

Namibia

Incidence and Nature of Child Labor

The Namibian Central Bureau of Statistics estimated that 14.4 percent of children ages 6 to 14 years were working in 1999.²⁸⁴⁵ A majority of working children live in rural areas and work in agriculture. Children also work in the informal sector.²⁸⁴⁶ Commercial sexual exploitation of children is reportedly a problem in cities and along main highways.²⁸⁴⁷

Primary education is compulsory and free in Namibia. Children are required to be in school until they complete their primary education or until the age of 16.²⁸⁴⁸ However, there are numerous school-related fees for such items as uniforms, books, and school improvements that prevent some poor children from attending school.²⁸⁴⁹ Many children of the San tribe did not attend school.²⁸⁵⁰ In 2001, the gross primary enrollment rate was 106.0 percent, and the net primary enrollment rate was 78.2 percent.²⁸⁵¹ 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. Recent primary school attendance statistics are not available for Namibia. As of 2000, 94.2 percent of children who started primary school were likely to reach grade 5.²⁸⁵² While enrollment rates reflect a level of commitment to education, they do not always reflect children's participation in school.²⁸⁵³

²⁸⁴⁵ Another 20.1 percent of children ages 15 to 17 years were also found working. See Government of the Republic of Namibia, *Namibia Child Activities Survey 1999: Report of Analysis*, Ministry of Labour, Windhoek, December 2000, 42; available from <http://www.ilo.org/public/english/standards/ipecc/simpoc/namibia/report/namibia.pdf>. For more information on the definition of working children, please see the section in the front of the report entitled Statistical Definitions of Working Children.

²⁸⁴⁶ *Ibid.*, 5 and 46. See also U.S. Embassy- Windhoek, *unclassified telegram no. 0593*, August 2004.

²⁸⁴⁷ ECPAT International, *Namibia*, in ECPAT International, [database online] n.d. 2004 [cited March 24, 2004]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/countries.asp?arrCountryID=119&CountryProfile=&CSEC=Overview,Prostitution,Pronography,trafficking&Implement=Coordination_cooperation,Prevention,Protection,Recovery,ChildParticipation&Nationalplans=&orgWorkCSEC=&DisplayBy=optDisplayCountry. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Namibia*, Washington, D.C., February 25, 2004, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27741.htm>.

²⁸⁴⁸ *Constitution of the Republic of Namibia, 1990*, (February 1990), Chapter III, Article 20; available from http://www.oefre.unibe.ch/law/icl/wa00000_.html.

²⁸⁴⁹ U.S. Department of State, *Country Reports- 2003: Namibia*, Section 5. See also *Constitution of the Republic of Namibia, 1990*, Article 20.

²⁸⁵⁰ U.S. Department of State, *Country Reports- 2003: Namibia*, Section 5. The San people are nomadic and live in the remote areas of Namibia. See *The people of Namibia: Information on ethnic groups*, Namibweb.com, 2004 [cited December 1, 2004]; available from <http://www.namibweb.com/people.html>.

²⁸⁵¹ World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004. 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. See also U.S. Embassy- Windhoek, *unclassified telegram no. 0315*, April 2002.

²⁸⁵² World Bank, *World Development Indicators 2004*.

²⁸⁵³ For a more detailed discussion on the relationship between education statistics and child work, see the preface to this report.

Child Labor Laws and Enforcement

The Labor Act sets the minimum age for employment at 14 years. The Act prohibits the employment of children under the age of 15 in any mine, industrial, or construction setting; prohibits children under the age of 16 from working underground; and prohibits children under the age of 18 from working at night.²⁸⁵⁴ The Constitution provides that children under the age of 16 are 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.²⁸⁵⁵

The Constitution prohibits slavery and forced labor, but does not specifically refer to children.²⁸⁵⁶ The Prevention of Organized Crime Act, enacted in November 2004, specifically prohibits trafficking in persons.²⁸⁵⁷ Section 14 in the Combating of Immoral Practices Act of 1980 prohibits any male from having sexual relations with, or soliciting an indecent act from, any girl who is under the age of 16.²⁸⁵⁸

The Ministry of Labor and Social Welfare is responsible for enforcing the Labor Act.²⁸⁵⁹ The Ministry has continued to hire and train additional inspectors to identify and report on child labor.²⁸⁶⁰ Prosecution of offenders involves a complicated procedure that must be initiated through a civil legal process.²⁸⁶¹

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. Activities in Namibia are focused on programs aimed at children who are working or at-risk of working in exploitative labor, conducting research on the nature and incidence of exploitative child labor, and building the capacity of the government to address child labor issues.²⁸⁶² The American

Selected Child Labor Measures Adopted by Governments		
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		

²⁸⁵⁴ *Labor Act*, (2004), Chapter 2, sections 3 and 4; available from <http://www.mol.gov.na/acts/gaz3339.pdf>.

²⁸⁵⁵ *Constitution of the Republic of Namibia*, 1990, Article 15.

²⁸⁵⁶ *Ibid.*, Article 9.

²⁸⁵⁷ U.S. Embassy- Windhoek, email communication to USDOL official, May 22, 2005.

²⁸⁵⁸ *Sexual Offences Laws - Namibia*, Interpol, 2004 [cited April 7, 2004]; available from <http://www.interpol.int/Public/Children/Sexual/Abuse/NationalLaws/csaNamibie.asp>.

²⁸⁵⁹ 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>.

²⁸⁶⁰ U.S. Embassy- Windhoek, email communication, May 22, 2005.

²⁸⁶¹ U.S. Embassy- Windhoek, *unclassified telegram no. 0593*.

²⁸⁶² 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.

Institutes for Research was awarded a USD 9 million grant by USDOL in August 2004 to implement a regional Child Labor Education Initiative project in Southern Africa.²⁸⁶³ The Ministry of Education is implementing the National Plan of Action 2002-2015 for education.²⁸⁶⁴

The Government of Namibia's Ministry of Gender Equality and Child Welfare and the Ministry of Health and Social Services provide grants and scholarships to orphans and other vulnerable children.²⁸⁶⁵ In collaboration with the Ministry of Gender Equality 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, strengthens psychosocial services for children, supports the Orphans and Vulnerable Children Permanent Task Force, and provides technical assistance to the Orphans and Vulnerable Children Trust Fund.²⁸⁶⁶

UNICEF's country program for the 2002-2005 cycle includes a focus on children's health, care, and development.²⁸⁶⁷ UNICEF also supports the development of educational programs, the improvement of quality of education, and the strengthening of families and communities capacity to plan and manage education for their children, particularly girls.²⁸⁶⁸ The European Commission is funding a second phase of the Human Resources Development Program, which focuses on the development of education opportunities.²⁸⁶⁹

²⁸⁶³ The AIR project aims to improve quality and access to basic and vocational education for children who are working or at risk of working in the worst forms of child labor. See *Notice of Award: Cooperative Agreement*, U.S. Department of Labor / American Institutes for Research, Washington D.C., August 16, 2004, 1,2.

²⁸⁶⁴ Government of Namibia, *National Plan of Action 2002-2015*, as cited in UNESCO, *Education Plans and Policies*, [cited May 13, 2004]; available from http://portal.unesco.org/education/en/ev.php-PRL_ID=20935&URL_DO=DO_TOPIC&URL_SECTION=201.html.

²⁸⁶⁵ These scholarships are directed especially towards child-headed households. See U.S. Embassy- Windhoek, *unclassified telegram no. 0593*.

²⁸⁶⁶ USAID - Namibia, April 2, 2004 [cited April 15, 2004]; available from <http://www.usaid.org.na/project.asp?proid=5>.

²⁸⁶⁷ *Government of Namibia/UNICEF Country Programme of Co-operation 2002-2005*, UNICEF Namibia, [online] [cited April 15, 2004]; available from <http://www.un.na/unicef/projects.htm>.

²⁸⁶⁸ *At a glance: Namibia*, [website] 2004 [cited March 26, 2004]; available from <http://www.unicef.org/infobycountry/namibia.html>.

²⁸⁶⁹ Maggi Barnard, *Two Schools Launched*, November 28, 2003 [cited April 15, 2004]; available from <http://www.namibian.com.na/2003/november/national/03C92EC92.html>.