



Republic of Namibia

OFFICE OF THE ATTORNEY- GENERAL

PERFORMANCE AGREEMENT 2022/23

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, Hon. 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;

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;

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WHEREAS The Performance Agreement represents the Attorney-General avowed commitment to the realization of national strategic objectives, and signifies the Government's determination to support the Attorney-General'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 Attorney-General's constitutional and 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 Attorney-General to resolve, and which must be brought to the attention of the President by the Attorney-General. 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; and the Attorney-General
2. Facilitate resolution of structural challenges to performance, brought out at the retreat;
3. Support and facilitate realization of the Attorney-General 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) Ensure Effective and Efficient Prosecution of Crime.
- (b) The effective protection and upholding of the Constitution and the law

(c) Ensure effective governance and regulatory framework.

(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 Speedy and Qualitative Prosecution of Crimes.
- Substantial Constitutional and statutory compliance by O/M/As.
- Obsolete Law reviewed. (Government Attorney's 1982 Proclamation & National Prosecution Act)

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 Prime Minister 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 Attorney-General 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 1st April 2022 to 31st March 2023

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Part VI: Ratification of the PA Signed:

Attorney-General, Hon. Festus Katuna Mbandeka,



Sign..... Date... 27/06/2022

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

Sign..... Date... 04 JUL 2022

Witness

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

Sign..... Date... 30/06/2022

ANNEXURE A: PERFORMANCE MATRIX FOR MINISTERS:

OFFICE, MINISTRY OF AGENCY												
NAME OF OFFICE HOLDER												
PERFORMANCE AGREEMENT PERIOD												
HIGH LEVEL STATEMENT												
VISION:												
MISSION:												
CORE VALUES:												
STRATEGIC MANDATE:												
RISKS AND ASSUMPTIONS:												
FORM 1: Attorney-General's Annual Performance Agreement Matrix (1st April - 31st March of every Financial Year)												
Strategic Objectives	Weight (distributed across 1% between 1%	Expected Outcome	Key Performance Indicator	Indicator Definition	Indicator Type	Baseline	Quarterly Targets				Annual Target	Key Main Activities
							Q1	Q2	Q3	Q4		
Ensure Effective and Efficient Prosecution of Crime	30%	Improved Speedy and Qualitative Prosecution of Crime	% progress in finalising the performance standards	The development of performance standards for speedy finalisation of cases in Court by the PG Office concluded.	Incremental	30	30	32	34	36	36	1. Provide advice, support and guidance to the Office of the Prosecutor General in matters pertaining the law.
							50	60	80	100		
Effective protection and upholding of the constitution and the law	30%	Substantial Constitutional and statutory compliance by O/M/As.	% reduction of the Constitutional infringements and non-compliance with the law	1. Measuring the reduction of constitutional infringements and legislative non-compliance of the law by O/M/As	Decremental	0	10	8	6	4	4	1. Identifying (all or some) actions or measures necessary to be taken to protect, uphold the constitution and the law. 2. Identifying of common or regular constitutional infringements and non-compliance with the law by O/MAs addressed. 3. Identifying actions including legal advice, necessary to ensure constitutional and statutory compliance. 4. Client education on fundamental constitutional and statutory issues as may be identified

KPI Type KPI Description

KPI Type	KPI Description
Absolute	
Incremental	
Decremental	
Absolute	

8

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