

In 2015, Namibia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed the Child Care and Protection Act, which criminalizes child trafficking, commercial sexual exploitation of children, and the use of children in illicit activities. The Government also ordered the elimination of secondary education school fees and implemented regulations that prohibit the employment of domestic workers less than 18 years. However, children in Namibia are engaged in child labor, including in herding livestock, and in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Gaps remain in existing laws regarding the prohibitions on hazardous work for children in agriculture and there are no existing social programs that specifically target child labor in agriculture.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Namibia are engaged in child labor, including in herding livestock. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking.⁽¹⁻³⁾ Although the Government of Namibia published *the Young People in Namibia: An Analysis of the 2011 Population and Housing Census* and *A Namibia Fit for Children: 25 Years of Progress* in 2015, data discussed in those reports were not available for analysis in this report. Table 1 provides key indicators on children’s work and education in Namibia. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		86.5

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2015.⁽⁴⁾ Data were unavailable from Understanding Children’s Work Project’s analysis, 2015.⁽⁵⁾

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Tending and herding livestock, including cattle, sheep,* and goats* (1-3, 6, 7)
Services	Domestic work (2, 3, 9, 10)
	Taking care of children* (11, 12)
	Working in bars called shebeens*(13)
	Street work,* including selling candies,* fruits,* handicrafts,* and cell phone air time vouchers* (13, 14)
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation sometimes as a result of human trafficking (3, 7, 12)
	Forced labor in agriculture, cattle herding, and domestic work, each sometimes as a result of human trafficking (3, 12, 13, 15)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

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Children in Namibia are trafficked and subjected to commercial sexual exploitation and forced labor in agriculture and domestic work. Some children from Angola, Zambia, and Zimbabwe are trafficked for commercial sexual exploitation and forced labor in the fishing sector and in organized street vending in Windhoek and other cities.(3) Children orphaned as a result of HIV/AIDS and San and Zemba children are particularly vulnerable to child labor. San and Zemba children are especially vulnerable to forced labor on farms or in homes and, to a lesser extent, are exploited in prostitution.(3, 13, 16, 17) Namibian children as young as 10 years old are also found in the Caprivi, Kavango, Oshikoto and the Ohangwena regions working an average of 11 hours a day as herd boys, weeders, plowers, and harvesters.(18, 19)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Namibia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Chapter 2, Article 3(2) of the Labor Act (20)
Minimum Age for Hazardous Work	Yes	18	Article 15 of the Constitution; Chapter 2, Article 3(4) of the Labor Act (20, 21)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Chapter 2, Articles 3(3)(d) and 4 of the Labor Act; Article 234 of the Child Care and Protection Act (20, 22, 23)
Prohibition of Forced Labor	Yes		Article 9 of the Constitution; Chapter 2, Article 4 of the Labor Act; Section 15 of the Prevention of Organized Crime Act; Articles 202 and 234 of the Child Care and Protection Act (20, 21, 23, 24)
Prohibition of Child Trafficking	Yes		Section 15 of the Prevention of Organized Crime Act; Articles 202 and 234 of the Child Care and Protection Act (23, 24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 2 of the Combating of Immoral Practices Act Amendment Act; Article 234 of the Child Care and Protection Act (23, 25)
Prohibition of Using Children in Illicit Activities	Yes		Articles 234 of the Child Care and Protection Act(23)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Chapter 9 of the Namibian Defense Force Personnel Policies (9, 13, 26)
Compulsory Education Age	Yes	16	Article 20 of the Constitution (21)
Free Public Education	Yes		Article 20 of the Constitution (21)

* No conscription (26)

During the year, the Government of Namibia via cabinet resolution ordered the elimination of all secondary education fees starting in 2016.(8) The Government also passed the Child Care and Protection Act which criminalizes child trafficking, commercial sexual exploitation of children, and the use of children in illicit activities.(8, 23) Additionally, the Ministry of Labor, Industrial Relations and Employment Creation (MLIREC) developed regulations in 2014 that prohibited the employment of domestic workers under the age of 18, and these regulations came into effect on April 1, 2015.(8)

The Namibian Constitution states that children under age 16 should not be required to perform work that is likely to be hazardous. However, the Labor Act states that children between 16-18 years may perform hazardous work subject to approval by the MLIREC and in accordance with the restrictions outlined in Articles 3(c) and 3 (d) of the Labor Act.(20, 21) Under Articles 3(c) and 3(d) of the Labor Act, children are prohibited from hazardous work including underground work, mining, construction, demolition, manufacturing, electrical work, installation of machinery, and night work. However, the law does not prohibit hazardous work for children in the agricultural sector, where there is evidence of children working 11 hours a day doing weeding and plowing as herd boys.(18, 19) The MLIREC reported that it drafted additional hazardous work prohibitions, but these have not been approved.(8, 14, 27)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Industrial Relations and Employment Creation (MLIREC)	Enforce child labor laws and investigate allegations of violations, including forced labor. Responsible for cases involving human trafficking and commercial sexual exploitation of children.(1, 9, 28) Work with the Ministry of Safety and Security (MSS); Ministry of Gender, Equality, and Child Welfare (MGECW); Namibia Central Intelligence Service; and Ministry of Education (MOE) on child labor matters.(1, 9) Lead these ministries in joint inspection teams.(1, 9, 28)
Ministry of Safety and Security (MSS)	Enforce criminal laws and conduct site visits with labor inspectors.(1, 9) The MSS through the Namibian Police handles enforcement.(9)
Ministry of Gender, Equality, and Child Welfare (MGECW)	Collaborate with the Namibian Police's Gender Based Violence Protection Units (GBVPU) to address child labor issues. Responsible for cases involving human trafficking and commercial sexual exploitation of children.(9, 28, 29) Remove children from child labor situations during inspections and take them to a regional GBVPU to receive assistance from MGECW social workers or to an MGECW shelter, eight of which exist throughout the country.(29)
Joint Child Labor Inspection Committee	Coordinate activities to enforce child labor laws. Committee includes the Ministry of Labor, Industrial Relations and Employment Creation (MLIREC), Ministry of Safety and Security (MSS) and the Ministry of Gender Equality and Child Welfare (MGECW).(1) Refer children identified during labor inspections to MGECW social workers or to an MGECW-operated shelter for care.(1)

Labor Law Enforcement

In 2015, labor law enforcement agencies in Namibia took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of labor Law Enforcement	2014	2015
Labor Inspectorate Funding	\$4,797,000 (8)	\$3,750,000 (8)
Number of Labor Inspectors	88 (27)	97 (8)
■ Number of Child Labor Dedicated Inspectors	2 (8)	2 (8)
Inspectorate Authorized to Assess Penalties	No (8)	No (8)
Training for Labor Inspectors		
■ Initial Training for New Employees	Yes (8)	Yes (8)
■ Training on New Laws Related to Child Labor	Yes (8)	Yes (8)
■ Refresher Courses Provided	Yes (8)	Yes (8)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2014	2015
Number of Labor Inspections	2,748 (8)	6,073 (8)
■ Number Conducted at Worksite	2,748 (8)	6,073 (8)
■ Number Conducted by Desk Reviews	N/A (8)	N/A (8)
Number of Child Labor Violations Found	0 (8)	0 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (8)	N/A (8)
■ Number of Penalties Imposed That Were Collected	N/A (8)	N/A (8)
Routine Inspections Conducted	Yes (8)	Yes (8)
■ Routine Inspections Targeted	Yes (8)	Yes (8)
Unannounced Inspections Permitted	Yes (8)	Yes (8)
Unannounced Inspections Conducted	Yes (8)	Yes (8)
Complaint Mechanism Exists	Yes (8)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (8)

*The Government does not make this information publicly available.

NGOs reported that the MLIREC lacked sufficient resources such as office space and transportation to enforce child labor laws. Inspectors have the legal authority to inspect private farms but encounter difficulties accessing the properties because the gates to such farms are almost always locked as a security measure.(8) NGOs also reported difficulties accessing such locations, making it challenging to address child labor concerns.(1, 7, 27)

Criminal Law Enforcement

In 2015, criminal law enforcement agencies in Namibia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2014	2015
Number of Investigations	Unknown (8)	0 (8)
Number of Violations Found	Unknown (8)	0 (8)
Number of Prosecutions Initiated	0 (27)	1 (8)
Number of Convictions	N/A (8)	1 (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (8)

The Government has a toll-free hotline operated by Namibian Police for reporting crimes, including child trafficking. An NGO operates a separate hotline that offers resources to victims of gender based violence and child exploitation and makes referrals to relevant government organizations. During the year a perpetrator was convicted on a total of 11 counts for trafficking of children for commercial sexual exploitation and subsequently sentenced to 13 years in prison.(8)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Inter-Ministerial Committee on Child Labor	Coordinate Government policies and efforts to combat child labor. The committee consists of officials from the Ministry of Education (MOE), Ministry of Gender Equality and Child Welfare (MGECW), Ministry of Safety and Security (MSS), as well as the Office of the Ombudsman.(27) The committee was inactive during the year.(8)
Gender Based Violence Protection Units	Coordinate the efforts of ministries, including Ministry of Labor, Industrial Relations and Employment Creation (MLIREC), Ministry of Home Affairs and Immigration, Namibian Police, MGECW, and MOE that handle the worst forms of child labor. In addition, all these ministries participate in MLIREC-led inspection teams that investigate labor violations in the country.(9) Currently, there are 15 units in the country.(8)

Table 8. Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
Child Care and Protection Forums	Organize forums to address child protection issues and services within the country and includes regional councils, MGECW social workers, government agencies, NGOs, community leaders, churches, and other local-level stakeholders.(9)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Namibia has established policies related to child labor, including its worst forms (Table 9).

Table 9. Policies Related to Child Labor

Policy	Description
Decent Work Country Program (2010-2016)	Outlines strategies for promoting decent work in Namibia. Prioritizes employment promotion, and enhanced social protections, and strengthening social dialogue and tripartism. Includes elimination of forced labor and child labor as an outcome.(30) The program was extended to 2016.(31)
National Development Plan IV (2012/2013-2016/2017)	Includes goals for addressing child protection and trafficking concerns.(1, 32)
National Plan of Action on Gender-Based Violence (2012-2016)	Establishes a plan for reducing incidences of gender-based violence and improving the country's understanding and response. The plan also addresses child protection and trafficking concerns.(1, 9, 33)
National Protection Referral Network*	Determines how services should be provided to children experiencing any form of abuse.
Education for All National Plan of Action (2002-2015)*	Focuses on providing all children, including the most vulnerable, with relevant and quality education.(34)
National Agenda for Children (2012-2016)*	Establishes guidelines for Government in advancing and protecting children's rights.(12, 35)

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Namibia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 10).

Table 10. Social Programs to Address Child Labor

Program	Description
Global Action Program on Child Labor Issues (2011- 2017)	USDOL-funded and implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 project established by the Hague Global Child Labor Conference in 2010.Aims to build the capacity of the national Government and develop strategic policies to address the elimination of child labor and strengthen legal protections and social service delivery for child domestic workers.(36) During the year, the ILO held a workshop that presented the legal and situational analysis on children in domestic work to 23 participants, including social partners and members from civil society. (37)
Social Protection System†	UNICEF financially supports the MGECW comprehensive, social protection system that includes grants for orphans and children in foster care and child maintenance grants for children whose parents have died, are on pension, or are in prison.(9, 38) The program was expanded to 2018.
Namibian School Feeding Program†	Government program providing mid-morning meals to about 330,000 school children throughout the country.(39)
National Youth Service†	Government program offering training in civic education, national voluntary service, and job skills to unemployed youth, some of whom have never attended school.(39)
Birth Registration and Documentation	UNICEF and Government-sponsored efforts to register births and issue birth certificates, including through mobile birth registration.(17)
Shelters and victim services†	Government-established six operational shelters for women and children that assist victims of sexual assault, gender-based violence, and the worst forms of child labor.(9) In addition, there are 15 Gender Based Violence Protection Units that serve as a "one-stop-shop" for victim protection that provide lodging, medical, and psychosocial care for victims. Also, provides subsidies and funding to NGOs that assist victims of trafficking.(29)

† Program is funded by the Government of Namibia.

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During the year, the Government developed a Training of Trainers Manual on School Health for teachers, health workers, and social workers. The manual instructs teachers, health workers, and social workers on how to identify health issues such as child abuse and neglect that may affect a student's academic performance. (40) In March 2015, the manual was used in a workshop to train teachers, health workers, and social workers. (40) Although the Government of Namibia provides assistance to vulnerable children and services to some victims of child labor, research found no evidence of programs specifically addressing children working in agriculture or domestic work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Namibia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish hazardous work prohibitions for children in the agriculture sector.	2014–2015
Enforcement	Ensure that sufficient resources such as office space and transportation are available for labor inspectors to facilitate enforcement of child labor laws.	2014–2015
	Ensure that labor inspectors can access large communal and family-owned commercial farms to conduct labor investigations.	2014–2015
	Make information publicly available about the types of trainings for criminal investigators receive concerning child labor, including its worst forms.	2015
Coordination	Ensure that child labor coordination committees such as the Inter-Ministerial Committee on Child Labor are active during the year.	2015
Government Policies	Integrate child labor elimination and prevention strategies into existing education and youth policies.	2013–2015
Social Programs	Conduct research on the prevalence of child labor to inform the development of policies and social programs to address children working in agriculture.	2013–2015
	Institute programs to address child labor in agriculture and domestic work.	2009–2015

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