

Republic of Namibia

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**OFFICE OF THE ATTORNEY- GENERAL**

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**PERFORMANCE AGREEMENT 2021/22**

**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 Office), represented by the AG, **Festus 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;

**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;

A handwritten signature in black ink, appearing to be a stylized 'P' or similar character.

**WHEREAS** The Performance Agreement represents the Attorney General's avowed commitment to the realization of national strategic objectives, and signifies the Government's determination to support the Office'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 fulfil 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.

His Excellency the President undertakes to facilitate clearance of obstacles that might be beyond the capacity of the ministry to resolve, and which must be brought to the attention of the President by the Minister. The President further undertakes to:

1. Preside over a two-day quarterly Ministerial Retreat to receive briefings on achievements of strategic objectives from individual Cabinet Ministers;
2. Facilitate resolution of structural challenges to performance, brought out at the retreat;
3. Support and facilitate realization of the Minister's commitments, obligations, and strategic intention.

**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) To enhance timely delivery of legal advisory services to the President and Government (O/M/As).
- (c) Enhance quality and timeous litigation, notarial and conveyancing services to 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:

- Improved performance of prosecution of cases that require specialised prosecution.
- Improved cycle time within which legal advice is provided to client.
- Improved quality and timeous litigation, notarial and conveyancing services to O/M/As.

### **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;
- V. H.E. the President commits to personally preside over the performance evaluation sessions of Ministers, (AG) within two (2) months after the end of the financial year.

### **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 2021 to 31<sup>st</sup> March 2022

Part VI: Ratification of the PA Signed:

Attorney-General, Festus Mbandeka


Sign.......... Date 14/06/2021

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

Sign.......... Date 30-06-21

Witness

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

Sign.......... Date 29/06/2021

ANNEXURE A: PERFORMANCE MATRIX FOR MINISTERS:

OFFICE, MINISTRY OF AGENCY	OFFICE OF THE ATTORNEY -GENERAL
NAME OF OFFICE HOLDER	MR. FESTUS MBANDEKA (AG)
PERFORMANCE AGREEMENT PERIOD	1ST APRIL 2021 – 31ST MARCH 2022

FORM 1: Attorney-General's Annual Performance Agreement Matrix (1st April - 31st March of every Financial Year)											
Strategic Objectives	Weight (distributed across between 1% to 100%)	Expected Result	Indicator of Performance	Indicator Definition	Indicator Type	Baseline	Quarterly Targets				Annual Target
							Q1	Q2	Q3	Q4	
1.Enhance the capacity of office of the Prosecutor-General to deliver on its mandate	30%	Improved performance of prosecution of cases that require specialised prosecution	% progress in developing the performance standards	The process toward the development of performance standards for speedy finalisation of cases in Court by the PG	Incremental	21	25	30	35	40	40
2.To enhance timely delivery of legal advisory services to the President and Government (O/M/As)	70%	Improved cycle time within which legal advice is provided to client	% of advice finalized on time	Requests finalised within the set performance standards	Incremental	72	77	82	87	92	92
3.Enhance quality and timeous litigation, notarial and conveyancing services to O/M/As		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.	Incremental	44	45	46	48	50	50
<b>Total Weight</b>	<b>100%</b>										