

A green regulatory framework

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The conceptualization, development and implementation of the green economy is taking shape steadily. It is arguably, a direct response to increasing concerns of climate change and the urgent need for action to decarbonise.

It is an undeniable fact that on various global issues, borders no longer matter, save to protect sovereignty and territorial integrity. It is for this reason that in 2021, Namibia took initiative to join the world under the UNFCCC and Paris Agreement to reduce its greenhouse gas emissions. Namibia is endowed with many natural resources such as wind, solar, water and vast tracts of land which are your key components essential for climate action transition.

Namibia remains committed to its drive towards a low carbon and Green Economy trajectory, especially in ensuring that the proposed energy mix is at the forefront of energy security.

The transition to clean energy has the potential to bring numerous benefits, more generally to Africa, but specifically Namibia, and those countries in its immediate geographic proximity could become primary off takers. These benefits include but not limited to improved access to electricity, increased economic opportunities, and reduced greenhouse gas emissions. The transition to clean energy in Namibia has important justice and policy implications, including the much-anticipated tensions between business and human rights that should be carefully considered to ensure that this transition's benefits and burdens are distributed fairly. Environmental justice as guaranteed in the Namibian Constitution is a key aspect of this transition, as it involves ensuring that all people, regardless of their socioeconomic status, race, or ethnicity, have the right to live in a healthy and safe environment.

We are currently undertaking several legal and regulatory reforms. The reforms touch on a few areas including the review of energy related policies, laws, environmental, investment and tax regimes.

The National Green Hydrogen strategy must be aligned and considered in line with the national developmental policies such as the Harambee Prosperity Plan II and National Renewable Energy Policy of the Republic of Namibia. These policies make provision for implementing policies which support the deployment of clean energy technologies,

such as feed-in tariffs or renewable energy targets and implementing policies that support the needs of marginalised groups and vulnerable individuals. This kind of support can be targeted support for low-income households to access clean energy technologies or training programs to help indigenous communities develop the skills needed to meaningfully participate in the clean energy sector.

Namibia's legal landscape guarantees protection of investments against nationalisation and expropriation. The Namibian Constitution sets out firm imperatives and procedures are clearly enunciated in the statutory and institutional arrangements associated with it.

Namibia is also a signatory to several multilateral and bilateral agreements on both the protection of the environment and the protection and promotion of foreign investment. To effectively transition to clean energy and ensure that the benefits are distributed fairly, it is essential that we adopt key principles and an implementation approach that is equitable, just, and inclusive.

The Ministry of Justice through its various departments is committed to ensure that the regulatory regime considers all these factors. The Law Reform and Development Commission is equipped and is ready to assist the necessary line ministries in identifying all the necessary laws that may need to be reformed to accommodate the uptake of these green energy development. The Legislative Drafting Directorate will be responsible to scrutinize and translate these policies into comprehensive legislation which purport would be to enhance social justice and to ensure that Namibians optimally benefit from its natural resources.

The President, Hage G Geingob coined the metaphorical Namibian House, which is a primary symbol of inclusivity. It speaks to the United Nations Seventeen Sustainable Development Goals (SDGs) which commit to resolving and implementing the principle of "leave no one behind". It is on this basis that the Ministry of Justice given its mandate will make sure that it supports the other government offices, ministries, and agencies in ensuring that the regulatory framework ensures environmental justice to the inhabitants of Namibia yet open our doors wide enough for foreign investment that takes into account the development and social justice aspirations of the people, consistent with the spirit and tenor as expressed in the Preamble of the Namibian Constitution.