

Republic of Namibia

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**MINISTRY OF JUSTICE**

**PERFORMANCE AGREEMENT 2020/21**

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**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 **Ministry of Justice**, (hereinafter referred to as the Ministry), represented by the Minister, **Hon. Yvonne Dausab**, 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;

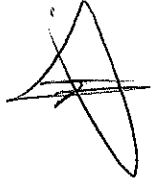
**NOW, THEREFORE**, the parties hereto agree as follows:

**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 Minister agrees to:



- (a) Ensure Effective Policy and Regulatory Framework;
- (b) Effective Governance and Improved Service Delivery.

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

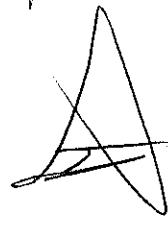
### **Part III: Notes on Strategic Directions**

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

- To ensure effective policy and regulatory framework for the justice system to improve timely delivery of quality legal services and access to justice, amend or replace existing legislation that hampers the achievement of our National Objectives, promote independent and impartial resolution of disputes relating to public institutions.

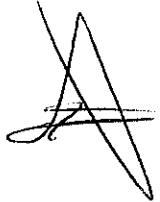
#### Key deliverables

- Improve institutional capacity;
- Reduce legislative drafting turnaround times;
- Investigate the establishment of Small Claim Courts to reduce backlog in the lower courts;
- Ensure access to Legal Aid Scheme & strengthen capacities at Community Courts to improve access to justice;
- Operationalize Whistle Blower and Witness Protection Acts.



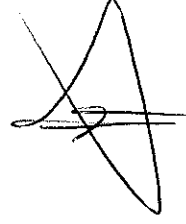
**Part IV: Reporting lines and requirements:**

- I. The ED will be required to submit quarterly performance progress reports to the Minister;
- II. Minister will submit Quarterly Progress reports on performance of the ministry for submission to, and discussion with, H.E. the President, through the Rt. Hon. Prime Minister;
- III. The Minister undertakes to give feedback to the ED on the quarterly performance report;
- IV. The Minister 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;

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### 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 1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2021

**Part VI: Ratification of the PA Signed:**

Cabinet Minister, Hon. Younef Dausob  
  
Sign.....

Date...15/7/2020.....

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

Sign.....  


Date...27-07-20.....

**Witness**

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

Sign.....  


Date...27/07/2020.....

**ANNEXURE A: PERFORMANCE MATRIX FOR MINISTERS:**

OFFICE, MINISTRY OF AGENCY		MINISTRY OF JUSTICE									
NAME OF OFFICE HOLDER		HON. YVONNE DAUSAB (MP)									
PERFORMANCE AGREEMENT PERIOD		1ST APRIL 2020 – 31ST MARCH 2021									
FORM 1: Minister's Annual Performance Agreement Matrix (1st April - 31st March of every Financial Year)											
Strategic Objectives	Weight (distributed across between)	Expected Result	Indicator of Performance	Indicator Definition	Indicator Type	Baseline				Annual Target	
						Q1	Q2	Q3	Q4		
	30%	E-laws and law reporting implemented	% progress made toward the implementation of the e-laws database	The progress made toward financial and human resources to maintain the online database of laws and law report	Incremental	0	10	20	30	50	50
		Guideline on Gazetting of Notices and Proclamations developed	% progress made towards the development of checklist on gazetting of notices and proclamations	The development of Checklist /explanatory document that will be strictly adhered to for the gazetting of notices and Proclamations.	Incremental	0	25	50	75	100	100
		Reduce legislative drafting turn-around times	% of Bills, Notices and Proclamations processed within the set standards	Bills, Notices and Proclamations, which were processed and finalized within the set standards of the	Absolute	90	100	100	100	100	100



<b>Ensure Effective Policy and Regulatory Framework</b>	Oversee the functioning of office of the Government Attorney to deliver on its mandate	% success rate of cases in which Government was successfully defended/represented	Legislative Drafting Directorate	Incremental	0	70	70	70	70	70		
		Child Justice Bill finalised & tabled in Parliament	Legislative processes completed and complied with before the Bill is tabled in Parliament	Incremental	65	100	0	0	0	100	100	
	Amended Ombudsman Act	% progress made toward the finalisation of the Bill	Review the Ombudsman Act 7 of 1990 with the view to propose amendment to provide for the operational independence of the institution for the Office of the Ombudsman	Incremental	75	100	0	0	0	100	100	
		% progress of work done towards finalisation of the amendment Bill	Legislative processes completed and complied with before the Bill is tabled in Parliament	Incremental	80	100	0	0	0	100	100	
				Incremental	80	100	0	0	0	100	100	





	Proposed Amendment to the Magistrate's Courts finalised and tabled in Parliament	% progress of work done towards finalisation of the amendment Bill	Legislative processes completed and compiled with before the Bill is tabled in Parliament	Incremental	50	60	70	80	100	100	100									
	Proposed Amendment to the Magistrate's Act finalised and tabled in Parliament	% of work done towards finalisation of amendment Bill	Legislative processes completed and compiled with before the Bill is tabled in Parliament	Incremental	80	100	0	0	0	0	100									
	Proposed Amendment to the Combating of Domestic Violence Act finalised and tabled in Parliament	% progress made towards finalisation of the amendment Bill	Legislative processes completed and compiled with before the Bill is tabled in Parliament	Incremental	50	0	0	80	100	100	100									
	Investigate the establishment of Small Claims Courts to reduce the backlog in civil cases in the Lower Courts	% progress made towards finalisation of the Small Claims Court Bill	Legislative processes completed and compiled with before the Bill is tabled in Parliament	Incremental	0	0	0	0	0	0	0									
	Operationalise Whistle Blower and Witness Protection Legislation	% Progress made towards completion and approval of Structural Framework and Implementation Plan	Structural Framework and Implementation Plan to be completed and approved. Stakeholder consultations to be	Incremental	0	0	0	50	100	100	100									

		Insolventy Bill tabled before CCL	% progress made toward the process of tabling the Bill before CCL	conducted as part of this process.	Incremental	0	0	0	50	100	100		
<b>Effective Governance and Improved Service Delivery</b>	20%	HPP01.2. Improved our ranking from 4, to become the most transparent country in Africa as measured by Transparency International by 2020	% progress made toward completion of study and final report	Table the final report in Cabinet on a study conducted toward a comprehensive review of existing legislation that may hamper the achievements of national objectives to be undertaken and prioritises appropriate legislative amendments in Cabinet.	Incremental	75	75	80	90	100	100		
<b>Total Weight</b>	<b>100%</b>												