

Republic of Namibia

OFFICE OF THE ATTORNEY- GENERAL

PERFORMANCE AGREEMENT 2020/21

The Contracting Parties

This **Performance Agreement** (hereinafter referred to as "PA") is entered into between the Government of the Republic of Namibia (hereinafter referred to as GRN), represented by the **President H.E. Dr. Hage G. Geingob**, on the one part, and the **Office of the Attorney-General**, (hereinafter referred to as the Ministry), represented by the AG, **Festus Katuna Mbandeka**, on the other part.

PREAMBLE

WHEREAS The People of Namibia overwhelmingly and willingly gave the Government the mandate to consolidate past gains and to pursue the lofty ideals set out in Vision 2030;

WHEREAS The Government is determined to remain faithful to the People's mandate and to build the Namibian House in which all its residents have a sense of shared identity;

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WHEREAS The Parties to this Performance Agreement are not only committed to the attainment of the strategic objectives outlined in Vision 2030 but are also fully conscious of the necessity to serve the People of Namibia promptly, diligently, and without regard to the ethnic origin, socio-economic status, gender, religious, ideological, or political affiliation of the service beneficiary;

WHEREAS The Performance Agreement represents the Minister's avowed commitment to the realization of national strategic objectives, and signifies the Government's determination to support the Ministry's efforts;

NOW, THEREFORE, the parties hereto agree as follows:

Part I: Undertaking by the First Party

THE FIRST PARTY, the GOVERNMENT, undertakes to provide the necessary resources needed in line with MTEF to fulfill the Ministry's statutory mandate and attain national strategic objectives, including but not limited to those set out in Vision 2030, the NDP 5, and the SWAPO Manifesto and Harambee Prosperity Plan. The national strategic objectives will also be informed by the SADC Revised Regional Indicative Strategic Development Plan and the African Union Agenda 63.

Part II: Undertaking by the Second Party

In consideration of the Government's undertakings and assurances, THE SECOND PARTY, the Attorney-General agrees to:

- (a) Enhance the capacity of office of the Prosecutor-General to deliver on its mandate;

- (b) Ensure prudent civil litigation procedures, processes and timeous Legal representation to O/M/As
- (c) To enhance timely delivery of legal advisory services to the President and Government (O/M/As).

(See Annex A for a matrix depicting the deliverables, performance indicators and annual targets)

Part III: Notes on Strategic Directions

In specific terms, the Attorney-General will in the short- to medium-term record measurable achievements in the following areas:

In addition to Constitutional functions, as stipulated in Article 87, as the principal legal adviser to the President and Government the AG is to:

- Advise the Executive to ensure that in the exercise of their functions, powers and duties, they uphold the Constitution;
- Review and certify all Agreements entered into by Government;
- Serve as the custodian of all Bilateral, Regional and Multilateral agreements signed or ratified by Namibia.

Part IV: Reporting lines and requirements:

- I. The ED will be required to submit quarterly performance progress reports to the Attorney-General;
- II. The Attorney-General will submit Quarterly Progress reports on performance of the office for submission to, and discussion with, H.E. the President, through the Rt. Hon. Prime Minister;
- III. The Attorney-General undertakes to give feedback to the Minister and ED on the quarterly performance report;
- IV. The Attorney-General further undertakes to provide leadership to ensure that annual performance report is prepared and submitted to the President a month after the end of the financial year;



Overarching Principles

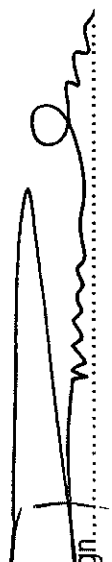
- Strong, honest and principled leadership;
- Driving a performance culture within your Ministry through leading by example and applying a hands-on approach;
- Focus on fast implementation of policy decisions and timely interventions;
- Ensure maximum output within the context of limited financial resources;
- Enhance political and administrative interface in your Ministry;
- Reviewing any law, policy, regulation or institution which hampers the effective implementation of plans and programmes of Government;
- Ensuring coordination with Offices, Ministries and Agencies, especially those which are closely related to your line functions;
- Promote, facilitate and strengthen measures to implement the empowerment and industrialisation policies of the Government by sourcing of local goods and services, with particular emphasis on job creation and the empowerment of the Youth and Women;
- Engaging and listening to the voices of civil society, particularly grass-root organizations, with the understanding that the ultimate goal is to improve the living standards of all Namibians; and
- Continuous monitoring, evaluation and regular reporting on progress being made in your ministry.

Part V: Duration of the Performance Agreement:


This PA will run for 12 months coinciding with the *financial year* starting 1st **April 2020** to 31st **March 2021**

Part VI: Ratification of the PA Signed:

Attorney-General, Festus Katuna Mbandeka,


Sign.....

Date 16/07/2020

President, H.E. Dr. Hage G. Geingob

Sign.....

Date 27-07-20

Witness

Right Hon. Prime Minister, Dr. Saara Kuugongelwa - Amadhila

Sign.....

Date 22/07/2020

ANNEXURE A: PERFORMANCE MATRIX FOR MINISTERS:

OFFICE, MINISTRY OF AGENCY		OFFICE OF THE ATTORNEY -GENERAL										
NAME OF OFFICE HOLDER		MR. FESTUS MBANDEKA										
PERFORMANCE AGREEMENT PERIOD		1ST APRIL 2020 – 31ST MARCH 2021										
FORM 1: Attorney -General's Annual Performance Agreement Matrix (1st April - 31st March of every Financial Year)												
Strategic Objectives	Weight (distributed across between 1% - 100%)	Expected Result	Indicator of Performance	Indicator Definition	Indicator Type	Baseline	Quarterly Targets				Annual Target	
							Q1	Q2	Q3	Q4		
Enhance the capacity of office of the Prosecutor-General to deliver on its mandate	40%	Improved prosecution of cases that require specialised prosecution	% progress made in developing performance standards	The progress toward the development of performance standards for speedy finalisation of cases in Court by the PG	Incremental	79	79	80	90	100	100	
To enhance timely delivery of legal advisory services to the President and Government (O/M/As)	40%	Improved cycle time within which legal advice is provided to client	% of advice finalized on time (within set performance standard	Requests finalised within the set performance standards	Incremental	75	76	77	78	80	80	
Enhance quality and timely litigation, notarial and conveyancing services to O/M/As	20%	Improved quality and timeous litigation, notarial and conveyancing services to O/M/As	# of cases fully litigated	Trials, hearings and appeals conducted in the Magistrate, High and Supreme Courts or Labour Commissioners Office which resulted in the matter being finalised	Decremental	161	42	38	35	30	30	
Total Weight	100%											