildlife trafficking and poaching have also become focal areas for international donors in recent years. USAID's five-year, \$16 million Combatting Wildlife

Trafficking project is implemented by a consortium of ten international and local CSOs and will operate through 2021.

Financial support from the government remains limited. The government provides marginal support for CSOs to pursue projects such as shelters for GBV victims. A few CSOs have managed to secure government in-kind support. NaDEET, for example, receives assistance from the Ministry of Education to transport students on visits to its environmental education centers, and Regain Trust, a CSO focusing on GBV, has free office space provided by the Ministry of Youth and Sports in the Omusati Region.

A culture of philanthropy is not well established in Namibia. The private sector provides some funding to CSOs, but it is limited to non-controversial issues, such as sports and health. Some companies are strong supporters of CSOs seeking to prevent poaching and protect the environment. Corporate interest has been a boon to NaDEET, whose environmental education camps for school groups and teachers are financed by educational institutions and a wide range of private and corporate sponsors. Save the Rhino Trust was awarded business sponsorships for a fundraising event to generate money for operational and program expenses. However, businesses often establish their own foundations or corporate social responsibility projects to exert greater control over the spending of funds and support the communities in which they operate directly. For example, Lithon Holdings, a local engineering company, has set up its own welfare organization, the Lithon Foundation.

In general, Namibian CSOs have neither the dedicated staff nor the capacity to engage in systematic fundraising. In the past, some CSOs sought to improve their finances by offering services and products for sale, but they met with limited success, since poor communities could not afford them.

More established CSOs that still receive funding from the few donors left in Namibia usually have effective financial management systems. Very few CSOs publish detailed financial statements or annual reports.

ADVOCACY: 3.7

Advocacy improved slightly in 2019, as CSOs effectively organized public protests and raised issues of corruption and GBV.

While Namibia has a culture of public dialogue, discussions are often carefully stage-managed by government officials, and controversial issues are seldom discussed. There are no formal forums for engagement between the government and CSOs, and any consultations that do take place are sector or issue specific. For example, some civil society representatives serve on the Presidential Commission on Ancestral Land Rights, which was established in 2019 to review claims of indigenous communities to land lost during the colonial period. Representatives of CSO-supported community conservancies, or designated nature reserves protected and managed by local communities, meet regularly with senior officials of the Ministry of Environment and Tourism, which affords an avenue to contribute opinions on issues such as sustainable hunting and the government's position at international fora such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The government maintains a CSO desk at the National Planning Commission, but the desk officer is rarely active and

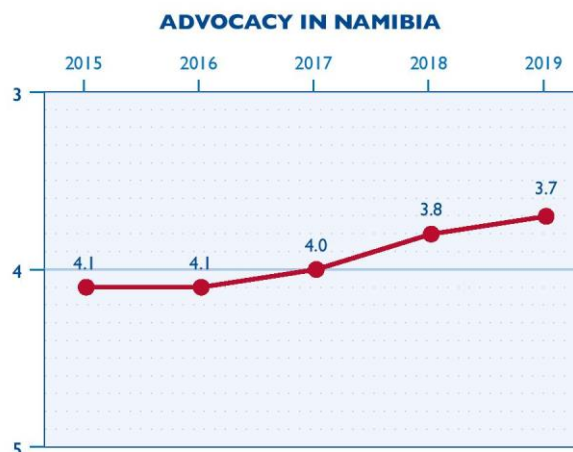
has minimal contact with CSOs. Government officials are often reluctant to take part in events organized by CSOs, especially if they address issues that may be controversial.

Advocacy by CSOs has increased over the past few years as organizations have come together with other stakeholders, such as social media activists and social movements, for protests, social media activism, and lobbying. For example, the alarming increase in GBV cases in Namibia prompted a range of organizations to raise awareness of gender equality in 2019. In April, more than 100 activists took part in Namibia's first-ever Slut Shame Walk to protest GBV and associated stigmas. In May, a coalition of human rights organizations and activists launched Namibia's MeToo movement. The coalition formed links with the Office of the First Lady, which has been active on women's and children's rights, and gained significant publicity for its work during the year. Although public protests are still quite rare in Namibia, several lively demonstrations were organized in both Windhoek and Walvis Bay at the end of 2019 to call for action and arrests during the FishRot scandal. These protests served as a focal point for national outrage over the diversion of government funds into private pockets, and they made headlines in both print and broadcast media.

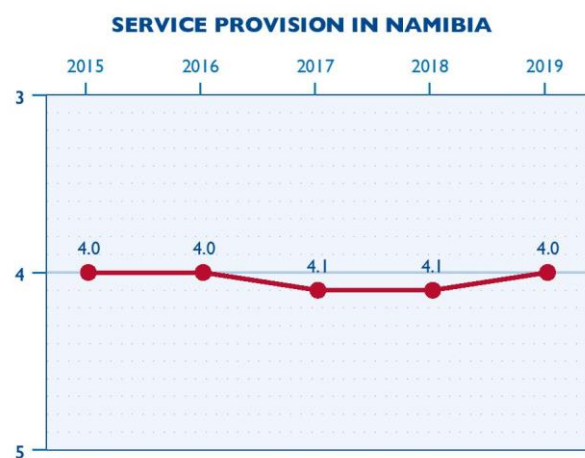
Other advocacy campaigns included a loose coalition of environmental CSOs, businesses, retailers, and municipalities that came together in an initiative sponsored by the Otto Herrigel Environment Trust to curb plastic waste in coastal towns. As a result of the coalition's activities, many supermarkets instituted a small levy on plastic bags, and the local drive successfully pushed the government to legislate a mandatory, nationwide levy on plastic bags in August 2019. Some retailers donated the levy's proceeds to CSOs prior to the legislation's enactment. CSOs led by the ACTION coalition raised concerns about joint army and police patrols, which had led to a number of human rights abuses in impoverished communities.

A number of Namibia's more established CSOs seek to engage with the government on drafting, reviewing, and revising legislation. LAC and other CSOs that specialize in policy analysis or legal work are sometimes asked to give advice on draft laws and policy documents. However, these requests are often submitted on such short notice that they are not conducive to effective feedback. Notable lobbying work in 2019 included contributions by the Regain Trust, a CSO concerned with gender issues, to laws being formulated on GBV, traditional marriage, sexual assault, and other issues. LAC provided recommendations that proved crucial to finalizing regulations related to the Child Care Protection Act of 2015. NaDEET lobbied successfully for the cabinet's adoption of a long overdue environmental education policy in 2019 (although the final draft of the policy reflected little consultation with stakeholders). The Namibian government was not the only target of CSO lobbying in 2019. NID, for example, met with the Chinese embassy to air concerns about issues such as the treatment of workers in Chinese businesses and the rise in wildlife poaching.

Limited progress was made on reviewing or passing laws of special concern to civil society in 2019. The Whistleblower Protection Act passed in 2017 is seen as a crucial tool in the fight against corruption, but it was not made operational in 2019 because of a lack of funds, according to the government. Despite pressure from several CSOs led by the ACTION coalition, a long-promised access to information bill was not brought before the parliament in 2019.



SERVICE PROVISION: 4.0



CSOs' service provision improved slightly in 2019 as organizations provided limited but important assistance to communities underserved by the government. Their services ranged from basic health care to psychosocial support, voter education, and capacity building. Some CSOs shifted to offering tailor-made services to meet identified community needs. For example, the AIDS and Rights Alliance for Southern Africa (ARASA) provided more funding to its community partners to provide HIV prevention and treatment services to minority and discriminated populations, such as sex workers and sexual minorities. These programs were primarily driven by donor research, although past regional and national advocacy work by CSOs also contributed to this programmatic shift. In October, NaDEET opened a new environmental education center that offers interactive

exhibitions and other activities to students, educators, and the public. Its location in an urban area in the town of Swakopmund makes it more accessible and less costly for users. Prior to its opening, the new center piloted various activities to ensure their relevance and usefulness.

Some of the shift to specific services can be attributed to a new generation of CSO staff and management. For example, the Namibian Scientific Society (NSS), traditionally a more exclusive, membership-driven organization, has sought to provide a platform for public dialogue on current issues, including negotiations on genocide with Germany and intercultural discussions of the legacies of apartheid. These discussions usually involve guest speakers from affected communities, academics, government officials, and members of the public. This kind of dialogue would have been unlikely under the more conservative management previously at the NSS. The rise of issue-specific social movements around GBV, housing, and land in recent years can also be attributed to younger, more vocal, media-savvy activists. CSOs also collaborate and share expertise to improve project outcomes. LAC and NaDEET, for example, worked together in 2019 to produce informative comics about environmental protection. A number of other CSOs produced educational materials on various subjects, as many public schools in Namibia lack adequate learning resources.

CSOs are well placed to form independent, critical views of government and business development efforts and public finances, thus providing a valuable service to academics, diplomats, journalists, and donors. In 2019, for example, IPPR, Economic Association of Namibia (EAN), LAC, and other organizations provided crucial insights and data to a visiting group of World Bank representatives.

Most CSOs do not seek to generate income from their services, since they serve mostly poor communities.

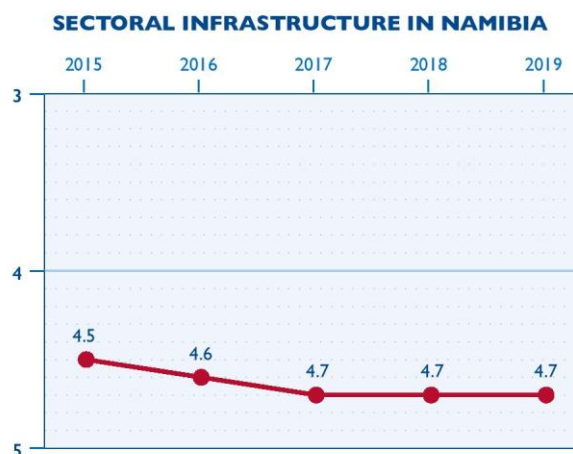
Overall, the government hardly acknowledged the work and efforts of civil society in 2019. At the same time, the government refrained from attacking individual organizations outright, as has happened in previous years.

SECTORAL INFRASTRUCTURE: 4.7

There was no change in the minimal infrastructural support available to CSOs in Namibia in 2019. The country has no dedicated resource centers to facilitate coordination and capacity building. The House of Democracy, a building in central Windhoek owned by the Hanns Seidel Foundation, a German organization, offers space to CSOs for meetings and consultations. In 2019, CSOs used the meeting space at the House of Democracy to consult with the special rapporteur on freedom of expression and access to information from the African Commission on Human and Peoples' Rights.

CSOs coordinate their work in certain areas, such as GBV, access to information, and environmental action and education. But otherwise, the sector lacks overall cohesion and organization. As a result, there was little attempt by CSOs to present a united front on issues of national interest in 2019. CSOs occasionally cooperate on topics of

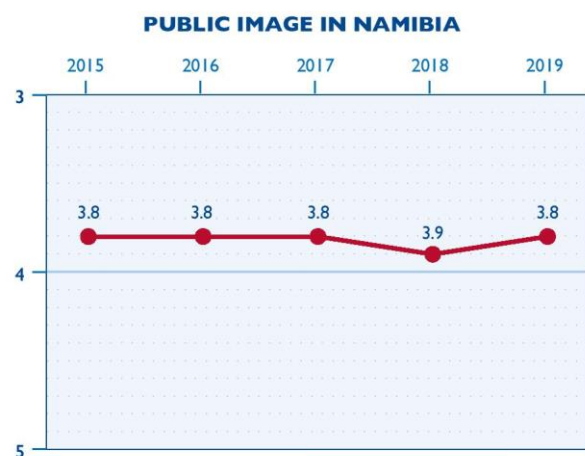
mutual interest or to leverage funding and public attention. For example, NMT and IPPR undertook joint research on digitalization and media sustainability and presented their findings at a public event on World Press Freedom Day in May. The MeToo movement, a loose coalition, operated in an ad hoc but effective manner in 2019. In an effort to improve information sharing and coordination among CSOs, five organizations—NID, LAC, IPPR, NMT, and Citizens for an Accountable and Transparent Society—formed a new hub known as CIVIC +264. By the end of the year, CIVIC +264 had established an office but had not yet been publicly launched. Sector-specific CSOs that coordinate fellow organizations include the Namibian Chamber of Environment, which continued to bring together stakeholders in environmental protection in 2019, and the ACTION coalition, which unites about seven CSOs to promote access to information. The Namibia Non-Governmental Organizations Forum (NANGOF) remained mostly inactive in 2019, mainly because of a lack of funding.



There is limited support for developing CSOs' capacity and skills. A sizable, EU-funded, multi-year program known as Action for Becoming a Credible CSO in Namibian Communities has helped build the capacity of organizations in five regions but came to an end in August 2019. Donors occasionally provide training workshops for the staff of CSOs that they support. For example, in 2019, in partnership with U.S. embassy, NID provided training under the Civil Society Support program to twenty Namibian CSOs on topics such as organizational ethics, financial management, and monitoring and evaluation.

There is little cooperation between civil society and most government institutions, although some partnerships take place in specific sub-sectors. For example, many CSOs with a focus on environmental protection and conservation maintain strong links with the Ministry of Environment and Tourism as well as the private sector, especially businesses involved in tourism. In 2019, IPPR, with support from the Ministry of Agriculture, Water, and Forestry, undertook a study of livestock marketing in cooperation with the Namibia National Farmers' Union, which represents communal farmers. The media also engage with CSOs on a regular basis, often to source independent information and opinions as an alternative to those provided by the authorities.

PUBLIC IMAGE: 3.8



The CSO sector's public image improved slightly in 2019, largely as a result of more positive media coverage, better engagement with citizens on pertinent issues such as GBV and corruption, and reduced criticism from the government.

Both print and electronic media remained well disposed to civil society in 2019. In Namibia's free media environment, as reflected in its relatively high standing in the 2020 Reporters Without Borders' World Press Freedom Index, a wide range of media rely on civil society activists as experts and commentators. Both government-owned and private media sought out civil society activists to comment on political and economic developments in 2019. For example, the state broadcaster's weekly *Talk of the Nation* television show

regularly invited civil society representatives to participate in panel discussions about a range of political, social, and economic issues. A new radio station focusing on current affairs, Eagle FM, made particular use of IPPR's research associates as political commentators. Journalists routinely attend CSO-organized events, and their activities and

protests, particularly against corruption in the latter part of the year, received mostly positive coverage from a range of private and government-controlled media. Civil society groups gained positive media attention for successfully pushing the government to legislate extra duties on disposable plastic bags to reduce waste and encourage recycling. CSOs also gained media attention through their links with business, such as the Recycle Namibia Forum's ability to earn income for its educational work from the sale of plastic bags in supermarkets.

There are signs that Namibians feel comfortable engaging with and expressing themselves through CSOs. The Afrobarometer survey conducted in mid-2019 showed that some 69 percent of those surveyed felt that Namibians should be able to join any organization, whether or not the government approves of it, while 31 percent said that the government should be able to ban any organization that goes against its policies. The protests over the FishRot scandal were a positive sign that CSOs and individual activists can work together to galvanize public concern about national issues.

In 2019, unlike in previous years, President Geingob did not launch verbal broadsides against civil society representatives as "failed politicians." Despite the reduction in criticism from the president, public officials overall remained skeptical about the role and purpose of civil society. For example, at a press conference, the Ministry of Information and Communication Technology criticized a report by IPPR on surveillance by the state. Officials often seem to be under the impression that civil society is overly critical of government efforts and policies, holds vested interests pushed by donors, and is itself not accountable to an electorate. As a result, the government seldom engages openly with CSOs. For example, the government excluded civil society representatives from the multi-stakeholder National Governing Council for the African Peer Review Mechanism, which was appointed at the end of year.

The business community has mixed perceptions of CSOs and prefers to work with and support only certain sub-sectors of civil society, such as environmental organizations. The private sector would like to see more evidence of well-organized and transparent CSOs.

In 2019, Namibian CSOs continued to underestimate the importance of engaging on social media to announce events and broadcast them live. There were, however, some notable exceptions. NMT became particularly adept at broadcasting its own and other CSOs' events and created a series of podcasts about freedom of expression and other media-related issues. A podcast interview with journalists working on the FishRot scandal gained more than 40,000 listeners. Individual activists and CSOs working on governance, such as LAC, NMT, and IPPR, used Twitter to mobilize support for corruption-related demonstrations. The GBV protests were also promoted mainly by an informal network of activists on Twitter.

There were no efforts by the sector to self-regulate in 2019. Very few CSOs publish annual reports and financial accounts or publicly promote their codes of ethics and other governance policies.

Disclaimer: The opinions expressed herein are those of the panelists and other project researchers and do not necessarily reflect the views of USAID or FHI 360.

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