

In 2018, Namibia made a moderate advancement in efforts to eliminate the worst forms of child labor. The government passed the Combating of Trafficking in Persons Act and approved the National Referral Mechanism that directs first-line response teams on how to detect and provide services to victims of trafficking. In addition, it also provided substantive training for law enforcement pertaining to child protection, including child labor. 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 services 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 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 (%)		77.5

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (3)
Data were unavailable from International Labor Organization’s analysis, 2019. (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	Tending and herding cattle (1,2,5)
Services	Domestic work (5-8)
	Working in bars (<i>shebeens</i>) (5,9)
	Street work, including selling candies, fruits, handicrafts, and cell phone air time vouchers (1,10,11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,8)
	Forced labor in agriculture and domestic work, each sometimes as a result of human trafficking (1,5,12)

‡ 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. (1,8) Some Angolan children are trafficked into Namibia for forced labor in cattle herding. (1,8) The government has not collected and published data on child labor, including its worst forms, to inform policies and social programs.




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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 services 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 (13)
Minimum Age for Hazardous Work	Yes	18	Article 15(2) of the Constitution; Chapter 2, Article 3(4) of the Labor Act (13,14)
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 (13,15)
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 (13-16)
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 Trafficking in Persons Act (15-17)
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 (15,18)
Prohibition of Using Children in Illicit Activities	Yes		Section 234 of the Child Care and Protection Act (15)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 17 of Defense Act I of 2002 (Government Notice 189 of 2010) (19)
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 (15)
Compulsory Education Age	Yes	16	Section 53 of the Education Act (20)
Free Public Education	Yes		Section 38 of the Education Act (20)

* No conscription (21)

The Namibian Parliament passed the Combating of Trafficking in Persons Act in February 2018, which aligns Namibian law with the Palermo Protocol. The act criminalizes trafficking in persons and related offenses, protects and assists victims, and provides for the coordinated implementation and administration of the act. (8,17)

Although there are hazardous work prohibitions for children, these prohibitions do not specifically include hazardous work in the services sector. The Ministry of Labor, Industrial Relations and Employment Creation

(MLIREC) reported that, in 2013, it drafted additional hazardous work prohibitions, which were subsequently approved by the Tripartite Labor Council and scheduled to be published in the gazette by the end of the current Namibian fiscal year. (22,23) Because the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education.

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)	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. (24) Leads these ministries on joint inspection teams. (24)
Ministry of Safety and Security (MSS)	Enforces criminal laws and jointly conducts site visits with labor inspectors. (24,25) Handles enforcement through the Namibian Police. (24-26)
Ministry of Gender Equality and Child Welfare (MGECW)	Collaborates with the Namibian Police Force's Gender-Based Violence Protection Units (GBVPU) on cases involving human trafficking and commercial sexual exploitation of children. (24) Removes children from child labor situations during inspections, and transfers them to a regional GBVPU to receive assistance from MGECW social workers. (27)
Joint Child Labor Inspection Committee	Coordinates activities to enforce child labor laws. Committee includes MLIREC, MSS, and MGECW. (24) Refers children identified during labor inspections to MGECW social workers or to an MGECW shelter for care. (24)

Labor Law Enforcement

In 2018, 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 its lack of inspection planning and execution in all relevant sectors and geographic regions.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$2,384,000 (28)	\$2,550,000 (24)
Number of Labor Inspectors	79 (28)	61 (24)
Inspectorate Authorized to Assess Penalties	No (28)	Yes (24)
Initial Training for New Labor Inspectors	Yes (28)	Yes (24)
Training on New Laws Related to Child Labor	Yes (28)	No (24)
Refresher Courses Provided	Yes (28)	Yes (24)
Number of Labor Inspections Conducted	4,334 (28)	3,900 (24)
Number Conducted at Worksite	4,334 (28)	3,900 (24)
Number of Child Labor Violations Found	0 (28)	0 (24)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (28)	N/A (24)
Number of Child Labor Penalties Imposed that Were Collected	N/A (28)	N/A (24)
Routine Inspections Conducted	Yes (28)	Yes (24)
Routine Inspections Targeted	Yes (28)	Yes (24)
Unannounced Inspections Permitted	Yes (28)	Yes (24)
Unannounced Inspections Conducted	Yes (28)	Yes (24)
Complaint Mechanism Exists	Yes (28)	Yes (24)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (28)	Yes (24)

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Research indicates that the MLIREC primarily conducts inspections in the formal agricultural sector and urban areas, leaving children working in remote rural areas less protected.(5) It was previously reported that although inspectors have the legal authority to inspect private farms, they often encounter difficulties accessing the farms due to locked gates. In an effort to access farms with locked gates, the inspectorate began working with the Namibia Agricultural Union. (24,29)

Criminal Law Enforcement

In 2018, 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 investigation and prosecution planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown (28)	Yes (24)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (28)	Yes (24)
Refresher Courses Provided	Yes (28)	Yes (24)
Number of Investigations	Unknown (28)	3 (24)
Number of Violations Found	Unknown (28)	2 (24)
Number of Prosecutions Initiated	Unknown (28)	0 (24)
Number of Convictions	Unknown (28)	0 (24)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (28)	Unknown (24)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (28)	Yes (24)

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 get referrals to relevant government social services providers. (30) Research could not find information about the number of complaints concerning child labor, including its worst forms, received through the Namibian Police Force's toll-free hotline. In September 2018, the Namibian Cabinet approved the National Referral Mechanism to direct first-line response teams on how to detect and provide services to victims of trafficking. (8)

During the reporting period, criminal investigators received a series of trainings addressing child labor, including the Gender-Based Violence/Violence Against Children/Violence Against Women training program for law enforcement agencies. (24) Four training sessions were conducted across the country over a nine-month period. A total of 230 professionals were trained, including 78 police investigators. Police, prosecutors, and social workers were trained on essential services provision and integration, as well as their responses to gender-based violence incidents. (24) The United Kingdom's National Crime Agency carried out a Child Exploitation and Online Protection training for police officers and social workers from the Ministry of Gender Equality and Child Welfare (MGE CW) and the Ministry of Health and Social Services, which focused on relevant provisions of the legal framework, the importance of case identification, risk factors, analysis, safety plan development, and the provision of victim-centered services. (24) In addition, instructors from all police training facilities were trained on recently developed manuals related to gender-based violence, violence against children, and trafficking in persons. (8,24)

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. (24) Met quarterly in 2018, producing forms and procedures that would better distinguish child labor issues from other issues, such as adult labor or other forms of child mistreatment. (31)
Gender-Based Violence Protection Units (GBVPU)	Provides victim protection services to children rescued from the worst forms of child labor. Fifteen units arrange lodging and medical and psychosocial care for victims. (24) Consists of personnel from MLIREC, the Ministry of Home Affairs and Immigration, the Namibian Police Force, MGECW, and MOE. (23) Research was unable to determine whether services were provided to victims of child labor during the reporting period.
Child Care and Protection Forums	Addresses child protection issues and coordinates services in the country at the regional and constituency levels. Raises community awareness of the signs of child mistreatment and available services. (32) 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 year. (31)
Permanent Task Force for Children	Implements and coordinates services for children at the national level. (24) Includes key ministries, NGOs, development partners, and bilateral agencies. Met on a quarterly basis in 2018. (24)

The Child Care and Protection Forums were sponsored by the Global Fund until the end of 2018. The MGECW is working to identify zero-cost solutions for the program's continuation. (31) Their goal is to raise community awareness of the signs of child mistreatment and available services, and they are typically well-received by communities. The forums include social workers, police, teachers, magistrates, NGOs, and anyone involved in managing the mistreatment of children. (31)

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 (2018–2022)†	Outlines strategies to promote decent work in Namibia. Prioritizes employment promotion, enhances social protections, and strengthens social dialogue and collaboration. (8,33) Program goals include the reduction of forced labor and child labor cases. (33) The program was renewed in August 2018 with a memorandum of understanding (MOU) 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). (8,23) The MOU includes specific actions targeting child labor, including a child labor survey. The current 2018 report is a draft, though implementation is in process. (23-25)
National Development Plan V (2017/2018–2021/2022)	Includes goals for addressing child trafficking and protection concerns. (24,34) Research was unable to determine whether the government undertook activities to implement National Development Plan V during the reporting period.

† 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. (35)

Namibia currently has no child labor policy. However, the MGECW worked to finalize a National Agenda for Children, which is a draft, UNICEF-supported document. The draft agenda includes procedural instructions for each ministry and stakeholder that cover specific types of cases of child mistreatment. (31) In addition, the draft agenda includes a monitoring and evaluation plan, which is overseen by the MGECU with required periodic reports. (31) The government also reviewed and finalized a new Plan of Action on Gender-Based Violence covering the period 2019–2023. (8,36) Child labor elimination and prevention strategies are not integrated into the National Protection Referral Network or the Education for All National Plan of Action. (36,37)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, 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.

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Table 10. Key Social Programs to Address Child Labor

Program	Description
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. (8,38,39) Under this initiative, the Namibian Parliament passed the Combating of Trafficking in Persons Act. (24)
Namibian School Feeding Program†	Government program that provides mid-morning meals to school children. Serves 330,000 pre-primary and primary school students in 1,400 schools in all 14 regions. (23,24,29) Program was active in 2018. (24)
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. According to the national budget estimates for fiscal years 2018 and 2019, allocated \$6 million for 2017–2018, which is a 34 percent decrease from the \$9 million for the previous year. (32) According to NGOs, includes skill-building programs for youth. (32) Program is ongoing and received government support in 2018. (24)
Shelters and Victim Services†	Government and NGO shelters provide safe accommodation, meals, clothing, toiletries, psychosocial support, legal assistance, medical services, and access to education. (8) 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. (1,31) Facilities received government support in 2018 and are continually operating. (31)

† Program is funded by the Government of Namibia.

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.

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 that the hazardous occupations and activities prohibited for children are comprehensive.	2014 – 2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Ensure that inspections occur in all sectors to provide minimum age law protections to all children, including those in remote rural areas.	2016 – 2018
	Ensure that training is provided to labor inspectors on new laws related to child labor.	2018
	Publish information on the number of penalties imposed for violations related to the worst forms of child labor.	2018
	Publish information on the number of complaints concerning child labor received through the Namibian Police Force's toll-free hotline.	2018
Coordination	Ensure all coordinating bodies are able to carrying out their intended mandates.	2018
Government Policies	Establish a National Child Labor Policy.	2017 – 2018
	Integrate child labor elimination and prevention strategies into relevant policies.	2013 – 2018
	Publish information about implementation of the Decent Country Work Program and National Development Plan V.	2016 – 2018
Social Programs	Conduct research on the prevalence of child labor to inform the development of policies and social programs.	2013 – 2018
	Institute programs to address child labor in agriculture and domestic work.	2009 – 2018

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