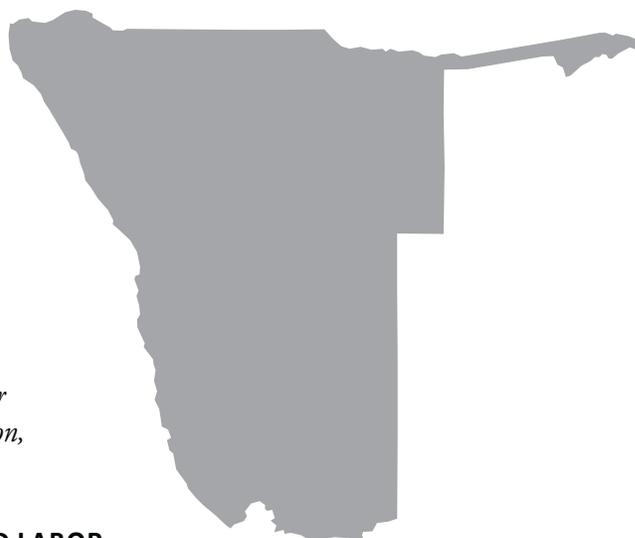


In 2017, Namibia made a moderate advancement in efforts to eliminate the worst forms of child labor. The government ratified the Protocol of 2014 to the Forced Labor Convention and issued a notice instructing the Wages Commission to investigate and report on the conditions of employment for child domestic workers. The government also launched an online platform to receive reports of child pornography and remove child pornographic material from the Internet. However, children in Namibia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in cattle herding. Hazardous work prohibitions for children in the agriculture sector are not comprehensive. In addition, social programs do not address child labor in agriculture.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Namibia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in cattle herding. (1; 2; 3; 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 (%)		86.4

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, 2018. (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; 7; 8; 9)
Services	Domestic work (8; 10; 11; 12)
	Working in bars (<i>shebeens</i>) (8; 13)
	Street work, including selling candies, fruits, handicrafts, and cell phone air time vouchers (14; 9; 3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (15; 3)
	Forced labor in agriculture, cattle herding, and domestic work, each sometimes as a result of human trafficking (8; 16; 15; 3)

‡ 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 Namibia for forced labor in agriculture, cattle herding, domestic work, and commercial sexual exploitation. San children are particularly vulnerable to forced labor on farms or in homes. (15; 3) Some Angolan children are trafficked into Namibia for forced labor in cattle herding. (4; 3) 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 CHILD LABOR

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

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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 (Table 4). However, gaps exist in Namibia's legal framework to adequately protect children from the worst forms of child labor, including the lack of a comprehensive hazardous work list for children's work in the agriculture sector.

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; 18; 19; 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)
Prohibition of Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Section 17 of the General Regulations relating to Namibian Defence Force (Defence Act of 2010) (22)
Non-state	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)

In December 2017, the government passed the Education Amendment Act, which amended the Education Act to provide that tuition, books, materials and examination fees are provided free of charge through the completion of secondary education. In 2018, the government also passed the Combatting of Trafficking in Persons Act, but it has not yet taken effect. (25; 26) During the reporting period, the government ratified the Protocol of 2014 to the Forced Labor Convention, becoming the 21st country to do so. (27) In February 2017, the Minister of Labor issued a notice mandating the Wages Commission to investigate the conditions of employment of domestic workers throughout Namibia, including to investigate and make recommendations on a minimum wage for child domestic workers, measures that would ensure they have access to education and training, and the types of domestic work that are likely to harm children. (28)

Although there are hazardous work prohibitions for children, these prohibitions do not specifically include hazardous work in livestock herding. In addition, research has shown that livestock herding activities can expose children to unsafe environments such as extreme temperatures. (29) The Ministry of Labor, Industrial Relations and Employment Creation (MLIREC) reported that in 2013 it drafted additional hazardous work prohibitions, but these still await final approval. (14; 30; 31)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the MLIREC that may hinder adequate enforcement of their child labor laws.

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. 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 on child labor matters. (1; 10) Lead these ministries in joint inspection teams. (1; 10)
MSS	Enforce criminal laws and conduct site visits with labor inspectors. (1; 10) Handle enforcement through the Namibian Police. (10)
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; 32) Remove children from child labor situations during inspections, and transfer them to a regional GBVPU to receive assistance from MGECW social workers. (32)
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 2017, labor law enforcement agencies in Namibia took actions to combat child labor (Table 6). However, gaps exist within the authority of the MLIREC that may hinder adequate labor law enforcement, including its lack of authority to assess penalties for violations.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2016	2017
Labor Inspectorate Funding	\$4,950,000 [†] (33)	\$2,384,000 (34)
Number of Labor Inspectors	97 (33)	79 (34)
Inspectorate Authorized to Assess Penalties	No (33)	No (34)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (33)	Yes (34)
Training on New Laws Related to Child Labor	Yes (33)	Yes (34)
Refresher Courses Provided	Yes (33)	Yes (34)
Number of Labor Inspections Conducted	3,988 (33)	4,334 (34)
Number Conducted at Worksites	3,988 (33)	4,334 (34)
Number of Child Labor Violations Found	0 (33)	0 (34)
Number of Child Labor Violations for Which Penalties were Imposed	N/A (33)	N/A (34)
Number of Child Labor Penalties Imposed that were Collected	N/A (33)	N/A (34)
Routine Inspections Conducted	Unknown* (33)	Yes (34)
Routine Inspections Targeted	Unknown* (33)	Yes (34)
Unannounced Inspections Permitted	Yes (33)	Yes (34)
Unannounced Inspections Conducted	Unknown* (33)	Yes (34)
Complaint Mechanism Exists	Yes (33)	Yes (34)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (33)	Yes (34)

* The government does not publish this information.

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

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The Ministry of Gender, Equality, and Child Welfare's (MGECW) shelters to house victims of the worst forms of child labor are not operational. (34) Research also indicates that the MLIREC primarily conducts inspections in the formal agricultural sector and in urban areas, leaving self-employed children and children working in remote rural areas unprotected. (8) Sources also reported that although inspectors have the legal authority to inspect private farms, they often encounter difficulties accessing the farms due to locked gates. (8; 35)

Criminal Law Enforcement

In 2017, criminal law enforcement agencies in Namibia took actions to combat child labor (Table 7). However, gaps exist within the Ministry of Safety and Security and the Namibian Police that may hinder adequate criminal law enforcement, including investigation and prosecution planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2016	2017
Training for Investigators		
Initial Training for New Employees	Unknown* (33)	Unknown* (34)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown* (33)	Unknown* (34)
Refresher Courses Provided	Unknown* (33)	Yes (34)
Number of Investigations	Unknown* (33)	Unknown* (34)
Number of Violations Found	Unknown* (33)	Unknown* (34)
Number of Prosecutions Initiated	Unknown* (33)	Unknown* (34)
Number of Convictions	Unknown* (30)	Unknown* (34)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (33)	Yes (34)

* The government does not publish this information.

The Namibian Police operate 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 social services providers. (33) Research could not find information about the number of complaints concerning child labor, including its worst forms, received through the Namibian Police toll-free hotline.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including coordination among agencies.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role and Description
Inter-Ministerial Committee on Child Labor	Coordinate government policies and efforts to combat child labor. Comprises officials from the MLIREC, the Ministry of Education (MOE), the MGECW, the MSS, and the Office of the Ombudsman. (31) Met in 2017 to discuss roles and responsibilities of participating agencies. (4) Reported reviving its purpose in November but did not report conducting actions during the year. (34)
GBVPU	Provide victim protection services to children rescued from the worst forms of child labor. Comprises 15 units that arrange lodging, medical, and psychosocial care for victims. (30) Consist of personnel from the MLIREC, Ministry of Home Affairs and Immigration, Namibian Police, MGECW, and MOE. (10) Research was unable to determine whether services were provided to victims of child labor during the year.
Child Care and Protection Forums	Organize forums to address child protection issues and coordinate services in the country. Participants include 14 regional councils, MGECW social workers, government agencies, NGOs, community leaders, churches, and other local-level stakeholders. (10) Met several times during the year. (36)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including the continuing lack of a child labor policy.

Table 9. Key Policies Related to Child Labor^{†‡}

Policy	Description
Decent Work Country Program (2010–2017)	Outlined strategies to promote decent work in Namibia. Prioritized employment promotion, enhanced social protections, and strengthened social dialogue and tripartism. Outcomes included the reduction of forced labor and child labor cases. (37)
National Development Plan V (2017/2018–2021/2022)	Includes goals for addressing child trafficking and protection concerns. (38)

[†] Policy was approved during the reporting period

[‡] The government had other policies that may have addressed child labor issues or had an impact on child labor. (39)

Namibia currently has no child labor policy, but the MGECW worked to finalize a National Agenda for Children, slated for implementation in 2018. (34). In addition, the National Plan of Action on Gender Based Violence was not renewed in 2017. Despite this, the government continued 16 days of the international awareness campaign against gender-based violence. (36) Child labor elimination and prevention strategies are not integrated into the National Agenda for Children, the National Protection Referral Network, or the Education for All National Plan of Action. (40; 41; 42) Research was unable to determine whether the government undertook activities to implement the Decent Country Work Program and the National Development Plan V during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the child labor problem.

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 eliminate child labor and strengthen legal protections and social services for child domestic workers. (43) The program drafted a National Action Plan on Child Labor and Domestic Work in 2016, but the government has yet to adopt it. (43) Additional information is available on the USDOL website.
Combatting Human Trafficking Initiative (2016–2019)	USDOS-funded 3-year project implemented by the IOM, in collaboration with the Namibian government, to combat trafficking in persons. (44) Under this initiative, passed the Combatting of Trafficking in Persons Act. (36)
Namibian School Feeding Program [†]	Government program that provides mid-morning meals to school children. (45) Serves 330,000 pre-primary and primary school students in 1,400 schools in all 14 regions. (36)
National Youth Service [†]	Government program that offers training in civic education, national voluntary service, and job skills to unemployed youth, some of whom have never attended school. (45) According to the national budget estimates for fiscal years 2018 and 2019, allocated N\$74.4 million (~USD \$6 million) for 2017–2018, down 34 percent from N\$112 million (~USD \$9 million) for the previous year. According to NGOs, includes skills building programs for youth. (36)
Shelters and victim services [†]	Six government-established shelters for women and children assist victims of sexual assault, gender-based violence, and the worst forms of child labor. (10) Did not operate in 2017 due to lack of funding. (34) The Government, however, provided an N\$26,000 (USD \$2,000) per month subsidy to an NGO that provided shelter services and social workers to gender-based violence and human trafficking victims. (46; 34)

[†] Program is funded by the Government of Namibia.

In 2017, the MGECW, in partnership with UNICEF and Childline, launched a reporting portal to receive anonymous reports of images and videos depicting child sexual abuse. The portal also aids in removing pornographic images of children from the internet. (47; 48) In 2017, the UK-based Internet Watch Foundation reported they found no pornographic materials involving Namibian children. (36) The government also launched an e-birth notification system to register children at birth. (49)

Although the Government of Namibia provided 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.

VI. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the hazardous occupations and activities prohibited for children are comprehensive.	2014 – 2017
Enforcement	Authorize the Inspectorate to assess child labor penalties.	2016 – 2017
	Ensure labor inspectors can access all types of businesses to fulfill their inspection mandates.	2017
	Ensure inspections occur in all sectors to provide minimum age law protections to all children, including those who are self-employed and children working in the informal sector.	2016 – 2017
	Publish information about refresher trainings, the number of criminal investigations conducted, number of violations found, number of prosecutions initiated, and number of convictions related to the worst forms of child labor.	2016 – 2017
Government Policies	Establish a National Child Labor Policy.	2017
	Renew key policies such as the National Plan of Action on Gender Based Violence.	2017
	Integrate child labor elimination and prevention strategies into relevant policies.	2013 – 2017
	Publish information about the implementation of the Decent Country Work Program and the National Development Plan V.	2016 – 2017
Social Programs	Adopt and implement the National Action Plan on Child Labor and Domestic Work.	2017
	Conduct research on the prevalence of child labor to inform the development of policies and social programs.	2013 – 2017
	Ensure shelters are operational to care for to victims of child labor.	2016 – 2017
	Institute programs to address child labor in agriculture and domestic work.	2009 – 2017

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