

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

The Government of Namibia is an associated country of ILO-IPEC.³⁰⁶⁹ The Government of Namibia collaborated with ILO-IPEC and UNICEF on a national child labor survey in 1999.³⁰⁷⁰ In 2001, the tripartite Labor Advisory Council, comprised of government, union, and private sector representatives, sponsored a series of awareness-raising workshops on child labor regulations for employers.³⁰⁷¹ Police and immigration officials received training in combating trafficking in persons in 2001.³⁰⁷² The Ministry of Health and Social Services is running a Street Children Program that seeks to place street children in shelters and register their parents in income-generating programs.³⁰⁷³ The Ministry of Women's Affairs and Child Welfare works with USAID to build community capacity to assist orphans and vulnerable children.³⁰⁷⁴ The National Planning Commission will conduct a national census on orphans.³⁰⁷⁵ In addition, the government is planning an Orphan and Vulnerable Children Fund, financed by a tax on the population. The Ministry of Women Affairs and Child Welfare will be responsible for finding foster parents for child-headed houses.³⁰⁷⁶

The Ministry of Basic Education, Sport, and Culture is building and renovating school facilities, and working to improve access to basic education for children from marginalized groups. Specific efforts include the creation of community-based curricula, mobile schools, and school feeding programs.³⁰⁷⁷

UNICEF's country program for the 2002–2005 cycle includes a focus on children's health, care, and development.³⁰⁷⁸ It also provides more educational opportunities for girls from marginalized groups.³⁰⁷⁹

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 16.5 percent of children ages 10 to 14 years in Namibia were working.³⁰⁸⁰

³⁰⁶⁹ *All About IPEC: Programme Countries*, ILO, [online] [cited August 29, 2003]; available from http://www.ilo.org/public/english/standards/ipcec/about/countries/t_country.htm.

³⁰⁷⁰ Government of the Republic of Namibia, *Namibia Child Activities Survey 1999: Report of Analysis*, Ministry of Labour, Windhoek, December 2000, iv; available from <http://www.ilo.org/public/english/standards/ipcec/simloc/namibia/report/namibia.pdf>.

³⁰⁷¹ U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Namibia*, Washington, D.C., March 31, 2003, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18218.htm>.

³⁰⁷² *Ibid.*, Section 6f.

³⁰⁷³ 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; available from <http://www.ilo.org/public/english/standards/relm/gb/docs/gb280/pdf/gb-3-2-abol.pdf>.

³⁰⁷⁴ USAID, *Country Profile: Namibia*, [online] November, 2002 [cited June 10, 2003]; available from http://www.usaid.gov/pop_health/aids/Countries/africa/namibia_profile.pdf.

³⁰⁷⁵ Christof Maletsky, "'Orphan tax' on the cards," *The Namibian*, December 17, 2002; available from <http://www.namibian.com/na/2002/December/national/02A1AD14DD.html>.

³⁰⁷⁶ *Ibid.*

³⁰⁷⁷ Government of the Republic of Namibia, Ministry of Basic Education, Sport, and Culture, *A Decade of Peace, Democracy and Prosperity 1990 - 2000*, [online] [cited June 10, 2003]; available from http://www.op.gov.na/Decade_peace/b_edu.htm.

³⁰⁷⁸ *Government of Namibia/UNICEF Country Programme of Co-operation 2002-2005*, UNICEF Namibia, [online] [cited June 4, 2003]; available from <http://www.un.na/unicef/ctyprogramme.htm>.

³⁰⁷⁹ *Girls' Education in Namibia*, UNICEF, [online] [cited June 10, 2003]; available from http://www.unicef.org/programme/girlseducation/action/ed_profiles/Namibiafinal.PDF.

³⁰⁸⁰ World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003. The *Namibia Child Activities Survey 1999* found that 16.3 percent of children aged 6 to 18 years were working. See Government of the Republic of Namibia, *Namibia Child Activities Survey 1999*, 40.

Approximately 95.4 percent of working children live in rural areas, with 77.8 percent of those children working in agriculture, hunting, and forestry.³⁰⁸¹ Child work is almost entirely a rural phenomenon in Namibia.³⁰⁸²

Education is compulsory in Namibia. Children are required to be in school until they complete their primary education or until the age of 16.³⁰⁸³ Although the Constitution mandates that primary education shall be free, in practice there are numerous fees for such items as uniforms, books, and school improvements that prevent some poor children from attending school.³⁰⁸⁴ In 2000, the gross primary enrollment rate was 112.2 percent, and the net primary enrollment rate was 81.6 percent.³⁰⁸⁵ Attendance rates for Namibia are not available. While enrollment rates reflect a level of commitment to education, they do not always reflect children's participation in school.³⁰⁸⁶ In 1999, 92.3 percent of children enrolled in primary school reached grade 5.³⁰⁸⁷

Child Labor Laws and Enforcement

The Labor Act sets the minimum age for employment at 14 years. The Act also prohibits the employment of children under the age of 15 in any mine, industrial, or construction setting, and prohibits children under the age of 16 from working underground and children under the age of 18 from engaging in night work.³⁰⁸⁸ The Constitution provides that children under 16 are entitled to be protected from economic exploitation and are not to be employed or required to perform work that is likely to be hazardous, harmful to their health or physical, mental, spiritual, moral, or social development, or to interfere with their education.³⁰⁸⁹

The Constitution prohibits slavery and forced labor, but does not specifically prohibit child trafficking.³⁰⁹⁰

The Ministry of Labor is responsible for enforcing the Labor Act.³⁰⁹¹ In the past year, the Ministry has hired more inspectors and also revised inspection checklists to include inquiries of child labor.³⁰⁹²

The Government of Namibia ratified ILO Convention 138 and ILO Convention 182 on November 15, 2000.³⁰⁹³

³⁰⁸¹ Government of the Republic of Namibia, *Namibia Child Activities Survey 1999*, 5 and 48.

³⁰⁸² *Ibid.*, 5.

³⁰⁸³ *Constitution of the Republic of Namibia, 1990*, (February 1990), Chapter III, Article 20; available from http://www.oefre.unibe.ch/law/icl/wa00000_.html.

³⁰⁸⁴ U.S. Department of State, *Country Reports- 2002: Namibia*, Section 5. See also *Constitution of the Republic of Namibia, 1990*, Article 20.

³⁰⁸⁵ World Bank, *World Development Indicators 2003*. 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. As a consequence of the HIV-AIDS epidemic, government policymakers face a budgetary choice between training replacement teachers or using those resources to assist HIV-AIDS affected children to pay school fees. See U.S. Embassy- Windhoek, *unclassified telegram no. 0315*, April 2002.

³⁰⁸⁶ For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

³⁰⁸⁷ World Bank, *World Development Indicators 2003*.

³⁰⁸⁸ *The Government of Namibia Labor Act of 1992*, (March 13, 1992), Part V, Sections 34 and 42; available from <http://natlex.ilo.org/txt/E92NA01.htm>.

³⁰⁸⁹ *Constitution of the Republic of Namibia, 1990*, Article 15.

³⁰⁹⁰ *Ibid.*, Article 9. See also U.S. Department of State, *Country Reports- 2002: Namibia*, Section 6f.

³⁰⁹¹ ILO, *The Effective Abolition of Child Labour*, 322.

³⁰⁹² U.S. Department of State, *Country Reports- 2002: Namibia*, Section 6d. See also ILO, *The Effective Abolition of Child Labour*, 322.

³⁰⁹³ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited June 4, 2003]; available from <http://www.ilo.org/english/newratframeE.htm>.