

Republic of Namibia

MINISTRY OF JUSTICE

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 **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;

A handwritten signature in black ink, appearing to be 'YD'.

A handwritten signature in black ink, appearing to be 'H.G.'.

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 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 II.

Part II: Undertaking by the Second Party

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

- Ensure the policy, legal framework on GBV is solidified.
- Strengthening regulatory frame work for Anti-Corruption Mechanisms.
- Effective Governance and Law Reform Framework.
- Enhancing Access to Justice and Legal Services.

(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:

- Improved access to justice and legal services;
- Establishment, Monitoring and tracking of sex-offenders register in place;
- Operationalise the Witness Protection Act No.11 of 2017;
- Review of obsolete laws;
- Create more seats of courts and enhancing existing structures;
- Bilateral legal cooperation enhanced;

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;

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


Part VI: Ratification of the PA Signed:

Cabinet Minister, Hon. Yvonne Dausab (MP)



Sign  Date 8/6/22

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

Sign  Date 04 JUL 2022

Witness

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

Sign  Date 13/06/2022

ANNEXURE A: PERFORMANCE MATRIX FOR MINISTERS:

OFFICE, MINISTRY OR AGENCY	MINISTRY JUSTICE
NAME OF OFFICE HOLDER	HON. YVONNE DAUSAB (MP)
PERFORMANCE AGREEMENT PERIOD	1 st APRIL 2022 – 31 st MARCH 2023

FORM 1: Minister's Annual Performance Agreement Matrix (1st April - 31st March of every Financial Year)												
Strategic Objective	Weight (distributed across between 1% - 100%)	Expected Results	Indicator of Performance	Indicator Definition	Indicator Type	Baseline	Quarterly Targets				Annual Target	
							Q1	Q2	Q3	Q4		
Arresting Gender-Based Violence	20%	Improved access to justice services	No of specialised courts created to hear GBV cases.	Create specialised courts for hearing GBV cases at each Magistrate Court in the country by the end of HPP11. These courts will be housed at the existing infrastructure, with specialised teams dedicated to GBV cases, in a victim and witness friendly environment, dealing with cases in a speedy manner.	Absolute	1	0	0	0	1	1	1
Strengthening the Anti-Corruption Mechanisms	20%	Monitoring and tracking of sex-offenders register in place	% progress made to table the proposed law on national register for sex offenders in National Assembly	Tabling in National Assembly of proposed law providing for a national register for sex offenders who are convicted of sexual offences. [Noted this is a HPP11 activity which was due in March 2022].	Incremental	60	65	70	80	100	100	100
		Operationalise the Witness Protection Act No.11 of 2017	% progress in operationalising the Witness Protection Act No. 11 of 2017	Operationalise the Witness Protection Act No. 11 of 2017	Incremental	35	40	45	50	60	60	60

FORM 1: Minister's Annual Performance Agreement Matrix (1st April - 31st March of every Financial Year)

Strategic Objective	Weight (distributed across between 1% - 100%)	Expected Results	Indicator of Performance	Indicator Definition	Indicator Type	Baseline	Quarterly Targets				Annual Target	
							Q1	Q2	Q3	Q4		
Effective Governance and Law Reform Framework	30%	Review of obsolete laws	% progress on review of obsolete laws	Tabling in National Assembly of proposed law providing for Repeal of Obsolete Laws.	Incremental	70	75	80	90	100	100	
			% progress on the review of Legal Practitioners Act 1995 [LPA]	Review the LPA to include a provision on compulsory pro bono work for all legal practitioners	Incremental	50	51	52	53	54	54	
			% progress in finalising the Child Justice Bill	Tabling in National Assembly of proposed law providing for criminal justice system for children, who are in conflict with the law and are accused of committing offences amongst others.	Incremental	95	95	95	95	95	95	95
			% progress in finalising the Small Claims Court Bill & Access to Justice and Legal Services	Tabling in National Assembly of proposed law providing for small claims courts to reduce backlog in civil cases in lower courts.	Incremental	0	30	35	40	45	45	45
			% progress in finalising the Divorce Bill	Tabling in National Assembly of proposed law providing for divorces in respect of civil marriages.	Incremental	0	25	50	75	100	100	100
			% Progress on finalising the Bill Repealing the Administration of Estates Amendment Act, 2018	Tabling in National Assembly of proposed law repealing the Administration of Estates Amendment Act, 2018	Incremental	0	30	40	50	60	60	60
			% finalising the High Court and Magistrate Court Amendment Bill	Tabling in National Assembly of proposed law introducing measures to minimise the sale of property used as primary homes.	Incremental	0	25	50	75	100	100	100

FORM 1: Minister's Annual Performance Agreement Matrix (1st April - 31st March of every Financial Year)

Strategic Objective	Weight (distributed across between 1% - 100%)	Expected Results	Indicator of Performance	Indicator Definition	Indicator Type	Baseline	Quarterly Targets				Annual Target
							Q1	Q2	Q3	Q4	
Enhancing Access to justice	30%	Create more seats of courts and enhancing existing structures	% progress in establishing more periodic and district courts	Establish more district and periodic courts	Absolute	0	0	0	0	1	1
		Bilateral legal cooperation enhanced Small Claims Court	No of cooperation agreements with various states in legal matters proposed to National Assembly for approval.	Propose to NA the approval of cooperation agreements with at least 1 country.	Absolute	0	0	0	0	1	1
Total Weight	100%										