



NAMIBIA

**EU COUNTRY ROADMAP FOR
ENGAGEMENT WITH CIVIL SOCIETY
FINAL REPORT
2014 - 2017**

**Approved by: Heads of Missions from France, Germany, Finland, Spain, United Kingdom
and the Delegation of the European Union**

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ACRONYMS AND ABBREVIATIONS

BIG	Basic Income Grant
CATS	Citizens for Accountable and Transparent Society
CBNRM	Community-based Natural Resources Management
CBO	Community-based Organisation
CSFN	Civil Society Foundation of Namibia
CSO	Civil Society Organisation
DTA	Democratic Turnhalle Alliance
EDF	European Development Fund
EU	European Union
FBO	Faith-based Organisation
HIV	Human Immunodeficiency Virus
IPPR	Institute of Public Policy Research
LAC	Legal Assistance Centre
LARRI	Labour Research and Resource Institute
MDG	Millennium Development Goal
MISA	Media Institute of Southern Africa
MOF	Ministry of Finance
MP	Member of Parliament
M&E	Monitoring and Evaluation
NA	National Assembly
NACS	National Anti-Corruption Strategy
NANGOF	Namibia Non-Organisations' Forum
NC	National Council
NDP	National Development Plan
NEF	Namibia Employers Federation
NGO	Non-Governmental Organisation
NPC	National Planning Commission
SWAPO	South West Africa People's Organisation
US	United States

INTRODUCTION

This EU country roadmap for engagement with the civil society in Namibia has been compiled through an extensive consultation process led by the Delegation of the European Union to the Republic of Namibia, in collaboration with EU Members States and Civil Society Organisations (CSOs). The Roadmap was done addressing the points and questions contained in the *Guidance regarding the EU Country Roadmaps for Engagement with Civil Society*.

The description of the state of Civil Society in Namibia (Section 1) was produced by Mr Theunis Keulder, former Director of the Namibian Institute for Democracy (NID). The analysis is based on a literature review, an analysis of secondary data, a series of interviews and discussions with Very Informed Persons representing stakeholders. Interviews and discussions were therefore conducted throughout October 2014 with representatives of local CSOs from all sectors, the national umbrella body NANGOF Trust, international CSOs, relevant staff at the National Planning Commission in Government, and independent experts and analysts.

The description of the current EU engagement with Civil Society in Namibia (Section 2) was produced by the EU Delegation with contributions from France, Germany, Finland, Spain and United Kingdom. Based thereon, recommendations of priorities and actions to support Civil Society in Namibia during the period 2014-2017 and indicators to measure the desired change (Sections 3 and 4) were designed.

The Roadmap has been devised to translate the priorities of the September 2012 Commission Communication¹ on civil society into concrete actions on the ground. The priorities are:

1. To enhance efforts to promote a **conducive environment** for CSOs in partner countries;
2. To promote a meaningful and **structured participation** of CSOs in domestic policies of partner countries, in the EU programming cycle and in international processes; and
3. To increase local **CSOs' capacity** to perform their roles as independent development actors more effectively.

In addition, the Roadmap takes into account the related October 2012 Council Conclusions (14535/12) and the October 2013 European Parliament Resolution on local authorities and civil society (N. 2012/2288(INI)).

In this process, existing analysis was also taken into account, which includes the EU Human Rights Country Strategy and the Concept Note prepared in the context of the future Thematic Programme to support Civil Society Organisations and Local Authorities (CSO-LA) in Namibia.

In this analysis, the overarching term 'Civil Society Organisations' (CSOs) will be used as a collective term to include all non-state and not-for-profit organisations and structures through which people voluntarily organise and pursue shared political, cultural, social or economic objectives and ideals on a local, regional or national level in Namibia. This includes Non-Governmental Organisations (NGOs), Community-based Organisations (CBOs), Faith-based Organisations (FBOs), Think-tanks and Research Institutions, which is in line with the definition of CSOs that the umbrella body for CSOs in Namibia, the NANGOF Trust, proposes.

¹ COM(2012) 492: [The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations](#);

SECTION 1: STATE OF CIVIL SOCIETY IN NAMIBIA

Prior to independence in 1990, Namibia had a small number of non-governmental entities at various levels, from the communal to the national levels, fulfilling a variety of social and economic purposes. The key feature of Namibian pre-independence civil society, however, was the emergence of the national liberation movement, which defined civil society overwhelmingly in political terms. The basic functions of civil society regarding social services, membership-based organisations, or mobilising citizens around common interests of any sort were subsumed within the struggle for independence from South Africa. By all accounts, this legacy remains predominant in the evolution of civil society as a sector and in government-civil society relations in Namibia since 1990. International donor resources flowed into Namibia in the 1990s to help the newly independent nation establish itself, create the structures and conditions for both economic and socio-political development, and provide citizens with basic services. Namibian civil society had to redefine itself due to the absence of a “common enemy” (South African rule/Apartheid), and had to grapple with sudden human resource constraints, as many senior CSO leaders joined the public service shortly after independence – a trend that is continuing to this day.

Twenty-five years have passed since Namibia became independent. Despite many efforts to develop the country, poverty and inequality are still prominent features of Namibian society. Namibia reached upper middle-income status with a per capita income in excess of US\$5,200, a figure that hides considerable disparities since the richest 10% of the households in Namibia account for nearly half of the total income of private households. Namibia represents a typical dualistic economy where abject poverty exists alongside extremes of wealth. About 67% of Namibia’s estimated population of about 2.4 million lives in rural areas and the total population is expected to double over 27 years. The average population density of 2.7 inhabitants/km² is one of the lowest in the world, however, distribution is very inequitable; the central and southern parts of the extreme arid country have population densities of less than one person/km², and the north central and north eastern regions have population densities exceeding 25 people/km², in some areas 150 people/km². With a Gini Coefficient of 0.59, Namibia has one of the most unequal distribution of income in the world. About 0.3% of the population own 44% of the land in the commercial area and 5% of the population earns almost 70% of the income. High levels of poverty exist especially in the rural communal areas (41% of the land), where about 1 million people live mainly from subsistence agriculture and livestock keeping.

Household income varies greatly according to ethnicity: The average per capita income in German-speaking households (0.5 percent of the population) is 31 times that of Khoisan-speaking households (1.5 percent) and 13 times that of Oshiwambo speaking households (52 percent). The gap between average rural and urban incomes, and the perception of better opportunities in urban areas, fuels migration from rural areas to the country’s major cities, which in turn increases urban poverty. Wide disparities in infrastructural development between the impoverished northern parts of the country, where most of the population lives, and the central and southern regions remain. Unequal access to quality education (in spite of a 79% literacy rate in rural areas) and health services is a major feature of poverty in Namibia. The economic and geographical dualism, partly a legacy of the country’s apartheid era, poses one of the biggest challenges to the fight against poverty in Namibia. HIV is yet another challenge with considerable socio-economic costs, especially to the poorest groups. The low productivity of the affected and infected working population, together with the increasing number of orphaned children, poses a country-wide challenge.

The development agenda of Namibia is reflected in “Vision 2030” adopted by Cabinet in June

2004. The vision of “a prosperous and industrialized Namibia, developed by (its) human resources, enjoying peace, harmony and political stability” is pursued through eight broad objectives.

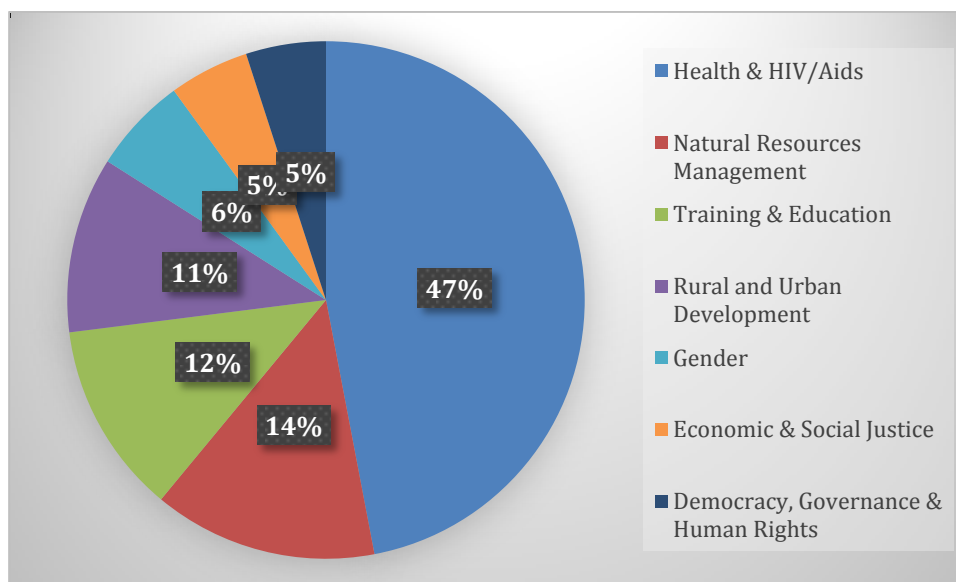
Vision 2030 establishes a long-term planning system for Namibia with the aim of fostering a sense of direction, discovery and destiny among the Namibian nation. It offers a systematic process for developing and implementing consistent long-term development strategies, based in the active participation of all stakeholders at each stage of the process, and linking long-term perspectives to existing medium and short-term planning tools. The five-year "National Development Plans" (NDPs) are the primary implementation tool for Vision 2030. The NDPs reflect a medium-term national development strategy, which are made operational through the government’s annual budgeting process.

The current NDP4’s three overarching goals of high and sustained economic growth, increased income equality and employment creation reflect the ambitions of Vision 2030 and cover the period 2012/13 – 2016/17 with “Changing Gear towards Vision 2030” as the overarching theme.

Since independence in 1990, civil society and CSOs have grown substantially, and have expanded their activities to touch many aspects of society.

Data collection by the Namibia Institute for Democracy for the purpose of compiling a *Guide to Civil Society in Namibia (2nd Edition)* in 2012 found 568 active CSOs in Namibia, which are segregated by sector as follows (Keulder & Kisting, 2012):

Table 1: CSO Activity by Sector 2012



These statistics loosely corroborate a finding of the *CSO Baseline Survey 2009*, conducted by the NANGOF Trust which found about 600 CSOs active in Namibia, disproportionately focused on health (58%).

Numerous international CSOs operate in the country. The government has created a favourable

climate for these organisations, even though in practice, the contribution of CSOs - especially in the political sphere - is not appreciated by some political leaders, who feel that citizens should have their say on policy development through elections only, and at times have verbally attacked CSO representatives. There also have been occasional hypersensitive reactions to activities of some international political foundations:

“The SWAPO Party will not be told by a foreign foundation what to do. If it was one of the local media asking us to come for an interview or debate then it would have been something else. A foundation or CSO cannot tell us what to do and where to come.” (SWAPO Party Secretary-General Nangolo Mbumba as quoted in the *Namibian Sun* newspaper, 05.11.2014)

The total number of CSOs in Namibia is impressive given the relatively small population of about 2.4 million people. It should be noted, however, that of the approximately 570 CSOs, many are very small, operate only perfunctorily or are inactive. In a survey undertaken by the Civil Society Foundation of Namibia (CSFN) in 2014 with a sample of 394 CSOs, 85% reported that they work in just one or two regions and 4% reported that they work in 12 or more regions. In addition, with regard the employment of full-time staff, just 3% have more than 19 staff and only a further 9% have 10 or more staff. Therefore, realistically, national-level CSOs with active and sustained programs, full-time staff, and functional organisations can be estimated to number only about 20 to 40.

The greatest increase of CSOs between 1994, and 2012 has been in the health sector, mainly due to the increasing prevalence of HIV/AIDS and the resultant increase in donor funding in this sector. The greatest decline has been in the environment and natural resources management sector.

55% of CSOs captured for purposes of compiling the *Guide to Civil Society in Namibia* (2nd Edition) have women in management leadership positions.

A list of the umbrella organisations highlights both the spread (and the gaps) in CSO activity (NANGOF Trust, 2009):

Table 2: Umbrella Organisations

SADC-Council of NGOs	SADC NGOs
NANGOF Trust	All CSOs
African Palliative Care Association	Health care
Namibia Networks of AIDS Service Organisations (NANASO)	HIV/AIDS
Conservancies Association of Namibia	Environment
Namibian Association for Community-Based Natural Resource Management Support Organisations (NACSO)	Natural Resource Management
Council of Churches in Namibia	Faith based organisations
Joint Consultative Council	SME Service Provider
Namibia Association for Literacy and Adult Education	Education
Namibia Community Based Tourism Association	Tourism

Namibia Community Skills Development Foundation	Vocational Training
National Federation of People with Disabilities in Namibia	Disabilities
National Youth Council of Namibia	Youth
Okatumbatumba Hawkers Association	SME
National Organisation for Small and Medium Enterprises of Namibia	SME

In terms of gaps among umbrella bodies, the arts sector stands out. Indeed, there are very few arts organisations listed in the NANGOF Trust database.

The umbrella body for CSOs in Namibia, the Namibia Non-Governmental Organisations Forum (NANGOF Trust) has been revived in 2009 and is recognised by the Government of Namibia as the representative body of CSOs in Namibia. As such, the NANGOF Trust acts as a collective voice for CSOs and provides supportive services to its 122 member CSOs, which are segregated according to eight sector working groups:

- Environment
- Education
- Gender
- Health
- Economic and Social Justice
- Democracy
- Training and Capacity building
- Urban and Rural Development

In line with previously mentioned statistics, the largest sector is the Health sector, with specific emphasis on orphans, home-based care, HIV and Aids prevention, which demonstrates that it is, in the practical engagement, in relief and welfare where CSOs have become most active. One of the findings of the *2009 NANGOF Trust CSO Baseline Study*, is that CSOs see themselves stronger in delivering services to their target group in partnership with sectoral ministries. They are less strong when it comes to involving their target groups in defining the programmes to be delivered, or in evaluating the impact of these programmes. Interviewees of this study have, in this regard, pointed out that international development funds are progressively channeled through highly sophisticated project frameworks that specify outcomes that are defined prior to project agreement, which often then precludes consultations with their target groups.

The focus on service delivery is, however, also prevalent in the other sectors, with comparatively few CSOs conducting advocacy work on policy issues. This state of affairs may have originated with a general shortage of skills immediately after independence in 1990, where skilled people from all sectors were committed to join forces to build the new Namibian state. As time progressed, a new generation of CSO leaders has emerged though, and they are conducting more critical policy analysis and engagement with the political leadership.

Consultations for this study revealed though that real advocacy campaigns by Namibian CSOs are, however, constrained by:

- a) An unwillingness amongst some CSO leaders to be seen as too critical of government, wherein governments' sensitive reactions to any criticism may just jeopardize any personal professional ambitions;
- b) A lack of a meaningful coalition-building around central themes by CSOs;
- c) Little involvement of CSO constituents, which may be because a CSO has not been constituted from grassroots communities upward, or because the public sees no need to engage with government on issues of concern. The latter argument may be supported by the latest data of the Afrobarometer, which found that 53% of all respondents indicated that it was unlikely that they would engage with a Member of Parliament (MP) on an issue of concern to a community, whereas 96% of respondents indicated that they have, in practice, also never contacted an MP to discuss a matter of concern;
- d) There is a lack of political will detected amongst elected and political leaders to recognise the role of CSOs, despite the espoused commitment to democracy in national and international forums;
- e) A lack of research and information capacity amongst CSOs, and where research data is produced, it is not made use of.

Hence, only few individual CSOs focus specifically on independent organising, constituency mobilisation, and provision of information, all of which are essential to expanding civil society's role and strengthening its voice. Advocacy requires time, resources and appropriate skill sets. Given the profile of civil society, few CSOs are able to run their own complete advocacy programmes and much valuable material is not used because it lies with small community based projects. This means that advocacy is an important role for sector groups, where they exist, and the umbrella bodies. Some CSOs that are working in this field are the Legal Assistance Centre (LAC), the Labour Resource and Research Institute (LARRI), Namrights and Sister Namibia. The LAC and Namrights have been vocal in speaking up for human rights and in the case of LAC, pursuing these rights in court. Namrights has often been very vocal on perceived human rights violations, and has hence, become the target of much government criticism, but blames other CSOs for not coming forward to defend it when it comes under government criticism. It is especially difficult for Namrights to attract funding from inside Namibia due to government's over-reaction to its criticism.

The Institute for Public Policy Research (IPPR) is the only think tank on political and economic issues in Namibia and contributes richly to the public debate in Namibia through independent policy analyses. It, however, suffers from decreasing funding levels that may influence the scope of their work.

As civil society defines its interests apart from government and finds its voice, groups are expressing their views, although with varying degrees of assertiveness. CSOs appear reticent to speak publicly, although they will discuss concerns and offer criticism of government in private (clearly the mode preferred by government).

Community-based, natural resources management (CBNRM) groups seem to be among the strongest in the CSO community and perhaps the best organised. They are actively engaged in a range of policy issues. The policy and legal framework was by large a very good and progressive one, but the implementation of policies and laws is a problem. The causes of implementation problems appear to vary, but they relate to a lack of fit between progressive policies on natural resources management and the institutional structures in place to carry them out.

In terms of funding, Namibian CSOs have relied for the most part on international donors for support. As some donors have phased out assistance to Namibia, the CSO community is becoming concerned about sustainability. Donations from private firms are not a reliable source of support, and tend to be one-off contributions of cash or material goods. Many company offices in Namibia consist of regional representatives of South African or multinational firms, and are not motivated to support Namibian civil society groups. At least one CSO has begun selling its services to the private sector as a way to bring in some income; this however is not a realistic option for most CSOs.

A direct approach to creating political will may therefore not bear fruit. Therefore, a more indirect route should be followed to maintain some civil society pressure that could contribute to political will for a more operationally meaningful democracy in Namibia.

Democracy and freedom rely not only on the ballot box, but on the vibrancy of civil society. Promotion of developmental issues by civil society may be achieved either through interventions to strengthen the enabling environment (increasing accountability, transparency, responsiveness, and rule of law in the three branches of government) or through sector-specific efforts that create structures and mechanisms that give citizens experience with democratic processes, build social capital, and create capacity for citizens to political and economic space apart from government. These sectoral efforts can combine to enable citizens, through organised civil society groups, to hold government accountable and exercise voice.

1.1 Enabling Environment

e) Basic legal rights

The Constitution of the Republic of Namibia contains a number of provisions that guarantee the space for CSOs to operate. Chapter 3 of the Constitution contains fundamental human rights and freedoms relevant to the operation of CSOs. Under Article 131 of the Constitution, the rights and freedoms contained in Chapter 3 are entrenched, and the provisions may not be repealed or amended insofar as such repeal or amendment detracts or diminishes from such rights and freedoms. The relevant rights contained in Chapter 3 include protection of liberty; respect for human dignity; equality and freedom from discrimination, arbitrary arrest and detention; access to a fair trial; the right to political activity; the right to administrative justice, culture, and education. The fundamental freedoms contained in Chapter 3 include freedom of speech and expression; freedom of thought, conscience and belief; freedom of religion; freedom to assemble peaceably and without arms; freedom of association; freedom to move freely throughout Namibia; freedom to leave and return to Namibia; and freedom to practice any profession, or carry on any occupation, trade or business. Under Article 25, the courts are given the power to declare invalid any law or any action of the executive and agencies of the government that is inconsistent with the provisions of Chapter 3.

These provisions of the constitution are generally upheld.

CSOs in Namibia can be legally constituted through one of the following:

- Voluntary Association

A Voluntary Association is a group of people who meet and form an organisation around a common purpose, such as promoting non-violence or helping children. This is the most basic type of CSO. Voluntary Associations exist under common law with very little regulatory requirements. All Voluntary Associations have to be membership based, which has to be reflected in a constitution.

A Voluntary Association may be a temporary institution formed for a specific purpose of delivering a product or service. It is likely to be very local, e.g. a school club or a village programme against HIV/AIDS.

There is no formal legal framework for a Voluntary Association and no single body that is a registering body for Voluntary Associations. However, a Voluntary Association may seek registration with a related agency, according to its activity.

- Trust

Trusts are created with the registration of a Trust Deed, a formal legal document, with the Master of the High Court according to the Trust Moneys Protection Act (Act No. 34 of 1934). Although trusts can have members, the authority of all affairs of the trust lies with the Board of Trustees.

Usually Trusts are voluntary establishments founded with the aims of protecting certain assets or advancing specific goals, with a number of persons appointed as trustees to act as custodians of the Trust.

- Incorporated Association not for Gain

An Incorporated Association not for Gain is registered according to Section 21 of the Companies Act (Act No, 6 of 1973) as amended, through the issuance of a certificate of incorporation by the Registrar of Companies. It is guided by a Memorandum of Association with a purpose of promoting religion, art, science, education, charity, recreation or any other cultural or social activity or communal organisation interests. The Association can make profit but such profit is strictly for furtherance of its objects and not for payment of dividends to its staff or directors. By law, Section 21 companies are regarded as public companies, and all provisions in the Companies Act dealing with public companies, other than those provisions pertaining to the shares or share capital of company, apply.

- Welfare Organisation

Organisations that (a) engage in certain “public welfare” activities AND (b) intend to request donations from government at national, regional or local level OR intend to collect money from the general public, must usually register as Welfare Organisations. A Welfare Organisation is registered with the Ministry of Health and Social Services and formally

recognised as providing public welfare in certain ways. The National Welfare Act (Act No. 79 of 1965) as amended, lists several activities that Welfare Organisations may be engaged in, such as:

- Conducting charitable activities for people or families in need of help.
- Providing any goods or social services for people or families in need of help.
- Trying to prevent homelessness or distress.
- Collecting money for any war fund.
- Preventing cruelty or harm to animals.

The legal status of a Welfare Organisation may be that of an Incorporated Association not for Gain, a Trust or a Voluntary Association.

Other Bodies registered or incorporated within the framework of specific Acts of Parliament, such as Co-operatives, Trade Unions and Councils can be established.

In 2005, the Government of Namibia published a *Civic Organisations Partnership Policy*, which aims to create a clear policy framework for co-operation between Government and CSOs with the following objectives:

- To create a greater commitment for civic participation through the promotion and encouragement of active citizenship.
- To enhance the environment for civic participation and partnership.
- To bring the Government closer to the people and create partnership opportunities that benefit the Government, CSOs and civil society.
- To enhance the capacity of partners (the Government and CSOs) to enter into partnerships and jointly respond to development challenges and opportunities in an efficient, effective and sustainable fashion.

The policy recognises a need for collective responses to development challenges and opportunities. The policy proposes that CSOs formally register with government under provisions of a draft piece of legislation, the so-called 'Registration Bill', and calls for an improved environment for public-private partnerships, closing the gap between government and the people and strengthening civic capacity. However, this policy was largely rejected by Namibian CSOs under the leadership of the NANGOF Trust, as the policy was not drafted in consultation with CSOs. In 2009, the NANGOF Trust Chairperson stated that government should not view CSOs as 'agents of imperialism or of the political opposition or only serving donor interests'. Referring to the proposed Registration Bill, which is based on the policy and which makes provision for the registration of CSOs at the National Planning Commission, he stated that "...it will only succeed in damaging the relatively good working relationship between government and the civil society organisations in Namibia".

Hence, no further progress in the implementation of the policy has been made.

However, article 51 of the newly gazetted Electoral Act (Act no. 5 of 2014) makes provision for the accreditation to the Electoral Commission of Namibia of all juristic persons who wish to conduct civic and voter education to "...promote voter and civic education and conditions conducive to free and fair elections and referenda". Accordingly, accredited CSOs must sign a

Code of Conduct and the ECN must approve all civic and voter education materials to be distributed by accredited CSOs.

The Research, Science and Technology Act (Act no. 23 of 2004) and its Regulations, both of which only came into force in 2011, make it unlawful to do research without a permit, whether such research is privately funded or government funded. The definitions of a 'research institute' or a person doing research are extremely broad and would affect a wide variety of persons, from doctors, academics, reporters, even a child doing a school project. The application procedure is also very onerous. The Act potentially will seriously undermine the work of CSOs and may violate the Constitutional guarantees of 'freedom of speech and expression' (Article 21 (1)(a)), 'freedom of thought, conscience and belief, which shall include academic freedom in institutions of higher learning' (Article 21(1)(b)), and the Constitutional right 'to practise any profession, or carry on any occupation, trade or business' (Article 21(1)(j)).

A Memorandum of Understanding was signed between the National Planning Commission and the NANGOF Trust in 2011, which, amongst others, makes provision for the allocation of funds by the NPC to CSO projects through the NANGOF Trust. To date, however, despite the submission of various funding proposals by the NANGOF Trust, no funds have been allocated.

f) Organisational and financial sustainability

CSOs in Namibia typically rely on foreign donor funding to sustain their operations. Contributions by their members are almost non-existent, while funding from domestic private sector sources is limited. Government funding through contracting out is practically nonexistent, and the notion of CSOs charging fees for service is not well accepted. Government sometimes transfers public programs to CSOs and asks them to find financing. For most CSOs whose mission focuses on creating independent political and democratic space for alternative views and accountability, the possibility of government financial support is out of the question. Corporate Social Investment by the private sector is mostly concentrated on sport and art. Local representatives of South African or multinational firms are not motivated to support Namibian civil society groups due to perceived inherent 'political risks' involved.

From a legal point of view there are no limitations in the ability of CSOs to obtain foreign funding from any particular source. However, foreign donor funding for the implementation of development initiatives is limited and falling. This is largely due to the re-classification of Namibia by the World Bank as an upper-middle income country. Downscaling of donor programmes and withdrawal of donor and international CSO staff is observed in all sectors except possibly in HIV/Aids and community based natural resource management. The CSFN, with support from the EU Delegation and Finland, is making progress towards its goal of maximising the resources that reach local communities, particularly in rural areas.

CSOs in Namibia to a greater or lesser extent suffer from internal constraints that compromise program implementation and their institutional sustainability. Such constraints include the following:

- Weaknesses in financial management

Many CSOs have poor financial and accounting systems, and cannot track or report on

expenditures. In some cases, grants have been withdrawn or awards have not been made as a result of these weaknesses.

- Dependence upon external sources of financing

As noted above, Namibian CSOs are heavily dependent upon donor funds. Core funds tend to be scarce, driving CSOs to pursue multiple short-term projects, which can mean fluctuations in funding levels, uncertainty concerning resource levels, and fragmentation of programs. Such fragmentation compounds CSO management problems. Namibian CSOs also battle each other for scarce resources due to competition created by donors.

Currently, the “watchdog sector” [human rights, governance] is in crisis as traditional donors to these sectors are withdrawing from Namibia. For example, Sweden and the Netherlands have closed their embassies in Namibia, and USAID closed their “Democracy and Governance Program” in 2008. The official reasons given are that Namibia is classified as upper-middle income country [but high inequalities!], and a perception of the Namibian state as democratically consolidated. The main remaining sector donor is the Embassy of Finland.

CSOs in the health sector have benefitted from a steep increase in funding since 2009 due to the HIV/AIDS pandemic. As beneficiaries of former US President Bush’s President’s Emergency Plan for AIDS Relief (PEPFAR) between 2010/11 and 2015/6 and the Global Fund grants, Namibian CSOs were able to extend their activities, also leading to a number of new CSOs being formed. CSOs outside the health sector are trying to connect their projects to the topic HIV/AIDS in order to get funding.

- Brain-drain from CSOs

The pool of well-trained and experienced Namibians who were previously disadvantaged under the pre-independence regime is still relatively small. This constraint limits the ability of CSOs to expand their activities or take on new functions and makes it difficult for new CSOs to form. This has been exacerbated by competent CSO staff joining the public or private sectors on account of better remuneration. The shift from core-funding to project-funding resulted in a further brain-drain as, with insecure working conditions, CSOs are increasingly unable to compete with government and the private sector for qualified people. The “good cause” is not always enough, as usually monetary benefits attract skilled people.

- Lower salaries and benefits compared to government

Namibian government salaries and benefits are among the highest in Africa. Generally, they exceed those offered by CSOs. This makes staff recruiting and retention difficult.

- Lack of a clear mission or mandate

Some CSOs lack a mandate or sense of mission, apart from the objective of attracting donor funding. In other cases, CSOs with a mission find their goals diluted by the necessity to seek donor funds, which are allocated to fulfill donor purposes. This creates a tension between pursuing a clear mission and the demands of sustainability.

- Shallow capacity

In many CSOs, capacity is often embodied in particular individuals; when they leave, the CSO no longer can function effectively. As noted above, competition for qualified people is intense and the pool is small.

- Management skills are in short supply

The capacity to absorb training (the most popular form of institution-building) is limited. There are few staff to train and most CSOs are so thinly-staffed that they cannot afford to let staff go for any length of time. In addition, training one individual with no follow up may make it difficult for that person to bring about change in the CSO. That person's understanding of how to make changes may still be weak and there may be little support within the CSO for change.

- Weak civil society interest aggregation

As noted, despite the existence of umbrella CSOs, the ability to organise around common interests and respond to membership demands is limited. For some CSOs, when they claim to speak for certain constituencies, it is unclear to what extent they actually represent the particular group or have linkages that reach to the grassroots. Building constituencies is difficult in Namibia. For example, the indigenous business community is small. Industry and labour are largely dependent upon public sector contracts, and therefore the working class is a weak critic of government. The majority of the population consists of peasant agriculturalists, who traditionally are difficult to organise as an interest group. Some ethnic tensions exist as well. The CBNRM groups are beginning to succeed in organising rural populations through the conservancy mechanisms. Local level women's organisations in some cases appear to be captured by political party agendas. Organising at the grassroots level is also influenced by Namibian demographics. Low population density and a huge country make it logistically difficult for groups to get together.

- Lack of clarity regarding accountability

One aspect of this lack of clarity relates to interest aggregation and member representation; umbrella and membership-based CSOs do not always act in ways that demonstrate accountability to their membership. Another aspect links to one of the external constraints, which is vagueness or confusion regarding the roles CSOs are expected to play.

- Poor understanding of the role of governing boards

While most CSOs have governing boards, they do not make effective use of them, and do not understand the purposes they can serve. There exists also a tendency for persons to get appointed to many of these CSO boards, without meaningfully contributing to any of them. Many board members of CSOs do not have much knowledge about their fiduciary duties.

- Constraints on lobbying activities

One of the core functions of many CSOs is advocacy work, but CSOs' capacity to lobby is

limited because of their dependence on foreign aid. CSOs' plans of action are often linked to foreign aid goals, and there is not much time left to monitor events.

- Competition between CSOs

There is a trend away from collaboration between CSOs due to ever-dwindling resources. The international experience suggests that when civil society is not organised, democracy is eroded.

g) Participation in public life

The involvement of CSOs in policy formulation in Namibia is quite limited. With regard to intermediation functions, for example between local and national-level CSOs, or between CSOs and government, the degree of participation in public life is weak, although the CBNRM group of CSOs appears to be an exception. Capacity for interest aggregation, creation of public forums, and advocacy exists in some organisations, but management weaknesses and limited numbers of staff reduce this strength. Below the national level, interest aggregation and advocacy capacity does not appear to be widely distributed. Civil society's watchdog function exhibits the weakest degree of strength, with some key exceptions.

CSOs were widely consulted during a public consultation process in the electoral law reform process during 2012 to 2014. A number of formal submissions were made, but were eventually not reflected in the act. The SWAPO Party has, during its party congress in 2012, resolved to reserve 50% of the positions of its party list for the 2014 national elections for women, and also to alternate between men and women. Whether this decision was influenced by the 50/50 campaign, an advocacy initiative spearheaded by gender groups in the country is, however, debatable.

There is, however, informal and mostly *ad hoc* collaboration around policy formulation between ministries and CSOs. Many CSOs have chosen a partnership model and work hard to maintain a cordial relationship with select ministries. The process is not always perfect; sometimes CSOs are consulted early in the process and sometimes late. Sometimes they are given too little time to respond, and sometimes they find it difficult to present a coherent point of view due to their own weaknesses.

As Namibia is a relatively young nation, there is a strong consciousness on the part of CSOs of political and socio-economic issues that affect the Southern African region. There is a common sense among CSOs of the ways Namibian issues fit into the region. A strong political consciousness on the part of CSOs creates a strong commitment to social change and development.

However, apart from a few pockets of strength, civil society has little depth. This shallowness is of two types. First is lack of depth in terms of basic management capacity. This capacity gap cuts across all types of CSOs, and concerns basic planning, management, and accounting functions. It reflects the general lack of skilled human resources in Namibia, and the competition for qualified personnel among the public, private, and CSO sectors.

Second is lack of depth in terms of indigenous constituencies. Some of the Windhoek-based CSOs are elite organisations that try to define and represent the interests of the marginalised, but they

did not grow out of grassroots organising and often they are speaking for, and are not of, disadvantaged constituencies. They may be effective in influencing government action particularly when government is relatively open, as in Namibia, but they are not sustainable in the absence of donor funding because they lack a mass following. People would not support them should donor funding disappear. Their goals are often too abstract, too removed from everyday socio-economic realities, or have limited appeal for the bulk of ordinary citizens. Government and political parties may be able to ignore them or repress them with few repercussions, and/or donors may dominate their agendas. When donors become the main stakeholders, this can lead to accountability problems within CSOs.

h) Other contextual factors

Various factors in the external environment that civil society operates in in Namibia may impede the effectiveness of programs. Such factors include:

- Suspicion and mistrust

In some quarters of government, CSOs are regarded negatively based on suspicion of their motives and the extent to which they may be mouthpieces for donor interests. Jealousies arise in some cases because of personal relations where former government employees left the public sector to found or work in CSOs. The government has also shown skills at co-opting some critics, for example, senior trade union personnel have been appointed to high-level party or government positions subsequent to even modest criticism.

- Sensitivity to criticism

As noted previously, government mostly considers criticism from CSOs, especially on human rights issues, to be politically unpalatable. Public criticism has created a reticence by some CSOs to speak out for fear of a negative reaction; many have opted for a partnership model even when that model compromises their ability to defend their constituents. The government's criticism can be immoderate but extreme statements are generally reserved for a couple of groups that concentrate on human rights issues, elements of the press, and opposition political parties. It is possible that if other CSOs were more adversarial in their pursuit of their objectives, they would come under more fire. However, it is worth noting that mostly the government restricts itself to verbal lashings. There has been no threat of restrictive legislation and CSO representatives have not been arrested or physically intimidated.

- Proportional representation

The structure of government and system of proportional representation used to elect members of the National Assembly makes effective access to decision-makers limited, while it may increase loyalty to the party (and its president) by legislators, diluting accountability to the electorate. The influence on policy of parliamentary committees, where some CSOs have participated in hearings, appears low but there are examples of parliament passing legislation in local interests.

- Lack of donor co-ordination

Donors lack a coordinated framework for dealing with CSOs. This constraint is exacerbated as individual donors provide less funding, and CSOs end up with multiple sources and lots of proposal preparation and reporting requirements. With little core funding, they pursue, as noted in the list of internal constraints, short-term (1-3 year) projects. This dilutes their ability to plan and to attract skilled staff.

- Limited access to external resources other than donor funding

There is not a financial base in Namibia to support the local CSO community beyond small and selective contributions. The private sector has been difficult to mobilise around a social responsibility agenda and it is small. There are no tax incentives for private or corporate donations. Self-generated income often leads CSOs down a path of trying to become profit-making enterprises, which can end in failure and may divert them from their mission. The government in some cases has pre-empted private sector resources that could be accessed by CSOs, for example, multinational oil company resources are placed in a government-controlled fund.

- International collaboration and partnerships

The context in which CSOs work is increasingly determined by globalisation and the consequent concentration of ownership and control, the free movement of capital, the declining ability of marginalised people to defend their resources and the declining ability of governments to define and implement development. The grassroots often do not share in the benefits of democracy, therefore, CSOs should speak for the poor and marginalised. In Namibia, this is happening only to a lesser extent with the result that CSOs may lose their legitimacy and credibility.

- Absence of access to information legislation

Access to information in Namibia is limited by a number of factors. The current legislative framework is not conducive to facilitating the right of citizens to access information by virtue of the fact that there is currently no access to information law in place in the country. Namibia's Constitution, whilst guaranteeing the right to Freedom of Expression, does not expressly provide for the right to access to Information. In addition, Namibia's legal environment is predominantly skewed in favour of promoting secrecy, with apartheid legislation, such as the Protection of Information Act 1982, still awaiting repeal. If Namibia is to give effect to the principles upon which the State was founded and its Constitution enacted, namely the principles of 'constitutionalism, the rule of law, and respect for human rights', fulfil its International and Regional obligations, as well credibility put in place measures to prevent corruption, it should develop and enact legislation guaranteeing the right to Access to Information for all of its citizens.

1.2 Participation and Roles

In this section, key civil society interlocutors for EU engagement in terms of dialogue and operational support are identified. The intention is to indicate broadly in which areas there are critical mass and evidence of impact. The following broad areas are analysed:

f) Participation in public policy formulation and reform, including budget processes

‘Civil society is welcome to talk to government but there is no requirement for government to listen.’ (*Tim Parkhouse, NEF*)

Structurally, there are various opportunities for interaction between CSOs and elected leaders. Parliament conducts outreach programs into the regions, where members of Parliament and the Parliamentary leadership consult with the public. A standing committee system aims to fulfil the oversight function of the legislative over the executive. As part of their operations, they conduct public hearings on a regular basis within which public input is possible. There are currently seven oversight Parliamentary Standing Committees that are assigned to oversee government ministries and departments, and that provide opportunities for input by the public and CSOs.

For the purpose of this section of this report, on interviewing CSO representatives the overall impression again was that civil society has been pre-occupied with service delivery while neither advocacy capacities nor accomplishments were sufficient. A representative of the National Council criticized that many CSOs are conspicuous by their absence when parliament is in session and bills are introduced. Some CSOs argued that civil society is just invited at ‘very late points in the legislative processes’ and that, thus ‘recommendations are very seldom incorporated’. It was criticized that many organisations lack grassroots links and experiences with lobbying elected officials at the local level. Another criticism forwarded was a concern that female MPs do not adequately pay attention to women’s issues in Namibia.

In general, the National Council (NC) seems to be more approachable for civil society activists, however cases were quoted where the NC took recommendations up that were later disregarded by the National Assembly. For example, a public hearing was held in preparation of the enactment of the Commencement Act (Act No. 8 of 2009), with various CSOs providing input, amongst them the Institute for Public Policy Research (IPPR), the NANGOF Trust, the LAC, and the Media Institute of Southern Africa (MISA) and Citizens for an Accountable and Transparent Society (CATS). However, it seems that these inputs were simply disregarded:

‘The fact of the matter is that the National Council found it necessary to refer the bill to a standing committee for public hearings because of widespread public concern about the bill during its discussion in the National Assembly. The (DTA) stated that it was under the impression that the intention of conducting public hearings was a genuine effort to try and address the many concerns raised by the public and to amend the bill to address these concerns. The party accused the members of the National Council of being instructed by the Minister, with the backing of Cabinet, to forget about their noble ideas of listening to the public and to pass the bill without any amendments ... It said nobody would take the National Council seriously in the future, especially when it conducts public hearings again. “Why would anybody spend time and effort to attend these public hearings if the National Council can simply be instructed by the Minister?”’

(*The Namibian*, 30.09.2009)

On the part of Parliament, representatives argued that there is a wind of change blowing through standing committees, since Vision 2030 and the most recent National Development Plan (NDP4) provide for stakeholder consultations. However, as was pointed out by interviewees, some MPs remain suspicious towards CSOs as they lack transparency regarding foreign sources of their funding and their agendas. With regard to accountability and transparency, MPs often claim that CSOs should ‘practice what they preach’ for civil society-government relations to improve.

In conclusion, it seems that legal drafting is still in the hands of experts commissioned by the executive, apart from the gender section where some CSO representatives were assigned. The exception are key legislative processes where tripartite councils, for instance consisting of government, employers' interest groups and unions, are consulted. The concept of tripartism, being consultations among employers, labour unions and government, proved to be imperative, especially regarding recent legislation on commercial and communal land issues.

On the question whether civil society is denied given input or just not well enough organised, respondents were divided. The challenges facing civil society organisations are seen as threefold: Firstly, the lack of core funding has forced CSOs into service delivery, neglecting advocacy efforts as a result. Secondly, even twenty-four years after Independence civil society still struggles with defining strategies and positioning themselves vis-à-vis government. The sector is also not well-structured internally. Thirdly, although CSOs are invited to provide input in legislation, their recommendations are seldomly acknowledged. However, it was also conceded that CSOs are often not well enough organised as they fail to proactively coordinate their efforts. In the same vein, CSOs are not well acquainted with the law-making process and technical assistance in this regard is urgently needed. It was pointed out that civil society can also proactively demand public hearings in order to provide input or initiate legislation in the first place.

Most of the interviewees are of the opinion that there are sufficient channels for civil society to communicate and consult with parliament; however, confusion exists on which are the appropriate channels to be utilised. Unfortunately, civil society is not good enough organised and lacks strategies. Civil society concentrates too much on identifying problems but fails to offer solutions. As a result, strategic partnerships between CSOs and academia are needed to provide informed resolutions. According to some respondents, some civil society organisations hide conveniently behind the argument that resources are lacking, thereby failing to proactively provide submissions instead of waiting to be invited to public hearings. In general, CSOs are waiting too long in approaching legislators. Civil society should provide recommendations already during the first and second hearings, thereby approaching chief whips of political parties, staff at parliament or the Speaker directly. Questioning the principles of the bill only at committee stage might be delayed and, thus, not adequate.

Respondents identified a number of additional challenges and obstacles in running successful advocacy campaigns in Namibia. Among those are a lack of not only financial and human resources but also independent viewpoints on sensitive issues, and the shortage of knowledge on channels and procedures as well as social will and the courage to exercise citizens' rights due to a widespread culture of apprehension.

Respondents agreed that mainly well-established urban civil society organisations run successful advocacy campaigns, as they have the financial and human resources needed. However, critics argued that these CSOs should embark on more inclusive and participatory processes as their standpoints should reflect the needs of representative constituencies. As mentioned above, advocacy campaigns should not only be encouraged by donor incentives but should have popular support. Furthermore, respondents were asked on which levels advocacy efforts are usually directed. Although parliament should be the appropriate entry point, line ministries are often much easier to access, 'as MPs have loose contact to the people as soon as they are elected'.

In the same vein, there are difficulties associated with lobbying MPs that do not represent constituencies. Opposition parties are seldom approached, as CSOs do not want their campaigns seen to be in conflict with the ruling party's strategies. When asked about the nature of the interaction, most respondents criticize that CSOs are mostly commenting on existing and proposed legislation. Overall, respondents regret that civil society is not pro-active enough and lacks strategic thinking.

In Namibia, Parliament has no role in the budget formulation and drafting process as this role is assigned exclusively to the Ministry of Finance's Economic Policy Advisory Services, in consultation with Department of Public Service Management of the Prime Minister's Office, the National Planning Commission Secretariat, and the Bank of Namibia. Parliament, however, reviews and approves the national budget, and exercises oversight and control. This practice differs from countries such as South Africa and Zimbabwe, where Parliament holds pre-budget consultations with various stakeholders to identify sector priorities for inclusion in the budget. However, Members of Parliament often complain that their access to budget research capacity is negligible or non-existent. There are, for instance, no specialised budget researchers attached to the parliaments due to lack of resources or prerequisite skills or both. Furthermore, the public largely does not understand the budgeting process. No pre-budget statement is issued, nor are citizens budgets presented or mid-year reviews done.

CSOs therefore have an opportunity in advocating for more grassroots input into the budget formulation process from the bottom up, CSO participation in pre-budget consultations is therefore then also crucial, and the presentation of data based on budget research, where expertise with CSOs is available, important.

g) Transparency and accountability

Between 2001 and 2014, the average value of Transparency International's Corruption Perception Index for Namibia during that period was 46.31 points with a *minimum of 41 points in 2004* and a *maximum of 57 points in 2002*, which means that Namibia has 'a corruption problem'. CSO activity in this regard has mainly focused on civic education and technical assistance to the Anti-Corruption Commission. CSOs input has been noted during the drafting of Namibia's National Anti-Corruption Strategy (NACS), which makes provision for a largely educational role for CSOs, in conjunction with the media, in the battle against corruption.

The role of CSOs in transparency and accountability could, however, extend through budget and expenditure tracking, as well as investigative research and reporting. Such activities may, however, be hampered by an absence of Access to Information legislation in Namibia. Advocacy on this issue would therefore need to be a prerogative.

Access to Information is a fundamental human right. Every individual has the right to seek, access and receive information from public bodies or private bodies that perform a public function or utilize public funds. It is a Human Right guaranteed by Article 19 of the Universal Declaration of Human Rights, Article 9 the African Charter on Human and People's Rights, Article 4 of the Declaration of Principles on Freedom of Expression of Expression in Africa, as well as been found in various SADC protocols. Where citizens are ill informed and unable to access public information, it is consequently impossible for them to exercise their right to Freedom of Expression. It is also the case that it adversely affects citizens' right to health, to employment, to

education, amongst many other rights. It disproportionately affects women, children, and poor and marginalized societies, as well as negatively affecting economic growth and development.

h) Service delivery

Complementary service delivery programs by CSOs are possibly strongest in sectors such as health and HIV/Aids and natural resources management. Such activities are also often recognised by Government. Service delivery in the more political and policy work of CSOs has proven more challenging.

A focus on service delivery by CSOs has been criticized though, with accusations that CSOs are 'caught up in service delivery mode'. Questions have been raised whether CSOs are doing enough to help people understand their rights, hold leaders accountable and ensure that quality services are reaching the people. Some interviewees felt that CSOs and Government are not engaging each other enough, and suggested that the role of CSOs in relation with Government should be to come up with innovative solutions to identified problems, pilot them, and then have Government adopt successful programmes on a national scale. A case in point would be the piloting of the Basic Income Grant (BIG) project at Otjivero-Omitara, which was implemented by a group of CSOs a few years back and which has shown promising developmental signs. To date, however, Government has not committed itself to adopting the BIG.

On the part of Government, Mary-Tuyeni Hangula, Deputy Director of Multilateral Programmes at the National Planning Commission (NPC), pointed to a need for better structures for improved engagement between civil society and Government. She criticized the CSO sector for being unwilling to commit to a Registration Bill, despite their participation in the development of the Government and civil society partnership policy, which makes provision for such a bill:

'From the Government's perspective, we (Government and civil society) need to create a suitable environment and to make a commitment to people that we will not operate in a fragmented way. Government is not trying to compete with civil organisations, but to develop a relationship where Government can outsource projects to CSOs when it doesn't have the capacity to do so itself.' (*The Namibian*, 29.05.2009)

i) Inclusive and sustainable growth

Namibia has maintained a track record of consistent economic growth, moderate inflation, limited public debt, and export earnings. Namibia's economy is closely linked to South Africa's economy through trade, investment, and common monetary policies. The Namibian dollar is pegged to the South African rand, making many economic trends (including inflation) closely follow those in South Africa. Nonetheless, daunting challenges persist. Although Namibia's per capita income of \$5,840 (2013, Atlas method) places it in the World Bank Group's upper-middle income grouping, average income paints a misleading picture since Namibia's income distribution is among the most unequal in the world, with a Gini coefficient estimated at 0.5971 by the latest (2009/10) household survey. Poverty incidence is high, although it has declined somewhat during the past decade: 21% of individuals had consumption below \$1.25/day in 2009, compared to 49% in 1993 (WBG calculations). Unemployment has remained extremely high for decades and is estimated at 29.6% in 2013 (Namibia Statistics Agency data). Namibia is ranked 127 out of 187 countries surveyed in the 2014 Human Development Report. Although Namibia is on track to meet the Millennium Development Goals (MDGs) on education, environment and gender, the severity of

the HIV/AIDS epidemic is frustrating efforts to meet the MDGs to reduce child mortality (MDG4), improve maternal health (MDG5), and combat HIV/AIDS, malaria and other diseases (MDG6).

Poverty reduction and employment creation are high on the Government agenda. CSOs have, in this regard, mostly been engaged with income-generating activities at the local level, particularly for youth and women. For example, it is estimated that about 50,000 local women have benefited from training and technical assistance programs conducted by a prominent women's organisation, Women's Action for Development. Another example is a program conducted by a coalition of CSOs to provide unemployed persons in the Otjivero-Omitara region with a monthly basic income grant of N\$100. Despite reports pointing to promising developmental signs, this project ended due to a lack of funding.

The Namibian Shackdwellers Federation, an organisation formed by those who live in illegal and informal settlements, tenements, cheap boarding houses, backyard shacks, and on pavements, has had some influence in changing the ways in which some local authorities work with land and infrastructure, bringing many benefits to poorer households.

j) Conflict prevention, peace building and state building

Since independence in 1990, conflict prevention, peace building and state building is not really on CSOs agenda, due to the peaceful situation Namibia finds itself in.

1.3 Capacity

e) Legitimacy, credibility and internal governance

The issue of the legitimacy of CSOs raises a series of important questions. This is one of the most important assets possessed by a CSO, it is gained through a perception that they are an "independent voice". Their representation also emerges as an important question. Who bestows responsibilities to CSOs and how do they gain the representation of citizens and civil society is still not scrutinized thoroughly.

Moreover, the legitimacy and the accountability of CSOs on the point of their true nature are also emerging as important issues. Various perceptions and images on CSOs were provided during the consultative process. As non-state actors with some influence over government in some areas, concerns have been expressed over the extent to which they represent the views of the public and the extent to which they allow the public to hold them to account. Many CSOs are seen as not really representing constituents at grassroots, but rather as centralised organisations claiming to speak to the masses. The NANGOF Trust CSO baseline study of 2009 found that:

"...there is some recognition that a CSO's mission may not be fully understood by staff, its target group and the public; and planning is not always jointly conducted between senior management, staff and their target group. All this suggests a tendency to decide and deliver services without adequate engagement with the target group, perhaps well captured by the comment of one survey respondent "We hope the communities acquire and practice what we tell or educate them".

The origin of funding can have serious implications for the legitimacy and credibility of CSOs. In recent decades CSOs have increased their numbers and range of activities to a level where they have become increasingly dependent on a limited number of donors. Consequently competition has increased for funding, as have the expectations of the donors themselves. This runs the risk of donors adding conditions which can threaten the independence of CSOs; for example, an over-dependence on official aid has the potential to dilute “the willingness of CSOs to speak out on issues which are unpopular with government”. In these situations CSOs are being held accountable by their donors, which can erode rather than enhance their legitimacy, a difficult challenge to overcome. Some interviewees have also argued that the changes in CSO funding sources has ultimately altered their functions, due to the success of any project being redefined as close fit between its proposal and outcome and unrelated to its impact in society. Transparency is then redefined as proper auditing instead of open relations to the recipients. Efficiency is then not measured in maximal benefit for communities but defined as effective management visible in the timely conclusion of projects, in the frequency of stakeholder meetings or the number of people trained in CSO workshops.

This particular view turns recipients into organisational assets, with the number of project recipients as proof of organisational efficiency. CSOs thus treat recipients as resource to demonstrate a high rate of return for donor money. CSO work therefore creates a divided network which assumes equality between administrative partners and creates a hierarchy between organisations and recipients. This division turns out to be particularly problematic if recipients’ demands do not overlap with the project’s objectives. Then, CSO projects can be particularly out of touch with recipients’ expectations, a gap that results in stalled projects and ‘crises of accountability’, defined as the lack of fit between project proposal and outcome.

The internal governance of CSOs seems to be fairly inconsistent. Many CSOs have, often in response to donor requirements, developed internal organisational policies and manuals but then lack in the strict implementation of these documents. The role of CSO governing boards is also misunderstood, either board members interfere in the day to day management of the CSO they are supposed to serve in a strategic manner, or board members are quite absent and represented on the board in name only. The *2009 NANGOF Trust CSO Baseline Study* offers some recognition of the challenges that CSOs face in seeking to be accountable and efficient. Open elections to the board may not bring all the skills required at board level. Several CSOs acknowledged a gap between the board and the staff management team and how this gap may be made worse by an open election process that fails to provide a balance of skills.

Interviewees commented on the difficulties of registering their organisation formally, with a suggestion being put forward that the NANGOF Trust offer CSOs assistance in this regard.

Organisational management capacity and skills are also shallow, as the focus of many CSOs is on program activities to the neglect of proper management structures and procedures, which are often deemed less important. Deficiencies have been reported and are observed across all different management functions (Human Resources, Financial Management, Planning, Leadership, Compliance and Control systems). These deficiencies become problematic in the light of statutory requirements, corporate good governance and reporting requirements of donors. Due to a lack of staff, CSOs are often not able to fully participate in proper management training programmes. It is also problematic for CSOs to appoint, for example, a good bookkeeper, as well-qualified bookkeepers do not come cheap, and as bookkeepers are not seen as adding value for the CSO in

project implementation. There may, again, be a back-door service opportunity for the NANGOF Trust in this regard.

The CSO umbrella body, NANGOF Trust, has developed a Code of Conduct and Code of Ethics for guiding the actions and management of CSOs with a set of fundamental principles, operational principles and standards. Each NANGOF members CSO is required to sign these codes. The adoption of such codes by all CSOs would demonstrate that CSOs in Namibia are committed to transparency, accountability and integrity in their internal operations.

f) Programme and project management

Although CSOs generally are quite adept at implementing their mandate through projects, they struggle with increasing requirements of donors. For example, in order to be successful in raising funds, CSOs are mostly required to submit extensive project proposals which, apart from a program description, must also contain a risk analysis, results log frame, development of a detailed monitoring and evaluation plan (M&E), the development of quantifiable goals, objectives and indicators, detailed work plans, the signing of various certifications and statements, detailed budgets and a motivation for each budget line item. Some donors require an on-line registration. None but the larger and more established CSOs in Namibia are able to comply with such requirements. Furthermore, especially CSOs constituted as voluntary associations do not have audited financial statements due to the high costs involved, which mostly preclude them from obtaining donor funding directly, and which forces them to sometimes receive their funding by way of sub-grants from intermediaries.

As far as the implementation of projects and programmes are concerned, some CSOs interviewed admitted that, despite having work plans in place, activities are implemented in a rather ad hoc manner. Structured project implementation programs are often not in place. The *2009 NANGOF Trust CSO Baseline Study* also found that: “M&E seems to be general a challenge for all CSOs. 12% of CSOs specifically mentioned the need for more training with regard to M&E, more indicated the need for more training across the whole area, with others highlighting its importance”. An intriguing comment: “Senior staff are reluctant to report on several issues, misuse systems” suggested that, sometimes, M&E is not applied as vigorously as is needed because it is too challenging to do so. The counter argument was also expressed in the comments, “M&E really helps us to be where we are today. The procedures and regulations for monitoring and evaluating annual reports are always regularly updated. M&E really helps”. Another CSO indicated that it had found the area to be so important that it had employed an external consultant to ensure that its systems were as they should be.

g) Research and advocacy

CSOs interviewed generally felt that it is not viable for them to conduct research themselves due to a lack of human resources, but to contract such function out to research institutions. Few CSOs exist that are solely focused on the production of data through research. Quite a substantial amount of data is being generated by such CSOs and governmental institutions, such as the Namibia Statistics Agency (NSA), but such data is not widely used to, amongst others, provide the basis for policy input and advocacy work. Proper advocacy campaigns have been the exception amongst CSOs in Namibia, with most, as stated earlier, focusing on service delivery.

h) Organisation, Coordination and Collaboration

As was stated earlier in this report, there is certain competitiveness amongst CSOs in Namibia for the same donor funding. Where such funding is obtained, collaboration with other CSOs is often not sought for fear of having to share these funds.

Where it does exist, collaboration on common themes is structured in an ad hoc manner and is then not sustained. For example, a group of CSOs collaborated under an umbrella identity named 'ACTION' on the need to advocate for the passing of access to information. However, after a conference was held and a website set up, the collaborating CSOs seem to have gone their separate ways and are working on the issue separately. Another example is a coalition of CSOs that was formed under the name of "MY CONSTITUTION MY DECISION" for the purpose of calling for the withdrawal of the third constitutional amendment bill and the conduct of extensive public consultations on the issue. Having also obtained the support of the Southern African Development Community Council of Non-Governmental Organisations, the campaign was soon reduced to occasional comments on its Facebook page. A public demonstration organised by this coalition demonstrated the laid-back attitude of many other CSOs and the public to these issues, as there was a general view that such public activities can be left to the coalition members to do.

The umbrella body for CSOs in Namibia, the Namibia Non-Governmental Organisations Forum (NANGOF), was reconstituted as a trust in 2007, following years of dormancy. The trust aims to serve as a platform on which Namibian CSOs can join forces and enhance capacity for more effective pursuit of their goals. As representative of civil society, NANGOF Trust engages government and other stakeholders on various issues affecting civil society, with a major focus on a more enabling policy environment for civil society. Its members are organised into 8 sector groups.

It is seen by government as the representative of civil society in Namibia, and a Memorandum of Understanding with the NANGOF Trust was signed in 2010. As such, NANGOF Trust is expected to interact with Government on behalf of its members in issues that affect CSOs in Namibia, such as the Registration Bill and other legislation affecting CSO work (Communications Act, Act no. 8 of 2009; as well as the Research, Science and Technology Act (Act no. 23 of 2004).

Consultations with CSOs, as well as documents, articles and reports perused for the purpose of this study however point to problems with regard to the NANGOF Trust vis-à-vis its role as umbrella body for CSOs. NANGOF seems to lack legitimacy amongst its members, because its activities do not correspond with their demands. Beneficiaries demand concrete help with finding donors and designing project applications; they seek information about other civil society organisations from the umbrella and expect the umbrella to negotiate benefit schemes on the sector's behalf.

The funding issue has been addressed to a certain extent with the Civil Society Foundation of Namibia (CSFN), which was formed with donor assistance to raise, manage and distribute funds, with particular focus on support for community development. The CSFN was established as a Trust in June 2012. Its overall objective is to become a funds management vehicle that will make a long lasting contribution to civil society. It aims to be nationally recognised and sufficiently strong to work with the largest agencies that support or might support civil society. However, a lack of trust in NANGOF amongst CSOs consulted was detected, with some CSOs stating that whether the umbrella body was in existence or not made no difference to their operations.

SECTION 2: CURRENT EU ENGAGEMENT

2.1 STRUCTURED EU DIALOGUE WITH CIVIL SOCIETY

The EU² discuss joint strategic documents with CSOs as it has been the case for the Joint EU Response Strategy for Namibia 2014-2017, the EU-Namibia Human Rights Strategy, the EU-Namibia Gender Action Plan 2010-2015 and the EU-Namibia Roadmap for engagement with Civil Society. The agenda is agreed between the EU Delegation and the EU Member States. The list of participants is as inclusive as possible and includes CSOs working on different sectors. Apart from the ad-hoc consultations mentioned above there is no joined structured dialogue between the EU and the local CSOs but there is a common agreement on the need for further coordination between the EU Delegation and the EU Member States and a more structured dialogue between the EU and the local CSOs in Namibia.

The **EU Delegation** keeps CSOs regularly informed about its interventions in Namibia through the Delegation's website and Facebook page and organises information sessions for CSOs and LAs on call for proposals and on contractual procedures. The EU Delegation shared the two strategic communications: "The Roots of Democracy and sustainable development: Europe's Engagement with Civil Society in External Actions" and "Empowering Local Authorities in partner countries for enhanced governance and more effective development outcomes" with CSOs and LAs countrywide and asked them for feedback on their current situation and future plans. It is worthy to mention that, in this regard, very little feedback was received from CSOs. The EU Delegation maintains a closer relationship and regular dialogue with the CSOs that are implementing EU funded projects awarded through Call for Proposals. Likewise, the EU Delegation has regular discussions about civil society with the National Planning Commission (NPC) within the framework of the Namibia Civil Society Support Programme (NCSSP) funded by the 10th European Development Fund (EDF) and which beneficiaries are NANGOF and CSFN.

Finland is partnering with local CSOs through various instruments, supporting independency of the democracy actors, integrity of the media, cultural values, trade enhancement, livelihood options, poverty reduction, health sector, education initiatives and human rights approach. The Embassy supports civil society through the Fund for Local Cooperation. This engagement gives Finland an opportunity to propose activities and creation of forums that aim at empowering the civil society at large. The Embassy engages into dialogue with CSOs and actively takes part in networking platforms organised by the partner organizations. Round table meetings are organized on an annual basis to build up capacity of the partners in various fields. The Embassy also facilitates dialogue between the civil society and the government by providing platforms for discussion. Well planned meetings and events include pre-assignments for the civil society partners in order to bring in their input and concerns and make them more fruitful and inclusive. The events attract key civil society actors as well as line Ministries. These platforms have proven to be fruitful for developing a deeper collaboration with the civil society partner organizations. Typical outcomes include new approaches to tackle challenges creating synergies between the civil society actors.

Spain has strengthened its relationship with local CSOs through its cooperation. The consultation and dialogue processes with CSOs are encompassed in the programmes and projects supported by

² EU should be read as the European Union Delegation to the Republic of Namibia and the EU Member States

the Spanish Cooperation and in which the CSOs participate in different ways: through Call for Proposals with specific projects; through projects and programmes developed between Spanish and Namibian NGOs; in bilateral programmes in which the Government implements and delivers services by way of arrangements with CSOs. Spanish NGOs usually establish close trusting relationships with the local partners who lead the implementation of the activities and maintain direct contact with the final beneficiaries and local authorities. It is a relationship based on dialogue and it allows Spanish NGOs to indirectly contribute to public policy dialogue in the sectors of action.

Germany and the German political foundations active in Namibia are mostly working with human rights organizations, trade unions, youth and women's organizations. The Embassy mainly supports human rights and gender related projects implemented by German and local CSOs. Germany also supports the dissemination of well researched information on current political, economic and social issues, promote environmental awareness and facilitate civic education for CSOs. The information about these interventions is shared with students, graduates, politicians and decision makers, business people, media, academics, representatives of CSOs, marginalised groups and other multipliers as well as members of foreign missions so everybody can participate in the public debate and take part in the democratic decision-making processes. For Germany, freedom and ownership are determining criteria in Germany's development policy. As a consequence, the German Government attaches great importance to cooperation with an autonomous and creative civil society. The civic engagement strategy of the German government sets a framework for fostering the free self-organization of a vibrant civil society. It is a framework that gives not only recognition to but also systematic support for engagement with civil society organizations and entrepreneurial institutions. The contributions made by the German and the local project partner themselves are an expression of the principle of civic engagement and participation in the planning and implementation of measures. There is, however, a need to weigh up the undoubtedly desirable autonomy against the imperative of deploying funds in fields where maximum impact can be achieved in combination with other measures and where all synergies in connection with the deployment of public funds are leveraged. So, in funding civil society organizations, the German government endeavours to some extent to direct its focus while giving due consideration to both these objectives.

The **United Kingdom** (UK) provides limited ad hoc bilateral support to local civil society organisations, whose work supports UK priorities in Namibia, including security capacity building, support to human rights activities, support to women's and children's refugees and homes, as well as support to community engagement programmes. The UK also provided funding to the Institute of Public Policy Research (IPPR) for several base line studies in the sector of trade promotion and investment, which have both empowered local civil society to get key commercial matters onto the national agenda and stocked discussion in the business media and society about accountability and transparency. Launched in September 2013, the United Kingdom is the first country to present a National Action Plan to implement the UN business and human rights guiding principles. Within its programme Promoting Human Rights the United Kingdom hosted a business event engaging and sharing international standard labour practices and the UK Action Plan entitled "Good Business" with representatives of the British Business Group (BBG), Labour Resource and Research Institute and the International Labour Organisation in Namibia.

France, through the French Namibian Cultural Center (FNCC) organises awareness actions for the Namibian public at large but also for associations and NGOs. Numerous conferences, debates and expositions organised through the year cover a large range of issues as governance,

environment, climate change, gender based violence, advocacy for abolition of death penalty, among others.

2.2 POLICY DIALOGUE FOR AN ENABLING ENVIRONMENT

The **EU** utilises its relations with the Namibian Government and public meetings and forums to inform about the important role played by the CSOs and their constraints and limitations to play that role in Namibia. In the framework of Article 8 of the Cotonou Agreement, the EU has a political dialogue with the Government of Namibia every year. In the last political dialogue held on 17th December 2013 with the Minister of Foreign Affairs, the cooperation with civil society was discussed, together with other relevant issues such as gender balance and violence, the pending Child Care and Protection Bill, indigenous people rights and access to justice, among others.

The **EU Delegation** has actively supported civil society in Namibia since 2007. The focus of the support has been on capacity building of civil society and strengthening their contribution to sustainable development and socio-economic justice in Namibia. Improvements can be measured over the years. There is, however, room for consolidation and expansion, as CSOs are facing several challenges including lack of financial resources to ensure sustainability, limited capacity and restricted influence on national development strategies and policies. The EU Delegation will continue its support to increase the capacity of CSOs in their vital role as development actors.

Within the framework of the cooperation projects, **Spain** has promoted concrete actions which strengthen the capacity of the CSOs (training and technical assistance), support in equipment and infrastructure, contributing to the improvement of service quality and increasing trust and competencies as a way to support an enabling environment. In this sense, the effectiveness of the actions has varied results, depending on the solidity and consolidation of the CSOs experience in the field and their mobilisation ability within and outside of the communities in which they work.

Germany, through the Hans Seidel Foundation, has been encouraging the identification of synergies and opportunities for cooperation among CSOs through the establishment and implementation of the concept “House of Democracy” as a permanent information sharing and networking platform.

The sector-working groups, coordinated by the government, where the **EU** participates are the following:

- Gender

In August 2012, the EU organised in coordination with NANGOF and the Directorate of Gender of the Ministry of Gender Equality and Child Welfare (MoGECW) a workshop on "Information sharing for strengthening partnerships". There were over 50 participants, including EU, UN agencies, National Authorities and CSOs. The Ministry presented its revised National Gender Policy and the institutional framework underpinning its implementation and monitoring. One of the things discussed in the workshop was the need to create a body to work in gender issues in order to gather knowledge and efforts and strengthen the impact of the actions that each of the stakeholders were implementing separately. The

National Gender Task Force was officially launched in September 2012 by the Ministry of Gender Equality and Child Welfare. The specific objective was to "Place gender equality issues systematically on the agenda of dialogue with partner countries". The foreseen actions were to "Establish specific mechanisms that ensure that gender issues are dealt with in the political and policy dialogue with partner countries" and that the "Gender coordination mechanism/group exists at partner country-level, open to all donors and stakeholders, to enhance gender equality in the aid effectiveness agenda". A main body and 6 different Clusters were created (1-Human Rights, 2-Health, HIV and AIDS, 3-Education and the Girl child, 4-Poverty, rural and economic development, 5-Governance, peace and security and 6-Media, research, information and Communication). It was deemed to count with the implication of members of the Ministry, Development Partners and CSOs. The MoGECW organised in June 2014 a workshop on the coordination mechanism for the Gender Based Violence and Human Rights Cluster. In 2012 the MoGECW launched the 16 Days of Activism against Gender Based Violence in an effort to create more awareness on the subject. In August 2012 the EUD met the new Minister of Gender and discussed about the implementation of the National Gender Policy 2010-2020 that was launched in the first semester of 2012. In May 2013 there were bilateral meetings between Spain and Finland and the new Ministry of Gender appointed at the end of 2012. At the time of writing this Roadmap, nothing or very little has been done to implement the National Gender Policy.

- Water and Sanitation

The EU is an active member of the Water Supply and Sanitation Coordination Forum, which was established in 2009 by the Directorate of Water Supply and Sanitation Coordination in the Ministry of Agriculture, Water and Forestry. The Forum is a representative body that provides a platform for dialogue to all stakeholders in the Water and Sanitation sector, including government ministries, development partners and civil society organizations. Following the recent setting up of Water and Sanitation Fora in almost all the regions of the country, dialogue and coordination between central and local institutions is expected to improve. The Forum's main aim is contributing to monitoring, review and harmonized implementation of national policies and strategies currently in force, in particular the "Water Supply and Sanitation Policy-2008" and, more specifically, the "National Sanitation Strategy 2007/08 - 2014/15". The Forum therefore represents a crucial element within the Sector Policy Support Programme undertaken by the EU in the Water and Sanitation sector, while providing a valuable opportunity for the EU dialogue and collaboration with local authorities, local and international NGOs actively involved in the sector. The Forum is chaired by the Directorate of Water Supply and Sanitation Coordination in the Ministry of Agriculture and meetings take place regularly, on a quarterly basis. The last meeting, held on the 29-10-14, discussed the need to improve coordination and harmonised approach amongst all implementing agencies, both from government and civil society sectors, in the delivery of sanitation services and facilities to rural and urban communities.

- Education

Over the last years the EU has been chairing the coordination meetings of the development partners' education sector group. In that capacity the EU participated in the annual education sector review meetings, organised by the Ministry of Education, bringing together a wide range of education sector stakeholders. These annual meetings have been an excellent platform

for a successful sector policy dialogue. Ensuing Aide Memoires prepared by the Ministry have always been scrutinised and commented upon by the EU Delegation in close consultation with development partners. Final versions of the Aide Memoires have been co-signed by the Ministry and by the EU Delegation on behalf of the development partners, thereby formalising the annual outcomes of the policy dialogue.

- Human Rights (HR)

As mentioned before, in the framework of Article 8 of the Cotonou Agreement, the EU has a political dialogue with the Government of Namibia every year where Human Rights issues are discussed. More in detail, last year, the EU engaged with the Government on the Caprivi Trial and enquired about the current state of affairs, recalling the need for a speedy end to the proceedings. EU also congratulated Namibia for the election to the Human Rights Council of the United Nations and received information about its priorities. EU welcomed the HR Baseline Study and asked about the Government's intention to draft a HR National Strategy. The EU sought to gain reaffirmation of the Government's actions on what measures are put in place to cater for the minorities and the enhancement of their welfare. The EU expressed its concern that indigenous populations such as San and Himba minorities continue to face severe development challenges. Despite the efforts undertaken by Namibian government in line with the provisions of article 23(2) of the Constitution and the equality and non-discrimination provisions of the Constitution, indigenous people still suffer from discrimination and marginalization. The EU expressed its concern that justice takes a long time to be delivered and the right to a fair trial is questioned. Alarming, judgments as far back as 2002 in the High Court and 2004 in the Supreme Court respectively, are still outstanding. Thus the recommendations include introducing statutory time limits for the delivery of judgments, revision and adoption of the new Criminal Procedure Act and introduction of a plea-bargaining in the criminal justice system. Furthermore, under article 8 political dialogue on LGBT rights, the EU called for a decriminalisation of sodomy. In addition, France, through the Franco-Namibian Cultural Centre organised two events dedicated to freedom of expression and death penalty. The United Kingdom has over the past years supported women and children refugees and has placed its emphasis on addressing violence against women and sexual violence in conflict by providing support to the advocacy work done by several CSOs. In line with this, the UK lobbied Ministry of Gender Equality and Child Welfare on the need for more state support to battered women refugees and also raised concern around the forced sterilisation.

2.3 MAINSTREAMING CIVIL SOCIETY

The **EU Delegation** will strive for complementarity of its thematic programmes with the selected sectors of concentration and the envisaged 11th EDF CSOs' support programme as well as with the Development Partners' Human Rights Strategy for the country.

For **Finland** civil society actors are an essential and integral element of Finnish development cooperation in its entirety. The activities of CSOs make possible to achieve results in areas and regions and among groups of people that the resources and tools of public development cooperation do not always reach. At its best, grassroots cooperation is very effective. All projects

have to include the three cross-cutting themes: gender equality, reduction of inequality and climate sustainability (when applicable).

Spain has been supporting CSOs by way of various instruments, financing CSOs through Call for Proposals, through Spanish NGOs and in bilateral programmes, highlighting its participation in the sectors of gender, health, housing, delivering social and agricultural services in the rural development sector and creating income generating activities. However, it is necessary to refine these instruments even further to be more strategic and to focus on the development results.

For **Germany** the cooperation measures agreed upon in the government-to-government agreements form one pillar of German development cooperation with partner countries. The second pillar consists of the activities proposed by non-governmental organisations and carried out in the partner countries - for example by the churches, political foundations and a very large number of other NGOs. Government funding also goes to support this form of German development cooperation with partner countries. Responsibility for the implementation of the projects, however, lies in the hands of the NGOs. Despite the government grants, they remain fully independent. In that regard, the German Government follows a do-no-harm approach with respect to CSO-activities, it respects however the independence of CSOs.

2.4 COORDINATION

a) Member States and other key players

The **EU Member States** that are represented in Namibia are Finland, France, Germany, Portugal, Spain and United Kingdom. Finland and Germany will provide financial support to civil society in the coming years, predominantly on a demand-driven basis.

Germany more indirectly supports Namibian civil society through German foundations, church organisations and private actors as well as German civil society organisations that usually partner with Namibian counterparts. The Federal Government regards the contributions of these organisations as an important complement to the governmental development cooperation and supports them financially outside the bilateral commitments.

Finland will continue supporting the development of an active and responsible civil society by providing opportunities for joint development projects between Namibian and Finnish CSOs. In addition, Finland will continue supporting Namibian CSOs through funding of locally implemented development projects that contribute towards realisation of Namibia's development goals. The overarching thematic areas of support cover human rights, gender, democracy and good governance, green economy that creates employment and culture and development.

Spain has also been supporting Namibian civil society through Spanish NGOs that work in partnership with Namibian organisations in the rural development sector. However, the Spanish Cooperation Agency is closing its office in Namibia and no additional interventions are foreseen in the near future.

b) Existing coordination mechanisms

The **EU** has monthly coordination meetings at Heads of Missions, Political Councillors and Heads of Cooperation levels. During these meetings, among other things, joint strategies such as the Joint EU Response Strategy for Namibia 2014-2017, the EU-Namibia Human Rights Strategy, the EU-

Namibia Gender Action Plan 2010-2015 and the EU-Namibia Roadmap for engagement with Civil Society are discussed. The preparation of these strategic documents has been led by the EU Delegation. At the Heads of Cooperation meeting, in addition, information is being exchanged on opportunities which will become available for CSOs (like call for proposals) and contracts awarded.

c) Information exchange

The information will be presented by sectors, including all the sector working groups coordinated by development partners where the EU participates and there is no participation from the Government.

- Gender

The EU gender sector working group was created in 2012. All the EU Member States were invited to participate but, from the beginning, it has been composed of the EU Delegation as the lead, and Spain and Finland as its associates. The objectives they pursue are described in the EU Gender Plan of Action 2010-2015 that is updated on an annual basis. The implementation of the revised Namibia Gender Policy 2010-2020 foresees an institutional framework with a National Gender Task Force and clusters. The EU Delegation and the Member States have coordinated their response as far as their membership is concerned. In 2012, the EU Delegation, Spain and Finland participated in a meeting organised by NANGOF where the mission, vision, Memorandum of Understanding and Terms of Reference for the Gender Working Group were discussed. An action plan was developed and, at that time, meetings were organised on a quarterly basis. Since 2013 meetings are not organised regularly and all the attempts done by the development partners to invigorate the group have failed.

- Health

The EU Delegation, Germany, Finland and other development partners are members of the Health Development Partners Group which was reactivated and formalised end May 2013. The group meets every month and issues such as maternal health, nutrition, HIV/AIDs or Gender Based Violence are discussed. In this forum, development partners present updates on the implementation of health related projects.

- Human Rights

The EU Human Rights Working Group, composed by the EU Delegation and the EU Member States, meets on a regular basis as well as on an ad hoc basis to discuss HR related issues. The Head of the Political Section of the EUD serves as the Focal Point on Human Rights and Liaison Officer on Human Rights Defenders.

d) Joint actions

There are not joint actions at the moment. This roadmap as well as the other joint strategies mentioned above will allow the EU to look for complementarity of interventions and joint initiatives when possible.

e) Division of labour

In line with the principals of concentration and division of labour, and in an effort to maximise impact and value for money of the EU's cooperation programme, the EU have agreed the sectors that they will support, including the support to Civil Society, and they are included in the Joint EU Response Strategy for Namibia 2007-2017.

As mentioned above, only the **EU Delegation, Finland and Germany** will provide additional financial support to civil society in the period 2014-2017. However, other Member States such as **Spain** and the **United Kingdom** will continue supporting civil society at political level. Coordination will be assured through this Roadmap to enhanced synergies and avoid duplication.

2.5 CONCLUSIONS

a) Lessons learnt

1. Support to civil society in Namibia needs to be more predictable with a long-term approach in order to allow CSOs to achieve their own strategic objectives. This would enhance civil society ownership over their strategic direction and reduce the possibility of donors “setting the agenda” through call for proposals.
2. Donor support and requirements should be better harmonised. The current fragmented donor approach in supporting civil society has increased the donor burden on CSOs, particularly around donor due diligence requirements, narrative and financial reporting, and M&E.
3. Donors should be better coordinated in order to avoid the risk of “double-funding”. More regular sector-group meetings organised e.g. by NANGOF would be helpful to map the respective areas of interventions, identify synergies and overlapping and improve the general stance of civil society in Namibia.
4. Public financing is usually linked to government projects which does not provide scope for the own institutional strengthening and developing of organisations. The access to private financing by the CSOs is basically zero. Their survival has largely depended on international funds, but once these are reduced, the CSOs run the risk of disappearing.
5. A concentration of aid on well-defined priority areas and a focus on the sustainability of development projects will be necessary in order to increase the effectiveness of assistance.
6. In Namibia, a serious limitation is the low qualifications of the personnel and volunteers of CSOs. CSOs need to strengthen their project and financial management systems. More funding should be allocated towards capacity building.
7. The fact that the only organization (NANGOF) which can coordinate the work of the CSOs is so weak and not sufficiently representative, does not allow for the organisations to be taken into consideration individually, the setting of priorities and the possibility of creating a significant political impact. It would be necessary to strengthen NANGOF as an institution (or a possible representative network for CSOs), not only by means of external financing, but rather above all, by means of the involvement of the Namibian Government for granting it the role to which it corresponds, both in the coordination of the work of the CSOs, as that of interlocutor and observer of the compliance with the public commitments.

8. CSOs based in the capital, Windhoek, receive more funding at the expenses of the CSOs working in the rural areas at grass roots level. Modalities of support must ensure that CSOs in rural areas and without easy access to communication technologies are reached. Efforts must be made to ensure that these organisations are engaged in the dialogue.
9. All the stakeholders, CSOs, private sector, development partners, should facilitate and promote the creation of a regulatory framework which governs the role and functions of the CSOs in Namibia, with mechanisms of monitoring and evaluating results, as well as mechanisms to guarantee the regular and effective participation of the CSOs in the dialogue of public policies, fixed and subject to control.

b) Do no harm

The attempt by international donors and aid agencies to encourage the development of civil society from the outside inevitably raises a number of difficult political and ethical questions. Amongst others, these include the difficulty of identifying appropriate partners, the differing norms of donors, the political nature of civil society, and the difficulty of transferring "western" civil society concepts to Namibian context. Donors have sought to respond to these challenges in various ways, in order to avoid being seen as overtly interventionist.

SECTION 3: PRIORITIES

The September 2012 EU Communication on Civil Society identifies areas where CSOs can make vital contributions to enhanced development and governance outcomes. The three priorities of the Communication, enhancing the enabling environment for CSOs, promoting participation of CSOs in policy development and strengthening capacities of CSOs, which were analysed in Section 1 of this document, are contextualised in this section taking into account the Namibian socio-economic and political environment. The success thereof depends on the following factors:

1. CSOs must be able to operate in a free environment, hence, initiatives to retain and strengthen a free and conducive environment for CSOs to operate in should be supported.
2. Interest aggregation for CSOs should be done by a membership based umbrella body, to represent the interests of CSOs at the highest government levels and other fora, hence an umbrella body, conscious to the needs of its members, should be supported.
3. Government, and especially the legislative, should be open to CSOs, hence outreach activities of the legislative and other governmental institutions to CSOs should be supported.
4. CSOs must be able to have access to sustainable funding, hence initiatives to expose CSOs to wider financing mechanisms than traditional donor funding, as well as a mechanism to ensure that smaller, rurally-based CSOs have access to funding, should be supported.
5. CSOs must be institutionally strong, hence, programs to strengthen CSOs' capacities in all areas of organisational management should be supported.
6. CSOs must possess technical expertise in areas such as research and information, advocacy skills and policy analysis, hence, programs to strengthen CSOs' technical expertise should be supported.
7. Donor funding must be harmonised and sustained over a longer term.

Taking into account the above mentioned factors, the priorities identified to support civil society in Namibia are the following:

PRIORITIES	INDICATORS
<u>Pillar 1: Enabling Environment for CSOs</u>	
1. Individuals are free to establish or join informal and/or registered organisations, and CSO representatives enjoy freedom of expression.	• The legal framework ensures freedom of association and expression, including the freedom of the media, as per the Namibian Constitution. • No cases of violation of the right to freedom of association and expression are recorded. • CSOs are easily constituted and sustained through simple and inexpensive registration processes.
2. CSOs are able to operate freely without intimidation or internal state interference and are able to freely fulfill their mandates.	• The legal framework does not impede CSOs ability to conduct any activities related to their mandate. • The freedom of CSOs to operate independently without state interference is guaranteed.
3. CSOs are able to access information, conduct research activities and impart information freely.	• Access to information is guaranteed through relevant legislation. • The freedom to conduct any research is not impeded in any way by legislation. • Freedom of expression, as guaranteed in the Namibian Constitution, is not hampered by any law, policy or practice.
<u>Pillar 2: Meaningful participation in policy development by CSOs</u>	
4. Government recognises the important role of CSOs in development, and CSOs are included in national policy and decision-making processes, as well as the legislative process.	• Public consultations by the legislative on policy and law reform and development specifically also include CSOs. • Improved processes for interaction between the Legislative and civil society are in place. • Parliamentary Standing Committees routinely consult with CSOs. • CSOs receive adequate information on draft policies, legislation and documents. • Regular and meaningful interaction exists between CSOs, both chambers of Parliament and Government on the

	national, regional and local for the purpose of ensuring that Namibia's poverty reduction agenda can be implemented more effectively in line with its development goals articulated in NPD4 and Vision 2030. • Improved responsiveness to CSOs by elected representatives and other selected government Officials is recorded.
5. The CSO sector is well structured, organised and their interests are represented in a mutual consultative manner by an umbrella body at the highest government levels.	• CSOs' interests are well represented through a pro-active umbrella body conscious to the needs of its member CSOs. • CSOs adequately represent their target groups and constituencies. • Regular interaction amongst CSOs and their umbrella body exists for mutual discussions, feedback and strategy development.
6. CSOs possess the necessary technical expertise to routinely interact with and assist the legislative in policy development to address specifically the poverty reduction agenda.	• CSOs analyse poverty reduction trends and provide support to the development of "Citizens' Budgets". • CSOs enhance Standing Committees' knowledge of poverty reduction issues and bring knowledge of local conditions to the attention of Committees. • CSOs routinely provide analysis and research data to policy makers. • CSOs routinely advocate on issues affecting their members/constituencies/the public.
Pillar 3: Strengthened capacity of CSOs	
7. CSOs are independent, institutionally strong and professionally managed role-players in contributing to development in Namibia.	• CSOs are properly constituted and managed through adherence to organisational management policies. • CSOs adhere to a Code of Conduct and a Code of Ethics. • CSO staff are suitably appointed and trained in all areas of organisational management and apply organisational management principles. • CSO governing board members

	understand their role and fiduciary duties and are exposed to regular training. • Established CSOs increasingly involve small, rurally based CSOs in their programs and transfer skills to them. • CSOs are able to comply with statutory and donor narrative and financial reporting requirements.
8. CSOs have sufficient funding through diversified funding acquisition methods and sources.	• Interaction with the Private Sector on Corporate Social Responsibility is increased, with the Private Sector becoming more aware of the role of CSOs. • CSOs are increasingly pursuing income-generating opportunities to sustain their activities. • Increasing alliances and networks allow for greater cost-sharing for activities.
9. Donor funding is harmonised and sustained.	• Long-term strategies for support to CSOs are followed by donors. • Donor rules and regulations are harmonised and simplified, and proportionate to the size of CSOs supported.

SECTION 4: ACTIONS

With the overall objective of strengthening civil society's contribution to sustainable development and socio-economic justice in Namibia, the **EU Delegation** supports NANGOF and CSFN with a EUR 4 Million Programme, funded under the 10th EDF, that combines a range of grant and non-grant support to CSOs, with a particular focus on poverty reduction in rural areas, and a secondary focus on CSOs capacity building, networking, lobbying and governance.

The EU Delegation has provisionally allocated EUR 6 Million in the National Indicative Programme (NIP), under the 11th EDF to support Civil Society, however the identification of the actions will be carried out during 2015 and the funds will only be received as from 2016 onwards. This EU Roadmap will be taken into account in the identification phase.

On the other hand, the EU Delegation organises Call for Proposals under the Civil Society Organisations (CSO) & Local Authorities (LA) budget lines and the European Instrument for Democracy and Human Rights (EIDHR). For the period 2014-2017 the tentative allocation for Namibia will be EUR 1.8 Million for CSOs, EUR 800.000 for LAs and EUR 1.2 Million for EIDHR. This EU Roadmap will be taken into account for the identification of the priorities and actions to be funded under these Calls for Proposals.

For **Finland**, the Ministry of Foreign Affairs' Guidelines for Civil Society in Development Policy describe four dimensions that are fully aligned with the priorities of this Roadmap. Any of the actions mentioned could be potentially funded in the period covered by this EU Roadmap.

Germany cannot select specific actions at this stage. Due to the far-reaching independence of CSOs, any of the priorities and actions could be funded in the period covered by this EU Roadmap.

Spain is not in a position to guarantee additional funds for the period 2014-2017. However, Spain remains committed to participate in research activities and studies, as well as contribute to policy dialogue, consultation and facilitation.

All the actions listed below will not be necessarily funded by the EU Delegation or the EU Member States during the period covered by this Roadmap. These actions have been identified as highly relevant in order to achieve the priorities and could be funded and implemented by any CSO, Development Partner, Government, public or private donor.

Pillar 1: To enhance efforts to promote a conducive environment for CSOs in Namibia

Priority 1	
Individuals are free to establish or join informal and/or registered organisations, and CSO representatives enjoy freedom of expression.	
Indicator(s)	
• The legal framework ensures freedom of association and expression, including the freedom of the media, as per the Namibian Constitution. • No cases of violation of the right to freedom of association and expression are recorded. • CSOs are easily constituted and sustained through simple and inexpensive registration processes.	
Actions:	
A. Analysis: Studies, mappings and research	
• Study of the Civic Organisations Partnership Policy in Namibia with recommendations for improvement. • Study with recommendations on the Registration Bill.	
B. Policy dialogue, consultation and facilitation	
• Engagement between NPC and civil society on a proper – and possibly re-written – Civic Organisations Partnership Policy. • Ongoing engagement by civil society with government on Registration Bill, input and recommendations based on study to be made.	

C. Funding: Operational support including mainstreaming
- Facilitate joint initiatives (CSOs, donors, government) with regards to the legal framework pertaining to CSOs. - Sponsor an information portal with links to various research that has been done. - Support public advocacy initiatives and legal actions with regard to CSO initiatives aimed at enhancing the legal framework under which they operate.

Priority 2
CSOs are able to operate freely without intimidation or internal state interference and are able to freely fulfill their mandates.
Indicator(s)
- The legal framework does not impede CSOs' ability to conduct any activities related to their mandate. - The freedom of CSOs to operate independently without state interference is guaranteed.
Actions:
A. Analysis: Studies, mappings and research
Study on the role of CSOs in Namibian development, which includes analysis on the state of CSOs to operate freely.
B. Policy dialogue, consultation and facilitation
Facilitate engagement between political leaders and CSOs.
C. Funding: Operational support including mainstreaming
- Support initiatives amongst CSOs to advocate publicly on their role in development in Namibia. - Support routine contact opportunities between CSOs and political leaders.

Priority 3
CSOs are able to access information, conduct research activities and impart information

freely.
Indicator(s)
• Access to information is guaranteed through relevant legislation. • The freedom to conduct any research is not impeded in any way by legislation. • Freedom of expression, as guaranteed in the Namibian Constitution, is not hampered by any law, policy or practice.
Actions:
A. Analysis: Studies, mappings and research
• Study on access to information legislation including recommendations and possible draft law. • Analysis of the Research, Science and Technology Act (Act No. 23 of 2004). • Study on freedom of expression of CSOs.
B. Policy dialogue, consultation and facilitation
• Facilitate dialogue between CSOs and government on access to information. • Facilitate ongoing dialogue between CSOs and government on Research, Science and Technology Act.
C. Funding: Operational support including mainstreaming
• Support advocacy initiatives for access to information legislation (ACTION) • Support ongoing advocacy to address sections in the Research, Science and Technology Act (Act No. 23 of 2004) that may impede on the Constitutional guarantees of ‘freedom of speech and expression’ (Article 21 (1)(a)), ‘freedom of thought, conscience and belief, which shall include academic freedom in institutions of higher learning’ (Article 21(1)(b)), and the Constitutional right ‘to practice any profession, or carry on any occupation, trade or business’ (Article 21(1)(j)), amongst others. • Support rurally based community media.

Pillar 2: To promote a meaningful and structured participation of CSOs in domestic policies of Namibia, in the EU programming cycle and in international processes.

Priority 4
Government recognises the important role of CSOs in development, is open to CSOs and includes CSOs in national policy and decision-making processes, as well as the legislative processes.
Indicator(s)

- Public consultations by the legislative on policy and law reform and development specifically also include CSOs.
- Improved processes for interaction between the Legislative and civil society are in place.
- Parliamentary Standing Committees routinely consult with CSOs.
- CSOs receive adequate information on draft policies, legislation and documents.
- Regular and meaningful interaction exists between CSOs, both chambers of Parliament and Government on the national, regional and local for the purpose of ensuring that Namibia's poverty reduction agenda can be implemented more effectively in line with its development goals articulated in NPD4 and Vision 2030.
- Improved responsiveness to CSOs by elected representatives and other selected government Officials is recorded.

Actions:

A. Analysis: Studies, mappings and research

- Research on experiences of CSOs' engagement in national development and policy issues, active actors and best practices.
- Study on the use of Information Technology in facilitating public participation.
- Study on status and possibilities of public participation in legislation.

B. Policy dialogue, consultation and facilitation

- Facilitate platforms for policy dialogue at the local, regional and national levels.
- Facilitate permanent fora for the consultation between CSOs on policy input.
- Facilitate a regional conference series on enhancing public participation in the legislative process.

C. Funding: Operational support including mainstreaming

- Support a program to increase and strengthen the frequency and substance of interaction between civil society and the legislative.
- Support the production and distribution of bill summaries for input by civil society.
- Support the issue of a citizens budget, pre-budget statements, mid-term reviews and performance report cards.
- Support the conduct of training for CSOs in areas of public finance management, financial and performance audits, budget processing, human development programs, water supply and sanitation and gender.
- Support programs by CSOs to conduct public hearings on policy and law reform and present recommendations to the legislative.
- Support regional platforms for interaction on best practices by CSOs on SADC level.
- Support Standing Committees of NA and NC to establish permanent interaction arrangements with Civil Society for inputting into deliberations of Committees.
- Support an e-platform and ICT for sharing of information, policy analysis and input between CSOs and government
- Enhancing Parliamentary Standing Committees' knowledge of development and especially poverty reduction issues which could come from civil society programs

carried out in the field which bring knowledge of local conditions to the attention of Committees (possibly through the PSP).

Priority 5

The CSO sector is well structured, organised and their interests are represented in a mutual consultative manner by an umbrella body at the highest government levels.

Indicator(s)

- CSOs' interests are well represented through a pro-active umbrella body conscious of the needs of its member CSOs.
- CSOs adequately represent their target groups and constituencies.
- Regular interaction amongst CSOs and their umbrella body exists for mutual discussions, feedback and strategy development.

Actions:

A. Analysis: Studies, mappings and research

- Conduct a review of the role and performance of NANGOF Trust.
- Do a needs assessment of CSOs w.r.t. an umbrella body.

B. Policy dialogue, consultation and facilitation

- Facilitate discussion on the role and expectations of an umbrella organisation for CSOs.
- Facilitate regular interaction amongst CSOs and their umbrella body.
- Facilitate regular interaction between umbrella body and government.
- Facilitate regular interaction between umbrella body and donors.

C. Funding: Operational support including mainstreaming

- Strengthen the role of an umbrella body for CSOs based on review and needs assessment.

Priority 6

CSOs possess the necessary technical expertise to routinely interact with and assist the legislative in policy development to address specifically the poverty reduction agenda.

Indicator(s)

• CSOs analyse poverty reduction trends and provide support to the development of “Citizens’ Budgets”. • CSOs enhance Standing Committees’ knowledge of poverty reduction issues and bring knowledge of local conditions to the attention of Committees. • CSOs routinely provide analysis and research data to policy makers. • CSOs routinely advocate on issues affecting their members/constituencies/the public.
Actions:
A. Analysis: Studies, mappings and research
• Gap analysis on CSO technical expertise. • Mapping of gender mainstreaming and disability sensitisation in current CSO programmes.
B. Policy dialogue, consultation and facilitation
• Facilitate training and technical assistance to CSOs on strengthening capacities in the following areas: ➤ Research and information ➤ Policy analysis and use of data ➤ Advocacy skills ➤ Budget processes ➤ Gender mainstreaming ➤ Disability sensitisation
C. Funding: Operational support including mainstreaming
• Support programs by CSOs that aim to contribute to law reform and policy development.

Pillar 3: To increase Namibian CSOs’ capacity to perform their roles as independent development actors more effectively.

Priority 7
CSOs are independent, institutionally strong and professionally managed role-players in contributing to development in Namibia.
Indicator(s)

• CSOs are properly constituted and managed through adherence to organisational management policies. • CSOs adhere to a Code of Conduct and a Code of Ethics. • CSO staff are suitably appointed and trained in all areas of organisational management and apply organisational management principles. • CSO governing board members understand their role and fiduciary duties and are exposed to regular training. • Established CSOs increasingly involve small, rurally based CSOs in their programs and transfer skills to them. • CSOs are able to comply with statutory and donor narrative and financial reporting requirements.
Actions:
A. Analysis: Studies, mappings and research
• Gap analysis on organisational management capacities of CSOs.
B. Policy dialogue, consultation and facilitation
• Ongoing consultations between umbrella body and CSOs on organisational management needs and skills deficiencies. • Dialogue between institutionally strong and weak CSOs.
C. Funding: Operational support including mainstreaming
• Support training and technical assistance programs on all areas of organisational management for CSOs. • Support ongoing training and technical assistance for CSO governing board members. • Support in-house development of management policies and procedures for CSOs, which specifically also include a Code of Conduct and Code of Ethics.

Priority 8
CSOs have sufficient funding through diversified funding acquisition methods and sources.
Indicator(s)
• Interaction with the Private Sector on Corporate Social Responsibility is increased, with the Private Sector becoming more aware of the role of CSOs. • CSOs are increasingly pursuing income-generating opportunities to sustain their activities. • Increasing alliances and networks allow for greater cost-sharing for activities.

Actions:
A. Analysis: Studies, mappings and research
• Mapping of current funding opportunities for CSOs in Namibia. • Mapping study on the private sector's Corporate Social Investment programme in Namibia.
B. Policy dialogue, consultation and facilitation
• Routine dialogue with Private Sector on Corporate Social Investment. • Facilitation of consulting opportunities for CSOs. • Regular opportunities for discussion on CSO funding opportunities, as well as exposure to funding modalities of CSOs worldwide.
C. Funding: Operational support including mainstreaming
• Support of training and technical assistance in funds acquisition, proposal writing and funding negotiation. • Support to a sub-grant making entity, such as the CSFN.

Priority 9
Donor funding is harmonised and sustained.
Indicator(s)
• Long-term strategies for support to CSOs are followed by donors. • Donor rules and regulations are harmonised and simplified, and proportionate to the size of CSOs supported.
Actions:
A. Analysis: Studies, mappings and research
• None.
B. Policy dialogue, consultation and facilitation
• Strengthen and structure routine dialogue amongst donors (EU and non-EU) for discussing a common strategy and objectives for effective funding for civil society and

dissemination of the results of this dialogue.
C. Funding: Operational support including mainstreaming
• Provide technical assistance to CSOs to comply with donor rules and regulations.

SECTION 5: DASHBOARD

Country: Namibia		
Process		
Area	Indicator	Achievement
Involvement of Member States in Roadmap elaboration	Member States present in the country are actively involved in the elaboration of the Roadmap	
Consultation with local civil society	The Roadmap has been prepared on the basis of consultations with a broad range of local CSOs respecting principles of access to information, sufficient advance notice, and clear provisions for feedback and follow-up.	
Joint actions	Member States present in the country are actively involved in the implementation of the Roadmap priorities	
Outcome		
Priority	Indicator	Achievement
1. Individuals are free to establish or join informal and/or registered organisations, and CSO representatives enjoy freedom of expression.	The legal framework ensures freedom of association and expression, including the freedom of the media, as per the Namibian Constitution. No cases of violation of the right to freedom of association	

	and expression are recorded. CSOs are easily constituted and sustained through simple and inexpensive registration processes.	
2. CSOs are able to operate freely without intimidation or internal state interference and are able to freely fulfill their mandates.	The legal framework does not impede CSOs ability to conduct any activities related to their mandate. The freedom of CSOs to operate independently without state interference is guaranteed.	
3. CSOs are able to access information, conduct research activities and impart information freely.	Access to information is guaranteed through relevant legislation. The freedom to conduct any research is not impeded in any way by legislation. Freedom of expression, as guaranteed in the Namibian Constitution, is not hampered by any law, policy or practice.	
4. Government recognises the important role of CSOs in development, and CSOs are included in national policy and decision-making processes, as well as the legislative process.	Public consultations by the legislative on policy and law reform and development specifically also include CSOs. Improved processes for interaction between the Legislative and civil society are in place. Parliamentary Standing Committees routinely consult with CSOs. CSOs receive adequate information on draft policies, legislation and documents. Regular and meaningful interaction exists between CSOs, both chambers of	

	Parliament and Government on the national, regional and local for the purpose of ensuring that Namibia's poverty reduction agenda can be implemented more effectively in line with its development goals articulated in NPD4 and Vision 2030. Improved responsiveness to CSOs by elected representatives and other selected government Officials is recorded.	
5. The CSO sector is well structured, organised and their interests are represented in a mutual consultative manner by an umbrella body at the highest government levels.	CSOs' interests are well represented through a pro-active umbrella body conscious to the needs of its member CSOs. CSOs adequately represent their target groups and constituencies. Regular interaction amongst CSOs and their umbrella body exists for mutual discussions, feedback and strategy development.	
6. CSOs possess the necessary technical expertise to routinely interact with and assist the legislative in policy development to address specifically the poverty reduction agenda.	CSOs analyse poverty reduction trends and provide support to the development of "Citizens' Budgets". CSOs enhance Standing Committees' knowledge of poverty reduction issues and bring knowledge of local conditions to the attention of Committees. CSOs routinely provide analysis and research data to policy makers. CSOs routinely advocate on issues affecting their	

	members/constituencies/the public.	
7. CSOs are independent, institutionally strong and professionally managed role-players in contributing to development in Namibia.	CSOs are properly constituted and managed through adherence to organisational management policies. CSOs adhere to a Code of Conduct and a Code of Ethics. CSO staff are suitably appointed and trained in all areas of organisational management and apply organisational management principles. CSO governing board members understand their role and fiduciary duties and are exposed to regular training. Established CSOs increasingly involve small, rurally based CSOs in their programs and transfer skills to them. CSOs are able to comply with statutory and donor narrative and financial reporting requirements.	
8. CSOs have sufficient funding through diversified funding acquisition methods and sources.	Interaction with the Private Sector on Corporate Social Responsibility is increased, with the Private Sector becoming more aware of the role of CSOs. CSOs are increasingly pursuing income-generating opportunities to sustain their activities. Increasing alliances and networks allow for greater cost-sharing for activities.	

9. Donor funding is harmonised and sustained.	Long-term strategies for support to CSOs are followed by donors. Donor rules and regulations are harmonised and simplified, and proportionate to the size of CSOs supported.	
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