

In 2016, Namibia made a moderate advancement in efforts to eliminate the worst forms of child labor. During the year, the Government developed a draft National Action Plan Against Child Labor and Domestic Work, participated in the Combatting Human Trafficking Initiative implemented by the IOM, and reactivated the Inter-Ministerial Committee on Child Labor. Children in Namibia perform dangerous tasks in cattle herding. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The key legislative gap is that hazardous work prohibitions for children in the agriculture sector are not comprehensive. There are no existing social programs that specifically target child labor in agriculture.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Namibia perform dangerous tasks in cattle herding. Children also engage in the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking. (1-4) 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 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		86.5

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(5)
Data were unavailable from Understanding Children’s Work Project’s analysis, 2016.(6)

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, 4, 7-9)
Services	Domestic work (8-14)
	Working in bars called <i>shebeens</i> (9, 15)
	Street work, including selling candies, fruits, handicrafts, and cell phone air time vouchers (15, 16)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (4)
	Forced labor in agriculture, cattle herding, and domestic work, each sometimes as a result of human trafficking (4, 9, 15)

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

Children are trafficked within the country for forced labor in agriculture, cattle herding, domestic work, and commercial sexual exploitation. San and Zemba children are particularly vulnerable to forced labor on farms or in homes.(4) Children from Angola, Zambia, and Zimbabwe are sometimes trafficked into the country for commercial sexual exploitation and forced labor in fishing and street work. Some Angolan children are trafficked into Namibia for forced labor in cattle

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herding.(4) Children orphaned as a result of HIV/AIDS are particularly vulnerable to child labor.(4, 8, 15) The Government has not collected and published data on child labor, including its worst forms, to inform policies and social programs.

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). However, gaps exist in Namibia's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Chapter 2, Article 3(2) of the Labor Act (17)
Minimum Age for Hazardous Work	Yes	18	Article 15(2) of the Constitution; Chapter 2, Article 3(4) of the Labor Act (17, 18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Chapter 2, Articles 3(3)(d) and 4 of the Labor Act; Section 234 of the Child Care and Protection Act (17, 19)
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 (17-20)
Prohibition of Child Trafficking	Yes		Section 15 of the Prevention of Organized Crime Act; Sections 202 and 234 of the Child Care and Protection Act (19, 20)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 2 of the Combating of Immoral Practices Act Amendment Act; Section 234 of the Child Care and Protection Act (19, 21)
Prohibition of Using Children in Illicit Activities	Yes		Section 234 of the Child Care and Protection Act (19)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Chapter 9 of the Namibian Defense Force Personnel Policies (22)
Non-state Compulsory	Yes	18	Section 234(1)(b) of the Child Care and Protection Act (19)
Compulsory Education Age	Yes	16	Section 53 of the Education Act (23)
Free Public Education	Yes		Section 38 of the Education Act (23)

* No conscription (24)

The types of hazardous work prohibited for children do not specifically include livestock herding, where there is evidence of work under particularly difficult conditions.(25) The MLIREC reported that it drafted additional hazardous work prohibitions, but these have not been approved.(16, 22, 26) The Government in 2015 drafted the National Human Trafficking Bill to extend protections to victims of trafficking and establish specific criminal penalties to punish traffickers, but it has not been finalized and passed into law.(13, 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). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

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 and cases involving human trafficking and commercial sexual exploitation of children.(1, 10, 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, 10) Lead these ministries in joint inspection teams.(1, 10, 28)
Ministry of Safety and Security (MSS)	Enforce criminal laws and conduct site visits with labor inspectors.(1, 10) The MSS through the Namibian Police handles enforcement.(10)
Ministry of Gender, Equality, and Child Welfare (MGECW)	Collaborate with the Namibian Police's Gender Based Violence Protection Units (GBVPU) on cases involving human trafficking and commercial sexual exploitation of children.(10, 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 one of eight MGECW shelters in the country.(29)
Joint Child Labor Inspection Committee	Coordinate activities to enforce child labor laws. Committee includes MLIREC, MSS, and MGECW.(1) Refer children identified during labor inspections to MGECW social workers or to an MGECW shelter for care.(1)

Labor Law Enforcement

In 2016, 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	2015	2016
Labor Inspectorate Funding	\$3,750,000 [†] (22)	\$4,950,000 [‡] (30)
Number of Labor Inspectors	97 (22)	97 (30)
Number of Child Labor Dedicated Inspectors	2 (22)	2 (30)
Inspectorate Authorized to Assess Penalties	No (22)	No (30)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (22)	Yes (30)
Training on New Laws Related to Child Labor	Yes (22)	Yes (30)
Refresher Courses Provided	Yes (22)	Yes (30)
Number of Labor Inspections	6,073 (22, 30)	3,988 (30)
Number Conducted at Worksite	6,073 (22)	3,988 (30)
Number Conducted by Desk Reviews	0(22)	0 (30)
Number of Child Labor Violations Found	0 (22)	0 (30)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (22)	N/A (30)
Number of Penalties Imposed That Were Collected	N/A (22)	N/A (30)
Routine Inspections Conducted	Yes (22)	Unknown* (30)
Routine Inspections Targeted	Yes (22)	Unknown* (30)
Unannounced Inspections Permitted	Yes (22)	Yes (30)
Unannounced Inspections Conducted	Yes (22)	Unknown* (30)
Complaint Mechanism Exists	Yes (22)	Yes (30)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (22)	Yes (30)

* The Government does not publish this information.

[†] Data are from January 1, 2015 to December 31, 2015.

[‡] Data are from January 1, 2016 to December 31, 2016.

Research indicates that MLIREC primarily conducts inspections in the formal sector in urban areas, leaving self-employed children and children working in rural areas unprotected.(9) MLIREC lacked clarity on international child labor definitions, especially concerning hazardous work for children, indicating a need for additional training.(9) Although

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inspectors have the legal authority to inspect private farms, they often encounter difficulties accessing the farms due to locked gates.(9, 14) NGOs also reported difficulties accessing such locations while accompanying inspectors on child labor investigations.(1, 26, 31) To address this challenge, MLIREC partnered with the Namibia Agricultural Union so that inspectors could access farms by giving farms advanced notice that inspections would be conducted in a certain time frame.(9)

Criminal Law Enforcement

In 2016, 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	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (22)	Unknown* (30)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (22)	Unknown* (30)
Refresher Courses Provided	Unknown (22)	Unknown* (30)
Number of Investigations	0 (22)	Unknown* (30)
Number of Violations Found	11 (22)	Unknown* (30)
Number of Prosecutions Initiated	1 (22)	Unknown* (30)
Number of Convictions	1 (22)	Unknown* (30)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (22)	Yes (30)

* The Government does not publish this information.

The Namibian Police operates a toll-free hotline to report crimes, including child trafficking. An NGO operates another hotline for victims of gender-based violence and child exploitation to access information about available resources and get referrals to relevant government organizations for social services.(30)

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. Key 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 MOE, MGECW, and MSS officials, as well as the Office of the Ombudsman.(26) The committee met during the reporting year and discussed roles and responsibilities of participating agencies.(4)
Gender Based Violence Protection Units	Provide victim protection services to children in the worst forms of child labor. There are 15 units that arrange lodging, medical, and psychosocial care for victims.(22) The units consist of personnel from MLIREC, Ministry of Home Affairs and Immigration, Namibian Police, MGECW, and MOE.(10)
Child Care and Protection Forums	Organize forums to address child protection issues and services in the country, including regional councils, MGECW social workers, government agencies, NGOs, community leaders, churches, and other local-level stakeholders.(10)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

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

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
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, 10, 32) Under the policy, an anti-trafficking strategy was developed.(27)
Decent Work Country Program (2010–2016)	Outlined strategies to promote decent work in Namibia. Prioritized employment promotion, enhanced social protections, and strengthened social dialog and tripartism. Outcome included the elimination of forced labor and child labor.(33)
National Development Plan IV (2012/2013–2016/2017)	Includes goals for addressing child protection and trafficking concerns.(1, 34)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(35)

In 2016, child labor elimination and prevention strategies were not integrated into the National Agenda for Children, the National Protection Referral Network, or the Education for All National Plan of Action.(36-38) Research was unable to determine whether activities were undertaken to implement the National Plan of Action on Gender-Based Violence, Decent Country Work Program, and the National Development Plan IV during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Global Action Program on Child Labor Issues (2011–2017)	USDOL-funded program 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, a project established by The Hague Global Child Labor Conference in 2010. Aims to build government capacity and develop strategic policies to address the elimination of child labor while strengthening legal protections and social services delivery for child domestic workers.(39) During the reporting year, ILO held two workshops to train 114 participants from MLIREC on child labor and domestic work. The program also drafted a National Action Plan on Child Labor and Domestic Work but it has yet to be adopted. (40)
Combatting Human Trafficking Initiative (2016–2019)*	USDOS-funded project implemented by IOM, in collaboration with the host Government, to combat trafficking in persons.(36)
Namibian School Feeding Program†	Government program provides mid-morning meals to school children.(41) Research could not find information about the number of children that benefitted from the program during the reporting period.
National Youth Service†	Government program offers training in civic education, national voluntary service, and job skills to unemployed youth, some of whom have never attended school.(41) Research was unable to determine whether activities were taken to implement the National Youth Service.
Shelters and victim services†	Six operational government-established shelters for women and children that assist victims of sexual assault, gender-based violence, and the worst forms of child labor.(10) A source indicates that the shelters are not staffed and therefore are not fully operational. The Government, however, provides a subsidy to an NGO that caters to victims of the worst forms of child labor.(42)

* Program was launched during the reporting period.

† Program is funded by the Government of Namibia.

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	Ensure that the hazardous occupations and activities prohibited for children are comprehensive.	2014 – 2016
Enforcement	Publish information about whether the labor inspectorate conducts routine inspections, targeted inspections, and unannounced inspections related to child labor.	2016
	Authorize the inspectorate to assess penalties.	2016
	Ensure a sufficient number of inspections are conducted in the rural areas.	2016
	Publish information about the child labor related trainings that criminal investigators receive.	2015 – 2016
	Publish information about criminal law enforcement's, number of investigations, number of violations found, number of prosecutions initiated, and number of convictions related to the worst forms of child labor.	2016
Government Policies	Integrate child labor elimination and prevention strategies into existing education and youth policies.	2013 – 2016
	Adopt and implement the National Action Plan on Child Labor and Domestic Work.	2016
	Publish information about the implementation of the National Plan of Action on Gender-Based Violence, the Decent Country Work Program, and the National Development Plan IV.	2016
Social Programs	Conduct research on the prevalence of child labor to inform the development of policies and social programs.	2013 – 2016
	Publish information about the implementation of social programs such as the Namibian School Feeding Program and the National Youth Service.	2016
	Ensure shelters are fully operational to cater to victims of child labor, including its worst forms.	2016
	Institute programs to address child labor in agriculture and domestic work.	2009 – 2016

REFERENCES

- U.S. Embassy- Windhoek. *reporting, February 14, 2014.*
- Namibian Sun. "Editorial: Child labour on Workers' Day." sun.com.na [online] April 30, 2013 [cited March 8, 2014]; [source on file].
- U.S. Department of State. "Namibia," in *Trafficking In Persons Report- 2015.* Washington, DC; July 27, 2015; <http://www.state.gov/j/tip/rls/tiprpt/countries/2015/243499.htm>.
- U.S. Department of State. "Namibia," in *Trafficking in Persons Report- 2016.* Washington, DC; June 30, 2016; <http://www.state.gov/documents/organization/258881.pdf>.
- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary education, both sexes (%)*. Accessed December 16, 2016; <http://data.uis.unesco.org/>. Data provided is the gross intake ratio to the last grade of primary education. This measure is a proxy measure for primary completion. This ratio is the total number of new entrants in the last grade of primary education, regardless of age, expressed as a percentage of the population at the theoretical entrance age to the last grade of primary education. A high ratio indicates a high degree of current primary education completion. The calculation includes all new entrants to the last grade (regardless of age). Therefore, the ratio can exceed 100 percent, due to over-aged and under-aged children who enter primary school late/early and/or repeat grades. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* Analysis received December 15, 2016. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- ILO Committee of Experts. *Individual Direct Request Concerning Worst Forms of Child Labour, 1999 (No. 182) Namibia (ratification: 2000) Published: 2013;* accessed December 2, 2015; http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3084812.
- U.S. Department of State. "Namibia," in *Country Report on Human Rights Practices- 2015.* Washington, DC; April 13, 2016; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dld=252711>.
- U.S. Department of Labor official. Interview with Namibian Employers' Federation, December 8, 2016.
- U.S. Embassy- Windhoek. *reporting, February 20, 2013.*
- U.S. Embassy- Windhoek. *reporting, February 15, 2013.*
- The Namibian. "Police rescue san girls." [online] April 15, 2016 [cited November 11, 2016]; <http://www.namibian.com.na/154457/archive-read/Police-rescue-San-girls>.
- ILO Committee of Experts. *Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Namibia (ratification: 2000) Published: 2016;* accessed November 1, 2016; http://www.ilo.org/dyn/normlex/en/f?p=1000:13201::NO:13201:P13201_COUNTRY_ID:103008.
- UN International Covenant on Civil and Political Rights-CCPR. *Concluding observations on the second report of Namibia.* Geneva; April 22, 2016. http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/TBSearch.aspx.
- U.S. Embassy- Windhoek. *reporting, February 18, 2014.*
- U.S. Embassy- Windhoek official. E-mail communication to USDOL official. April 14, 2015.
- Government of the Republic of Namibia. *Labor Act,* enacted December 31, 2007. http://www.mol.gov.na/documents/432260/1685800/2007_LabourAct.pdf/2f4ad2c4-f075-440b-bfd9-a658a7323e0c.
- Government of the Republic of Namibia. *The Constitution of the Republic of Namibia,* enacted February 1990. <http://www.orusovo.com/namcon/>.

19. Government of the Republic of Namibia. *Child Care and Protection Act, 2015*, No. 3 of 2015, enacted May 29, 2015. <http://www.lac.org.na/laws/2015/5744.pdf>.
20. Government of the Republic of Namibia. *Prevention of Organised Crime Act*, enacted May 2009. [source on file].
21. Government of the Republic of Namibia. *Combating of Immoral Practices Amendment Act*, enacted May 2000.
22. U.S. Embassy- Windhoek. *reporting, February 5, 2016*.
23. Government of the Republic of Namibia. *Education Act, 2001*, enacted December 27, 2001. <http://www.lac.org.na/laws/2001/2673.pdf>.
24. Child Soldiers International. "Appendix II: Data Summary on Recruitment Ages of National Armies," in *Louder than words: An agenda for action to end state use of child soldiers*. London; 2012; <https://www.child-soldiers.org/shop/louder-than-words-1>.
25. New Era. "San and Zemba children vulnerable to child trafficking." www.newera.com.na [online] October 8, 2014 [cited June 11, 2015]; <https://www.newera.com.na/2014/10/08/san-zemba-children-vulnerable-child-trafficking/>.
26. U.S. Embassy- Windhoek. *reporting, February 9, 2015*.
27. ILO Committee of Experts. *Direct Request Concerning Forced Labour Convention, 1930 (No. 29) Namibia (ratification: 2000) Published: 2016*; accessed November 1, 2016; http://www.ilo.org/dyn/normlex/en/f?p=1000:13201::NO:13201:P13201_COUNTRY_ID:103008.
28. U.S. Embassy- Windhoek. *reporting, January 28, 2011*.
29. U.S. Department of State. "Country Reports on Human Rights Practices- 2015," in *Namibia*. Washington, DC; April 13, 2016; <http://www.state.gov/documents/organization/252923.pdf>.
30. U.S. Embassy- Windhoek. *reporting, January 27, 2017*.
31. U.S. Department of State. "Namibia," in *Country Report on Human Rights Practices- 2014*. Washington, DC; June 25, 2015; <http://www.state.gov/documents/organization/236600.pdf>.
32. Government of the Republic of Namibia. *National Plan of Action on Gender-Based Violence 2012-2016*. Windhoek; 2012. [source on file].
33. ILO. *Namibia Decent Country Work Programme (DWCP) 2010-2014*. Geneva; April 2010. <http://www.ilo.org/public/english/bureau/program/dwcp/download/namibia.pdf>.
34. Government of the Republic of Namibia. *Namibia's Fourth National Development Plan 2012/13 to 2016/17*. Windhoek; 2012. http://www.gov.na/documents/10181/14226/NDP4_Main_Document.pdf.
35. U.S. Embassy- Windhoek. *reporting, January 27, 2017, referencing the Harambee Prosperity Plan*.
36. Government of the Republic of Namibia. *National Agenda for Children 2012-2016*. Windhoek; 2012. [source on file].
37. Government of the Republic of Namibia, Ministry of Basic Education; Sport; and Culture. *Education for All (EFA) National Plan of Action 2002-2015*. Windhoek; July 2012. [source on file].
38. High Beam Research. *Namibia's National Protection Referral Network* [online] December 1, 2013 [cited April 7, 2016]; <https://www.highbeam.com/doc/1G1-356909192.html>.
39. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; April 2013. [source on file].
40. ILO-IPEC. *Global Action Program on Child Labor Issues*. Technical Progress Report. Geneva; February 2017. [source on file].
41. U.S. Embassy- Windhoek official. E-mail communication to USDOL official. April 2, 2013.
42. U.S. Embassy- Windhoek. *reporting, March 1, 2017*.