

In 2019, Namibia made a significant advancement in efforts to eliminate the worst forms of child labor. The government brought into force the Child Care and Protection Act, increasing protections for children from the worst forms of child labor, and began implementing an updated National Agenda for Children, which aims to strengthen enforcement of laws related to child labor. The government also began implementing the Combating of Trafficking in Persons Act, which significantly strengthens penalties for trafficking crimes and provides mechanisms to increase the protection of child trafficking victims. In addition, the government increased the number of criminal prosecutions related to the worst forms of child labor, developed a national referral mechanism for responding to trafficking cases, and worked with NGOs to provide social and psychological support to child trafficking victims, including rehabilitation into schools. 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 engage in domestic work and street work. Hazardous work prohibitions for children in the agricultural sector are not comprehensive. In addition, social programs do not address child labor in agriculture and domestic work.



### 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 engage in domestic work and street work. (1,2) 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 (%)		94.1

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (3)  
Data were unavailable from International Labor Organization’s analysis, 2020. (4)

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	Working on farms, including harvesting millet (5-7)
Services	Domestic work (2,7-12)
	Street work, including begging and selling candies, fruits, handicrafts, and cell phone air time vouchers (1,11,14-16)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,5,11,12)
	Use in illicit activities, including selling of drugs (2,11,17)
	Forced labor in agriculture, fishing, and domestic work, each sometimes as a result of human trafficking (1,8,18)

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

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An extended regional drought and economic downturn in Namibia have likely affected children’s vulnerability to child labor, including its worst forms. Children from rural areas move to urban centers, such as Windhoek, in pursuit of supplemental income for their families. (2) Sources of income include work in domestic service, organized begging, and vending. (2) Some of these children engage in selling drugs and commercial sexual exploitation. Commercial sexual exploitation most commonly involves girls, and occurs in cities and transit corridors. (2,5,11) Children are also trafficked from within Namibia and from neighboring countries, such as Angola, Zambia, and the Democratic Republic of the Congo, for forced labor in agriculture, domestic work, and commercial sexual exploitation. (1,12,19) Children of the San ethnic group are particularly vulnerable to forced labor on farms or in homes. (1,19) The government has not collected and published data on child labor, including its worst forms, to inform policies and social programs. (20)

Both primary and secondary education are free by law; however, long travel distances to schools, particularly in rural and remote locations, may deter some children from attending school and increase their vulnerability to child labor. (20-22) Children orphaned from the HIV/AIDS epidemic and other causes sometimes become heads of households, which requires them to leave school to find work. (20,23)

## II. LEGAL FRAMEWORK FOR 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 (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 that includes children’s work in the agricultural sector.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Chapter 2, Article 3(2) of the Labor Act (24)
Minimum Age for Hazardous Work	Yes	18	Article 15(2) of the Constitution; Chapter 2, Article 3(4) of the Labor Act; Article 2(2) of the Labor Act (Regulations Related to Domestic Work) (24-26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Chapter 2, Articles 3(3)(d) and 3(4) of the Labor Act (24)
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 (24,26-28)
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; Chapter 2, Article 3(2) of the Combating of Trafficking in Persons Act (27-29)

**Table 4. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 2 of the Combating of Immoral Practices Amendment Act; Section 234 of the Child Care and Protection Act (27,30)
Prohibition of Using Children in Illicit Activities	Yes		Section 234 of the Child Care and Protection Act (27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 17 of Defence Act I of 2002 (Government Notice 189 of 2010) (31)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Section 234(1)(b) of the Child Care and Protection Act (27)
Compulsory Education Age	Yes	14‡	Section 53 of the Promulgation of Education Act (21)
Free Public Education	Yes		Section 38 of the Promulgation of Education Act (21,22)

\* No conscription (32)

‡ Age calculated based on available information

Under Namibian Law, children typically are only required to attend school until age 14 as the requirement is to attend school until the completion of 7th grade, which tends to be when children are 14 years old, or latest until children are 16 years old. (21) In 2019, the government put into effect the Child Care and Protection Act, passed in 2015, and published implementation guidelines in the Government Gazette. (20,33) The act establishes a legal framework for the care of children, including protections against the worst forms of child labor. The act also provides guidelines for the mandatory reporting of cases related to child exploitation and placement of children removed from exploitation into protective services and stipulates penalties of up to 10 years of imprisonment for offenses related to the worst forms of child labor. (27) In addition, the government began implementing the Combating of Trafficking in Persons Act, passed in 2018. The law aligns with the Palermo Protocol and establishes special provisions for the removal and care of child trafficking victims. (12,19,29,34)

Although there are hazardous work prohibitions for children, they do not extend to hazardous work in the agricultural sector, which may involve using dangerous equipment and tools, working long hours, handling heavy loads, and being exposed to hazardous agents or substances. Also, the Minister of Labor may make regulations to permit children ages 14-17 to engage in activities on the current hazardous work list. (24,35-37) Since 2011, the government has been developing an updated list of hazardous work activities, but has not yet adopted it. (36,38)

### 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 operations of the Ministry of Labor, Industrial Relations and Employment Creation (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)	Enforces child labor laws and investigates allegations of violations, including forced labor, and cases involving human trafficking and the commercial sexual exploitation of children. Works with the Ministry of Safety and Security (MSS), the Ministry of Gender Equality and Child Welfare (MGECW), the Namibia Central Intelligence Service, and the Ministry of Education (MOE) on child labor matters. (39) Refers children removed from child labor during inspections to MGECW for placement in social services. (40)
Ministry of Safety and Security (MSS)	Enforces criminal laws through the Namibian Police. Coordinates with the labor inspectorate of MLIREC to investigate criminal labor violations, including child labor. (39-42) Through the Namibian Police Force's Gender-Based Violence Protection Units (GBVPU), collaborates with MGECW on cases involving human trafficking and commercial sexual exploitation of children. (39)
Ministry of Gender Equality and Child Welfare (MGECW)	Collaborates with GBVPU on cases involving human trafficking and commercial sexual exploitation of children. (39) Removes children from child labor situations during inspections, and transfers them to a regional GBVPU to receive assistance from MGECW social workers. (40)

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### Labor Law Enforcement

In 2019, labor law enforcement agencies in Namibia took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLIREC that may hinder adequate labor law enforcement, including human resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$2,550,000 (39)	\$3,034,000 (20)
Number of Labor Inspectors	61 (39)	51 (20)
Inspectorate Authorized to Assess Penalties	Yes (39)	Yes (20)
Initial Training for New Labor Inspectors	Yes (39)	N/A (20)
Training on New Laws Related to Child Labor	No (39)	Yes (20)
Refresher Courses Provided	Yes (39)	Yes (43)
Number of Labor Inspections Conducted	3,900 (39)	1,628 (20)
Number Conducted at Worksite	3,900 (39)	1,628 (20)
Number of Child Labor Violations Found	0 (39)	0 (20)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (39)	N/A (20)
Number of Child Labor Penalties Imposed that Were Collected	N/A (39)	N/A (20)
Routine Inspections Conducted	Yes (39)	Yes (20)
Routine Inspections Targeted	Yes (39)	Yes (20)
Unannounced Inspections Permitted	Yes (39)	Yes (20)
Unannounced Inspections Conducted	Yes (39)	Yes (20)
Complaint Mechanism Exists	Yes (39)	Yes (20)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (39)	Yes (20)

MLIREC conducted planned annual inspections in all regions of Namibia, including in the agricultural, domestic service, fishing, retail, and services sectors. (20,44) An inadequate number of labor inspectors, however, likely hinders the inspectorate's ability to enforce laws, particularly in remote and rural areas of the country. (2) In 2019, the number of labor inspectors was reduced from 61 to 51, probably resulting from a government-imposed hiring freeze. (20,45) The number of labor inspectors is likely insufficient for the size of Namibia's workforce, which includes approximately 956,800 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Namibia would employ about 64 inspectors. (46,47) MLIREC reported that insufficient financial resources also limited other areas of labor law enforcement, including staff trainings. (20)

The MLIREC operates a 24-hour SMS line for labor complaints, including child labor. The SMS line received four text messages during the reporting period, although none of the complaints related to child labor. (12,48)

### Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Namibia took actions to combat child labor (Table 7). However, gaps exist within the operations of the Ministry of Safety and Security and the Namibian Police Force that may hinder adequate criminal law enforcement, including training of criminal law enforcement investigators.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (39)	No (20)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (39)	No (20)
Refresher Courses Provided	Yes (39)	No (20)
Number of Investigations	3 (39)	4 (20)
Number of Violations Found	2 (39)	4 (20)

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor (Cont.)**

Overview of Criminal Law Enforcement	2018	2019
Number of Prosecutions Initiated	0 (39)	3 (20)
Number of Convictions	0 (39)	Unknown(20)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (39)	Unknown (20)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (39)	Yes (20)

The government does not maintain centralized statistics for regional magistrate court cases, which limits information on criminal law enforcement efforts in response to the worst forms of child labor. (20)

The Namibian Police Force operates a toll-free hotline for reporting 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 refer cases to relevant government social services providers. (49) Research indicates the Namibian Police Force’s toll-free hotline did not receive any complaints related to the worst forms of child labor. (19)

During the reporting period, the Namibian Police Force developed a new trafficking in persons training manual for police officers. The new manual provides guidance to improve police responses to trafficking in persons cases and treatment of victims, including child witnesses. (50,51)

#### 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 efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Inter-Ministerial Committee on Child Labor	Coordinates government policies and efforts to combat child labor. Comprises officials from MLIREC, MOE, MGECW, MSS, and the Office of the Ombudsman. (39,52) Met quarterly in 2019. (20)
Permanent Task Force for Children	Implements and coordinates services for children at the national level. Includes key ministries, NGOs, development partners, and bilateral agencies. (39) Met on a quarterly basis in 2019 to implement the National Agenda for Children. (20)
Child Care and Protection Forums	Addresses child protection issues and coordinates services in the country at the regional and district levels. Raises community awareness of the signs of child mistreatment and available services. (53) Participants include 14 regional councils, MGECW social workers, police, teachers, government agencies, NGOs, community leaders, churches, and other local-level stakeholders. Met several times during the reporting period. (20)
Trafficking in Persons National Coordinating Body	Coordinates and monitors government and non-government responses to trafficking in persons in Namibia. (19) Led by MGECW, with participation from MLIREC, MSS, the Ministry of Justice, the Ministry of Home Affairs and Immigration, and the Prosecutor General and Attorney General. (12) The committee met three times in 2019, resulting in the creation of a new National Referral Mechanism and standard operating procedures. (12) In April 2019, MGECW and the Trafficking in Persons National Coordinating Body, with support from IOM, launched the National Referral Mechanism to direct first-line response teams on the identification, protection, referral, and safe return of victims of trafficking. The National Referral mechanism is part of an initiative to strengthen stakeholder coordination in response to trafficking in persons. (12,50) Also, led a national awareness campaign focusing on trafficking of youth and children, which included billboards, posters, television ads, and a campaign song by a local artist. (12)
Gender-Based Violence Protection Units (GBVPU)	Provide victim protection services to children rescued from the worst forms of child labor through 15 units that arrange lodging and medical and psychosocial care for victims. (20) Consist of personnel from MLIREC, the Ministry of Home Affairs and Immigration, the Namibian Police Force, MGECW, and MOE. (39) In 2019, GBVPU were active on an ongoing basis. (20)

MLIREC-led joint child labor inspection teams, which coordinate child labor inspections and referrals between ministries involved in child welfare, have not been in effect since the end of 2017. (43) Although there are 15 Gender-Based Violence Protection Units in Namibia, research finds considerable variation in the operational

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performance of these units; only the Windhoek-based unit is operating at full capacity, and several other units are not able to function according to their intended mandates. (2,20)

## 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 mainstreaming child labor issues into relevant policies.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Agenda for Children (2018–2022)†	The primary strategy for child welfare issues. Focuses on strengthening the protection of children in need of care, including enforcement of laws protecting children from child labor. (54) Outlines procedural instructions for each ministry and stakeholder for cases of child mistreatment. (39,41,55) The National Agenda for Children was drafted in 2018, with significant input from UNICEF; the government and the Permanent Task Force for Children approved and began working to implement the policy in 2019. (20,55)
Decent Work Country Program (2018–2022)	Outlines strategies to promote decent work in Namibia, including the elimination of child labor, through employment promotion, enhanced social protection, and social dialogue and collaboration. (19,56) The program was renewed in August 2018 with a memorandum of understanding among employers, ILO, the Government of Namibia, and employees (through two unions—the National Union of Namibian Workers and the Trade Union Congress of Namibia). (19,57) The memorandum of understanding includes specific actions targeting child labor, including a child labor survey. (39,41,57) Research could not determine whether activities were undertaken to implement the Decent Work Country Program during the reporting period. (20)
National Development Plan V (2017/2018–2021/2022)	Includes goals for addressing child trafficking and protection concerns. (39,58) Research was unable to determine whether activities were undertaken to implement National Development Plan V during the reporting period. (20)

† 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. (19,43,59-61)

The 2017–2022 Strategic Plan of the Ministry of Gender Equality and Child Welfare does not integrate child labor elimination strategies. (62) The Ministry of Gender Equality and Child Welfare developed a National Action Plan on Gender-Based Violence, covering the period 2019–2023, to coordinate national efforts against gender-based violence, including rape and sexual abuse, physical domestic abuse, and trafficking. The plan includes strategies to address child trafficking; however, it does not incorporate other worst forms of child labor, such as physical abuse occurring in the course of domestic service and commercial sexual exploitation. (61) Evidence indicates that some children working in domestic service are subjected to physical abuse by their employers. (9,59)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, 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
Social Protection Grants†	MGEWCW-funded grants to support vulnerable children and households. (64) Include child maintenance grants, place of safety allowances, and foster care grants. Child maintenance grants provide monthly stipends to single-parent families and are contingent upon school enrollment of all school-aged children; place of safety and foster care grants provide support for people and places that provide temporary care for children. (65-67) MGEWCW provided grants to families during the reporting period. (64)
Combating Human Trafficking Initiative (2016–2019)	USDOS-funded, 3 year project implemented by IOM, in collaboration with the Government of Namibia, to combat trafficking in persons. (19,68,69) In 2019, the government and the IOM launched a National Referral Mechanism for Trafficking in Persons. (12,50)
Namibian School Feeding Program‡	Government program that provides mid-morning meals to school children in all 14 regions. (39,57) In 2019, the program served 377,521 learners, an increase from 333,000 in 2018. (20)

**Table 10. Key Social Programs to Address Child Labor (Cont.)**

Program	Description
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. (53) In 2019, the government allocated \$2.4 million for the program, a slight decrease from the \$2.5 million allotted in 2018. (20)
Shelters and Victim Services†	Government and NGO shelters provide safe accommodation, meals, clothing, toiletries, psychosocial support, legal assistance, medical services, and access to education. (19) Registered residential child care facilities provide services for children experiencing mistreatment and neglect. The government provides subsidies, either per child or as a percentage of operating expenses, for private shelter facilities. (12,55) Shelters and victims services received government support and provided services during the reporting period. (20,55)

† Program is funded by the Government of Namibia.

During the reporting period, the government partnered with a local NGO to provide protective services to Namibian and foreign victims of trafficking, which included psychological and social support, legal assistance, medical care, proper documentation for foreign victims, and educational access to child victims. (1)

Although the government has 15 designated residential care facilities for children, few of these shelters are able to provide services. The only fully operational government shelter is located in Windhoek, so children who live in rural areas must go to the capital to receive services. (2) Although the government provided assistance and services to vulnerable children and some victims of child labor, research found no evidence of programs specifically addressing the children working in agriculture or domestic work.

## VII. 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 the hazardous work list is comprehensive and gives special consideration to the activities included in ILO R. 190.	2014 – 2019
Enforcement	Increase personnel and resources for the labor inspectorate to ensure adequate enforcement of labor laws, including in remote areas.	2019
	Increase the number of labor inspectors to meet the ILO's technical advice.	2019
	Ensure that training is provided to criminal law enforcement investigators on new laws related to child labor, including training for new investigators and refresher trainings.	2018 – 2019
	Establish a mechanism to compile and publish comprehensive statistics related to labor/criminal law enforcement, including convictions for crimes related to the worst forms of child labor.	2019
Coordination	Reactivate joint child labor inspection teams to strengthen coordination between ministries that respond to cases of child labor.	2019
	Ensure that all Gender-Based Violence Protection Units are able to carry out their intended mandates.	2018 – 2019
Government Policies	Ensure implementation of all key policies, such as the Decent Work Country Program.	2016 – 2019
	Integrate child labor elimination and prevention strategies into key national policies, including the Strategic Plan of the Ministry of Gender Equality and Child Welfare and the National Action Plan on Gender-Based Violence.	2019
Social Programs	Conduct research on the prevalence of child labor to inform the development of policies and social programs.	2013 – 2019
	Enhance efforts to eliminate barriers and make education accessible for all children by expanding social support to orphaned children and taking measures to reduce long travel distances to schools.	2019
	Ensure that there are adequate shelters, including in areas outside of Windhoek, to meet the needs of vulnerable children.	2019
	Institute programs or expand existing programs to address child labor in agriculture and domestic work.	2009 – 2019

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