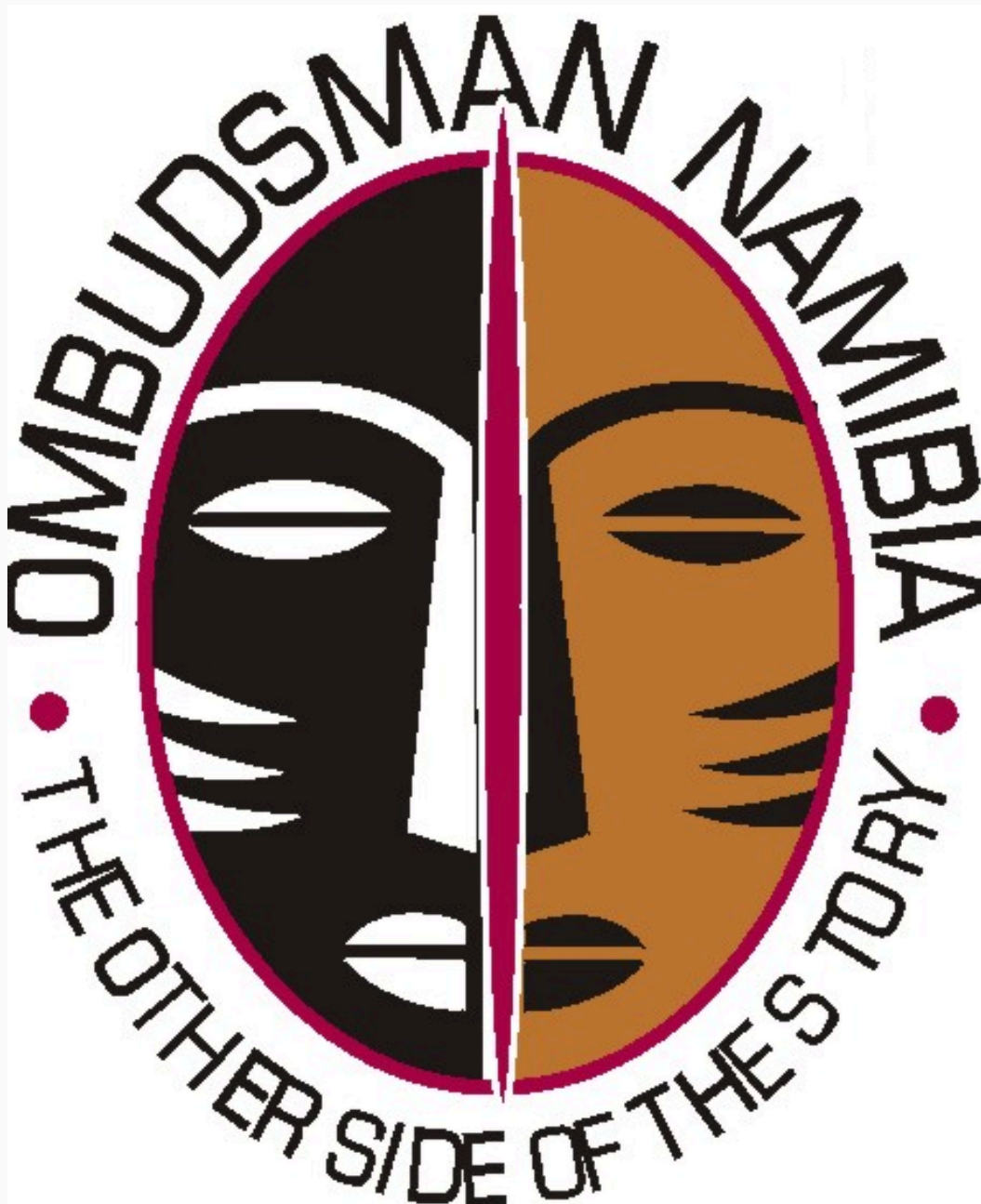


## THE OTHER SIDE OF THE STORY: AN OMBUDSMAN NAMIBIA QUARTERLY NEWSLETTER



## EDITOR'S NOTE

### Forging a legacy of Engagement and Collaboration

Welcome to this edition of our quarterly newsletter! As we reflect on the past four months, two themes stand out: our commitment to stakeholder engagement and our role as a regional partner for learning and exchange.

For decades, we've been at the forefront of promoting and protecting human rights. As an institution that started in 1990 with the Ombudsman and two staff members, we have come a long way in terms of growth and acquiring a wealth of experience that positions us uniquely to serve as a beacon for our sister institutions.

We've been delighted to host two learning exchange visits during this quarter, sharing our best practices and insights, and fostering a collaborative environment where all can grow with the Ombudsman offices of Angola and Botswana respectively. These exchanges are invaluable, allowing us to learn from each other while demonstrating how our established frameworks and accumulated knowledge can benefit newer or developing NHRIs in the region.

In the meantime, we continued with our core work on the domestic front. The Ombudsman released a major investigation report to the media and made use of an induction and training workshop for members of parliament in May 2025 to advocate for the passing of our Bill.

The Ombudsman's statement is contained in this edition. We've been engaging with Members of Parliament, highlighting the significance of this Bill for the advancement of human rights and good governance in our nation.

We believe that by strengthening our relationships with stakeholders and actively partnering with our regional counterparts, we amplify our collective impact. Thank you for your continued engagement and support as we strive to uphold human rights for all.

Your feedback is important to us, in our quest to improving and adequately meeting your information needs, please reach us on [office@ombudsman.org.na](mailto:office@ombudsman.org.na) for feedback. We look forward to informing and educating you in the next quarter.

Best regards,



***Ingrid Husselmann:***  
***Chief Office of the Ombudsman***



## MISSION, VISION, AND VALUES

**Our Mission** Strives to promote fair, effective administration, protect human rights, the environment and natural resources of Namibia through independent and impartial investigation and solutions and raising public awareness.

**Our Vision** To be a public institution that serves citizens in a way that is fair, accountable, transparent and respectful to their rights.

### Our Values

- ☒ Fairness, independence and objectivity
  - ☒ Accessibility
  - ☒ Confidentiality
- ☒ Respect for the opinions of others
- ☒ Non-discrimination – equal service for all members of the public
  - ☒ Integrity
- ☒ Empowering people to find their own solutions to problems
  - ☒ Responsiveness, efficiency and effectiveness.

## STATISTICS OF CASES RECEIVED IN THE QUARTER ONE

The statistics provide insight into the cases investigated during the reporting period from 01 April to 30 June 2025 , they serve as a tool for planning and improving on certain aspects of our investigations. These statistics are extracted from the electronic case management system.

The complaints for the reported period are broken down into various categories and the number of complaints as depicted below.

Category	Number of Complaints
o Administration of Justice	40
o Civic Affairs	11
o Civil Matter	8
o Compensation	49
o Complaints involving children	27
o Consumer	4
o Corrupt practices	4
o Court decisions	65
o Disputes involving private persons or institutions	70
o Employment matters	80
o Health Services	6
o Housing	13
o Human rights violation	64
o Land Disputes	4
o Legal fees/ services	29
o Licenses/ Permits	1
o Medical Aid	6
o Ministry/ Institution conduct/ failure to act	242
o Pension	13
o Police conduct/ failure to act	291
o Prison conduct/ failure to act	103
o Request for information	46
o Tax	1
o Torture	3
o Traditional Authority	5

**Total number of cases listed: 1185**

## **Ombudsman Investigates Ndama East School**



The right to education is fundamental, yet for over 600 learners at Ndama East Primary School in Rundu, this right is a daily struggle. An article by Sawi Hausiku in the New Era newspaper on April 15, 2025, highlights the dire situation at Ndama East Primary School in Rundu. Over 600 students are forced to learn under trees with makeshift chalkboards due to a lack of proper infrastructure.

By: Sawi Hausiku

RUNDU – Ombudsman Basilius Dyakugha and his investigators recently visited the Ndama East Primary School in Rundu, where learners are taught under trees.

The school was established by community members in 2022.

It cannot accommodate all 630 students and 15 volunteer teachers. Learners are taught under 13 big trees around the school, made up of three corrugated iron sheet classrooms.

Chief complaint investigator in the Office of the Ombudsman Utjitiraije Mberirua told Nampa that their visit to the school was prompted by complaints from the Ndama East community.

The community is not happy that education continues to take place under trees, and at times during harsh weather conditions.

"As the Office of the Ombudsman, we are mandated to see to it that the rights of children are protected. This prompted us to visit the school to familiarise ourselves with the situation on the ground," Mberirua said.

The investigator said upon arrival at the school, they found learners being taught under trees, with some sitting on the bare ground and others on tree trunks.

The school also does not have proper chalkboards. Instead, big metal plates serve as makeshift chalkboards.

The Ndama East community and education ministry have been involved in a dispute for close to three years.

This was after the ministry directed the construction of a school at Ndama South instead of Ndama East as per their initial plan.

Mberirua said officials from the Office of the Ombudsman met with the regional education director and senior officials as well as Kavango East governor, who told them they are ready to build a school at Ndama East, provided the Rundu Town Council provides land.

The director has reportedly been writing letters to the council in this regard, but did not get any response.

"The director assured us during this meeting that the new minister has been informed about the school, and that five teaching posts have been budgeted for. A temporary headmaster will also be appointed while the directorate engages council to provide land to the ministry," Mberirua added. A volunteer teacher at the school, Ndara Asser, said they were informed that the ministry was going to erect tents last week.

However, none of that has happened.

"It's rainy season now, and classes get disrupted. At times, we are forced to squeeze learners into the corrugated iron classrooms, which are not conducive to learning," he lamented.

The school is challenged with the availability of water, forcing teachers to carry water in containers from their homes to school every day.

The director of education in the region Christine Shilima told Nampa on Sunday that she is still waiting to hear from the Rundu Town Council (RTC) to grant approval on the availability of land.

"I am not allowed to erect tents on the school premises without approval. Up to now, the RTC has not responded on the issue," she noted.

Upon enquiry, RTC CEO Olavi Nathanael told Nampa that the land allocation process is underway, and council will communicate its decision to the directorate upon completion of all necessary approvals. -Nampa



## **KONRAD ADENAUER STIFTUNG RESIDENT REPRESENTATIVE VISITS THE OMBUDSMAN**



***Mrs. Anna Hoffman-Kwanga, resident representative for KAS and Ombudsman Basilius Dyakugha***



***FLTR: Mr. Hendrik Mauyoma; Chief Legal Officer, Ms. Ingrid Husselmann; Chief, Mrs. Anna Hoffmann-Kwanga, Adv. Basilius Dyakugha, Mr. Andreas Leonard; COO of MindInAction STEAM, Ms. Claudia Gossow; Program manager KAS, and Mr. Timothy Shangadi; Deputy Director head of Investigation.***

We were pleased to host Mrs. Anna Hoffmann-Kwanga, the newly appointed Resident Representative for KAS Namibia-Angola, on April 30, 2025, for a productive courtesy visit.

The insightful exchange included a significant moment: the official handover of the Constitution of Namibia Mobile App Pull-Up Banner. This valuable contribution from KAS was made in collaboration with Andreas Leonard, co-founder of the Mindsinaction STEAM Centre. This visit further solidifies the strong partnership between the Konrad Adenauer Stiftung (KAS) and the Office of the Ombudsman Namibia. Our joint efforts continue to champion vital principles such as #AccessToJustice, #humanrights, #GoodGovernance, and #equalityforall across Namibia.

## **THE ANGOLAN OMBUDSMAN AND NAMIBIAN OMBUDSMAN SIGNS A MEMORANDUM OF UNDERSTANDING.**

In a significant step towards enhanced regional cooperation, the Angolan Ombudsman and the Namibian Ombudsman signed a Memorandum of Understanding (MoU) on 14 May 2025. This landmark agreement aims to foster the sharing of knowledge and exchange of experiences, ultimately strengthening and promoting cooperation between the two institutions.



**Angolan Ombudsman: Dr. Antonia Florbela Rocha Araújo and Namibian Ombudsman: Adv. Basilius Dyakugha**





**Chief Office of the Ombudsman: Ingrid Husselmann, and  
Angolan Ombudsman: Dr. Antonia Florbela Rocha Araújo**



**Angolan Ombudsman: Dr. Antonia Florbela Rocha Araújo and  
Namibian Ombudsman: Adv. Basilius Dyakugha**

The MoU outlines several key objectives designed to facilitate a robust partnership:

**Sharing Best Practices:** Enable the exchange of experiences, best practices, and effective strategies in ombudsman work.

**Resource Exchange:** Promote the regular exchange of publications, educational materials, and relevant studies.

**Legal and Policy Information:** Facilitate the exchange of legal instruments, policy documents, and other materials pertinent to each institution's mandate.

**Human Rights Promotion:** Support the exchange of programs and mechanisms for promoting and protecting human rights within their respective jurisdictions.

**Joint Capacity Building:** Undertake collaborative initiatives such as professional workshops, study visits, and staff exchanges to share administrative techniques and institutional practices.

**International Cooperation:** Encourage cooperation with other international institutions that have similar mandates.

**Improved Access to Services:** Enhance access for residents and nationals of both Angola and Namibia to the services and mechanisms of the respective ombudsman institutions.

**Knowledge on Institutional Management:** Share expertise on the administration and management of international operations for each ombudsman institution.

**Collaborative Dialogue:** Engage in discussions on matters of mutual interest related to the International Ombudsman Institute (IOI), the African Ombudsman and Mediators Association (AOMA), and the African Ombudsman Research Centre (AORC).

**Strengthening National Roles:** Exchange information on effective institutional strategies for strengthening or expanding the national roles and mandates of the Ombudsman.

This MoU signifies a commitment to mutual growth and effectiveness in upholding good governance and protecting human rights across both nations.

As part of the program, the Angolan delegation traveled to Swakopmund where they visited local correctional facilities and police holding cells, and gained insight into Namibia's detention system, and the Ombudsman's role in monitoring places of detention. In addition we show cased our advocacy work - especially for children as well as our Case Management System (CMS).



## STATEMENT BY ADV. BASILIUS DYAKUGHA AT INDUCTION AND TRAINING OF MEMBERS OF PARLIAMENT 2025



GREETINGS from the small staff from Ombudsman's office to you all, and they also sent their congratulations for being elected as law makers of this good-looking nation.

Did you know that it is very difficult to address this August House, because some are PhD holders, Professors, medical Drs, and Advocates and they want to be addressed with both tittles as such, but today I want you to permit me to address you as:

Honorable members of the National Assembly, one the 3 Organs of the State of Namibia.

The American they have even gone further, they refer to their colleagues in Congress as Honorable Gentlemen and Gentlewomen.

I have been asked to make a PowerPoint presentation about Ombudsman's mandate and functions. It serves as refresher intended to enhance your appreciation for the reasons why the framer of our constitution decided to create the Ombudsman as an independent institution which is headed by a person at level of a High Court Judge one of the top Government officials in Namibia. They deliberately gave the Ombudsman that credibility, integrity, authority, and the impartiality of appropriateness so that when he/she conduct the investigation and make recommendations.

This is how I am going to do it; SPEAK: I will state the facts, provide examples, explain why it matters, address the concerns, and I will keep it concise.

Let me start with two African Proverbs; "where you will sit when you are old, shows where you stood in your youth time"

The second one says; "An intelligent enemy is better than a stupid friend"

I will give you a hint on the first proverb, but the second one is self-explanatory to me...., but here is the hint. When I arrived at the Ombudsman's office, I spotted foot prints of people who were in very interesting position of authorities who remembered that Ombudsman can attend to their problems. But they forgot that they didn't capacitate the office according to the Constitutional provisions. Till today, the office operates as a directorate of Justice, the arrangement which is not in line with the Article. 89 (2) of the constitution.

Now, because the Ombudsman occupies such an important constitutional office, the office generates a great deal of high expectation from the public. Therefore, Ombudsman must be accessible to all people and communities in Namibia. This is why I want this 8th parliament to assist me to establish more regional offices in other regions.

What are the Challenges?

The first challenge some OMAS (institutions) are not cooperating with the office when the report is not in their favor. They simply ignore Ombudsman's report, they don't comment on the report. As it is one of our operational requirements to before we can send it to the Speaker of the National Assembly.

The second challenge is general in nature; judging from the nature of complaints we are receiving, as a nation we are confronted with multiple challenges ranges from maladministration, human rights violations, and environmental issues. All these are happening because of our own fault; because we are undermining, not respecting our own constitutional and democratic institutions; and in the end we become corrupt and fail to deliver the basic services to the population.

As leaders we should do everything in our powers not to weaken State institutions, neither by way we appoint top officials or through our actions. Parliament should do more to provide sufficient funding so that those institutions could detect the problem of bad service delivery in public institutions before it could even give room to corruption.

I will leave you with another African proverb for your personal thoughts: the first one is an African Proverb; that says: "A cat that dreams of becoming a lion, must begin of losing an appetite for rats" this African proverb is a metaphor for way of expressing the idea that in order to achieve significant growth or transformation in life, in your case as political leaders; one must be willing to let go small insignificant pursuits or habits.

I thank you, Mpanduzonene for inviting me!

## **OMBUDSMAN RELEASES A REPORT ON INVESTIGATIONS INTO ALLEGATIONS UNLAWFUL OF MINERAL EXTRACTION IN EPUPA CONSTITUENCY, KUNUNE REGION**

On April 29, 2025, the Ombudsman officially released an investigation report on allegations of improper mineral extraction in the Epupa Constituency. The report, unveiled at our office in the presence of media representatives, addresses serious complaints regarding mining activities on land traditionally belonging to indigenous or marginalized communities.

The investigation was initiated following a formal complaint from four traditional Chiefs in the Kunene region. Their grievance highlighted concerns that mineral extraction occur without the communities' Free, Prior, and Informed Consent (FPIC).

Prior to its public release, the report containing our findings and recommendations was shared with key government officials, including the former Minister of Mines and Energy, Tom Alweendo, and the Deputy Prime Minister, Natangwe Ithete.

The report emphasizes respect for the fundamental rights of indigenous people to benefit from mining activities on their ancestral lands. These rights are rooted in the principle of FPIC, which encompasses: The Right of indigenous communities to actively Participate in Decision-Making: that affect their land and resources. The Right to Negotiate Agreements: ensure their equitable benefit from mining operations. FPIC ensures that their cultural heritage and environmental rights are protected during mining activities.

Furthermore, mining companies bear the responsibility to engage with communities, to foster sustainable development in mining regions.

The full report is available for public access on our website under the "Other Reports" section.



*Ombudsman, Basilius Dyakugha welcoming the media*



*Mr. Timothy Shangandi, Deputy Director: Head of Investigations sharing the findings in the report with the media*



*FLTR Mr. Timothy Shangandi, Deputy Director: Head of Investigations, Mr. Hendrik Maunyoma: Chief Legal Officer, heading Human Rights & Legal Services Division, Mr. Teofelus Tuyeni and Mr. Rooi Benjamin both Special Investigators.*



## Office of the Ombudsman Hosts Botswana Counterparts for Benchmarking Visit

Our office had the distinct pleasure of hosting a delegation from the Ombudsman Botswana during a productive three-day benchmarking visit.

The visit, held from April 14th to 16th at our Windhoek office, was specifically aimed at providing the Botswana delegation with insights into the work and functions of our Children's Advocate.

The visit's agenda was comprehensive and insightful:

- Day One set the stage with in-depth discussions on the operational structure and legal mandate of the Ombudsman, with a particular focus on the specific role of the Children's Advocate.
- Day Two was dedicated to practical engagements. The delegation conducted site visits and held discussions with key child protection stakeholders, including the Ministry of Gender Equality, Poverty Eradication and Child Welfare (formerly the Ministry of Gender and Child Welfare), the Children's Court in Windhoek, the Legal Assistance Centre, and UNICEF. Additionally, the delegates conducted site visits and inspections at various childcare facilities (CCFs).
- Day Three featured enlightening presentations. Ms. Ingrid Husselmann, the Chief, delivered a presentation on effective strategies for child rights advocacy and awareness raising. Following Mr. Hendrik Mauyoma, acting Head of the Human Rights and Legal Services Division, presented on the crucial topic of monitoring and reporting child rights violations.

The enriching three-day engagement concluded with a visit to the iconic Independence Museum, providing a cultural capstone to the learning experience.

The Office of the Ombudsman values such international collaborations, which foster shared learning and strengthen the protection of human rights, particularly those of children, across our respective nations.



**FLTR:** Ms. Draupadi Nowlotha: Senior Legal Investigator, Botswana Ombudsman; Ms. Dimpo Makopo: Chief Legal Investigator, Botswana Ombudsman; Mr. Hendrik Mauyoma our Chief Legal Officer; Ms. Ipeleng Makaba, Assistant Ombudsman Botswana, Ombudsman Basilius Dyakugha; Ms. Ingrid Husselmann our Chief; Ms. Aune Haita: our Senior Social Worker and Ms. Daphne Coetzee: our Legal Officer.



# Stakeholder Engagements

## CONSULTATIVE MEETING AT OUR KEETMANSHOOP REGIONAL OFFICE

In response to a rise in employee complaints within the Health Directorate, a crucial engagement was held on the 16th of May 2025 with the regional management to reinforce the principles of good governance and improve supervision. The primary aim was to educate employees on their responsibilities to foster a more accountable work environment.

The session served as a platform to address various pressing issues, including:

- Human Resources Matters, specifically concerns such as unfair transfers and the procedures surrounding disciplinary inquiries.
- Clarification and deliberation on existing housing policies.
- Other administrative issues affecting employees.

Mr. Sylvester Sibungu, emphasized the critical importance of compliance with institutional laws and policies. He specifically highlighted the Public Service Act and the need for employees to meticulously follow the guidelines outlined in their respective Directorate's operational procedure manuals.



*Mr. Sylvester Sibungu presenting to the audience*



*Employees of the Health Directorate*





## Welcoming young people to our Keetmanshoop Regional Office



**Mr. Sibungo the Chief Investigator for our Keetmanshoop Office engaging with the students from UNAM southern campus**

On Monday, May 12, 2025, our office in Keetmanshoop welcomed a delegation of 12 students from the University of Namibia's Southern Campus. The visit was hosted by Mr. Sylvester Sibungo, Chief Complaints Investigator.

Led by Dr. Straws, a lecturer from the campus, the students' visit aimed to provide them with a comprehensive understanding of the Ombudsman's mandates. A particular focus was placed on how the office handles complaints involving children.

During the insightful session, Mr. Sibungo provided a detailed overview of the office's general responsibilities and specifically elaborated on the crucial role and duties of the Children's Advocate. This engagement offered the students valuable real-world insight into the workings of the Ombudsman's office and its commitment to protecting the rights of all citizens, especially children.





## **Otjiwarongo Regional Office Supports Grootfontein Police Station**

The Otjiwarongo Regional Office made a valuable donation to the Grootfontein Police Station, providing 70 rolls of toilet paper for inmates.

This initiative stemmed from a visit that took place in May where it was observed that a shortage of toilet paper was leading to the use of blankets and newspapers by inmates, unfortunately causing significant plumbing blockages within the facility. To address this issue, ten rolls were distributed to each of the seven cells.

The Otjiwarongo Regional Office is proud to support the Grootfontein Police Station in maintaining hygiene and improving conditions for inmates.



*Ms. Gissellah Jacob, our Complaints Investigator in Otjiwarongo handing over donated items to inmates*



*Inmates giving their complaints to Ms. Jacob*



*Identified inmates being sent to the hospital for medical attention*

## STAFF PROFILE:



**Ms. Cherryline Cloete**

In this edition of the other side of the story, we get to know the Senior Administrative Officer in our Swakopmund office, Ms. Cherryline Cloete. Cherri, as she is affectionately known, has been employed since 01 February 2016. She was born in Windhoek but raised in Rehoboth.

Cherryline started high school in Tsumeb after her father pursued his mining career. She obtained her Grade 12 certificate at Etosha Secondary School and her career in public service began shortly thereafter. She is currently pursuing a bachelor's degree in business administration at the International College Lingua. Because according to Cherri: "**you are never too old to learn and life only starts at 40,**" Cherryline.

She also enjoys trying out new recipes and luckily her family members are willing guinea pigs who taste everything.

One thing Cherryline enjoys about her job is meeting with people from different walks of life. Although she is a quiet person she is quite a people's person once you get to know her. In her free time she crochets which she considers to be very therapeutic, as well as watching soap operas like Suidooster. She is ambitious to complete her degree and grow professionally in Business administration.

### **Five facts about Cherryline:**

Only Daughter of four kids

Closet Mechanic

Dye my hair as my mood changes

On my bucket list is a Mercedes Benz AMG with a V8 sound - makes my head turn .

She likes drag racing – and loves the adrenaline rush.



## In Loving Memory of Our Esteemed Colleague



**Simasiku Bernad Mukaya**

**Born: 30.04.1990**

**Departed: 10.05.2025**



Some of the colleagues sharing a moment with the departed's family members





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