

²⁶⁵⁶ Government of Mozambique, *Constituição da República*, article 84(3). See also U.S. Department of State, "Mozambique," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6c; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100495.htm>.

²⁶⁵⁷ Coalition to Stop the Use of Child Soldiers, "Mozambique," in *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.child-soldiers.org/regions/country?id=145>.

²⁶⁵⁸ Interpol, *National Laws: Legislation of Interpol member states on sexual offences against children*, [2006 [cited January 2, 2009]; available from <http://www.interpol.int/public/children/sexualabuse/nationallaws/default.asp>.

²⁶⁵⁹ The Protection Project, *Mozambique*, 4.

²⁶⁶⁰ United Nations General Assembly Human Rights Council, *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural including the Right to Development: Report Submitted by the Special Rapporteur on the sale of children, child prostitution and child pornography*, Juan Miguel Petit, January 9, 2008, section 13; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G08/100/07/PDF/G0810007.pdf?OpenElement>. See also U.S. Department of State official, E-mail communication, January 22, 2009.

²⁶⁶¹ U.S. Embassy- Maputo, *reporting, February 26, 2009*, para 11.

²⁶⁶² U.S. Embassy- Maputo, *reporting, January 16, 2009*, para 4.

²⁶⁶³ *Ibid.*

²⁶⁶⁴ *Ibid.*, para 8.

²⁶⁶⁵ *Ibid.*, paras 4 and 13.

²⁶⁶⁶ *Ibid.*, para 4.

²⁶⁶⁷ American Institutes for Research, *RECLAIM, Project Document, September 2005*.

²⁶⁶⁸ American Institutes for Research, *RECLAIM: Reducing Exploitive Child Labor in Mozambique*, Final Report, September 2008.

²⁶⁶⁹ Permanent Mission of Portugal to the United Nations, *Statement by H.E. Ambassador João Salgueiro, Permanent Representative of Portugal, Item 114 (f) – Cooperation between the United Nations and the Community of Portuguese-Speaking Countries – 63rd General Assembly – New York*, [November 3, 2008 [cited February 18, 2009]; available from http://www.missionofportugal.org/pmop/index.php?option=com_content&view=article&id=298:statement-by-he-ambassador-joao-salgueiro-permanent-representative-of-portugal-item-114-f-cooperation-between-the-united-nations-and-the-community-of-portuguese-speaking-countries--63rd-general-assembly--new-york-3-november-2008&catid=46:Statements%20in%202008&Itemid=51.

See also CPLP, *Seventh Conference of the Heads of State and Government of the Community of Portuguese-speaking Countries*, Geneva, July 25, 2008; available from http://www.cplp.org/Admin/Public/DWSDownload.aspx?File=%2FFiles%2FFiler%2Fcplp%2FCCEG%2FVIIL_CCEG%2FLisbon_Declaration_VIICCEG.pdf.

²⁶⁷⁰ ILO-IPEC Geneva official, E-mail communication to USDOL official, December 15, 2008.

²⁶⁷¹ ILO-IPEC Geneva official, E-mail communication to USDOL official, December 18, 2008. See also ILO-IPEC Geneva official, E-mail communication to USDOL official, April 16, 2009.

²⁶⁷² U.S. Department of State official, E-mail communication to USDOL official, April 20, 2009. See also U.S. Department of State official, E-mail communication to USDOL official, July 24, 2009. See also U.S. Department of State, *Mozambique*, [November 3, 2008 [cited February 26, 2009]; available from <http://www.state.gov/g/tip/rls/rpt/111540.htm>.

Namibia

Incidence and Nature of Child Labor

Children in Namibia work in agriculture, raising or tending livestock, charcoal production, construction, and domestic service.²⁶⁷³ Charcoal production and working in agriculture may expose children to hazardous conditions, including carrying heavy loads and using dangerous tools.²⁶⁷⁴ Children also unload goods, including hazardous chemicals, for long-distance truck drivers; work in the streets, including

begging or pushing trolleys; and work in family businesses, such as selling baskets.²⁶⁷⁵ Children from poor, rural households assist extended family members in urban centers with house cleaning, cooking, and child care in exchange for food, shelter, and sometimes clothes and money.²⁶⁷⁶

Some children, as young as 12 years and including street children, are involved in commercial sexual exploitation.²⁶⁷⁷ Children in

Namibia are also reportedly coerced by adults to commit crimes, such as theft.²⁶⁷⁸

<i>Selected Statistics and Indicators on Child Labor</i> ²⁶⁷⁹	
Population, children, 5-14 years, 2000:	325,394
Working children, 5-14 years (%), 2000:	14.7
Working boys, 5-14 years (%), 2000:	15.5
Working girls, 5-14 years (%), 2000:	13.9
Working children by sector, 5-14 years (%), 2000:	
- Agriculture	91.4
- Manufacturing	0.4
- Services	8.2
- Other	0.1
Minimum age for work:	14
Compulsory education age:	16
Free public education:	Yes*
Gross primary enrollment rate (%), 2007:	109.2
Net primary enrollment rate (%), 2007:	77
School attendance, children 5-14 years (%), 1999:	91.6
Survival rate to grade 5 (%), 2005:	86.8
ILO Convention 138:	11/15/2000
ILO Convention 182:	11/15/2000
CRC:	9/30/1990
CRCOPAC:	4/16/2002
CRCOPSC:	4/16/2002
Palermo:	8/16/2002
ILO-IPEC participating country:	Associated

*In practice, must pay for various school expenses

Namibia is a source, destination and transit country for trafficked children.²⁶⁸⁰ There is evidence suggesting that small numbers of Namibian children are trafficked within the country for forced domestic service, as well as forced agricultural labor, cattle herding, and possibly vending.²⁶⁸¹ There have also been reports of Zambian and Angolan children trafficked to Namibia for domestic service and tending livestock.²⁶⁸²

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years and establishes restrictions for both children aged 14 to 15 years and for children aged 16 to 17 years.²⁶⁸³ The law prohibits children under 16 years from working in

any mine, industrial, or construction setting; and prohibits children under 18 years from engaging in night work from 8 p.m. to 7 a.m., except in cases where permitted by regulation issued by the Minister of Labor.²⁶⁸⁴ The Constitution protects children under 16 years from economic exploitation and states that they are not to be employed in any work that is likely to be hazardous; harmful to their physical health or mental, spiritual, moral, or social development; or would interfere with their education.²⁶⁸⁵ Violations of child labor laws are subject to a fine and imprisonment of up to 4 years.²⁶⁸⁶

The Constitution and Labor Code prohibit slavery and forced labor.²⁶⁸⁷ The penalty for anyone causing or permitting an individual to perform forced labor is imprisonment of up to 4 years or a fine.²⁶⁸⁸ Child trafficking cases can be prosecuted under existing kidnapping provisions.²⁶⁸⁹ The law also makes it an offense for any adult to solicit or entice a child under 16 years to participate in an indecent or immoral act, including prostitution.²⁶⁹⁰ The minimum age for voluntary military service is 18 years, and there is no conscription.²⁶⁹¹

The Government of Namibia has 36 labor inspectors; none focuses exclusively on child services. However, the inspectors are trained in identifying the worst forms of child labor, and three investigations occurred in 2008 that involved children in the worst forms of child labor.²⁶⁹²

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

In 2008, the Government of Namibia included child labor interventions as part of its 5-year National Development Plan.²⁶⁹³ The Government continued to conduct public awareness campaigns on child labor.²⁶⁹⁴ For example, the Government worked with the Namibia Farm Workers Union and Namibia Agricultural Union to eliminate child labor through awareness raising.²⁶⁹⁵ Namibia also supported programs, aimed at child-headed households and caregivers of orphans, that were intended to keep children away from the worst forms of child labor and exploitive labor by enabling them to go to school.²⁶⁹⁶

The Government participated in a regional project funded by USDOL and implemented by the American Institutes for Research that ended in August 2008. This 4-year, USD 9 million project improved the quality of and access to education for children who were working in, or at risk of working in, the worst forms of child labor.²⁶⁹⁷ Over its lifetime, the project withdrew 2,383 children and prevented 7,777 children from engaging in exploitive labor.²⁶⁹⁸

Namibia also participated in a regional project funded by USDOL and implemented by ILO-IPEC that ended in June 2008. This 5-year, USD 5 million project developed national child labor action plans.²⁶⁹⁹ Over its lifetime, the project also withdrew or prevented 5,421 children from exploitive child labor in Southern Africa.²⁷⁰⁰

Additionally in 2008, USDOL awarded a USD 4.75 million grant to ILO-IPEC for a regional project to support the implementation of national child labor action plans in three countries, including Namibia.²⁷⁰¹ This 4-year project aims to withdraw and prevent 8,400 children in Southern Africa from engaging in exploitive labor, particularly in agriculture and adult-coerced criminal activity.²⁷⁰²

²⁶⁷³ U.S. Embassy- Windhoek, *reporting*, January 16, 2009, para 1. See also Petronella Sibeene, "Govt to Tackle Child Labour", AllAfrica.com. [online] January 18, 2008 [cited February 4, 2009]; available from <http://allafrica.com/stories/200801180572.html>. See also ILO-IPEC, *Towards the Elimination of the Worst Forms of Child Labor (TECL), Phase II*, Project Document, Geneva, September 25, 2008, 22 and 24.

²⁶⁷⁴ Petronella Sibeene, "Govt to Tackle Child Labour". See also ILO-IPEC, *TECL, Phase II, Project Document*, 22.

²⁶⁷⁵ ILO-IPEC, *Implementation Plan of the Programme Towards the Elimination of the Worst Forms of Child Labour in Namibia, 2004-2007*, Geneva, 2005, 8; available from <http://www.ilo.org/ipceinfo/product/viewProduct.do?productId=4511>. See also

Government of the Republic of Namibia, *Namibia National Plan of Action for Orphans and Vulnerable Children*, Windhoek, October 2007, 13; available from www.unicef.org/infobycountry/files/NPAforOVC-Vol1.pdf.

²⁶⁷⁶ ILO-IPEC, *Implementation Plan of TECL, Phase I*, 7.

²⁶⁷⁷ ILO-IPEC, *TECL, Phase II, Project Document*, 23. Catharine Sasman, "Vulnerable Children at Risk of Exploitation", AllAfrica [online] February 1, 2008 [cited

February 5, 2009]; available from <http://allafrica.com/stories/200802010315.html>. See also Petronella Sibeene, "Govt to Tackle Child Labour". See also Africa News, "Namibia: Prostitution Rife in Oshikango", *afrol.com* [online] April 8, 2008 [cited February 5, 2009]; available from <http://allafrica.com/stories/200804080585.html>.

²⁶⁷⁸ Catharine Sasman, "Vulnerable Children at Risk of Exploitation". See also U.S. Embassy- Windhoek, *reporting*, January 16, 2008, para 3. ILO-IPEC, *TECL, Phase II, Project Document*, 23. See also Government of the Republic of Namibia, *National Plan of Action 2006-2010*, 13.

²⁶⁷⁹ For statistical data not cited here, see the Data Sources and Definitions section. For ratifications and ILO-IPEC membership, see the Introduction. For minimum age for admission to work, see Government of Namibia, *Labor Act*, (December 31, 2007), chapters 2 and 3(2); available from http://www.parliament.gov.na/acts_documents/81_3971_gov_notice_act_11.pdf. For age to which education is compulsory and free public education, see Government of Namibia, *Constitution*, (February 1990), article 20; available from <http://www.servat.unibe.ch/law/icl/wa00000.html>. See also U.S. Department of State, "Namibia," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, sections 5 and 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/af/119016.htm>.

²⁶⁸⁰ Government of the Republic of Namibia, *National Plan of Action 2006-2010*, 7, 12, 13. See also U.S. Embassy- Windhoek, *reporting*, January 16, 2008.

²⁶⁸¹ U.S. Department of State, "Namibia (Special Cases)," in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/documents/organization/105660.pdf>. See also ILO-IPEC, *TECL, Phase II, Project Document*, 23. See also Africa News, "Namibia 'Slavery' Threatens San", *afrol.com* [online] July 26, 2007 [cited February 4, 2009]; available from <http://allafrica.com/stories/200707260811.html>.

²⁶⁸² U.S. Embassy- Windhoek, *reporting*, January 16, 2008, para 5. See also U.S. Department of State, "Trafficking in Persons Report- 2008: Namibia." See also ILO-IPEC, *TECL, Phase II, Project Document*, 23.

²⁶⁸³ Government of Namibia, *Labor Act*, chapter 2, section 3.

²⁶⁸⁴ *Ibid.*, chapter 2, sections 3 and 4.

²⁶⁸⁵ Government of Namibia, *Constitution*, article 15.

²⁶⁸⁶ U.S. Department of State, "Country Reports- 2008: Namibia," section 6d.

²⁶⁸⁷ Government of Namibia, *Constitution*, article 9.

²⁶⁸⁸ Government of Namibia, *Labor Act*, chapter 2, section 4.

²⁶⁸⁹ U.S. Department of State, "Trafficking in Persons Report- 2008: Namibia."

²⁶⁹⁰ ILO Committee of Experts, *Individual Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Namibia (ratification: 2000)*, [online] 2008 [cited February 4, 2009], article 3, section 2, clause (b) 2.; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=21886&chapter=9&query=%28Namibia%29+%40ref&highlight=&querytype=bool&context=0>. See also U.S. Department of State, "Trafficking in Persons Report- 2008: Namibia."

²⁶⁹¹ Coalition to Stop the Use of Child Soldiers, "Namibia," in *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.child-soldiers.org/regions/country?id=147>.

²⁶⁹² U.S. Embassy- Windhoek, *reporting, January 16, 2008*, paras 4 and 5.

²⁶⁹³ ILO-IPEC, *TECL, Phase II, Project Document*, 26-27. See also U.S. Department of State, "Country Reports- 2008: Namibia," section 6d.

²⁶⁹⁴ U.S. Embassy- Windhoek, *reporting, January 16, 2008*, para 6.

²⁶⁹⁵ U.S. Department of State, "Country Reports- 2008: Namibia," section 6d.

²⁶⁹⁶ U.S. Embassy- Windhoek, *reporting, January 16, 2008*, para. 6.

²⁶⁹⁷ American Institutes for Research, *Reducing Exploitive Child Labor Southern Africa (RECLISA)*, Project

Document, Washington, DC, September 8, 2005, 1, 17, 18.

²⁶⁹⁸ American Institutes for Research, *Reducing Exploitive Child Labor Southern Africa (RECLISA)*, Final Technical Project Report, Washington, DC, August 12, 2008, 42.

²⁶⁹⁹ Towards the Elimination of the worst forms of Child Labor (TECL), *Supporting The Timebound Program To Eliminate The Worst Forms Of Child Labor In South Africa, And Laying The Basis For Concerted Action Against The Worst Forms Of Child Labor In Botswana, Lesotho, Namibia And Swaziland*, Project Document, June 2003, i. See also Towards the Elimination of the worst forms of Child Labor (TECL), *Supporting The Timebound Program To Eliminate The Worst Forms Of Child Labor In South Africa, And Laying The Basis For Concerted Action Against The Worst Forms Of Child Labor In Botswana, Lesotho, Namibia And Swaziland*, Final Technical Progress Report, June 2008, section II.B.

²⁷⁰⁰ Towards the Elimination of the worst forms of Child Labor (TECL), *Supporting The Timebound Program, Final Technical Progress Report, June 2008*, section II.B.

²⁷⁰¹ USDOL-ILAB, *U.S. Department of Labor awards more than \$58 million to eliminate exploitive child labor around the world*, Press Release, October 1, 2008; available from <http://www.dol.gov/opa/media/press/ilab/archive/ILAB20081352.htm>.

²⁷⁰² ILO-IPEC, *TECL, Phase II, Project Document*, 1, 84, 85.

Nepal

Incidence and Nature of Child Labor

Children in Nepal work in agriculture, embroidered textiles, the entertainment sector, and the transportation sector. Children also work as domestic servants, porters, rag pickers, and rock breakers, as well in carpet factories, mines, brick factories, and restaurants.²⁷⁰³ Depending on the specific sector, children work long hours; carry heavy loads; have ear, eye, and skin disorders; have musculoskeletal problems; and are at risk of sexual exploitation.²⁷⁰⁴ The majority of working children are active in the informal sector.²⁷⁰⁵

There are two kinds of child bonded laborers in Nepal: *Kamaiyas*, who are born into a family legacy of bonded labor, though this practice was outlawed in 2002, and other bonded child laborers, who commonly come from large,

landless families.²⁷⁰⁶ Bonded child laborers may work in the following sectors: carpet-weaving, domestic service, brick manufacturing, and embroidery of textiles. Children may also work under conditions of bondage in agriculture, stone quarries, and restaurants.²⁷⁰⁷ Bonded child laborers are also found in commercial sexual exploitation.²⁷⁰⁸

Children in Nepal are exploited through sex tourism, and trafficking.²⁷⁰⁹ Reports indicate many children are trafficked to India to work in carpet factories, circuses, agriculture, road construction, domestic service, and begging. Boys are also trafficked to India to work in the embroidery industry.²⁷¹⁰ Nepal is also a source country for children trafficked to India and the Middle East for commercial sexual exploitation. Internal trafficking occurs for commercial sexual exploitation and involuntary servitude as child