REPUBLIC OF NAMIBIA

OMBUDSMAN NAMIBIA
THE OTHER SIDE OF THE STORY

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3 March 2026

Jeroen Klok
United Nations The High Commissioner for Human Rights

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Dear Mr.Klok

SUBLECT: WRITTEN SUBMISSIONS – THIRD & FOURTH UPR CYCLES & IDEAS FOR FIFTH CYCLE INNOVATIONS- OMBUDSMAN, NAMIBIA

1. Reference is made to the above subject matter and your correspondence dated 14 January 2026 addressed to the Ombudsman, for written submissions.

2. Kindly find attached hereto, the written submissions by the Ombudsman, Namibia for your consideration and attention.

Yours sincerely,

INGRID HUSSELMANN
CHIEF: OMBUDSMAN'S OFFICE

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WRITTEN SUBMISSIONS: THIRD & FOURTH UPR CYCLE & IDEAS FOR FIFTH CYCLE INNOVATIONS -

1. During the third (2017–2021) and fourth (2022–onwards) cycles of the Universal Periodic Review (UPR), the Ombudsman Namibia has introduced several concrete, promising, and innovative practices to advance the implementation of recommendations to strengthen human rights protection, particularly regarding the rights of vulnerable groups.

A. EXAMPLES OF GOOD PRACTICES:

1. Implementation of UPR recommendations:

- *Advancing Legislative Change (The Ombudsman Bill):* The Ombudsman is advocating for the Ombudsman Bill, to be tabled and passed to align the institution with international standards (Paris Principles), to strengthen its independence, and allow for wider powers to investigate human rights violations.
- *Focus on Environmental and Land Rights*: The Ombudsman actively monitors and reports on the implementation of the Whitepaper on the Rights of Indigenous Minorites, including the San people.

2. Monitoring and Follow-up Practices

- *Legal limitations:* The Ombudsman despite limitations on its mandate, which does not explicitly provide for the monitoring and promotion of human rights, visit places of detention, and investigates complaints regarding a wide range of economic social and cultural rights.
- *Systemic Investigations:* Despite being primarily an individual complaints receiving body, the Office has engaged in systemic investigations related to public service delivery, addressing maladministration that affect the realization of rights.
- *Monitoring "compliance with constitutional provisions*": The Office has focused on monitoring compliance with the rights to a fair trial for example requirements that arrested individuals appear in court within a reasonable time, highlighting adverse impacts on the criminal justice system discovered during monitoring visits to police holding cells.

3. Cooperation with the Executive and Legislative Branches

- *Human Rights Training for Namibian Police Force (NAMPOL):* The Ombudsman regularly hosts capacity-building training on human rights and ethical policing for the Namibian Police Force (Most recently, September 2025 and November 2025), directly addressing recommendations regarding torture prevention and administrative justice.
- *Direct Reporting to Parliament:* The Ombudsman utilizes its statutory power to report directly to the Speaker of the National Assembly regarding investigations, where institutions failed to comply with Ombudsman recommendations for debate in parliament.
- *Proactive Participation in Law Reform:* The Ombudsman by virtue of his position is a member of the Law Reform and Development Commission to play and active role in legislative reforms, directly responding to UPR recommendations.

4. Cooperation with Civil Society

- *Strengthening community engagement*: The Ombudsman has partnered with NGO's like the Legal Assistance Centre (LAC) and community leaders, particularly in indigenous minorities (San communities), to bridge the gap between people and the law.
- *Collaborative UPR Submissions*: The Office, serves as an observer on Namibia's National Mechanism for Implementation, Reporting and Follow-up (NMIRF) namely the Inter- Ministerial Human Rights and Humanitarian Law Committee which, in collaboration with CSOs, works to ensure the UPR process is inclusive and that the implementation of recommendations are effectively monitored.
- *Establishment of Regional Offices*: The Ombudsman has focused on expanding regional presence to make the office more accessible to rural citizens, strengthening cooperation with local community leaders, CSO's and NGOs.

5. Innovation and Strengthening Independence (4th Cycle)

2025 Ombudsman Bill Efforts: Despite the withdrawal of the 2024 Ombudsman Bill, the office has continued to advocate for a legislative framework that provides for a dedicated

budget vote and the appointment of an Executive Director, aimed at financial and administrative independence.

B) ADVOCACY AND AWARENESS RAISING AT ALL LEVELS

Key Concrete and Innovative Practices:

- *Multimedia Awareness Campaign for Children's Rights (3rd/4th Cycle):* The Children's Advocate within the Ombudsman's office launched a media campaign featuring animations tailored for children/learners, covering four clusters of rights (development, participation, survival, and protection). This included using cartoons and posters in local newspapers to make rights, such as those under the Child Care and Protection Act 3 of 2015, more relatable and accessible to children.
- *"My Rights are My Superpowers" Campaign (Ongoing)*: The office developed educational materials, such as "My rights are my superpower," designed to teach learners about their rights and the Constitution where learners participated during school visitation programs.
- *Regional Visits & Targeted Advocacy (3rd/4th Cycle):* The Ombudsman annually visits regions to hold meetings with community members, regional and local authorities, police chiefs), and to inspect detention and childcare facilities.
- *Own Motion Investigations as Advocacy (3rd/4th Cycle):* The Ombudsman has utilized its power to launch "own motion" investigations into systemic issues—such as environmental destruction (sewage issues) and poor conditions in police holding cells. This acts as a form of high-level advocacy to force government accountability.
- *Police Training Manual on Anti-Torture Prevention:* Following earlier recommendations, the Ombudsman developed in conjunction with German Embassy Anti-Torture Police Manual and conducted training for police officers on the prevention of torture. This was integrated into training to raise awareness among law enforcement on human rights standards.

Human Rights Community Engagement-training: The Office of the Ombudsman, in collaboration with partners is committed to strengthening civic responsibility and legal literacy across all regions of the country, understanding and annually hosts community workshops on Access to Justice and the Legislative Framework to Combat Gender Based Violence, Trafficking in Persons and Child Care and Protection.

Focus Areas on Awareness Raising:

- *Environmental Rights:* The Ombudsman advocates for the protection of the environment, linking it to the rights of citizens, including investigating the over-utilization of natural resources.
- *Constitutional Awareness:* Regular outreach campaigns are conducted to educate the public on the Namibian Constitution and the role of the Ombudsman.

C) THE OMBUDSMAN'S ROLE REGARDING GOVERNMENT-HELD CONSULTATIONS PRIOR TO THE REVIEW

Here are specific examples of these practices:

- *Active Engagement with Vulnerable Groups and Civil Society*: The Ombudsman has used outreach programs to connect with indigenous communities, ensuring their issues regarding access to government services are included in reports to the Human Rights Council.
- *Regional Cooperation*: The office has engaged in regional peer-review and best-practice sharing, within the SADC region, to strengthen regional human rights frameworks.
- *Targeted Training and Manuals for Duty-Bearers (Police/Correctional* Services): In preparation for and in response to UPR recommendations regarding torture and excessive force, the Ombudsman initiated the review and update of the Namibian Police Human Rights and Torture Prevention Training Manuals. The office also directly co-facilitated workshops with the Namibian Correctional Service (NCS) on the use of force, incorporating human rights standards and providing, data-driven feedback on incidents of brutality and medical neglect.

D). THE OMBUDSMAN'S WRITTEN SUBMISSIONS FOR THE SUMMARY OF STAKEHOLDERS INFORMATION (PROCESS OF DRAFTING, STRUCTURE, CONTENTS)

- The Office of the Ombudsman serves as Observers in the Inter-Ministerial Human Rights and Humanitarian law Committee.
- The Office takes part in the initial stage until the finalization of the UPR Report.
- The Office of the Ombudsman also draft shadow reports during UPR and is allowed to draw attention on some of the issues during meetings that was raised in the UPR recommendations.

2. INNOVATIONS FOR THE UPCOMING 5TH CYCLE (2027-2032),

2.1 National consultations with government and stakeholders; knowledge sharing; mid-term reporting, and follow-up modalities:

- *Strenghtening IMC*: The Ombudsman is advocating for budgetary provisions for the IMC- to develop an implementation plan with line ministries; to meet quarterly to discuss progress on unresolved recommendations.
- *Regional Knowledge Exchange Platform*: The Ombudsman intends to utilize the 5th cycle to strengthen online platforms for knowledge sharing with other Southern African Ombudsman offices, promoting the exchange of best practices on UPR implementation and monitoring.