

Affirmative Repositioning
Parliamentary Office

2026 -02- 10

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NATIONAL ASSEMBLY

NOTICE OF QUESTION

Prof. Dr. Job Shipululo Amupanda (Affirmative Repositioning, AR)

Signature

Date: Tuesday, February 10, 2026

On Tuesday, 3rd February 2026, Justice De Jager, a Judge of the High Court of the Republic of Namibia, made a compelling statement within a Court Order (Case No. HC-MD-CIV-MOT-GEN-2023/00497, Eyambeko Namibia Catering Services (Pty) Ltd vs The Chairperson of the Central Procurement Board of Namibia and Others). In explaining a postponement of judgment, the Judge stated the following;

Delivery of the judgment must be postponed...Today is the thirteenth court day since I am back from leave (which was part of the court recess) and for 2026 I have, to date, delivered five judgments, two judgments are with the proofreaders and another will be submitted for proofreading today or tomorrow. Thus, for 2026, I have, to date, written eight judgments. A day has twenty four hours. I am a human. **The system's expectations**, which, to date, **have provided no relief** despite the **current unreasonable workload** brought about by the crises workforce shortage, is **inhuman**. Something must change drastically. **For the time being there is no change. The result is that something has got to give.** I choose it **not to be me anymore** at the cost of my personal health.

For the sake of emphasis, a Judge of a High Court has decided to speak through this Court Order to tell the public and all those who care to listen, including Members of Parliament and the Executive, that (a) the Justice and/or Judiciary system is inhuman; (b) it is characterised by unreasonable workloads; (c) there is no change (seemingly despite promises) and that (d) she has decided that something got to give and it cannot be her as it leads to personal health concerns.

For a High Court Judge, trained in restraint and circumspection, ending up delivering such a public cry for help is indicative of a profound systemic failure. The centre is not holding. We must be clear, Justice De Jager's cry and decision must not and cannot fall of deaf ears. It must be taken seriously. This alarming posture follows recent industrial action by magistrates, which halted court operations, and must be read alongside long-standing concerns over the working conditions of all judicial officers, including prosecutors. The tragic death of Prosecutor Justine Shiweda further underscores the gravity of these systemic issues.

Notice is hereby given that on Thursday, 18 February 2026, the Minister of Justice and Labour Relations, Honourable Fillemon Wise Immanuel will be asked the following:

As the portfolio minister responsible for submitting, motivating and defending the resources for Vote 16 (Justice) under the Appropriation Bill in this house, these matters fall directly under your purview.

In this connection, I thus ask the following questions;

1. What is the Ministry's assessment of the specific concerns regarding workload, staffing, and judicial welfare raised by Justice De Jager?
2. Is Justice De Jager on strike, and what is the Judicial Service Commission's (JSC) position on the matter raised in the Court Order?
3. What specific measures and mechanisms does the JSC have to address the mental health and well-being of judicial officers?
4. What concrete, time-bound plans does the Ministry, in conjunction with the judiciary, have to address the crisis of workforce shortages and unsustainable workloads?
5. Please update the National Assembly on the outcomes of the recent magistrates' strike and the status of any resolutions aimed at preventing further industrial action.
6. Given the severity of the situation, will the Minister consider advising the President to institute an independent audit or commission of inquiry into the state of Namibia's justice system?

It is so submitted, Honourable Speaker.