

STATEMENT
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Internet Society (ISOC) Namibia

My name is Josaphat Tjiho and I am from the Internet Society Namibia chapter, a local chapter of the internet society global with the mission to promote the development of the internet.

Namibia hosted its National Consultation on the UPR last year in October however the Internet Society was not part of that engagement.

This made many promises to address key issues which is freedom of expression, access to information, and data protection and privacy.

Two countries, specifically Sweden and Norway, gave recommendation on Namibia's first cycle on freedom of expression.

Nonetheless other laws restrict freedom of expression in Namibia as well as the Protection of Information Act 84 of 1982 and the Namibia Central Intelligence Service Act 10 of 1997.

The government has increased its financial allocation to the office of the Ombudsman, and in June 2020 Namibia's Access to Information Bill was also tabled in Parliament and is under consultation.

Our recommendations under these are to amend Article 21 of the constitution to remove restrictions on freedom of expression on the undefined grounds of "decency or morality" "defamation" or "incitement" and desist from criticism and harassment of journalists and the media.

On access to information:

About six countries gave recommendations to Namibia on issues of and around access to information, however the Women's Rights Online report done by the Internet Society has also found that there is an increase in gender inequality when it comes to information online.

In an interesting new development, journalists in most cases are hindered to acquire relevant information to report on especially national information as the country does not have current information laws.

Namibia is one of the countries with the highest internet cost. A report done by the Internet Society also found that about 1 GB of data cost about 8% of average monthly income.

Our recommendation on this is to repeal the Protection of Information Act no. 84 of 1982, especially in light of the Access to Information Bill, as well as the Namibia Central Intelligence Service Act 10 of the 1997 Bill, section 4, which bluntly prohibits persons from accessing information on the grounds of "national security".

On data protection:

The first Review on the country did not have specific recommendations on data protection and privacy. The recommendations given and that indirectly speaks to protection and privacy were more on having policies on equality, safeguarding of human rights as well as protection and promotion of human rights.

The right to privacy is provided for under Article 13 of the Namibian constitution. The Women Rights online report also found that the Namibia Policy and their Women and Child Protection Unit have not received any training on ICT violence against women.

Online violence against women and children has become a challenge to both government and law enforcement institutions given the status of the outdated law.

In February 2020, a multi-stakeholder consultation on data protection bill was hosted, reportedly engaging with 85 people from government, civil society, as well as other stakeholders.

Our recommendation is to operationalize the Universal Service Fund and National Broadband Policy 2020 to promote affordable, equal and equitable access to the internet and related technologies among women and underserved communities.

I thank you.

