

In 2012, Namibia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government published the Plan of Action on Gender Based Violence (2012-16), which includes comprehensive recommendations to combat trafficking; established the National Agenda for Children (2012-2016) to guide various sectors in the protecting of child rights; and abolished the requirement that forces parents to contribute to primary school development funds. Gaps remain in existing laws regarding child prostitution and the use of children for illicit activities, passage of the draft Child Care and Protection Bill is still pending, and resources for enforcement are insufficient. Children continue to engage in the worst forms of child labor, particularly in agriculture and commercial sexual exploitation.



Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable
Primary Completion Rate		81.1

Sources:

Primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis, 2013.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children are engaged in the worst forms of child labor in Namibia, primarily in agriculture and domestic service.(3-6) Children in Namibia herd and tend to cattle. Although evidence is limited, there are reports that children also herd sheep and goats.(4, 5, 7) Children herding livestock may be at risk of snake bites, animal-borne illnesses, long hours in the heat, and abuse.(8) Children's work in agriculture may involve unsafe activities, such as using dangerous tools, carrying heavy loads, and applying harmful pesticides.(9, 10)

Girls, and to a lesser extent boys, are engaged in sex work in Namibia.(6, 11, 12) Although evidence is limited, it is reported that girls from Angola, Zambia, and Zimbabwe are involved in commercial sex work within the country.(6)

Some children in Namibia work as domestic servants.(6, 11) Children working as domestic servants may work long hours

for little to no pay and be exposed to physical, psychological, and sexual abuse.(13, 14)

There are reports of children being used by adults to commit crimes that include drug trafficking and stealing, in particular, cattle theft.(6, 15-17)

Although the extent of the problem is unknown, children in Namibia are trafficked within the country for domestic service and commercial sexual exploitation. Children from the marginalized *San* ethnic group are particularly vulnerable to this type of exploitation.(11, 18) There are also reports of children being trafficked for livestock herding.(14, 17-22)

Laws and Regulations on the Worst Forms of Child Labor

The Labor Act sets the minimum age for work in Namibia at 14. Children between the ages of 14 and 18 are prohibited from hazardous and harmful work; night work; and work in mining, construction, and other specific forms of dangerous labor. Children between the ages of 14 and 18 are also prohibited from working on premises that may put their health; safety; and physical, mental, spiritual, moral, or social development at risk, except if the Minister of Labor and Social Welfare puts forth regulations permitting such work.(6, 23) The Constitution outlaws the economic exploitation of children less than 16 years of age and prohibits their employment in work that would interfere with their education or that is likely to harm their physical health or mental, spiritual, moral, or social development.(24) A list of hazardous work activities for children has been finalized and submitted to the Tripartite Labor Advisory Council for its

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consideration and to the Minister of Labor and Social Welfare for recommendations.(25)

International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	14
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	16
	Free Public Education	Yes

The Constitution and the Labor Act prohibit slavery and forced labor and provide penalties for violators.(23, 24) The 2004 Prevention of Organized Crime Act prohibits and criminalizes all forms of domestic and international trafficking in persons, including the recruitment, harboring, transportation, transfer, and receipt of persons.(6, 18) The Combating of Immoral Practices Act and the Children's Act of 1960 prohibit parents, guardians, or those possessing custody of a child from offering the child for prostitution.(11)

The Government, in collaboration with civil society, has drafted a Child Care and Protection Bill to specifically address child trafficking and other crimes including prostitution, pornography, and the use of children for illicit activities. The Child Care and Protection Bill is with Parliament for review and consideration.(6, 11)

The Labor Act explicitly allows labor inspections of private farms.(26)

Namibia does not have military conscription and the Namibian Defense Force Personnel Policies set the minimum age for voluntary military service at age 18.(27)

The Constitution mandates free and compulsory education for all children, beginning at age 7 and continuing until the child has completed primary school or reached the age of 16, whichever is sooner.(24) During the reporting period, the Ministry of Education (MoE) abolished the requirement that forces parents to contribute to their child's school development fund. This requirement had previously been a barrier to some children's ability to attend school.(17, 28, 29)

Institutional Mechanisms for Coordination and Enforcement

Although worst forms of child labor issues are handled by the Ministry of Labor and Social Welfare (MLSW), in conjunction with the Ministry of Home Affairs and Immigration; Namibian Police (in particular its Women and Child Protection Units [WACPU]); Ministry of Gender, Equality, and Social Welfare (MGECW); and MoE, research found no evidence that the Government of Namibia has established a formal coordinating mechanism to combat the worst forms of child labor. The ministries coordinate their efforts through the WACPU (regional offices that house police, social workers, legal advisors, and health workers) and regional Child Care and Protection Forums led by local councils and also containing participation from civil society.(6) The Tripartite (workers, employers, and the Government) Participatory Advisory Committee on Child Labor (PACC) comprises several government ministries, businesses, trade unions, and international organizations; it is responsible for sharing information and coordinating government responses to child labor concerns. The PACC, established under a USDOL-funded regional child labor project, is supposed to meet quarterly; however, the Committee has not met since the regional project ended in June 2012.(4, 6, 30, 31)

The Government has several interministerial groups that coordinate its trafficking efforts. The MGECW coordinates a group to draft trafficking legislation.(11) During the reporting period, an interministerial group on border and migration issues was established by the Ministry of Home Affairs and Immigration. Trafficking is one of eight main topics being addressed by this group.(11) In addition, regional councils throughout the country convene interministerial Child Care and Protection Forums on a quarterly basis that include discussions about trafficking.(11)

The MLSW is the main agency responsible for enforcing child labor laws and investigating allegations of child labor law

violations, including those involving forced labor. MGECW is responsible for cases involving trafficking and the commercial sexual exploitation of children.(6, 14) MLSW inspectors work together with the Ministry of Safety and Security (WACPU and Criminal Investigations Division), MGECW, Namibia Central Intelligence Service, and the MoE on child labor matters.(4, 6, 14) The MLSW leads these ministries in joint inspection teams and manages the Permanent Joint Child Labor Inspection Committee.(6, 14) Children removed from child labor situations during inspections may be brought to a regional WACPU to receive assistance from MGECW social workers or to an MGECW shelter, six of which exist throughout the country.(6)

The Labor Inspectorate employed approximately 40 labor inspectors during the reporting period. Although none of the labor inspectors were child labor specialists, they were all trained to identify and manage child labor violations, and to look for these violations when conducting routine inspections; however, MLSW and MGECW officials report that additional training is needed.(4, 6) MLSW officials report that its funding is sufficient to carry out inspections and investigations in areas where child labor has been reported, but while child labor inspections have increased significantly over the last 4 years, funding for additional inspections, including spot inspections, is insufficient. The MLSW lacks the budget, transportation, and personnel necessary to conduct frequent and comprehensive inspections throughout Namibia's vast, remote, and sparsely populated land.(6, 29) Inspections are reportedly carried out in all areas where work is performed. (32) However, inspectors sometimes have difficulty gaining access to large communal and family-owned commercial farms and to private households.(14, 26) NGOs report that difficulty accessing private farms makes addressing child labor challenging.(26)

During the reporting period, the MLSW conducted approximately 3,000 labor inspections, with a particular focus on agriculture. Six probable child labor violations in herding in communal areas were identified.(6) However, lack of age documentation prevented the MLSW from being able to prove the violations and issue penalties or citations. The MLSW instead issued warnings and instructed the cattle owners to return the children to their homes.(6)

The WACPU and Criminal Investigations Division enforce criminal laws and frequently conduct site visits with labor inspectors in the event a criminal case needs to be opened. The WACPU employ officers in 16 units around

the country.(19, 30, 33) The MGECW leads anti-trafficking efforts for the Government and coordinates closely with the Namibian Police's WACPU.(6) The MGECW employs 62 social workers throughout the country, whose duties include providing counseling and referral services to victims of trafficking; it has also established six safe houses for survivors.(14, 19, 30, 33) The number of prosecutions and convictions for child labor violations during the reporting period is unknown.

Investigation continued into the case of two women in the area of Walvis Bay and Swakopmund who allegedly sold three minor girls for sex.(33, 34) The women are being held until their court date and the minors are being provided with counseling.(33)

Government Policies on the Worst Forms of Child Labor

Namibia's National Action Plan to Eliminate Child Labor ended in 2012 and a new plan has not yet been drafted.(6) During the reporting period, the Government released several national plans that include child protection concerns, such as National Development Plan Four (2012/2013-2016/2017) and the National Plan of Action on Gender Based Violence (2012-2016), which delineate comprehensive recommendations for combatting trafficking.(6, 35) The Government initiated the National Agenda for Children (2012-2016) in order to guide various sectors in protecting children's rights.(22) Child labor concerns are included in the Education for All National Plan (2001-2015) and the Decent Work Country Program (2010-2014).(3, 36-38) In addition, the MGECW is in the process of publishing Namibia's National Protection Referral Network, a chart indicating the flow of services for children experiencing any form of abuse.(39)

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government of Namibia maintains a comprehensive government-funded social protection system that includes grants for orphans and children in foster care, as well as child maintenance grants for children whose parents have died, are on pension, or are in prison. Child welfare grants are administered by the MGECW.(6, 36)

The Namibian School Feeding Program continued to provide a mid-morning meal to about 270,000 schoolchildren

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throughout the country. The National Youth Service also continued to offer training in civic education, national voluntary service, and job skills to unemployed youth, some of whom have never attended school.(33) Lack of birth registration is an issue in Namibia. Unable to prove citizenship, some unregistered Namibian children lose access to school.(40, 41) During the reporting period, the Government of Namibia continued to make efforts to ensure that children are appropriately documented.(40) The Government, in coordination with UNICEF, has opened 21 hospital-based birth registration facilities and 22 subregional offices in rural areas.(41, 42) The impact of the above programs on the worst forms of child labor is unknown. The impact of the grants, school feeding program, and birth registration efforts on the worst forms of child labor has not been assessed.

The Government runs a toll-free hotline, operated by the Namibian Police, for reporting crimes, including child trafficking.(30) The Government has established six shelters for women and children to assist victims of sexual assault, gender-based violence, trafficking, and the worst forms of child labor.(6, 19) In addition, Namibia runs three “one-stop-shops” for victim protection. These facilities provide lodging, medical, and psychosocial care for victims. The Government also provides subsidies and funding to NGOs that assist victims of trafficking.(42)

During the reporting period, Namibia participated in a \$4.8 million USDOL-funded regional project lasting 3 years and 9 months, to support the implementation of national child labor action plans. The project, which helped the Government of Namibia mainstream child labor issues into legislative and policy frameworks, ended during the reporting period.(6, 36, 43, 44) The project provided services to withdraw or prevent children from the worst forms of child labor, particularly in hazardous work in agriculture and commercial sexual exploitation, with a special focus on children affected by HIV/AIDS.(31)

In 2012, Namibia participated in the USDOL-funded, 4-year Global Action Program on Child Labor Issues Project, which is active in approximately 40 countries.(45) In Namibia, the project aims to build the capacity of the Government and to develop strategic policies to address the elimination of child labor and forced labor. It also aims to strengthen legal protections and social service delivery for child domestic workers.(45)

While the Government implements programs to assist vulnerable children, its efforts do not target the worst forms of child labor in which some children work, namely domestic service, commercial sexual exploitation, agriculture, and herding.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Namibia:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Pursue the finalization and adoption of the hazardous worklist.	2012
	Continue to seek passage of revisions to the Child Care and Protection Bill to better address child trafficking, child prostitution, and the use of children in illicit activities.	2009, 2010, 2011, 2012
Coordination and Enforcement	Make efforts to convene the PACC on a regular basis or establish an alternative coordinating mechanism for efforts to combat the worst forms of child labor.	2012
	Provide additional training to MLSW and MGECW officials on child labor issues.	2012
	Provide appropriate levels of personnel and vehicles to the Labor Inspectorate to carry out regular enforcement.	2011, 2012
	Make information available on the number of prosecutions and convictions related to child labor violations.	2012

Area	Suggested Actions	Year(s) Action Recommended
Policies	Draft and adopt a new National Action Plan to Eliminate Child Labor.	2012
Social Programs	Develop programs to prevent children's involvement in the worst forms of child labor, namely domestic service, commercial sexual exploitation, and agriculture and herding.	2009, 2010, 2011, 2012
	Assess the impact that existing child assistance programs may have on addressing child labor.	2011, 2012

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