



DIGITAL RIGHTS AND INCLUSION IN AFRICA REPORT

NAMIBIA
COUNTRY REPORT

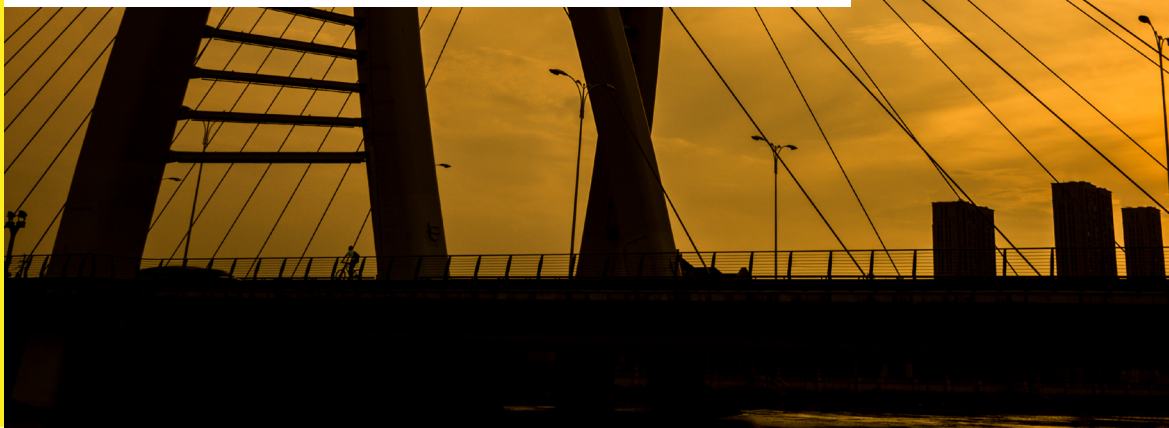
2024



Executive Summary

This report presents an overview of digital rights and digital inclusion in Namibia for 2024. It provides this overview by reviewing developments in the country as well as publicly available information and data. The report reviews academic research, news coverage, parliamentary engagement and political pronouncements on matters of interest. This study further assesses compliance with the African Charter on Human and Peoples' Rights and notes any decline or progress from 2023 as reported in the Londa 2023 Report. The report demonstrates the level of State compliance with key international standards and assesses the state of digital rights and inclusion ensuring all the 12 key indicators in *TheScore Index by Paradigm Initiative*. The report presents internet access in the country and addresses accessibility as a matter of public interest. It also reviews cases of media freedoms in the digital era while considering issues of gendered disinformation and criminalisation of false news.

Furthermore, the report covers matters related to data protection and privacy, presenting cases on cybercrimes and how they are dealt with in the country. The report looks at surveillance and smart city developments in Windhoek in particular and discusses how this is linked to privacy amongst citizens. Other thematic areas include censorship and content moderation by global platforms. The report also considers if the transparency mechanisms engaged by platforms are extended for Namibia. The report reviews the work done since the passing of the 2022 Access to Information law while also engaging on how AI and emerging technologies are dealt with in the Namibian context, particularly in the absence of an AI-specific policy pronouncement, the report assesses the extent of digital inclusion, Digital ID systems, costs of data and the status of the Universal Service Fund. Finally, the report makes recommendations towards improving all matters related to digital rights and inclusion in Namibia.



Introduction

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The Southern African country, dubbed a large country with a small population, Namibia, continues to deal with inclusion issues related to digital matters. With a now-confirmed population of 3 million citizens,⁵⁸⁴ Namibia, like many African countries, is experiencing increasing urbanisation and digitization.⁵⁸⁵

The year 2024 began while Namibia was busy with the implementation of mandatory SIM registration as carried out by the mobile network operators (MNO). Enforced and supported by the government and the regulator, SIM registration has seen one of the MNOs carrying out mandatory biometric collection⁵⁸⁶ as part of this exercise. With a deadline set for December 2023, only 65% of the population had complied with the mandatory SIM registration, forcing a deadline extension⁵⁸⁷ to March 31, 2024. The lack of uptake could be interpreted as public defiance to biometric collection in addition to other challenges that come with SIM registration. While Namibia has never experienced internet shutdowns, consistent infrastructure wear and lack of public investment in telecommunications infrastructure have seen the country constantly suffering network outages, including throughout the year 2024.⁵⁸⁸

584 Population surges to over 3 million: Census Report, Namibia Economists, March 2024, <https://economist.com.na/86639/headlines/population-surges-to-over-3-million-census-report/>

585 https://www.wesgro.co.za/uploads/files/Research/Wesgro-IQ_Namibia_2021.05.pdf

586 MTC defies Cran on biometrics directive, The Namibian, May 2023, available at <https://www.namibian.com.na/mtc-defies-cran-on-biometrics-directive/>

587 Namibia extends SIM registration deadline to March, Connecting Africa, January 2024, available at <https://www.connectin-gafrica.com/regulation/namibia-extends-sim-registration-deadline-to-march>

588 Power outages leave Namibians without telecom network, IT Web, July 2024, available at <https://itweb.africa/content/lwrKx73YoQbqmg1o>

Internet access

ITU data⁵⁸⁹ indicates that 64.3% of individuals use the Internet. In aiming to mitigate digital inclusion challenges faced in the country's major urban area, the city of Windhoek has reportedly installed 10 km of fibre⁵⁹⁰ in a country that has an 18,790-kilometre network. This adds to the broader expansion of terrestrial fiber networks seen to enable widespread access to cyberspace.

As reported in the Londa Report for 2023⁵⁹¹, the rollout of Google's Equiano subsea cable⁵⁹² had the potential to connect South Africa and Europe, adding to the impetus of heightened digital connectivity between Namibia, the rest of Southern Africa, and the rest of the world. The Google Equiano cable was activated in July 2024⁵⁹³, signifying a "quantum leap forward in Namibia's digital transformation journey, paving the way for an era of unprecedented connectivity and boundless opportunities," according to Telecom Namibia, the implementing partner. Expectations for a higher bandwidth capacity, better latency, and faster speeds at a much lower cost, are in place as a result of this activation and Namibia is expected to be on course for more rapid digitisation and an inclusive digital economy.

In 2024, the Communications Regulatory Authority of Namibia (CRAN) announced a public auction of spectrum in the 3500-megahertz band to be used for the rollout of fifth-generation (5G) wireless technology⁵⁹⁴. Expectations are that 5G will pave the way for full implementation of smart cities as it allows the efficient deployment of Internet of Things (IoT) devices. Nonetheless, the World Bank had reported that Namibia lags behind peer countries in the adoption of digital technologies despite having a mature telecommunications market⁵⁹⁵.

To date, the country continues to battle with digital divides countrywide due to low population and wider geographic areas. The ITU ICT Development Index 2023⁵⁹⁶ places Namibia at a 68.1 IDI score and a 60.4 Universal Score. Furthermore, the Index provides key indicators for Namibia's digital space as follows:

- 64.3% of individuals use the internet
- 82.7% of Individuals own a mobile phone
- 66.3% of households with internet access at home
- 76% mobile broadband subscription
- 89% of the population is covered by at least a 3G network
- 79% of the population is covered by 4G or LTE network
- has a progress score of 38.3% mobile internet traffic subscription per GigaByte

The report further shows no data for fixed broadband subscription. However, it indicates that Namibia has a 92.2% mobile data as well as voice high consumption basket price in the percentage of GNI per capita of 75.9% on fixed broadband.

The general lack of internet access limits access to technology and disempowers citizens,

589 CT Development Index 2023, ITU, https://trc.gov.jo/EchoBusV3.0/SystemAssets/التركيبة%202023_compressed.pdf accessed 19 December 2024

590 Scramble for city's fibre market, Namibian Sun, July 2024, available at <https://www.namibiansun.com/infrastructure/scramble-for-citys-fibre-market2024-07-05#:~:text=Research%20from%20We%20Are%20Social,-for%20growth%20in%20internet%20services>.

591 Londa Report, Namibia 2023 Paradigm Initiative, available at <https://paradigmhq.org/wp-content/uploads/2024/06/Namibia-Country-Report.pdf>

592 Google's Equiano subsea cable: Namibia economic impact assessment, Africa Practice, 2022, available at <https://africappractice.com/equiano-namibia-eia/> accessed 19 December 2024

593 Telecom activates Equiano Cable connection, The Brief, July 2024, <https://thebrief.com.na/2024/07/namibia-activates-equiano-cable-connection/> accessed 19 December 2024

594 Namibia to Auction 5G Spectrum, Connecting Africa, May 29, 2023, https://www.connectingafrica.com/author.asp?section_id=816&doc_id=785095. accessed 19 December 2024

595 "Creating Markets in Namibia," World Bank Group, July 2022, <https://documents1.worldbank.org/curated/en/099850311112236455/pdf/IDU0ff2db1400403c046b2099a300571336f9a6d.pdf>. accessed 19 December 2024

596 ICT Development Index 2023, ITU, https://trc.gov.jo/EchoBusV3.0/SystemAssets/التركيبة%202023_compressed.pdf accessed 19 December 2024

discourages fostering innovation and stifles economic prosperity. Furthermore, digital literacy⁵⁹⁷ is raised as a concern with possible implications responsible for lower internet accessibility.

Freedom of expression

Namibia is known to have a generally favourable environment for the enjoyment of the freedom of expression. While in 2023, Namibia was ranked 22 in the World Press Freedom Index⁵⁹⁸, the year 2024 has seen the country's global ranking falling to 34.⁵⁹⁹ This 12-point drop has been linked to what is termed editorial interference⁶⁰⁰ cited as a sociocultural aspect, where “journalists are under pressure to not question certain bastions of power or influence or not cover issues challenging the status quo” the report indicates. Furthermore, a challenging economic landscape in the media has further been ascribed to this situation by political and industry experts, who termed it disappointing⁶⁰¹. Furthermore, civil society⁶⁰² maintained that self-censorship continued to be a reality for those working in State media but, this has not been confirmed by monitoring bodies. Nonetheless, private media continues to remain critical of the government.

The 2024 Presidential and National Assembly elections catapulted misinformation in general⁶⁰³ where amongst others various manipulated videos were visible across various WhatsApp groups but also highlighted with concern by the media. The number of women potential candidates for the presidency potentially triggered gendered disinformation towards the candidates in particular. From an AI-generated image of a falling Netumbo Nandi Ndaitwah, then-candidate of the ruling party and President-elect, to a fake prophecy for independent candidate Ally Angula, of “God asking her to withdraw” from the elections⁶⁰⁴, these are some of the gendered disinformation in the peak of elections. These and other matters, such as the increased news of the health of the founding president, Sam Nujoma⁶⁰⁵, had the Minister of ICT calling for responsible use of social media.⁶⁰⁶ Meanwhile, further civil defamation cases have been seen in courts particularly brought and won by the more affluent such as a businessman who sued a citizen to the tune of N\$773 000 (USD 41 300) for questioning, via a social media audio clip, the expenses on his wedding against public hospitals being left without medicine. The businessman supplies state hospitals with medicines as well as other medical supplies.⁶⁰⁷ Another notable case is that of an academic and politician who has taken legal action against a fellow political member and is suing them for N\$370,000. The lawsuit stems from a series of allegations made by a citizen through a widely circulated WhatsApp

597 Embracing the Digital Future: The Crucial Role of Digital Literacy in Namibia, CRAN, July 2024, available at <https://www.cran.na/embracing-the-digital-future-the-crucial-role-of-digital-literacy-in-namibia/>

598 Press Freedom Index: Namibia Ranks Four Places Higher than the UK, Namibian Org, May 2023, <https://namibian.org/news/tourism/press-freedom-index-namibia-ranks-four-places-higher-than-the-uk>

599 Disappointment as Namibia loses top position on press freedom, The Namibian, May 2024, available at <https://www.namibian.com.na/disappointment-as-namibia-loses-top-position-on-press-freedom/>

600 Namibia's press freedom rankings decline amid growing political interference, The Namibian, December 2024, <https://www.namibian.com.na/namibias-press-freedom-rankings-decline-amid-growing-political-interference/#:~:text=Groenewald%20says%20Namibia%20dropped%20in%20global%20rankings%20in%20terms%20of%20political%20reporting.&text=%E2%80%9CPolitical%3A%20Respect%20for%20media%20autonomy,to%2045th%20worldwide%20in%202024>. accessed January 2025

601 Messy year for Namibian Media, The Sun, December 2024, <https://www.namibiansun.com/society/%E2%80%98messy%E2%80%99-year-for-namibian-media2024-12-13143529> accessed January 2024

602 In Dialogue with Namibia, Experts of the Human Rights Committee Praise the State's World Press Freedom Index Ranking, Raise Issues Concerning Corrupt Public Procurement Practices and Implementation of Environmental Legislation, UNHCR, March 2024, available at <https://www.ohchr.org/en/news/2024/03/dialogue-namibia-experts-human-rights-committee-praise-states-world-press-freedom>

603 Elections run by insults, fake news, influencers, paid propaganda, Namibian, November 2024, available at <https://www.namibian.com.na/elections-run-by-insults-fake-news-influencers-paid-propaganda/>

604 Election fake news surge in October 2024, Namibia Fact Checker, November 2024, <https://namibiafactcheck.org.na/news-item/election-fake-news-surge-in-october-2024/>

605 Sam Nujoma Foundation Condemns Fake News on Social Media, Observer, November 2024, <https://www.observer24.com.na/sam-nujoma-foundation-condemns-fake-news-on-social-media/> accessed November 2024,

606 Theofelus urges responsible social media use, Namibian Economist, August 2024, available at <https://economist.com.na/90062/technology/theofelus-urges-responsible-social-media-use/> accessed November 2024

607 Shapwa Kanyama donates N\$773 000 defamation award to cyberbullying victims, Namibian December 2024, <https://www.namibian.com.na/shapwa-kanyama-donates-n773-000-defamation-award-to-cyberbullying-victims/> accessed in November 2024

audio clip, which the plaintiff claims is entirely false and defamatory.⁶⁰⁸

Data Protection and Privacy

Namibia has not adopted policies and laws on cybercrime, data protection, or protection of personal identifiable information. However, the country now has a National Cybersecurity Strategy in place since March 2022⁶⁰⁹. Despite this, the country's critical infrastructure, economic growth, digital inclusion, and governance are under attack from a wide range of cyber actors. In July of 2024, local media reported that Namibia experiences over two million cyber-attacks⁶¹⁰ per year.

This situation is pinned against policy implementation shortfalls. In particular, Namibia still does not have any official national or sector-specific cybersecurity framework for supporting and implementing international cybersecurity best practices. The Cybercrime Bill⁶¹¹ remains under draft since 2014. The main objectives of the bill in combating cybercrime are to protect critical data, address data privacy, enable the Minister of Information and Communication Technology to appoint a computer security inspector and establish a team with clearly defined powers and responsibilities to investigate offences. The Bill is reportedly being refined as part of a comprehensive strategy to overhaul the legislative and policy frameworks governing the information and communication technology (ICT) sector.⁶¹²

Furthermore, the Ministry of Information and Communication Technology is reportedly improving the draft Data Protection Bill of 2013 while also rectifying the Communications Act of 2009 that led to the draft Data Protection Bill of 2022, which includes 10 principles of data protection and the creation of a Data Protection Authority.⁶¹³ At the continental level, the country has made full commitment as part of the few countries in the Southern African Development Community (SADC)—Angola, Mauritius, Mozambique and Zambia being others—that have ratified the African Union Convention on Cybersecurity and Personal Data Protection (the Malabo Convention)⁶¹⁴ which entered into force in June 2023. It would have been expected that as a signatory, added pressure would apply to Namibia to pass those bills and establish the necessary authorities in charge of protecting personal data and to have domestic laws in place to guard personal data.

While the country has a Child Online Protection Task Force,⁶¹⁵ Namibia has no child online protection policy.

Censorship and content moderation

Namibia has no domestic laws enforcing content moderation. Data from the Meta Transparency report⁶¹⁶, covering January to June 2024 as part of Meta's processes to respond to government requests for data in accordance with applicable law and terms of service, indicates there were no requests, legal process requests, emergency disclosure requests, users/accounts requested and finally no requests where some data was produced. The content moderation report by Google⁶¹⁷

608 Swapo School Lecturer Mubita sues Shipwikeneni for defamation, Observer, February 2024, available at <https://www.observer24.com.na/swapo-school-lecturer-mubita-sues-shipwikeneni-for-defamation/>

609 Cybersecurity Strategy well on track, Ministry says, Namibian Sun, October 2024, available at <https://www.namibiansun.com/focus-tel-and-tech/cybersecurity-strategy-well-on-track-ministry-says2024-10-29135112>

610 Namibia experiences over two million cyber attacks per year, The Namibian, July 2024, available at <https://www.namibian.com.na/namibia-experiences-over-two-million-cyber-attacks-per-year/>

611 Namibia to finalise data and cybercrime bills soon, Tech Point Africa, September 2024, available at <https://techpoint.africa/2024/09/10/namibia-finalise-data-cybercrime-bills/>

612 Hertta-Maria Amutenja, "Namibia's Cybercrime Bill Undergoes Redrafting," Windhoek Observer, September 2023, <https://www.observer24.com.na/namibias-cybercrime-bill-undergoes-redrafting>.

613 "Draft Data Protection Bill 2021," Government Gazette of the Republic of Namibia, 2022, <https://action-namibia.org/>.

614 Southern African Development Community Cybersecurity Maturity Report 2021," C3SA, 2022, <https://open.uct.ac.za/server/api/core/bitstreams/308c9128-87a8-4a84-83cf-f811f2e7c39e/content>.

615 Namibians encouraged to protect rights of children in the Digital Realm, NBC, January 2024, <https://nbcnews.na/node/101414> accessed January 2025

616 Namibia, Government Requests for User Data, Meta, 2024 <https://transparency.meta.com/reports/government-data-requests/country/NA/> accessed December 2024

617 Government removal requests by the numbers: Namibia, Google, <https://transparencyreport.google.com/government-removals/government-requests/NA> last accessed December 2024

indicates that there have been 44 total items named for removal by the Government between 2011 and 2022, while there have been three total removal requests received since 2011. Furthermore, no report has been published by TikTok on content takedown⁶¹⁸. However, content shadow banning on specific Namibian content, critical discourses are often hidden from viewership on social media and take-downs as part of content moderation, continue particularly for indigenous communities such as the Ovahimba people. A case in this regard has been brought to the attention of the Meta Oversight Board for review.⁶¹⁹

Access to information

Namibia passed the Access to Information law in 2022⁶²⁰ after being drafted in 2016 and tabled in Parliament in June 2020. However, the law had delays in operationalisation due to capacity and skilling as well as budget provisions. In August 2024, the National Assembly⁶²¹ endorsed regulations for the implementation of the Act. The new regulations are expected to contribute to Namibia's more open and accountable governance framework. Previously training with Government Public Relations arms, the police as well as other public entities have been preparing for the implementation of the Access to Information Act and related regulations. However, amongst others, the government through the Ministry of Information and Communication Technology actively publishes Cabinet Resolutions on its social media groups.

AI and Emerging Technologies

The use of artificial intelligence (AI) is prevalent in various sectors such as education, health, agriculture and labour as reported by a UNESCO report of 2022 that discusses the benefit of AI towards the country's economy and the potential to bridge the digital divide between Namibia and other developing countries⁶²². To date, several AI developments have been noted in the country, including the launch of the AI and Robotics Lab⁶²³ at the Namibia University of Science and Technology (NUST) in partnership with the Bank of Namibia. This partnership is expected to herald a transformative step towards modernising Namibia's educational and technological landscape, placing the nation on the map for artificial intelligence (AI) and robotics innovation.

This and other conversations on AI stem from the 2022 Windhoek Statement on Artificial Intelligence in Southern Africa⁶²⁴ by UNESCO that sets recommendations on AI and Data Governance, Capacity-Building and Awareness-Raising, Investment and Infrastructure, Education, Research, Development and Innovation, Environment and Disaster Risk Reduction, Gender, Collaboration and Partnerships. Several other conversations on regulating AI in Namibia have emerged, ranging from recommendations on setting up an AI Institute by the Fourth Industrial Revolution Presidential Task Force.⁶²⁵ Namibia has become one of UNESCO's 22 African Member States participating in the Readiness Assessment Methodology for Artificial Intelligence⁶²⁶, along with over 50 countries worldwide. A validation of the AI assessment was held in September 2024. With all these developments, the country is still without an AI Policy in place. Given the backlog of data-related laws such as data protection and cybersecurity laws, timelines are not clear when an AI policy would be completed.

618 Transparency Center, Tik Tok, <https://www.tiktok.com/transparency/en-us/government-removal-requests-2024-1> accessed December 2024

619 New Cases for Review, Ovahimba Women Namibia, Oversight Board, December 2024, https://www.linkedin.com/posts/oversight-board-administration_new-case-announcement-activity-7283077689152794625-WNW4?utm_source=share&utm_medium=member_ios

620 Access to Information Act, no 8 of 2022, available at <http://www.lac.org.na/laws/2022/7986.pdf>

621 Namibia endorses Access to Information Act, Observer, 2024 available at <https://www.observer24.com.na/namibia-endorses-access-to-information-act/>

622 AI could bridge Namibia's Digital Gap if challenges are tackled. Namibian Sun, November 2024, available at <https://www.namibiansun.com/technology/ai-could-bridge-namibias-digital-gap-if-challenges-tackled2024-11-11>

623 NUST, Bank of Namibia Partner Launch AI and Robotics Accelerator, NUST, November 2024 available at <https://www.nust.na/nust-bank-namibia-partner-launch-ai-and-robotics-accelerator>

624 Windhoek Statement on Artificial Intelligence in Southern Africa, Windhoek (Namibia), 9 September 2022, UNESCO available at <https://unesdoc.unesco.org/ark:/48223/pf0000383197>

625 Task Force on the Fourth Industrial Revolution Final Report, 2022, The Presidency available at <https://www.ncrst.na/wp-content/uploads/2024/06/4IRTF-Final-Report.pdf>

626 UNESCO AI Readiness Assessment underway in Namibia, Future Media, April 2024, available at <https://futuremedianews.com.na/2024/04/22/unesco-ai-readiness-assessment-underway-in-namibia/>

Digital Inclusion

Namibia introduced Digital Identity (ID) systems, and the country also started issuing digital IDs to refugees in June 2024.⁶²⁷ Biometric IDs will be issued to facilitate access to vital services for thousands of forcibly displaced persons living within the country's territorial borders. Even with this ambition, the likelihood of exclusion is high for the stateless and indigenous groups where documentation could be hard to obtain. The Civil Registration and Identification Act was gazetted in December 2024 while awaiting operationalisation. The Act has been praised for containing essential elements of data protection. However, the lack of personal data protection law has placed worry among many calling for legislation for data privacy⁶²⁸. The digital divide⁶²⁹ between urban and rural Namibia continues to exist, driven by digital literacy rates, prices of data devices as well as access to electricity, despite ambitious plans such as the National Broadband Policy⁶³⁰ that seek to provide affordable 100% broadband coverage.

The financial status of the Universal Service Fund (USF) in Namibia is not known. However, efforts have started to indicate progress in the administration of the USF as of September 2024. Regulations prescribing the Universal Service levy were finally gazetted⁶³¹ with the aim of imposing the levy on every licensee at a rate not exceeding 0.5% of the annual turnover of the licensee concerned. This follows a report⁶³² in June 2024 that the Communication Regulatory Authority (CRAN) was preparing for the operationalisation of the USF in 2024. The implementation of the USF in Namibia is expected to ensure that all citizens have meaningful connectivity. Quoted by the media, CRAN CEO iterated that “the anticipated operationalisation of the Universal Service Fund, in 2024 thus remains a key enabler for digital transformation in Namibia” and its launch is complemented by the government's commitment to make over N\$100 million available for deployment of ICT infrastructure.”⁶³³

627 Namibia begins issuance of much-anticipated biometric ID cards to refugees, Biometric Update, June 2024, available at <https://www.biometricupdate.com/202406/namibia-begins-issuance-of-much-anticipated-biometric-id-cards-to-refugees>

628 Namibia's new CRVS, national ID system reflects key data protection aspects, Biometric Update, September 2024, available at <https://www.biometricupdate.com/202409/namibias-new-crvs-national-id-system-reflects-key-data-protection-aspects>

629 Digital Divide Hinders Growth - Theofelus, Namibian Sun, June 2024, <https://www.namibiansun.com/local-news/digital-divide-hinders-growth-theofelus2024-06-12> accessed January 2025

630 National Broadband Policy, 2017, <https://www.npc.gov.na/wp-content/uploads/2022/06/NamibiaBroadband-Policy-2018.pdf> last accessed January 2025

631 Regulations prescribing the universal service levy, 2024 General Notice 559 of 2024 <https://namibii.org/akn/na/act/genn/2024/559/eng@2024-09-27>

632 CRAN prepares for Universal Service Fund, Observer, June 2024, available at <https://www.observer24.com.na/cran-prepares-for-universal-service-fund/>

633 <https://www.observer24.com.na/cran-prepares-for-universal-service-fund/>

Conclusion

As a moderately compliant country with the ACHPR Declaration, Namibia has a lot to do to ensure digital inclusion and rights. Digitally enabled threats and a significantly expanding threat surface, especially in a consumer market with low levels of security awareness. This remains a challenge for Namibians at an economic level. The lack of sector-related laws has enabled a wide range of cyber threats, with social engineering and phishing attacks topping the list.

The country's provisions of telecommunications surveillance in the current Communications Act, the lack of transparency on the usage of biometrics collected during SIM regulations, and other potential means of surveillance are key concerns for human rights in the digital era. Furthermore, the lack of accountability for Internet intermediaries and the lack of mechanisms to promote digital inclusion for children and people with disabilities through the USF remains an inclusion concern. This is in addition to the need for support and sustainability of independent media. Finally, considerable steps need to be enforced by Namibia to ensure the policy for Artificial Intelligence use, amongst others.

Recommendations

To the Government

- To pass the Data Protection legislation which must ensure that necessary oversight mechanisms are in place in addition to ensuring personal data protection recourse for individuals.
- To recognise universal, equitable, affordable and meaningful access to the internet as necessary for the realisation of freedom of expression, access to information and the exercise of other human rights by facilitating digital literacy skills for inclusive and autonomous use and take specific measures to ensure that marginalised groups have effective exercise of their rights online.
- To adopt specific child laws, policies and measures promoting children's digital safety and privacy online. Namibia should pass and enforce the Cybercrime Bill and make provision for the protection of Children online, no other existing laws are in place to ensure safety of children. An actual law will ensure the necessary regulatory support for the Child Online Protection Taskforce.
- Develop an AI national policy to address the design, use and deployment of AI in Namibia.
- Require internet intermediaries to ensure that in moderating or filtering online content, they mainstream human rights safeguards into their processes, adopt mitigation strategies to address all restrictions on freedom of expression and access to information online
- Offer effective remedies where digital rights violations occur.

To the Private Sector

- To ensure transparency on all requests for removal of content, and incorporate appeal mechanisms.
- To collaborate towards improving digital literacy in the country
- To collaborate towards narrowing data and device access gaps

To Civil Society Organisations and the Media

- To provide education on Digital Rights and Inclusion
- To continue shedding light on issues of infringements of Digital Rights and Inclusion in the country

The Score Index.

Londa 2025 Key Indicators	ACHPR Declaration (P stands for Principle)	Score	Justification
Internet Shutdowns	P38(2)	5	No internet shutdowns.
Inexistent laws, policies and other measures to promote universal, equitable, affordable and meaningful access to the internet	P37	2	While the state ensures the internet space is available online and citizens are engaging in the rights to freedom of expression and access to information online, the means to exercise these rights is limited due to excessive data prices. Furthermore, the lack of adoption of relevant laws, policies and other measures to provide universal, equitable, affordable and meaningful access to the internet without discrimination also contributes to this rating.
False News Criminalisation	P22(2)	4	Namibia has no laws that criminalise publication of false news.
Sedition Legislation	P22(2)	5	Namibia has no laws that criminalise sedition, insult and publication of false news.
Arbitrary Arrests and Harassments of the Media, HRDs and Citizens	P20(1) & (2)	4	While the state has guaranteed the safety of journalists and other media practitioners. The state has not taken measures to prevent attacks on journalists and other media practitioners, including various forms of ill-treatment, such as, intimidation, threats and unlawful surveillance undertaken by State and non-State actors.
Data Protection Legislation.	P42	2	The state has not adopted laws for the protection of personal information of individuals in accordance with international human rights law and standards and individuals have no legal recourse to effective remedies in relation to the violation of their privacy and the unlawful processing of their personal information.
States interfere and require the removal of online content by internet intermediaries	P38 and P39(4)	4	There is no evidence that the state required internet intermediaries to proactively monitor content which they have not authored or otherwise modified.

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Invasion of Privacy of Communications	P41	4	<p>Part 6 of the Communication Act 8 of 2009, institutes interceptions of telecommunications.</p> <p>This provision gives indication that states engage in targeted communication surveillance that is authorised by law, that conforms with international human rights law and standards, and that is premised on specific and reasonable suspicion that a serious crime has been or is being carried out or for any other legitimate aim.</p>
Failure by the government to proactively disclose and disseminate information digital technologies.	P29(3)	3	<p>While there has been proactive disclosure by public institutions even in the absence of a specific request, to proactively publish information of public interest, including information about their decisions such as regular Cabinet Decisions announcements and budgets, expenditure and other information relating to their activities more can be done for full disclosure on public spending.</p>
AI and Emerging Technologies national strategies	P39(6)	2	<p>Namibia has not yet completed the development of the framework on the development, use and application of artificial intelligence, algorithms and other similar technologies. The use of such by internet intermediaries is governed and compelled to be compatible with international human rights law and standards, not is there a requirement for such not to infringe on the rights to freedom of expression, access to information and other human rights.</p>
Adoption of specific child laws, policies and measures promoting children's digital safety and privacy online	P37(5)	2	<p>While the Draft Cybercrime bill makes provision for the protection of Children online, no other existing laws are in place to ensure the safety of children. A Child Online Protection Task Force however is in place overseeing serious cases, working without cases.</p>
Digital Inclusion	P37(3)	2	<p>The state has not adopted any laws, to promote affordable access to the internet for children that equips them with digital literacy skills for online education and safety, protects them from online harm and safeguards their privacy and identity.</p> <p>The Universal Service Fund has not become fully operationalised over the years and hence its impact cannot be measured yet.</p> <p>There is no law in place providing access to the internet, and the state has not taken specific measures to ensure that marginalised groups have effective exercise of their rights online.</p>
TOTAL SCORE (up to 60)		39	

