

Namibia

Incidence and Nature of Child Labor

An estimated 1.8 percent of children ages 6 to 14 years were counted as working in Namibia in 1999. Approximately 1.7 percent of all boys 5 to 14 were working compared to 1.8 percent of girls in the same age group. The majority of working children were found in the agricultural sector (91.4 percent), followed by services (8.2 percent), manufacturing (0.4 percent), and other sectors (0.1 percent).³²⁸¹ Children work in commercial and subsistence agriculture, street trading, domestic service, and the informal sector.³²⁸² Commercial sexual exploitation of children is reportedly a problem in cities and on main roads.³²⁸³

Primary education is compulsory and free in Namibia. Children are required to attend school until they complete their primary education or until the age of 16 years.³²⁸⁴ However, there are numerous fees for such items as uniforms, books, and school improvements that prevent some poor children from attending school.³²⁸⁵ Many San children do not attend school.³²⁸⁶ In 2002, the gross primary enrollment rate was 105 percent and the net primary enrollment rate was 78 percent.³²⁸⁷ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. In 1999, 91.6 percent of children ages 6 to 14 years were attending school.³²⁸⁸ As of 2001, 95 percent of children who started primary school were likely to reach grade five.³²⁸⁹

³²⁸¹ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the section in the front of the report titled "Data Sources and Definitions."

³²⁸² Debie LeBeau, *Scoping Report on Child Labour in Namibia*, Discussion Document, commissioned by ILO-IPEC, Geneva, August 2003. See also U.S. Embassy- Windhoek, *reporting*, August 24, 2004, para 6.

³²⁸³ ECPAT International, *Namibia CSEC Overview*, ECPAT International, [online database] n.d. 2005 [cited June 17, 2005]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/countries.asp?arrCountryID=119&CountryProfile=&CSEC=Overview,Prostitution,Pornography,trafficking&Implement=Coordination_cooperation,Prevention,Protection,Recovery,ChildParticipation&Nationalplans=&orgWorkCSEC=&DisplayBy=optDisplayCountry. See also Debie LeBeau, *Scoping Report*, 35 and 37.

³²⁸⁴ *Constitution of the Republic of Namibia, 1990*, (February 1990), Chapter III, Article 20; available from http://www.oefre.unibe.ch/law/icl/wa00000_.html. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2004*, Washington, D.C., February 28, 2005, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41618.htm>.

³²⁸⁵ U.S. Department of State, *Country Reports- 2004: Namibia*, Section 5.

³²⁸⁶ *Ibid.* The San people are nomadic and live in the remote areas of Namibia. See *The people of Namibia: Information on ethnic groups*, Namibweb.com, 2005 [cited June 28, 2005]; available from <http://www.namibweb.com/people.html>.

³²⁸⁷ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (Gross and Net Enrollment Ratios, Primary; accessed December 2005). For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

³²⁸⁸ UCW analysis of ILO SIMPOC, UNICEF MICS and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

³²⁸⁹ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=55> (School life expectancy, % of repeaters, survival rates; accessed December 2005).

Child Labor Laws and Enforcement

The Labor Act stipulates that children under the age of 14 years cannot be employed for any purpose. The Act prohibits children under the age of 16 years from working in any mine, industrial, or construction setting or underground, and prohibits children under the age of 18 years from engaging in night work.³²⁹⁰ The Constitution provides that children under the age of 16 years are entitled to be protected from economic exploitation and are not to be employed in any work that is likely to be hazardous, harmful to their health or physical, mental, spiritual, moral, or social development, or that would interfere with their education.³²⁹¹

The worst forms of child labor may be prosecuted under different statutes in Namibia. Although it does not specifically mention children, the Constitution prohibits slavery and forced labor.³²⁹² The Prevention of Organized Crime Act, enacted in November 2004, expressly prohibits trafficking in persons.³²⁹³ The Combating of Immoral Practices Act of 1980 and the Children's Act of 1960 protect children from being used as commercial sex workers and make it an offense for any adult, including the parent, guardian, or custodian of a child, to solicit or entice a child to participate in commercial sex work.³²⁹⁴ The Constitution provides for compulsory military service, but individuals currently enlist in the armed forces on a voluntary basis. According to Ministry of Defense policy, the minimum age for voluntary military service is 18 years.³²⁹⁵ Since 1999, the Government of Namibia has submitted to the ILO a list or an equivalent document identifying the types of work that it has determined are harmful to the health, safety or morals of children under Convention 182 or Convention 138.³²⁹⁶

The Ministry of Labor is responsible for enforcing the Labor Act.³²⁹⁷ Ministry inspectors are trained on identifying the worst forms of child labor and using the existing enforcement mechanisms.³²⁹⁸ In 2004, the most recent period for which such information is available, labor inspectors used updated inspection forms that included specific provisions to address child labor issues at the workplace.³²⁹⁹ The Women and Child Protection Units of the Namibian Police Force investigate cases involving abduction and child prostitution.³³⁰⁰ The Ministry of Gender Equality and Child Welfare is charged with ensuring that adequate care is provided to children, particularly orphans and other vulnerable children.³³⁰¹

³²⁹⁰ Night work is defined as any work taking place between 10 pm and 7 am. Government of Namibia, *Labor Act 2004*, (December 8, 2004), Chapter 2, Sections 3 and 4; available from <http://www.mol.gov.na/acts/Gaz3339.pdf>. See also Debie LeBeau, *Scoping Report*, 17.

³²⁹¹ *Constitution of the Republic of Namibia, 1990*, Article 15.

³²⁹² *Ibid.*, Article 9.

³²⁹³ U.S. Department of State, *Country Reports- 2004: Namibia*, Section 5.

³²⁹⁴ Debie LeBeau, *Scoping Report*, 21.

³²⁹⁵ Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2004*, London, 2005; available from http://www.child-soldiers.org/document_get.php?id=788.

³²⁹⁶ ILO-IPEC official, email communication to USDOL official, November 14, 2005.

³²⁹⁷ ILO, *The Effective Abolition of Child Labour: Review of Annual Reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work*, GB.280/3/2, Geneva, March 2001, 321; available from <http://www.ilo.org/public/english/standards/relm/gb/docs/gb280/pdf/gb-3-2-abol.pdf>.

³²⁹⁸ U.S. Embassy- Windhoek, *reporting*, August 24, 2004, para 4. See also U.S. Department of State, *Country Reports- 2004: Namibia*, Section 6d.

³²⁹⁹ U.S. Department of State, *Country Reports- 2004: Namibia*, Section 6d.

³³⁰⁰ Government of Namibia, *Units within the Namibian Police Force*, [online] 2005 [cited October 3, 2005]; available from <http://www.nampol.gov.na/html/units.html>.

³³⁰¹ Government of Namibia, *Statement by His Excellency Sam Nujoma, President of the Republic of Namibia, On the Occasion of the Official Launching of the National Policy on Orphans and Vulnerable Children*, [online] 2005 [cited June 17, 2005]; available from http://www.grnnet.gov.na/Nav_frames/News_launch.htm.

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Namibia is working with ILO-IPEC to implement a USDOL-funded regional child labor project in Southern Africa, which includes activities in Namibia. Project activities in Namibia include piloting methods for the prevention and withdrawal of children in the worst forms of child labor, conducting research on the nature and incidence of exploitative child labor, and building the capacity of the government to address child labor issues.³³⁰² In collaboration with the government and NGOs, the American Institutes for Research is implementing a USDOL-funded project to improve quality and access to basic and vocational education for children who are working or at risk of being engaged in exploitative child labor.³³⁰³

Indicators of Government Efforts to Eliminate Child Labor		
Ratified Convention 138	11/15/2000	✓
Ratified Convention 182	11/15/2000	✓
ILO-IPEC Associated Member		✓
National Plan for Children		✓
National Child Labor Action Plan		
Sector Action Plan		

The Government of Namibia launched a national policy in February 2005, with the support of UNICEF, to protect the well-being of orphans and vulnerable children and reduce their vulnerability to HIV/AIDS.³³⁰⁴ In collaboration with the Ministry of Women's Affairs and Child Welfare and NGOs, USAID is building community capacity to provide for the needs of orphans and vulnerable children. USAID also supports school programs, psycho-social services for children, the Orphans and Vulnerable Children Permanent Task Force, and provides technical assistance to the Orphans and Vulnerable Children Trust Fund.³³⁰⁵ The U.S. Embassy supports child education through the Ambassador's Girls Scholarship Fund. The Government of Namibia's Ministry of Gender Equality and Child Welfare and the Ministry of Health and Social Services aim to keep orphans and vulnerable children in school through the provision of grants and scholarships. These scholarships are directed especially towards child-headed households.³³⁰⁶

The Government of Namibia's Ministry of Education is implementing its National Plan of Action 2002-2015 for education, called Education and Training Sector Improvement Program (ETSIP).³³⁰⁷ UNICEF's country program through 2005 includes a focus on children's health, care, and development.³³⁰⁸ In an effort to increase the rate of primary school enrollment for marginalized children, particularly girls, UNICEF supports the development of culturally appropriate educational programs, the improvement of quality of education, and the strengthening of family and community capacity to plan and manage child education.³³⁰⁹ The U.S. Government, under its Africa Education Initiative, also provides scholarships to vulnerable primary school girls to enable them to attend and do well in school.

³³⁰² ILO-IPEC, *Supporting the Time-Bound Programme to eliminate the Worst Forms of Child Labour in South Africa's Child Labour Action Programme and laying the basis for concerted action against Worst Forms of Child Labour in Botswana, Lesotho, Namibia and Swaziland*, Geneva, September 30, 2003, 38-39.

³³⁰³ *Notice of Award: Cooperative Agreement*, U.S. Department of Labor/American Institutes for Research, Washington, D.C., August 16, 2004, 1-2.

³³⁰⁴ Integrated Regional Information Networks, "Namibia: Policy aims to assist OVC", IRINnews.org, [online], February 10, 2005 [cited March 1, 2005]; available from http://www.irinnews.org/report.asp?ReportID=45493&SelectRegion=Southern_Africa&Sel. See also Namibia, *Statement by the President of Namibia*, Integrated Regional Information Networks, "Namibia: Policy aims to assist OVC."

³³⁰⁵ U.S. Agency for International Development, *USAID Namibia*, [online] 2005 [cited June 17, 2005]; available from <http://www.usaid.org/na/project.asp?proid=5>.

³³⁰⁶ U.S. Embassy- Windhoek, *reporting*, August 24, 2004, para 5.

³³⁰⁷ Government of Namibia, *National Plan of Action 2002-2015*, as cited in UNESCO, *Education Plans and Policies*, [cited October 3, 2005]; available from http://portal.unesco.org/education/en/ev.php-URL_ID=20935&URL_DO=DO_TOPIC&URL_SECTION=201.html.

³³⁰⁸ *Government of Namibia/UNICEF Country Programme of Co-operation 2002-2005*, UNICEF Namibia, [online] [cited June 17, 2005]; available from <http://www.un.na/unicef/projects.htm>.

³³⁰⁹ *At a glance: Namibia*, [online] 2005 [cited June 16, 2005]; available from <http://www.unicef.org/infobycountry/namibia.html>.