



ANNUAL REPORT

of the Sustainable Development Advisory Council

Financial Year 2018/19





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Table of Contents

1. INTRODUCTION	5
1.1 Background To The Council.....	5
1.2 Functions Of The Sustainable Development Advisory Council	5
1.3 Members Of The Council.....	6
1.4 Administrative Matters during Financial Year 2018 / 19	6
2. REPORT ON ACTIVITIES DURING 2018/19	7
2.1 Critical Issues for Sustainable Development.....	7
2.2 Biodiversity Offsets.....	8
2.2 Environmental Levies	9
2.3 Dimension Stone Mining	9
2.4 Over-tourism	10
2.5 Human Wildlife Conflict.....	11
2.6 Rehabilitation of abandoned mining sites	11
2.7 Amendment to the Environmental Management Act	12
2.8 State of Environment Conference and Report	13
2.9 Collaboration with the German SD Council	13
3. CHALLENGES	15
4. FINANCIAL OVERVIEW	15



1. Introduction

1.1 Background to the Council

The establishment of the Sustainable Development Advisory Council is mandated under Section 6 of the Environmental Management Act of 2007, with the Minister of Environment and Tourism responsible to appoint its eight members. Four of the members must represent the interests of the State, while the other four members must represent the interests of organizations, associations or institutions concerned with environmental matters. Members are appointed to serve for an initial period of three years. The Environmental Commissioner is an ex officio member, but may not vote in meetings.

Staff members from the Ministry of Environment and Tourism are mandated to provide clerical and secretarial services to the Advisory Council.

1.2 Functions of the Sustainable Development Advisory Council

The functions of the Advisory Council, outlined in Section 7 of the Environmental Management Act of 2007, are:

- a. To promote co-operation and co-ordination between organs of state, non- governmental organisations, community based organisations, the private sector and funding agencies, on environmental issues relating to sustainable development;
- b. To advise the Minister -
 - i. *on the development of a policy and strategy for the management, protection and use of the environment;*
 - ii. *on the conservation of biological diversity, access to genetic resources in Namibia and the use of components of the environment in a way and at a rate that does not lead to the long-term decline of the environment, thereby maintaining its potential to meet the needs and aspirations of present and future generations;*
 - iii. *on appropriate methods of monitoring compliance with the principles set out in Section 3 of the Environmental Management Act (see text box below);*
 - iv. *on the need for, and initiation or amendment of legislation, on matters relating to the environment;*
- c. To perform other functions assigned to it by the Minister.

The Council is expected to advise on appropriate methods of monitoring compliance to the following 12 principles:

1. Renewable resources must be used on a sustainable basis for the benefit of present and future generations;
2. Community involvement in natural resources management and the sharing of benefits arising from the use of the resources, must be promoted and facilitated;
3. The participation of all interested and affected parties must be promoted and decisions must take into account the interest, needs and values of interested and affected parties;
4. Equitable access to environmental resources must be promoted and the functional integrity of ecological systems must be taken into account to ensure the sustainability of the systems and to prevent harmful effects;
5. Assessments must be undertaken for activities which may have a significant effects on the environment or the use of natural resources;
6. Sustainable development must be promoted in all aspects relating to the environment;
7. Namibia's cultural and natural heritage including its biological diversity, must be protected and respected for the benefit of present and future generations;
8. The option that provides the most benefit or causes the least damage to the environment as a whole, at a cost acceptable to society, in the long term as well as in the short term must be adopted to reduce the generation of waste and polluting substances at source;

9. The reduction, re-use and recycling of waste must be promoted;
10. A person who causes damage to the environment must pay the costs associated with rehabilitation of damage to the environment and to human health caused by pollution, including costs for measures as are reasonably required to be implemented to prevent further environmental damage;
11. Where there is sufficient evidence which establishes that there are threats of serious or irreversible damage to the environment, lack of full scientific certainty may not be used as a reason for postponing cost-effective measures to prevent environmental degradation; and
12. Damage to the environment must be prevented and activities which cause such damage must be reduced, limited or controlled.

1.3 Members of the Council

The following individuals are members of the Sustainable Development Advisory Council:

- Dr. Malan Lindeque (Chairperson)
- Ms. Martha Talamondjila Naanda (Deputy Chairperson)
- Ms. Sophie Kasheeta (Ministry of Agriculture, Water and Forestry)
- Ms. Annelly Haiiphene (National Planning Commission)
- Dr. Gabriele Schneider (Namibia Uranium Institute)
- Mr. Sioni Iikela (Youth Representative)
- Dr. Chris Brown (Namibian Chamber of Environment)
- Dr. Michael Humavindu (Ministry of Industrialization, Trade and SME Development)
- Mr. Teofilus Nghitila (Ministry of Environment and Tourism and ex-officio member)

With a view to improving the representation of natural resource based Ministries and the private sector on the SDAC, and in line with Section 8 (9) of the Environmental Management Act, the following officials were co-opted to serve on the SD Advisory Council:

- Ms. Angelina Sinvula – Director of Asset Management, Ministry of Finance
- Ms. Ndiitah Nghipondoka-Robiati – Chief Executive Officer of the Namibia Trade Forum
- Mr. Ueritjiua Kauaria – Deputy Permanent Secretary, Ministry of Fisheries and Marine Resources
- Mr. Benedict Libanda – Chief Executive Officer, Environmental Investment Fund.

1.4 Administrative Matters during Financial Year 2018 / 19

The 10th and 11th regular meetings of the SDAC took place during the period under review and a number of other informal meetings were held involving the Council members.

The annual report of the Council for 2017/18 was tabled to Cabinet and the National Assembly. The reports provided the opportunity to give Cabinet and the National Assembly an overview of the achievements and the challenges faced by the Advisory Council.

The second term of office of the Council members expired during the period under review, although the terms were extended until the new members are appointed. The nomination procedure required in terms of Section 8 (4) and (5) of the Environmental Management Act was followed. A notice of invitation for nomination of persons representing organizations, associations or institutions concerned with environmental matters to the Council was placed in the Government Gazette on 15th February 2019 and was subsequently advertised in national newspapers. A total of 23 nominations were received by the end of March deadline.



Requests for nominations were also sent to relevant organs of state to represent the interests of the State on the Council. It is expected that the new members of the Council will be inaugurated in quarter one of the 2019/20 financial year.

2. Report on Activities during 2018/19

The key activities of the Advisory Council during 2018/19 are summarized in this section.

2.1 Critical Issues for Sustainable Development

The Advisory Council discussed the issues it considers most critical with regard to the sustainable development. It was concluded that these issues should be raised with the National Planning Commissioners, with the objective of the meeting being to:

- i. Inform the Commissioners of the role and activities of the Advisory Council and to better understand the role of the National Planning Commissioners;
- ii. Discuss key strategic issues for sustainable development and present the Council perspective on these; and
- iii. Propose cooperation between the two bodies on possible new initiatives.

A meeting was requested with the National Planning Commissioners but did not take place during the period under review. The list of nine identified issues and the perspective of the Advisory Council on these is presented in this section.

- (i) Continued un-controlled expansion of informal settlement areas and lack of integrated planning in urban areas.
- (ii) Obstacles to investment in communal areas.
- (iii) Insufficient enabling environment for the development of the renewable energy sector. The Advisory Council strongly endorses the further development of the renewable energy sector. It noted that there are a number of small scale solar and wind energy plants coming into fruition but that there are barriers to larger scale projects. It was suggested that further research was needed on this matter, particularly with regard to the existing policies, strategies and targets and how best renewable energy can play a leading role in the overall energy mix.
- (iv) Inadequate long term planning for water security and the development of alternative sources of supply such as desalination. The major interest of the Advisory Council on this issue is for the development of a large scale desalination plant based powered by renewable energy, to supply water to the central areas of Namibia and possibly Botswana. It was considered that this could be a good first regional project proposal to submit to the Green Climate Fund. The Advisory Council also expressed its concern at the state of water infrastructure in the country, in particular that the water management infrastructure is at the end of its lifespan and that vast sums of money are required to revamp this infrastructure.
- (v) Weak enforcement of existing legislation on the ground in the environment, fisheries, mining and forestry sectors. The declining budgets of different line ministries and the lack of human resources for inspection-related work is considered by the Advisory Council is a major impediment to the sustainable management of natural resources. The Advisory Council has flagged this concern with each of the main line ministries responsible for natural resource management – (Ministry of Agriculture, Water and Forestry; Ministry of Environment and Tourism; Ministry of Fisheries and Marine Resources; and the Ministry of Mines and Energy).
- (vi) Outflows of raw and unprocessed natural resources such as teak, dimension stone and semi-precious stones without sufficient beneficiation for Namibians.
- (vii) Need for re-investment of environment levies into environmental protection measures. The Advisory Council received a full briefing from the Chief Executive Officer of the Environmental Investment Fund on this matter.
- (viii) Resource mobilization for investment in improved waste management. The Environmental Commissioner

briefed the Advisory Council on this matter. It was noted that the Ministry of Environment and Tourism is working to have each Waste Disposal Site registered and approved according to the Environmental Management Act. The environmentally sound management of waste was considered not to be a high priority of local authorities and improvements to waste disposal sites require increased capital development budgets. It was suggested that the Ministry of Environment and Tourism should provide more support services to local authorities on issues such as the design of waste disposal sites and separation of waste. The issue of waste disposal sites being located in inappropriate areas was also raised and how this could be handled, with specific reference to the Katima Mulilo waste disposal site. The need for the establishment of a hazardous waste disposal site was further noted.

- (ix) Concerns regarding the Community Based Natural Resource Management Programme. The Advisory Council raised concerns regarding the impacts of human wildlife conflict and about the benefits filtering down to members of conservancies and community forests. The Advisory Council is supportive of initiatives to increase the beneficiation to communities from the sustainable utilization of all types of natural resources.

2.2 Biodiversity Offsets

The Advisory Council discussed a brief paper on biodiversity offsets by the mining sector and corporate social investment in non-mining areas. "Offsets" are described as measures taken to compensate for any unavoidable residual negative environmental impacts resulting from an activity (such as the loss of valuable species, loss or disturbance of habitats or impairment of ecosystem functioning) on a site or area, after full implementation of measures to avoid and minimize impacts during the life of the activity, or to restore ecological functioning or rehabilitate land. Offsets are often provided by securing land at another site, and managing that land over a period of time, to replace those significant environmental matters which were lost. Offsetting serves to meet the environmental principle of "No Net Loss" of environmental assets (particularly biodiversity) as a consequence of development.

It was noted that offsets are incorporated in the Strategic Plan of the Chamber of Mines and that there is a need for corporate social responsibility programmes from mines to reach all regions of Namibia. Currently, mining is only undertaken in 6 of Namibia's 14 regions. It was noted that the Namibian approach is focusing more on sustainable development offsets rather than the more traditional biodiversity offsets. Linking offsets to sustainable development allows for alignment of the concept with the corporate social responsibility programmes of mines.

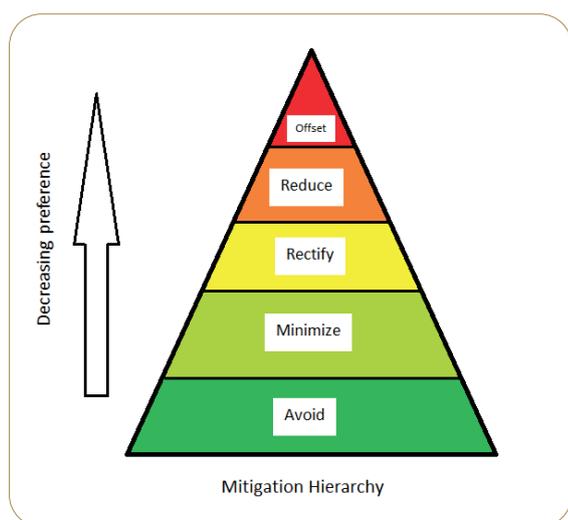


Figure 1: A typical mitigation hierarchy showing offsets as the least preferred option to mitigate environmental impacts.

It was proposed that the Chamber of Mines should focus their corporate social investment / offset support to non-mining regions by supporting dedicated projects in communal conservancies and that this support is streamlined into a single initiative. There was broad support for the widening the scope of the offsets concept and for extending it to support communal conservancies. The concept of offsets was subsequently incorporated into the amendments to the Environmental Management Act.



2.2 Environmental Levies

The Chief Executive Officer of the Environmental Investment Fund briefed the Advisory Council on the situation regarding the introduction of environmental levies. He outlined that the Advisory Council that new levies had been prepared for car batteries, plastic bags, selected electronic and electrical products and lubricant oils.

It was reported that the revenue from previously-introduced levies (Carbon emissions, incandescent bulbs and tyres) had been accruing directly to the State Revenue Fund with nothing earmarked for the Environmental Investment Fund. The Advisory Council pledged its support to the Environmental Investment Fund to assist in any way possible to ensure that revenue from environmental levies is reinvested into environmental protection through the Environmental Investment Fund. It was noted that there is good support for reinvesting the levies into the Environmental Investment Fund from the private sector as well as other Offices / Ministries / Agencies.

It was subsequently agreed that 30% of the revenue from existing environmental levies would be re-invested directly into the Environmental Investment Fund and the initial appropriation was made in December 2018.

2.3 Dimension Stone Mining

In response to previous concerns raised by the Advisory Council, a meeting was held with the Deputy Executive Director of the Ministry of Mines and Energy.

The main concern of the Advisory Council on this matter is that high volumes of dimension stone are being exported in raw form from Walvis Bay as well as issues of sustainability and environmental damage and the lack of beneficiation to Namibians from the mining of dimension stone.

The following is a brief summary of the main points discussed in the meeting:

The meeting was informed that the value addition committee had identified dimension stone as a resource with high potential for value addition and beneficiation. It was noted that a study had been carried out in this regard and a number of factories had been set up to process dimension stone but that many of these had failed due to issues of production and management and that it is in some cases more beneficial for companies to just export raw rather than pursue local markets and value addition.

Concerns were raised that much dimension stone mining occurs in high tourism remote areas out of reach of inspectors. It was suggested that it may be better to concentrate dimension stone mining in areas where mining has already been taking place (such as in the more central areas) which were considered as more out of view and less damaging in terms of tourism. The lack of a strategic direction for the dimension stone sector was criticized.

It was noted that the Ministry of Mines and Energy is working on a dimension stone catalogue showing economically viable areas and supported the idea of concentrating its mining in a "dimension stone province". She reported that it had been agreed to issue no new mining licenses for dimension stone in protected areas. The participation of Ministry of Environment and Tourism in the Minerals Rights and Prospecting Committee was also observed as a challenge. She also noted challenges with the capacity of the Ministry to conduct inspections.

The main outcome from the discussion was an agreement that a Strategic Environmental Assessment should be undertaken on dimension stone mining to capture the economic, social and environmental concerns. The Advisory Council recommended for the Ministry of Mines and Energy to undertake the Strategic Environmental Assessment.

2.4 Over-tourism

One of the members of the Advisory Council brought forward a concern relating to the impacts of over-tourism on certain parts of Namibia.

A video documentary by the World Tourism Organization (<https://www.responsibletravel.com/copy/over-tourism-documentary>) was shown in the presence of the Director of Tourism to explain the concept, which has become a serious issue of concern in many European cities in recent years and is seen to be reducing the quality of life for residents of these cities. Although Namibia is not really yet affected by this phenomenon, the video drew into focus the need to carefully plan tourism development, especially given the sensitivity and fragility of the Namibian environment and its prime tourist sites.

The need to develop a National Tourism Spatial Development Plan was motivated in order to guide and manage tourism development, in particular to protect sensitive areas, improve the management of potential over-tourism and to guide the appropriate development of new destinations. It was stated that this was a proposal of the private sector and civil society but that it would need an agency such as the Directorate of Tourism and Gaming (DTG) to take it through the necessary processes.

The other Council members were broadly supportive of the need for a Spatial Plan and to overcome the many sectoral legislations that impact on tourism. The issue of dolphin cruises in Walvis Bay was mentioned as an instance of over-tourism that is not being regulated. This matter was concluded with a recommendation to the Minister on the need to develop a National Tourism Spatial Plan and that there was broad support from the Director of Tourism and Gaming for the Plan on the proviso that it was developed through an inclusive approach.

2.5 Human Wildlife Conflict

In its 10th meeting, the Advisory Council discussed with concern the extent and severity of human wildlife conflict taking place, particularly in the area north of Etosha and in the Kunene and Zambezi regions. In response to these concerns raised, officials from the Ministry of Environment and Tourism presented the revised Human Wildlife Conflict Policy and measures being undertaken to implement this Policy to the Advisory Council members at its 11th meeting.

The presentation focused mainly on the following key elements of the Policy and progress in implementation:

- Early Warning System for HWC
- Research and monitoring of HWC
- Removal of problem animals
- Human capacity and responses
- Community care and engagement
- Appropriate technical solutions for mitigating HWC
- Application of revenue from problem causing animals

The information presented was well received by the Advisory Council members who expressed their full support for the Policy and the positive progress being achieved in the move from policy formulation to implementation.



The officials informed the Advisory Council that the MET was very much aware of the challenge and was trying to more pro-active and practical in coming up with on-the-ground solutions to addressing it, in spite of the human and financial challenges being faced. Recent efforts including the launch of predator proof enclosure kraals in Torra conservancy, trial distribution of grain stores, development of mobile solar-powered electric fencing kits were referred to. Based on the presentation and data presented, there was optimism that the challenge of HWC would be addressed.

The need for a specific survey on the quality of plastic grain storage facilities was recommended and it was further noted that the majority of activities had so far been funded externally but that the Ministry had also secured N\$1 million through the development budget and it was hoped that this would increase over time given the importance of the issue.

2.6 Rehabilitation of abandoned mining sites

The challenge of rehabilitating abandoned mining sites was previously identified by the Advisory Council as a priority matter needing to be addressed. A further more detailed discussion was held on this matter during the period under review. The list of abandoned mining sites and a rehabilitation manual was acquired and shared with the Advisory Council members. It was noted that there are 256 such mining sites in need of rehabilitation.

The Advisory Council members put out feeders with the Chamber of Mines on funding the rehabilitation of abandoned sites but that there looks to be no appetite from the side of the Chamber of Mines for this. It has the view that considerable corporate social responsibility work is being undertaken and that it is not up to them to take over the responsibilities of companies that have made their profits and left the country a long time ago.

The best proposed way to address the inherited problem of abandoned mining sites was considered to be through a capital project of the Ministry of Mines and Energy. It was noted that strengthened measures to ensure rehabilitation had been included in the proposed amendments to the Environmental Management Act and that the Chamber of Mines was now implementing an environmental strategy for the mining sector that included a section on offsets and mine closure and care and maintenance with emphasis on concurrent rehabilitation. The Advisory Council suggested that a bond held by an insurance company or linked to holding by the Government would be the best way to ensure that financial resources would be set aside for rehabilitation and it was indicated that the Chamber of Mines is broadly supportive of such an approach.

In addition to the concerns...mining sites, the following general concerns were raised with respect to the mining sector:

- Change of ownership of mines – this is often done on the stock exchange without any knowledge, inputs or financial benefits to Government. It should be required for the Minister of Mines and Energy to approve a transfer.
- Tax avoidance measures – use of strategic measures by companies to avoid declaring profits such as reinvestment in the company or use of transfer pricing.
- Strategies of Government in determining royalties and export taxes and in securing fair agreements with foreign investors amongst others. This was described as difficult as mining companies will simply invest in other countries with better conditions for them and although Namibia owns all its mineral resources, these only accrue value once they are recovered which typically requires high level of investment.
- Lack of diversification in terms of export markets.
- Monitoring of exports of goods to ensure that this corresponds with royalties and taxes collected from companies.

- Lack of focus in Namibia on areas of opportunity such as futures trading.
- Limited employment of Namibians in the mining sector and the loose allocation of work permits to foreigners.
- Limited local procurement and linkages with local companies although it was recognized that there was some improvement in this area.

It was queried whether this pointed to the need to better orient a series of laws and policies. It was suggested that there was a need for a technical level experts forum to guide Government on these issues in terms of policy analysis and harmonization and to monitor how policies are being implemented. It could take the shape of a think tank type institution on policy matters.

2.7 Amendment to the Environmental Management Act

The Department of Environmental Affairs continued the process of amending the Environmental Management Act, 2007 (Act No. 7 of 2007) during the period under review. Issues raised by the Advisory Council during the previous financial year were taken on board and the proposed revisions were finalized for submission to the Ministry of Justice. The following is a summary of the key issues being addressed through the amendment:

- Lack of reference to Strategic Environmental Assessments (SEAs) in the Act. SEAs are normally taken on the levels of policies, plans and programmes and there is currently no provision in the Act for SEAs. Part IV of the current Act is now to be repealed with a new Part on SEAs.
- Limited guidance on procedures and processes for the issuing of fines to companies and institutions that are not in compliance with the provisions of the Act.
- Need to expand and categorize the listed activities under the Act: the expansion and reclassification of the activities into Activities A (requiring full EIA) and Activities B (smaller scale activities for which Scoping Report and Environmental Management Plan may be sufficient), is considered necessary to improve the efficiency of implementation.
- Regulation of Environmental Assessment Practitioners: concerns have been raised that Environmental Assessment Practitioners (EAPs) are currently not regulated and that there is a lack of quality control in the sector. There is no current mention of EAPs in the Act.
- Roles and responsibilities of the Competent Authority: Section 32 (1) of the Act requires proponents to submit applications for environmental clearance through the Competent Authority. This provision has caused delays in the process and have lead to the need for closer collaboration between DEA and these Authorities. The provision for proponents to apply directly to the Environmental Commissioner for environmental clearance is incorporated in the amended Act.
- Insufficient focus on compliance with Environmental Management Plans and monitoring and enforcement.
- Insufficient provisions to ensure the rehabilitation and restoration of sites. A robust mechanism is included in the amended Act to ensure that funds for rehabilitation are safeguarded by companies. This will take the form of an insurance scheme or bond, which would only be accessible for rehabilitation purposes.

2.8 State of Environment Conference and Report

The Advisory Council had previously commenced the process to develop a State of Environment report and possible conference on the same subject. A proposed structure for the Conference and report had previously been developed based on the Framework for the Development of Environmental Statistics (FDES) of the United Nations.

Discussions were also held with the Namibia Statistics Agency (NSA) on this matter as the production of regular



State of Environment Reports is part of the Memorandum of Understanding that was signed between the MET and NSA in 2017. A draft compendium of environmental statistics was prepared during the period under review according to the FDES framework. It is planned that this compendium will form the basis of the State of Environment report and a workshop is planned to finalize the compendium in 2019/20.

2.9 Collaboration with the German SD Council

In follow up to the participation of the Advisory Council in the Open SDGs Club (an initiative of the German SD Council involving 32 countries and advisory councils), the Advisory Council was alerted to a possible funding opportunity through the 2030 Agenda Transformation Fund, which was commissioned by the German Federal Ministry for Economic Cooperation and Development (BMZ).

It supports the efforts of partner countries with small grant funding to implement the 2030 Agenda for Sustainable Development with innovative activities creating new impetus for the required transformation in the areas of policy, mobilizing domestic resources and private investments and monitoring and review of the 2030 Agenda and SDGs implementation.

A project concept was prepared focusing on engaging the youth in all aspects of the implementation of the goals from policy and planning to reporting and monitoring with specific objectives to:

- a) Build a critical mass of Namibian Youth around the SDGs;
- b) Create a Youth SDG group that can access development services and access SDGs financing;
- c) Inculcate investigative knowledge in the future leaders around the SDGs;
- d) Build an active network among the Namibian Youth around a common and global agenda.

This concept was developed and submitted to the Fund during the 2018/19 financial year but it was unfortunately not approved for funding.

3. Challenges

The Council continued to experience challenges during the period under review including the lack of funding available, lack of dedicated staff to fulfil the duties of the Secretariat, difficulties in holding regular meetings and the limited participation and engagement of other sectors in the activities of the Council.

The limited budget for the Advisory Council makes it difficult for it to achieve its mandate and has prevented the Council from undertaking significant work that could further Namibia's sustainable development agenda such as Strategic Environmental Assessments on critical development issues, such as dimension stone mining, greater value addition to natural resources, the hosting of annual sustainable development conferences and other similar events.

4. Financial Overview

The table below presents an overview of expenditures relating to the activities of the Advisory Council during 2018/19 financial year.

Expenditure Item	Budget (N\$)
Hosting SDAC standard meetings	3,000
Awareness Materials and Printing and Website maintenance	30,000
Sitting allowance and travel-related expenses for non-state representatives	31,261
Total	64,261



For further information on the Sustainable Development Advisory Council
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