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**IFRC COVID-19 Emergency Decree Pro Bono Research: Namibia**

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- ***Questions to be answered by close of business Friday, 27 March are listed below.***
- ***Please be sure to include English translations of relevant text where possible.***

1. Is there coordination between state and non-state actors, e.g. through a national emergency response mechanism?

- The Government of Namibia (“Namibia”) declared a State of Emergency on March 17, 2020 and issued initial measures Namibia is taking to respond to the coronavirus crisis (the “National Emergency Measures”).<sup>1</sup>
- On March 24, 2020, that President of Namibia issued an update to the National Emergency Measures, where he called upon “International Cooperating Partners and stakeholders” and the private sector to support the Government’s response measures and mobilize resources to combat the further spread of the virus.<sup>2</sup> The National Emergency Measures are predominately the travel restrictions discussed in paragraph 3 below, however the National Emergency Measures will be updated “as the situation dictates”.

2. Is there mention of the role of Red Cross (RC) or humanitarian actors? In what areas/sectors? What responsibilities are ascribed to RC?

- There is no mention of the RC or other humanitarian actors beyond the use of the term “International Cooperating Partners.”

3. Are there exceptions to travel restrictions that will facilitate the movement of RC/humanitarian relief teams and/or aid across borders? What (if any) quarantine requirements or other conditions are attached?

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<sup>1</sup> Namibia: Briefing Statement by his Excellency the President Dr. Hage G. Geingob on COVID-19 National Response Measure, 24 March 2020, <https://www.africanews.com/2020/03/24/coronavirus-namibia-briefing-statement-by-his-excellency-the-president-dr-hage-g-geingob-on-covid-19-national-response-measure/>.

<sup>2</sup> Press Release: Briefing Statement by his Excellency the President Dr. Hage G. Geingob on COVID-19 National Response Measure, 24 March 2020, <http://www.mhss.gov.na/documents/119527/775250/Declaration+of+a+State+of+Emergency.docx.docx.docx.docx+%281%29.pdf/1d7a240b-b0a3-4e30-bd2d-2f03db728a8e>.

- On March 24, 2020, the Health Minister of Namibia announced a travel ban. Travel into Namibia from all countries is banned for 30 days.<sup>3</sup> Namibians and permanent residents are banned from leaving and those that return from abroad must go into mandatory quarantine for 14 days.<sup>4</sup> Namibian residents returning to Namibia from abroad will only be allowed to return if their “mission is critical to national interest, such as the safety and security of Namibia.”<sup>5</sup> However, Namibia will continue to allow the flow of supplies, goods, commodities and services into Namibia from reciprocal neighboring countries.
- Under the National Emergency Measures, “relevant institutions” will consider special circumstances and approve the admission of certain person whose travel is critical to the national interest and safety and security of Namibia.<sup>6</sup> The Health Ministry of Namibia has further acknowledged that under the National Emergency Measures there will be “special dispensation for providers of essential and critical services”.<sup>7</sup> The Labour Minister of Namibia clarified what services are covered under the term “essential services” on March 26, 2020 (see paragraph 6 below).
- The following ports of entry in Namibia have been closed<sup>8</sup>:
  - a. Oshikango
  - b. Katwitwi
  - c. Wenela
  - d. Buitepos
  - e. Ariamsvlei
  - f. Noordoewer
  - g. Luderitz
  - h. Walvis Bay
- On March 30, 2020, the President of Namibia stated that he is considering a countrywide lockdown.<sup>9</sup>

4. Are there exceptions to quarantines, curfews and other restrictions on movement that allow RC/humanitarian organizations access to vulnerable populations (including for psychosocial or non-medical aid)?

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<sup>3</sup> Namibia Announces Travel Bank, Partial Lockdown after Seventh Coronavirus Case, 24 March 2020, <https://www.reuters.com/article/us-health-coronavirus-namibia/namibia-announces-travel-ban-partial-lockdown-after-seventh-coronavirus-case-idUSKBN21B30R>.

<sup>4</sup> Id.

<sup>5</sup> Id.

<sup>6</sup> Press Release: Brief Statement by His Excellency the President Dr. Hage G. Geingob on Covid-19 National Response Measures, dated March 24, 2020, <http://www.mhss.gov.na/documents/119527/775250/Declaration+of+a+State+of+Emergency.docx.docx.docx.docx+%281%29.pdf/1d7a240b-b0a3-4e30-bd2d-2f03db728a8e>.

<sup>7</sup> Press Release: Updated on COVID-19 in Namibia, dated 29 March 2020, <http://www.mhss.gov.na/documents/119527/775870/29+MARCH+2020+PRESS+RELEASE+.pdf/42ed5c5a-f8c2-4708-b844-9667b9b60e1b>.

<sup>8</sup> Namibia: Briefing Statement by his Excellency the President Dr. Hage G. Geingob on COVID-19 National Response Measure, 24 March 2020, <https://www.africanews.com/2020/03/24/coronavirus-namibia-briefing-statement-by-his-excellency-the-president-dr-hage-g-geingob-on-covid-19-national-response-measure/>

<sup>9</sup> Nationwide Lockdown Looms, The Namibian, March 30, 2020, <https://www.namibian.com.na/89754/read/Nationwide-lockdown-looms>.

- The Health Minister of Namibia said that humanitarian and aid workers will be permitted to enter the country.<sup>10</sup>
- The National Emergency Measures provide that “special circumstances for the admission of certain persons into Namibia will be considered and approved by the relevant institutions, depending on the nature of travel to be undertaken, and the criticality of such mission to the national interest and safety and security of the Republic of Namibia.”<sup>11</sup>
- There is a partial lockdown for Khomas region, where the capital of Windhoek is located, and the Erongo region from midnight March 27 until midnight April 16.<sup>12</sup>

5. Have any special legal facilities or exemptions been put in place for the importation of medical aid or other relief items or personnel (International Disaster Response Law)? What (if any) quarantine requirements or other conditions are attached?

- There does not appear to be any special legal facilities or exemptions put in place for the importation of medical aid or other relief items at this time. It may be helpful to note that Namibia has accepted over N\$2.2 million worth of medical supplies to help in the fight against COVID-19 thus far,<sup>13</sup> though it is not clear whether there were any special facilities granted with respect to the importation of such medical supplies.
- As noted above, personnel providing medical aid/relief may be exempt from immigration restrictions under the National Emergency Measures, provided that such personnel's travel is critical to the national interest and safety and security of Namibia.

6. Is the RC (or humanitarian organizations) categorized as 'essential' or 'emergency' services, for the purposes of exemptions to restrictions on business operations and opening hours?

- The Health Minister has said that “health workers in the public and private sector, and emergency personnel” as well as “humanitarian workers” are exempt from the lock down. Also included are “other persons necessary for the success of the country’s response to the pandemic.”<sup>14</sup>
- RC is not specifically categorized as an essential or emergency service, however many of RC’s services are included in the list of essential services. On March 26, 2020, the Labour Ministry of Namibia clarified that “essential services” would be allowed to operate during the lockdown.

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<sup>10</sup> Id.

<sup>11</sup> Press Release: Briefing Statement by his Excellency the President Dr. Hage G. Geingob on COVID-19 National Response Measure, 24 March 2020, <http://www.mhss.gov.na/documents/119527/775250/Declaration+of+a+State+of+Emergency.docx.docx.docx.docx+%281%29.pdf/1d7a240b-b0a3-4e30-bd2d-2f03db728a8e>.

<sup>12</sup> Namibia Announces Travel Ban, Partial Lockdown After Seventh Coronavirus Case, Reuters, March 24, 2020, <https://www.reuters.com/article/us-health-coronavirus-namibia/namibia-announces-travel-ban-partial-lockdown-after-seventh-coronavirus-case-idUSKBN21B30R>.

<sup>13</sup> STATEMENT BY THE EXECUTIVE DIRECTOR MR. BEN NANGOMBE ON RECEIVING A DONATION OF N\$ 200 000 FROM CNNC RÖSSING URANIUM LIMITED TOWARDS THE FIGHT AGAINST CoVid-19, March 20, 2020, <http://www.mhss.gov.na/documents/119527/775250/Statement+by+Mr.Ben+Nangombe+%281%29.pdf/7af2b190-1762-4810-af95-88e663656c2b>; U.S. Embassy Donates Ambulances, Medical Equipment for COVID-19 Response, United States African Command, March 23, 2020, <https://www.africom.mil/media-room/article/32652/u-s-embassy-donates-ambulances-medical-equipment-for-covid-19-response>.

<sup>14</sup> Nationwide Lockdown Looms, The Namibian, March 30, 2020, <https://www.namibian.com.na/89754/read/Nationwide-lockdown-looms>.

Essential Services are those defined in Section 77(4) of the Labour Act 2007 (Act No. 11 of 2007)<sup>15</sup>. These services included (among others)<sup>16</sup>:

- Ambulance Services
- Casualties Services
- Intensive Care Unit Services
- Hospital Wards
- Laboratory Services
- Pharmaceutical Services
- Dental Services
- Radiography Services
- Physiotherapy Services
- Medical services, including specialized services
- Emergency management services

7. What other measures are provided in the emergency decrees? (for governmental actors, for communities, for health workers, etc).

- Government workers and state-owned entity employees have been advised to work from home for the next 14 days. All bars and township pubs are required to close at 18:00 daily.<sup>17</sup>
- Parliament has been suspended for 21 days starting March 25 until April 14.
- Namibia has halted mining and quarrying operations, allowing only minimal operations and critical maintenance to proceed.<sup>18</sup>
- Large public gatherings (more than 50 people), schools, religious gatherings and certain other gatherings are suspended.<sup>19</sup>
- The general public is urged to remain at home and avoid public gatherings.<sup>20</sup>

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<sup>15</sup> Essential Services Explained, The Namibian, March 27, 2020, <https://www.namibian.com.na/89704/read/Essential-services-explained>.

<sup>16</sup> Id. The other essential services are theatre, mortuary services, hospital kitchen services, hospital laundry services, disaster management services, portable water services, waste management services, scientific services, electricity distributions services, electricity operation services, electricity maintenance services, electricity transmission services, electricity network operation services, electricity system security and planning services, electricity engineering services, electricity energy trading services, air navigation services, air traffic management services, communication navigation and surveillance system services, search and rescue services, and meteorological services for air navigation.

<sup>17</sup> Namibia Announces Travel Ban, Partial Lockdown After Seventh Coronavirus Case, Reuters, March 24, 2020, <https://www.reuters.com/article/us-health-coronavirus-namibia/namibia-announces-travel-ban-partial-lockdown-after-seventh-coronavirus-case-idUSKBN21B30R>.

<sup>18</sup> Namibia Halts Mining Operations to Curb Spread of Covid-19, March 28, 2020, <https://www.bloomberg.com/news/articles/2020-03-28/namibia-halts-mining-operations-to-curb-spread-of-covid-19>.

<sup>19</sup> 4<sup>th</sup> (2020) Decision Making Cabinet Resolutions on Additional Measures to Strengthen Namibia's Preparedness and Response to Covid-19 Outbreak, March 17, 2020, <http://www.mhss.gov.na/documents/119527/775250/HON+MINISTER+COVID+19+CABINET+STATEMENT+17+MAR+2020-1.pdf/ec54103f-4a08-4e0d-9779-38248180c24d>.

<sup>20</sup> Namibia: Briefing Statement by his Excellency the President Dr. Hage G. Geingob on COVID-19 National Response Measure, 24 March 2020, <https://www.africanews.com/2020/03/24/coronavirus-namibia-briefing-statement-by-his-excellency-the-president-dr-hage-g-geingob-on-covid-19-national-response-measure/>.

8. Have restrictions been adopted or put in place that ban the export of protective medical equipment?

- In furtherance of the National Emergency Measures, the Trade Minister has been engaging with businesses via the Namibia Chamber of Commerce and Industry to increase domestic production of hand sanitizer and other protective products.<sup>21</sup>
- At the time of writing, there does not appear to be any restrictions in place that ban the export of protective medical equipment.

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<sup>21</sup> Govt raises Covid-19 surveillance, The Namibian, March 18, 2020, [https://www.namibian.com.na/89346/read/Govt-raises-Covid-19-surveillance?\\_\\_cf\\_chl\\_jschl\\_tk\\_\\_=59ca124190a39aaf74c4e85a553a6666e2c85b76-1585617378-0-AUzwJVpFHU4Y3aGx4Z84ouBUfwd50qYoVHZMX1\\_V3wlTikgl\\_Y4\\_OtVDUeOUaO4vkgCwL8V1jl\\_5f8a1nvp9-kl\\_4uoP-GRB2rXxVnmOsLQ1Jvg44IpOom8m9UfAiszapkCaxVwJvaxcZcrR9WOpsG8qfSwExNragCfkg-pCh4jPLPQY4SazqDa3qGCgfQcdk2ie6jkh\\_V97zUdkCVU7tCb3OhYRWU0fYRy80ulYWBI0dIcxGRWiUbd7ZVmqti2SDCFY-h1sncBG9jXcbO1LCNi-SiV-q8XhNgZeHt52uliQyMSkuKaC-KfUvOX7cdZ0rG9WKZ9e-ULYnX1ItQMtiLk](https://www.namibian.com.na/89346/read/Govt-raises-Covid-19-surveillance?__cf_chl_jschl_tk__=59ca124190a39aaf74c4e85a553a6666e2c85b76-1585617378-0-AUzwJVpFHU4Y3aGx4Z84ouBUfwd50qYoVHZMX1_V3wlTikgl_Y4_OtVDUeOUaO4vkgCwL8V1jl_5f8a1nvp9-kl_4uoP-GRB2rXxVnmOsLQ1Jvg44IpOom8m9UfAiszapkCaxVwJvaxcZcrR9WOpsG8qfSwExNragCfkg-pCh4jPLPQY4SazqDa3qGCgfQcdk2ie6jkh_V97zUdkCVU7tCb3OhYRWU0fYRy80ulYWBI0dIcxGRWiUbd7ZVmqti2SDCFY-h1sncBG9jXcbO1LCNi-SiV-q8XhNgZeHt52uliQyMSkuKaC-KfUvOX7cdZ0rG9WKZ9e-ULYnX1ItQMtiLk)