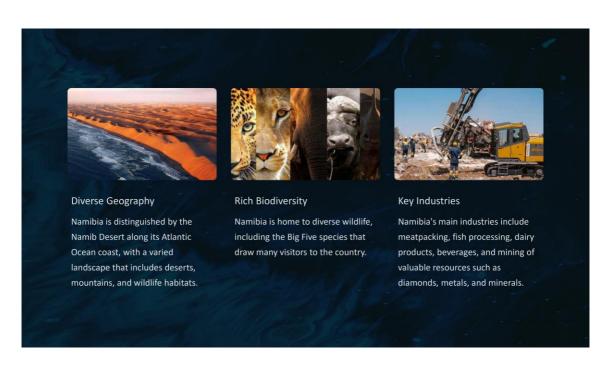


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"الحق في بيئة سليمة: حق إنساني أساسي"







Third-Generation Human Rights And The Environment

- These include the right to development, the right to peace, the right to a healthy environment and the right to
 intergenerational equity.
- The Right to a healthy environment entails the obligation to government to:
- (a) refrain from interfering directly or indirectly with the enjoyment of the right to a healthy environment.
- (b) prevent third parties such as corporations from interfering in any way with the enjoyment of the rights to a healthy environment.
- (c)adopt the necessary measures to achieve the full realization of the right to a healthy environment.
- The Czech jurist and first Secretary General of the International Institute for Human Rights in Strasbourg divided human rights into three generation as early as 1977.



The Namibian Constitution

Article 91(c) protection of the Environment:

The duty to investigate complains concerning the over-utilization of living natural resources, the irrational exploitation of non-renewable resources, the degradation and destruction of ecosystems and failure to protect the beauty and character of Namibia

Article 95(1) The State's Duties:

Maintain the welfare of the people by adopting policies aimed at the maintenance of ecosystem, essential ecological processes and biological diversity of Namibia and utilization of living natural resources on a sustainable basis for the benefit of all Namibians, both present and future



CONSTITUTION
OF
THE REPUBLIC OF
NAMIBIA

The Natural Resources Of Namibia

- Article 100 of the Constitution provides for Sovereign Ownership of Natural Resources that "Land, water, and natural resources below and above the surface of the land and in the continental shelf and within the territorial waters and exclusive economic zone of Namibia shall belong to the State if they are not otherwise lawfully
- AMIRE 144 of the Constitution also provides for International Law that "Unless otherwise provided by this Constitution or Act of Parliament, the general rules of public international law and international agreements binding upon Namibia under this Constitution shall form part of the law of Namibia

Burning Issues On The Environment Protection

- Climate change, poverty, the exploitation of natural resources and atomic energy. Namibia being a tourist
 attraction relies on wildlife and over the pass years we have experiences poaching of wild animals and plants that
 are being trafficked without proper documents as per the laws of Namibia.
- Namibia also being one of the biggest producers of Natural resources such as diamonds, copper, gold and zinc is
 faced with environmental challenges such as usage of water and the after maths of mining activities in the
- NAMHISYA Fishing industries has also been negatively impacted by fishrot scandal that is currently before our
 courts where people have lost jobs and money laundering took place to enrich the Politically Exposed Persons
 (PEP's).

Burning Issues on Environmental Protection



Drought and Food Security

Climate change has negatively impacted the livelihoods of Namibians, especially those dependent on farming and commercial agriculture. Severe drought in 2023/2024 has affected food production, requiring the country to declare a state of emergency.



Environmental Protection in the Constitution

The Namibian Constitution is one of the few in the world that explicitly incorporates environmental protection. Its 21 chapters and 148 articles lay the foundation for policies and legislation, including key clauses on sustainable natural resource use.







Regional Treaties (KaZa TFCA)



Connecting Ecosystems

Namibia has signed an international treaty with neighboring countries to create the Kavango-Zambezi Transfrontier Conservation Area (KaZa TFCA), the world's largest protected eco-tourism zone.



Shared Ecosystems

The international park connects national parks and protected areas, allowing for the migration of animals and the shared use of natural resources by indigenous



Waterways and Heritage

The KaZa TFCA is connected by waterways, migratory wildlife, and the shared socio-economic heritage of the indigenous peoples in the region.

Ratification of International Conventions on Environmental Crimes

Namibia has taken a proactive stance in addressing environmental crimes by ratifying several key international conventions. This commitment demonstrates the country's dedication to upholding the rule of law and protecting its natural resources for future generations.

One of the most significant treaties Namibia has acceded to is the United Nations Convention against Transnational Organized Crime (UNTOC), which provides a framework for international cooperation in combating transnational crimes, including those related to the environment. By becoming a party to this convention, Namibia has pledged to strengthen its legal and institutional mechanisms to prevent, investigate, and prosecute environmental offenses that have cross-border implications.

In addition, Namibia has ratified the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which regulates the international trade of protected plant and animal species. This commitment ensures that Namibia actively participates in the global effort to combat the illegal wildlife trade and protect vulnerable species within its borders.

Furthermore, Namibia has ratified the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. This convention aims to reduce the generation of hazardous wastes and to promote the environmentally sound management of such wastes, particularly their transboundary movement. By ratifying this convention, Namibia has taken a significant step in safeguarding its environment from the harmful effects of improper hazardous waste disposal.









Key Take Away Effective protection of the environment and natural resources requires a collaborative approach involving various government agencies, community organizations, and international partners. In Namibia, the Environmental Crimes Unit (ECU) works closely with other law enforcement bodies, regulatory authorities, and conservation groups to combat environmental crimes.

