



REPUBLIC OF NAMIBIA
MINISTRY OF INFORMATION AND COMMUNICATION
TECHNOLOGY

KEYNOTE ADDRESS
BY
HON. DR PEYA MUSHELENGA, MP
MINISTER OF INFORMATION AND COMMUNICATION
TECHNOLOGY
AT THE
LAUNCH OF COMMUNICATIONS REGULATORY
AUTHORITY OF NAMIBIA (CRAN) NATIONAL SIM
REGISTRATION AWARENESS CAMPAIGN

07 JUNE 2022

DROOMBOS, WINDHOEK

- Director of Ceremonies,
- Executive Director Ministry of ICT, Mbeuta Ua-Ndjarakana
- CRAN Board Chairperson, Mr. Heinrich M. Gaomab II and Board Members
- CRAN Chief Executive Officer, Emilia Nghikembua,
- Representatives from Media Houses,
- Stakeholders and Representatives,
- Distinguished Participants,

Today marks the launch of a campaign, promoting the registration of Subscriber Identity Module (SIM) card users in Namibia, bringing Namibian SIM card users closer to a safer environment that offers prosperous opportunities for economic growth.

By April 2022, Namibia had more than 2 million mobile subscribers, all of whom are enjoying the benefits of technology but are also vulnerable, due to the lack of an effective SIM card registration system. There is therefore a need for better regulation to safe guard consumer interests as demonstrated by 50 other countries in Africa and over 157 countries globally that have mandatory SIM card registration at its purchase. I am therefore delighted that Namibia is now joining the rest of the world in ensuring that SIM card holders are registered.

The SIM Card Registration Conditions in Namibia are as a result of Regulations issued in terms of Part 6 of Chapter V of the Communications Act (No. 8 of 2009) as published in the Government Gazette in March 2021. Part 6 of the Act provides for collaboration framework amongst Telecommunications Service Providers, Law Enforcement and Security Agencies to enhance safety and security in Namibia. It has been more than ten years since the passing of that legislation, which places great emphasis on the urgency of its implementation to better regulate an ever-evolving technological landscape.

The growth in the use of telecommunications services globally has expanded to other industries and in particular, the financial and banking sectors, which have fully embraced the opportunities presented by technological innovation, through FINTECH and other service offerings. A study commissioned by the Bank for International Settlements in 2021 found that by 2019, about one billion mobile money accounts had been registered, as people make use of e-commerce and e-payments. Banks in Namibia offer cell phone banking, banking apps and electronic funds transfers – all of which require authentication via the telecommunications service provider. This entire process will be enhanced by the verification of a SIM card that is in possession of the user. Registering your SIM card and linking it to your personal identity is thus one way of obtaining a digital identity and protecting your transactions, while enjoying the endless

opportunities of e-commerce. SIM card registration will also go a long way in fostering e-government services.

Once registered, a SIM card user can participate in digital services any time and from anywhere. Such digital financial services provide the users with more time and energy to focus on other developments of their business, family or other aspects of their lives. Digital services promote inclusivity, not only because it is possible from anywhere and at any time, but also because such services cut out costs and make e-commerce and e-transactions more accessible to everyone. In their publication titled: *The Rise of African SIM Registration: The Emerging Dynamics of Regulatory Change*, Donovan, K. and Martin, state:

A number of proponents of SIM registration have argued that such a practice will benefit financial inclusion by universalizing the type of KYC data needed for mobile money... SIM card registration exercise is for the benefit of customers especially for services like electronic money transfers, the settling of bills and other monetary transactions¹

Accordingly, digital services ultimately enable economic growth, particularly among the youth and to the informal sector of a developing economy, who are in most instances excluded from mainstream activities. This contributes towards poverty reduction and economic development. The registration of SIM Cards will also complement the provisions of the Electronic Transactions Act in enhancing e-commerce in Namibia.

Director of Ceremonies,

SIM Registration will also enable the Safety and Security and Law Enforcement Agencies of the Republic of Namibia to lawfully intercept communications in the event of any criminal activities reported to them. Cybercrimes are not foreign to Namibia and recent studies by the International Telecommunications Union have encouraged the need for governments to introduce comprehensive cyber security frameworks. SIM card registration is one of the basic tenets of such frameworks. Registering your SIM card therefore protects you from crimes and other vulnerabilities in the cyber space such as a SIM clone by which your number is high jacked and used to commit illicit activities.

With a registered SIM card, the Safety and Security and Law Enforcement Agencies can collaborate with the correct user and telecommunication service providers to verify identities and take the necessary actions to prevent the unauthorised use of numbers or identity and intercept the distribution of data that

¹ Donovan, K. and Martin, A., 2014, *The Rise of African SIM Registration: The Emerging Dynamics of Regulatory Change*. *First Monday* 19, 1-2

infringes upon the right to privacy and dignity or poses a threat to national security. Defamatory, degrading and dehumanising acts should not be tolerated in any society and any actions in prevention, such as registering a SIM card, should be taken. The formulation of a bill on Cybercrimes is at an advanced stage and shall be presented for public scrutiny in due course, which will also complement our cyber security framework.

It is important to note that, contrary to misinformation by detractors the Communications Act of 2009 does not introduce, nor authorise the interception of communications in Namibia. The only laws that authorise and set the parameters for interception are the Criminal Procedure Act (No. 51 of 1977) and Namibia Central Intelligence Service Act (No. 10 of 1997). It is, thus, misleading to say that SIM Registration enable the surveillance of SIM card users. SIM card registration should, therefore, not be confused with interception. Interception is only possible after the report of an allegedly criminal activity to the relevant Law Enforcement Agency and the issuance of a warrant through the Court of Law. I stress that unauthorised surveillance is a crime and poses a greater threat to individuals and society though the disclosure of confidential information. Interception is only concerned with dealing with purely criminal allegations - not political, social and economic activities without any criminal lineage.

Director of Ceremonies,

Additionally, SIM card registration does not negatively impact the free speech or privacy of consumers. It does not give mobile service providers or the government the power to ‘spy’ on users or intercept communications without reasonable cause. Communications can only be intercepted when a crime is reported and a warrant is issued by a judge, as authorised in the Criminal Procedure Act of 1977 and the Namibia Central Intelligence Service Act of 1997. In other words, interception does not fall under the new Regulations of the Communications Act of 2009 and is not carried out by the mobile service providers. The Namibian Constitution permits limitations on constitutional freedoms, including the freedom of speech and the right to privacy, if national security and public safety are threatened, for example when a crime is committed. Even in such instances, there are laws that prescribe what law enforcement can and cannot do to protect Namibians against any unlawful infringement of their rights.

Director of Ceremonies,

SIM card registration is in the interest of national and individual safety and security that enables the Law Enforcement agencies to execute their duties of ensuring safety and security for Namibia, its citizens and others. SIM Registration

stimulates economic growth by making e-government, e-commerce and financial services more accessible, to particularly those who are frequently excluded from the formalities of a developing economy. Such strategies of inclusion should be adopted by both government and private sector to provide services that are inclusive of all levels of income, business sizes and sectors of the economy.

I am confident that CRAN and all the relevant telecommunication stakeholders are prepared and ready to ensure the effective implementation of legislation that inarguably is in the right direction towards the digitisation of Namibia, at a time when the protection of a nation and the individual or groups is at the center of our time.

This launch also comes at an opportune time as Namibia has taken steps to deliberately prepare herself for the fourth industrial revolution. I therefore wish to congratulate CRAN for taking the lead in ensuring that all the elements of the digitisation ecosystem are being implemented in preparation for us to become a full digitized country.

I thank you.

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