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**MID-TERM PROGRESS REPORT ON THE IMPLEMENTATION OF THE UNIVERSAL PERIODIC REVIEW RECOMMENDATIONS ACCEPTED BY NAMIBIA IN JANUARY 2016.**

During the initial review of the human rights situation in Namibia in January 2016, member states made 219 recommendations during the interactive dialogue of which 191 were accepted and 28 were noted.

**Summary of implementation of UPR recommendations accepted and noted by Namibia.**

OUTSTANDING TREATIES/ CONVENTIONS

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| **Recommendation number.** | **Issues / Recommendations** | **Progress Made in The Implementation of Recommendations** |
| 1. | Recommended consent to the international instruments to which it is not a party. (Congo) | This recommendation enjoys Namibia’s support. Namibia accepted these recommendations during its first and second UPR cycle. The relevant line ministries have been working with legal experts to harmonize the relevant domestic laws in order to ratify some of the international instruments.  |
| 2. | Recommends optional protocol to the CRC on a communications procedure. (Portugal) | This recommendation enjoys Namibia’s support. See our responses to recommendation 1. |
| 3. | Has also recommended the ratification of the Convention against Torture and the optional protocol thereto. (Portugal) | This recommendation enjoys Namibia’s support. Namibia is already a state party to the Convention against Torture. The government will hold nationwide consultations on whether it will be beneficial for Namibia to ratify the optional protocol on CAT or not, or whether the existing domestic mechanisms are sufficient to address the concerns raised in the said optional protocol. |
| 4. | Necessary measures to ratify theOptional Protocol to CAT shouldbe adopted, in conformity with thecommitments made by Namibia duringthe first UPR cycle. (Chile) | This recommendation enjoys Namibia’s support. See our response to recommendation 1.  |
| 5.  | Take measures towards the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. (Georgia and Denmark) | This recommendation enjoys Namibia’s support. See our response to recommendation 1.  |
| 6. | Recommendation For Ratify the OP-CAT. (Honduras, Senegal, Mauritius, Tunisia, Sweden, Congo, Estonia, Lebanon, North Macedonia and France) |  This recommendation enjoys Namibia’s support. See our response to recommendation 1. |
| 7. | Recommended Ratify the OP-CAT andto ensure a timely establishment of aneffective national preventive mechanism. (Czech Republic) |  This recommendation enjoys Namibia’s support. See our response to recommendation 1. |
| 8. | Ratify the International Conventionfor the Protection of All Persons fromEnforced Disappearance. (Tunisia, Congo, Togo, Madagascar, Ghana and France, Oman, Uruguay ) | This recommendation enjoys Namibia’s support. After holding consultations with relevant stakeholders in the country, government will pronounce itself on whether there is a need to ratify the said Convention or not.  |
|  9. | Ratify the International Covenant onEconomic, Social and Cultural Rights. (Madagascar) | Namibia is already a state party to the International Covenant on Economic, Social and Cultural Rights. |
| 10. | Ratify the Optional Protocol to theInternational Covenant on Economic,Social and Cultural Rights. (Montenegro, Portugal, Slovakia) | This recommendation is noted |
| 11. | Continue to strengthen their nationallegislation into line with internationalhuman rights instruments to which it isa party. (Nicaragua) | The recommendation enjoys Namibia’s support. Namibia will continue to strengthen its national legislation into line with international human rights instruments to which it is a party.  |
| 12. | Ratify the Third Optional Protocol to the Convention on the Rights of the Child on communication procedures. (Montenegro) | This recommendation is noted |
| 13. | Consider the ratification of the 1961Convention on the Reduction ofStatelessness. (Cote D’ivoire) | This recommendation enjoys Namibia’s support. Government through the Ministry of Home Affairs and Immigration is currently undertaking consultations with relevant stakeholders on whether there is a need for Namibia to ratify the said Convention.  |
| 14. | Ratify the ILO Convention 189. (Phillipines) | This recommendation enjoys Namibia’s support. However, Namibia will only pronounce itself on whether to ratify the said Convention or not after it undertakes a study to ensure whether there is a need to do so. |
| 15. | Ratify the Rome Statute of the ICC. (Latvia) | Namibia is already a state party to the Rome Statute of the ICC |
| 16. | Ratify the Kampala amendments to theRome Statute with a view to contributing to the activation of the jurisdiction of the International Criminal Court over the crime of aggression in 2017. (Liechtenstein) | This recommendation enjoys Namibia’s support. |
| 17. | Reconsider the country’s position on apossible withdrawal as a State Party tothe ICC Rome Statute. (Austria) | The decision whether to withdraw or remain a state party to the ICC Rome Statute will be influenced by the decision of the African Union on the matter.  |

GENDER EQUALITY, GENDER-BASED-VIOLENCE AND

DISCRIMINATION

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| 18. | Abolish all harmful and discriminatorycustomary laws and practices which aredirected towards women and girls. (Australia & Panama) |  This recommendation enjoys Namibia’s support. However, there are no harmful discriminatory customary laws in existence against women in Namibia. Art 10 and 66 of the Namibian Constitution proscribes all forms of discrimination against women. In addition to constitutional provisions, there exist a variety of legislation that are aimed at protecting women against discrimination. E.g. the Affirmative Action Act of 1998 protects women in employment. The Land Reform Act of 1996 enforces the right of women to inherit land from their husband’s deceased estate. The Marriage Persons Equality Act abolishes the concept of “Marital Power” which in the past made the husband the head of the household. The Combating of Rape Act abolishes the so-called ‘Cautionary rule” which made women uncomfortable in rape trials. The Rape Act further expands the definition of what constitutes rape.  |
| 19. | Take measures to review all relevantlegislation with a view to enddiscrimination against women and girls. (Slovakia) | This recommendation enjoys Namibia’s support. See our response to recommendation 18. |
| 20. | Review civil laws with the view ofputting an end to discrimination againstwomen and girls, in particular rightsrelated to marriage and land property. (Turkey) | This recommendation enjoys Namibia’s support. See our response to recommendation 18. |
| 21. | That legislative measures be adoptedto make it possible to harmonize thedomestic legal system with the CEDAW provisions, promulgating legislative initiatives in process, aimed at ensuring equal legal status of men and women. (Chile) | This recommendation enjoys Namibia’s support. Namibia has adopted legislative measures that has made it possible to harmonise the domestic legal system with the CEDAW provisions. The pieces of legislation mentioned in recommendation number 18 are such examples. |
| 22. | Abolish all discriminatory customarylaws and practices that violate therights of women in accordance withinternational obligations under CEDAW. (Iceland) | This recommendation enjoys Namibia’s support. See our response to recommendation 18. |
| 23. | Continue enhancing the project andprogrammes aimed at ensuring theprotection and the rights of indigenouscommunities. (North Korea) | This recommendation enjoys Namibia’s support. There is an office dedicated to specifically deal with the rights and welfare of Namibia’s marginalized communities. That office is known as the Division of Marginalised Communities. It is headed by a member of the marginalized communities and a substantial number of its personnel are members of the same communities. It is worth noting that in Namibia, the state employs the term “marginalized” to refer to indigenous peoples.  |
| 24. | Take all relevant measures to fightagainst sexual violence and bringperpetrators to justice. (Togo) |  This recommendation enjoys Namibia’s support. The state party acknowledges that Gender Based Violence vis a vis sexual violence remains a challenge in the country. However, the Government has embarked on a number of programmes and mechanisms to curtail the scourge. Some anti-gender related laws are being reviewed to ensure they become effective. The Ministry of Gender Equality and Child Welfare with donor funding is conducting research on the root causes of gender based violence and whether existing anti-gender based laws are effective or not. |
| 25. | Enforce legislation to prevent sexualviolence and sexual exploitation. (Uzbekistan) | This recommendation enjoys Namibia’s support. See our response to recommendation 18 above. |
| 26. | Allocate adequate funding and providenecessary human resources to fullyimplement policies and programmesaimed at eradicating all forms of genderbased violence. (Phillipines) | This recommendation enjoys Namibia support. The state party acknowledges that there is limited funding to fully implement policies and programmes aimed at eradicating all forms of gender based violence. To address this challenge, the government has appealed to donors to meet it half way. Various United Nations agencies such as UNDP, UNICEF, and UNFPA have in the recent past provided technical expertise to help government implement anti-gender based violence projects as well as donating equipment and vehicles to this effect.  |
| 27. | Redouble its efforts to enforce therelevant legislation such as theCombating of Rape Act to eliminate allforms of gender-based violence, andcontinue the ongoing efforts to addressthe root causes and contributing factorsof the violence. Republic of Korea | The recommendation enjoys Namibia’s support and the government is in the process of reviewing most of its gender related laws and policies.  |
| 28. | Explicitly prohibit traditional practicesthat put at risk the physic andpsychological integrity of women andgirls. (Argentina) |  This recommendation enjoys Namibia’s support. Any traditional practices that put at risk the physical and psychological integrity of women and girls are prohibited under various laws in the country. Any perpetrators of such practices shall be punished in accordance with the law. |
| 29. | Strengthens measures aimed ateliminating all forms of gender–basedviolence. (Zambia) | This recommendation enjoys Namibia’s support. As alluded to above, Namibia is reviewing most of its anti-gender based violence laws and policies with the view of making them more effective. |
| 30. | Continue efforts to combating customary practices which tolerate gender-based violence and discrimination against women. (Algeria) |  The recommendation enjoys Namibia’s support. See our response to recommendation numbered 18, 27 and 28 above. |
| 31. | Step up its efforts in eliminating all forms of violence against women and girls and in that context improve the national legislation in accordance with relevant international human rights standards. (North Macedonia) | The recommendation enjoys Namibia’s support. See our responses to recommendations numbered 18, 27 and 28 above. |
| 32. | Take measures to prevent all incidentsof violence against women, in particular in rural areas; and ensure effective interventions by law enforcement officials responding to allegations of violence committed by intimate partners; and prosecute perpetrators. (Canada) | The recommendation enjoys Namibia’s support. See our responses to recommendations numbered 18, 27 and 28 above. |
| 33. | Strengthen legal framework to preventand combat violence against women and domestic violence. (Serbia) | The recommendation enjoys Namibia’s support. See our responses to recommendations numbered 18,27 and 28 above. |
| 34. | Ensure that all cases of violence againstwomen and girls are investigated andthat perpetrators are brought to justice. (Slovenia) | The recommendation enjoys Namibia’s support. See our responses to recommendations numbered 18, 27 and 28 above. |
| 35. | Ensure appropriate protection is offered to the victims of gender- based violence including enabling them to seek police assistance, leading to prosecution of the perpetrators as appropriate. (United Kingdom of Great Britain & Northern Ireland) | The recommendation enjoys Namibia’s support. Despite limited resources, appropriate protection is offered to the victims of gender based violence in the country. The government established gender protection units across the country to assist victims of violence. Moreover, training for police officials, social workers, nurses and other professionals on gender based violence is on-going. |
| 36. | Allocate the resources necessary forthe full implementation of the “ZeroTolerance Campaign against GenderBased Violence. (Canada) | The recommendation enjoys Namibia’s support. Government will continue to allocate the resources necessary the full implementation of the “Zero Tolerance Campaign against Gender Based Violence”. |
| 37. | An effective implementation of thecombating of the domestic violence actto reduce gender-based violence. (Cuba) | This recommendation enjoys Namibia’s support. See our response to recommendations numbered 18, 27 and 28 above. |
| 38. | Increase efforts to fight against genderviolence by fully implementing the“National Gender Policy” and thenational action plan against genderviolence 2012-2016, and by ensuring that perpetrators are brought to justice. (France) | This recommendation enjoys Namibia’s support. Government is working with key stakeholders such as local NGOs, various UN agencies and other donors to ensure that the Revised National Gender Policy and the National Action Plan against Gender Violence are fully implemented. In addition, the government through the Office of the Ombudsman launched the National Human Rights Action Plan which will among other things dal with gender based violence. |
| 39. | Effectively implement the Zero Tolerance Campaign and key interventions of the National Human Rights Action Plan 2015 with regard to gender-based Violence. (Germany) | This recommendation enjoys Namibia’s support. Government continues to explore ways to effectively implement the Zero Tolerance Campaign and key interventions of the National Human Rights Action Plan 2015 with regard to gender-based violence. |
| 40. | Continue its efforts to combatviolence against women and childrenat the national level, as previouslyrecommended. (Germany) | This recommendation enjoys Namibia’s support. See our responses to recommendations numbered 18, 27 and 28 above. |
| 41. | Redouble efforts in addressing gender-based violence, with the support of theInternational community. (Mozambique) | This recommendation enjoys Namibia’s support. See our responses to recommendations numbered 18, 27 and 28 above. |
| 42. | Strengthen collaboration with therelevant stakeholders to address thecauses of gender based violence. (Singapore) | This recommendation enjoys Namibia’s support. See our responses to recommendation numbered 18, 27 and 28 above. |
| 43. | Adopt further measures to combatviolence and sexual abuse againstgirls and women, as well as violenceand discrimination based on sexualorientation.(Brazil) | This recommendation enjoys Namibia’s support. On the issue of gender based violence, see our responses in recommendations numbered 18, 27 and 28 above.On the issue of discrimination based on sexual orientation, the state party wish to reiterate that the all forms of discrimination are prohibited in Namibia. Any sexual minority who rights has been violated is encouraged to visit the Office of the Ombudsman for a remedy. |
| 44. | Adopt and implement a national actionplan on gender-based violence withthe support from all sectors within thesociety, including the judiciary. (Sweden) | This recommendation enjoys Namibia’s support. See our responses to recommendations numbered 18, 27 and 28 above. |
| 45. | Adopt and develop a comprehensivenational action plan that addressestraditional harmful practices and gender based violence against women and girls. (Botswana) | This recommendation enjoys Namibia’s support. See our responses to recommendations numbered 18, 27 and 28 above. |
| 46. | Expedite the enactment of existing Bills that would impact on the enjoyment of women’s rights. (Sierra Leone) | This recommendation enjoys Namibia’s support. Government will indeed expedite the enactment of existing bills in order to further promote the enjoyment of women’s rights. The anti-torture bill and the Divorce bill once passed in parliament will greatly enhance women’s rights in the country.  |
| 47. | Adopt as soon as possible, the draft laws that promote the rights of women in marriage, marital property and divorce. (Uruguay) | This recommendation enjoys Namibia’s support. The Divorce bill once passed in parliament will provide adequate protection to women in the dissolution of a marriage.  |
| 48. | Step up efforts to eliminatediscrimination against women and girlsin law and in practice also by adoptingthe pending Bills that have impact onthe enjoyment of women’s rights related to marriage, recognition of customary marriage, procurement, marital property, divorce and intestate succession. (Slovenia & SierraLeone) | This recommendation enjoys Namibia’s support. The Namibian government is in the process of expediting bills that will indeed impact on the enjoyment of women’s rights related to marriage, recognition of customary marriages, divorce and intestate succession are all under consideration. It is expected that the said bills will be tabled in parliament during the course of this year. The delay in enacting the said laws stems from a variety of factors such as lack of personnel in departments dealing with law reform and legal drafting, funds and to mention but a few.  |
| 49. | Consider revising the Married PersonsEquality Act of 1996 in a way thateliminates discriminatory provisionsagainst women, including thoseaffecting marriage, land ownership andinheritance rights. (Republic of Korea) | This recommendation partially enjoys Namibia’s support. The Married Persons Equality Act replaced the Marriages Act of 1962. The 1962 Act contained provisions which were deemed to discriminate against women in marriage. The concept of ‘marital power’ was an integral part of the 1962 Act. As alluded to earlier, the concept of marital power made a man the head of the household. Therefore the Married Persons Equality Act of 1996 abolished the concept of marital power thus making a man and a woman equal in marriage.Issues of land ownership in relation to women are dealt with under separate pieces of legislation. e.g the Land Reform Act Act, the Agricultural (Commercial) Reform Act. Both these Acts protect women’s right to land |

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| 50. | Take steps to improve the access ofpersons with disabilities to variousservices. (Trinidad and Tobago) | This recommendation enjoys Namibia’s support. The directorate of people with disabilities under the Office of the President is responsible for ensuring that persons with disabilities have easy access to various services. |
| 51. | Take appropriate measures to ensurethe rights of persons with disabilitiesincluding through proper infrastructureand facilities that can accommodate their needs in schools and in the workplace. (Malaysia) | This recommendation enjoys Namibia’s support. With support from UNICEF, the Ministry of Education, Arts and Culture has commissioned a rapid analysis to examine the needs and barriers that hamper the full participation of children with disabilities and special education needs in Namibia. the following challenges were identified:* Lack of knowledge on disability and practical skills among teachers, principals and hostel staff to teach children with disabilities in special and inclusive settings
* Lack of disability friendly infrastructure in and around schools, classrooms and in hostels;
* Lack of supporting technology to address the specialized needs of learners

One of the key functions of this analysis is to provide the Ministry with expert, independent, evidence-informed policy advice on special and inclusive education provision for learners. Based on the findings and recommendations from the analysis, The Ministry of Education, Arts and Culture will progressively implement the recommendations to ensure that education becomes fully inclusive. |
| 52. | Take necessary measures to fight against discrimination against people from minority ethnic communities. (France) | This recommendation enjoys Namibia’s support. All Namibians irrespective of their ethnic affiliation are protected against discrimination in all settings. Any member of a minority ethnic group whose rights has been infringed is allowed under the law to seek redress from the Office of the Ombudsman. |
| 53. | Protect fully the human rights of persons belonging to minorities including their rights to water, sanitation, land, education and health as well as access to all public services in an equal and justmanner. (Portugal) | This recommendation enjoys Namibia’s support. The rights to water, sanitation, land, education and health as well as access to all public services in an equal and just manner are respected and protected under the constitution. Government subsidizes water supply to rural areas of the country. Namibia has an almost free universal health care for all. Ordinary Namibians can access health services at any public health facility at a very minimal fee. However, no Namibian or any foreign national will be denied access to a health facility for failing to pay the said minimum fee.  |
| 54. | Promote the effective access to basicsocial services for the indigenousminority including San and Himba on an equal footing with the rest of the society, as well rapid adoption and effective implementation of the “White Paper on Indigenous Rights” drafted by the Ombudsman Office. (Spain) | This recommendation enjoys Namibia’s support. As stated above, all Namibians irrespective of their ethnic or social status have unfettered access to social services. The White Paper on Indigenous Rights is currently being implemented by various government organs and other stakeholders such as NGOs. |
| 55. | Work to eliminate traditional practicesand repeal laws detrimental to womenand girls. (Haiti) | This recommendation enjoys Namibia’s support. See our response to recommendation 49.  |
| 56. | Make further efforts to enddiscrimination, domestic violence andviolence in schools against women. (Oman) | This recommendation enjoys Namibia’s support. See our responses to recommendations numbered 18, 27 and 28 above. |
| 57. | Continue to pay close attention to thefull realization of the rights of womenand girls. (Portugal) | This recommendation enjoys Namibia’s support. See our responses to recommendations numbered 18, 27 and 28 above. |
| 58. | Intensify efforts aimed at acceleratingthe elimination of discrimination against women and promoting gender equality, including through the development of the proposed national database on gender-based violence. (State of Palestine) | This recommendation enjoys Namibia’s support. The creation of the National Database on gender based violence is currently underway and the Ministry of Gender Equality and Child Welfare is the government Ministry responsible for it. |
| 59. | Remove existing barriers to the fullparticipation of women in economiclife so as to further reduce poverty andinequality. (Germany) | This recommendation enjoys Namibia’s support. The state party acknowledges that poverty and inequality affects some Namibian women especially those in rural areas. To address this challenge, government has embarked on a number of programmes to alleviate poverty. Government established a food bank as a pilot project to provide nutrition to the most poor of the poorest members of society. The Ministry of Trade, Industrialization and SME development provides grants to women to start up their businesses. Rural women are the main target.  |
| 60. | Double efforts towards gender equalityand the empowerment of womenthrough education and skills training. (Malaysia) | This recommendation enjoys Namibia’s support. Namibia has made progress in ensuring that women attain the highest form of education in the country. For the past 10 years, both the University of Namibia and the Namibian University of Science and Technology have had more women graduate than men in all fields including hard sciences and technology.  |
| 61. | Continue to take steps in order toensure the full equality between menand women and to combat all forms ofdiscrimination against women. (Romania) | This recommendation enjoys Namibia’s support. See our responses to recommendations numbered 18,27 and 28 above. |
| 62. | Continue to promote equality betweenmen and women in the applicationof their national legislation and theimplementation of public policies. (Nicaragua) | This recommendation enjoys Namibia’s support. Government will continue to promote equality between men and women in the application of its national legislation and the implementation of public policies.  |
| 63. | Continue to promote the empowermentof women and their participation insociety. (Nicaragua) | This recommendation enjoys Namibia’s support. Government continues to engage local NGOs to develop mechanisms aimed at promoting the empowerment of women and their participation in society. The Legal Assistance Centre is a public interest group which often advises government on issues pertaining to women empowerment.  |
| 64. | Take all necessary measures to eliminate discrimination against women and girls, particularly in relation to marriage, land ownership and inheritance rights. (Mexico) | This recommendation enjoys Namibia’s support. All forms of child marriages are prohibited in Namibia. The age of Marriage under various marriage related laws is 18. Although inheritance laws and those of administration of estates are under review, they do not discriminate against women in terms of land ownership and inheritance rights. |
| 65. | Continue its efforts to promote humanrights in all spheres, in particular inregard to protecting the victims ofviolence. (Iraq) | This recommendation enjoys Namibia’s support. See our response to recommendations numbered 18, 27 and 28 above. |
| 66. | Step up human rights education fortraditional authorities. (Costa Rica) | This recommendation enjoys Namibia’s support. The Namibian government through the Ministry of Gender Equality and Child Welfare continue to engage traditional authorities on matters pertaining to human rights, especially those pertaining to women and girls. National Conferences against gender based violence and human trafficking involving traditional leaders have been held on a regular basis.  |
| 67. | Implement awareness raising campaigns to educate individuals and traditional authorities on the violation of rights by harmful and discriminatory customary laws and practices, in particular on the need to ensure that these do not violate the rights of women and children. (Latvia) | This recommendation enjoys Namibia’s support. See our responses to recommendations numbered 18, 27 and 28 above. |

FAMILY

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| 68. | Continue to support the family whichis one of the main actors in achievingsustainable development goals in anystate. (Russia) | Article 14(3) of the Namibian Constitution provides that “The family is the natural and fundamental group unit of society and is entitled to protection by society and the state”. The State under reviews hereby states that these provisions are being implemented. |
| 69. | Continue its work in upholding familyas the basic social institution and in theprotection of its rights. (Bangladesh) | This recommendation enjoys Namibia’s support and government will continue to devise mechanisms to ensure that the rights to family is respected and protected.  |
| HEALTH |
| 70. | Incorporate into the Constitution andthe national legislation the right to enjoy the highest standards possible of mental and physical health. (Egypt) | This recommendation enjoys Namibia’s support. There is currently only one mental hospital in Namibia. The assessment of the current situation with regard to specialized mental hospitals country wide has already started and the Ministry of Health and Social Services (MoHSS) envisages having fully functional specialised mental hospitals in Windhoek, Oshakati and Rundu by the year 2018. The government also plans to build another Mental Hospital in Keetmanshoop by the year 2023.The medium-term expenditure framework, development assistance and public private partnerships.The upgrading and establishment of infrastructure is one of the priorities emphasized in the Roadmap. The Roadmap envisages that by 2030, there will be three (3) Class A hospitals. The additional two (2) Class A hospitals will be in Oshakati and Rundu respectively. The Ministry of Health and Social Services (MoHSS) further envisaged to have four (4) Class B Level I hospitals (Katutura, Onandjokwe, Rundu and Swakopmund) and six (6) Class B Level 2 hospitals(Otjiwarongo, Katima Mulilo, Engela, Keetmanshoop, Outapi and Opuwo). The MoHSS targets to build five (5) new district hospitals by 2023, sixty (60) new health centres and three hundred and fifty (350) clinics and to have five thousand (5 000) community health posts by 2023. |
| 71. | Enhance national development plans. (Pakistan) | This recommendation is noted.  |
| 72. | Issue clear directives to health officials to prohibit the sterilization of women living with HIV/AIDS without their informed consent. (Canada) | This recommendation enjoys Namibia’s support. It is not a state policy to sterilize women living with HIV/AIDS without their informed consent. The Ministry of Health and Social Services issued a Government Notice No.73. Regulation 7 of the Notice deals with State Patients benefits and responsibilities. Regulation 7(1) and (a) and (c) and regulation 7 (1) (c) to (XIII) were issued to reiterate the Ministry’s position on informed consent. On November 3, 2014, in the case of *LM and Others v Government of the Republic of Namibia (I 1603/2008, I 3518/2008, I 3007/2008) [2012] NAHC 211 (July 30, 2012)*. The Supreme Court of Namibia ruled that three HIV-positive women had been forcibly sterilized, without proper consent, during emergency caesarean deliveries, but dismissed the claim that they were specifically targeted because of their HIV-positive status.The ruling also referred the matter back to the High Court for determination of the amount of damages due the women involved. |
| 73. | Implement policies and programmesaimed at preventing HIV/AIDSinfections. (Oman) | This recommendation enjoys Namibia’s support. The National Policy on HIV/AIDS (2007) has been developed to provide an overall reference framework for all HIV/AIDS related policies and to guide the national HIV/AIDS responses of all sectors in society. It guides current and future health and multi-sectoral responses to HIV/AIDS in Namibia, to encourage all Namibian institutions to fulfill their obligations for responding to HIV/AIDS and to serve as a guiding frame for a coherent and sustained approach enhancing political commitment and participation of civil leadership at all levels. A multi-sectoral HIV/AIDS Policy Steering Committee was established to guide the process of developing the policy.  |
| 74. | Intensify the efforts in fighting againstHIV/AIDS, in particular, to improveaccess to health-care services in ruralareas. (Ukraine)  | This recommendation enjoys Namibia’s support. In addition to our response in recommendation number 73 above, government has made progress in the HIV/AIDS front in the reduction of Mother to Child transmission rates, essentially due to increased coverage of prohylaxis among HIV positive pregnant women and their offspring and the adoption of more efficacious ARV prophylactic regimes. Early infant diagnosis (EID) was introduced in 2005 and HIV infected infants (MTCT rates) declined from 2022 (24%) infected infants in 2005 to 1078 (11%) in 2012 and in 2016, representing 86% decrease between 2005 and 2016. |
| 75. | Mitigate the lack of qualified andexperienced healthcare professionalsby putting in place a national trainingstrategy in the medical and paramedicalbranches. (Morocco) | This recommendation enjoys Namibia’s support. To mitigate the lack of qualified and experienced healthcare professionals the government through the University of Namibia expanded the infrastructure of the Medical School to enroll more students in health related disciplines. Moreover, private Universities such as the International University of Management and Welwitschia University with assistance from government has also introduced nursing courses to alleviate the shortages of health professionals in the country. Whereas the Namibian University of Science and Technology has introduced medical courses such as Bachelors in Paramedic as well as Bachelors in microbiology to also alleviate the shortage of health professionals in the country.  |
| 76. | Continue efforts to ensure universalaccess to quality education and healthcare. (Uzbekistan) | This recommendation enjoys Namibia’s support. See our responses to recommendations numbered 18, 27 and 28 above. |
| 77. | Continue to further enhance access toeducation and health services in ruralareas. (State of Palestine) | This recommendation enjoys Namibia’s support. See our responses to recommendations numbered 74 and 75 above. |
| 78. | Implement policies dealing with thestigma and discrimination against people living with HIV/AIDS. (South Africa) | This recommendation enjoys Namibia’s support. Government has several legislation and policies in place that are aimed at dealing with the stigma and discrimination against people living with HIV/AIDS. The Labour Act of 2007 prohibits all forms of discrimination against those living with HIV/AIDS in the workplace. In the case of *Nanditume v The Minister of Defence*, the High court ruled that refusing employment in the defence force on grounds of HIV/AIDS is discriminatory and unconstitutional. Moreover, any person who has been discriminated against on grounds of being HIV/AIDS has the right to approach the Office of the Ombudsman for an effective remedy.  |

POVERTY REDUCTION

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| 79. | Continue to undertake measuresto eliminate poverty and combatunemployment. (Sri Lanka) | This recommendation enjoys Namibia’s support. To address poverty and combat unemployment, the government has launched several development programs, one of which is the Harambee Prosperity Plan. This plan among other things is aimed at creating employment opportunities and eliminating poverty. |
| 80. | Strengthen the mechanism to fightagainst poverty, especially encouraging programmes aimed at child malnutrition. (Turkey) | This recommendation enjoys Namibia’s support. See our response to recommendation 79 above. |
| 81. | Accelerates on-going efforts to addressthe root causes of poverty and hungerso as to uplift the living standards of thepoor. (Zimbabwe) | This recommendation enjoys Namibia’s support. To address the root causes of poverty and hunger. The government created the Ministry of Poverty Eradication. The purpose of the Ministry is among other things to develop mechanisms aimed at alleviating poverty and hunger. To this effect, the said Ministry established a food bank where the poorest and hunger prone citizens are given free food on a monthly basis.  |
| 82. | Continue its efforts towards reducingpoverty through continuing setting upprograms aimed at this purpose. (Libya) | This recommendation enjoys Namibia’s support. See our responses to recommendations 79 and 81. |
| 83. | Further strengthen the successfulimplementation of the Vision 2030Strategic Plan, in the fight againstPoverty. (Venezuela (BolivarianRepublic of) | This recommendation enjoys Namibia’s support. The Harambee Plan for Prosperity [HPP] has been developed to complement the National Development Plans and Vision 2030. The HPP is a focused and targeted approach to achieve high impact in defined priority areas. One of the agreed upon features of planning is that it must be flexible. While the government’s Vision remains unchanged, it remains agile in its approach to achieving those targets. The surrounding world is dynamic, where externalities outside of our control have the ability to directly impact and throw us off balance, from time to time. This calls for flexibility in our approach to achieving set goals and targets, without losing sight of the end Vision. The HPP provides for that additional flexibility in planning. |
| 84. | Increase poverty reduction anddevelopment policies that promote theparticipation of vulnerable groups indecisions regarding their rights andinterests. (Mexico) | This recommendation enjoys Namibia’s support. See our responses to recommendation 83 above.  |
|  | CHILD WELFARE |  |
| 85. | Update the constitutional provisionsregarding the definition of a child to bein harmony with the overall definition in the CRC. (Kenya) | The Namibian Constitution provides that a child shall be persons under the age of sixteen (16) years. Although Namibia is a state party to the CRC, an amendment to the Namibian Constitution must be made to change the definition of a child to that of the CRC (Every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier). The state party under review will conduct national consultations in this regard. |
| 86. | Facilitate the access of ethnic minoritygroup children to education for instance by allowing them to attend school in their traditional dress or by providing them with free school uniforms. (Austria) | This recommendation enjoys Namibia’s support. There is no policy that prohibits learners from wearing their indigenous attire throughout their school career. In the regions where there is a higher concentration of IP’s there are no restrictions. It may depend on the school principal, but there is no legal framework which prohibits learners from wearing their traditional attire. Learners from different religious backgrounds (e.g. Muslim) are allowed to wear their religious attire.  |
| 87. | Take effective measures to eliminatediscrimination against the children ofindigenous peoples, in particular theHimba and San communities. (Uzbekistan) | This recommendation enjoys Namibia’s support. See our responses on the matter in recommendations 79, 81 and 83 above.  |
| 88. | Continue with the projects and programs for the protection of indigenous communities, particularly in the field of education of their children. (Venezuela (BolivarianRepublic of) | This recommendation enjoys Namibia’s support. The government continues to ensure that children from marginalized communities have access to education and other services. There are currently 14 mobile schools in Kunene Regions with a total of 46 teachers and 1328 learners. Every unit has at least 1 teacher (please see attached statistics for 2015). Regions are monitoring and evaluating the mobile unit. The schools are being visited by regional inspectors, and training has been done for the teachers on the new curriculum. The mobile units are part of the regional planning. There are 5 schools in Nyae-Nyae village in Tsumkwe that cater specifically for San learners who are taught in Ju/’hoansi (San language).   |
| 89. | Ensure effective implementation andenforcement of the Child care andProtection Act. (United States ofAmerica & Slovenia, Republic of Korea & Slovenia) | This recommendation enjoys Namibia’s support. The Child Care and Protection Act of 2015 was passed by parliament but it has not yet implemented pending the development of its regulations. It is expected to become fully operation in the near future. |
| 90. | Continue to strengthen educationalsystem and ensure equal access ofdisabled children to education. (Lao People’s Democratic Republic) | This recommendation enjoys Namibia’s support. The Office of the President has a specific division that caters for disabled children’s rights to education.  |
| 91. | Consider introducing civic andhuman rights education in the schoolcurriculum. (Ethiopia) | This recommendation enjoys Namibia’s support. Civic and human rights education forms part of the school curriculum from primary school up to tertiary institutions.  |
| 92. | Take the necessary measures aimedat preventing discrimination againstchildren with disabilities, children living in extreme poverty and street children. (Oman) |  This recommendation enjoys Namibia’s support. Government has measures in place to prevent discrimination against children with disabilities and those living in extreme poverty. The National Policy on disability of 1997 caters for children with disabilities. Under this policy the Ministry of Health and Social Services advocates on provision of prevention, treatment, curative, early identification and rehabilitation services. Participation, integration and equalization of opportunities. Government provides a grant of N$250 per child in communities living in extreme poverty. Free meals through the national food bank are also provided to children whose parents are too poor to feed them.  |
| 93. | Take the necessary measures toguarantee the right to schooling for allchildren. (Algeria) | This recommendation enjoys Namibia’s support. Government provides free education from primary to secondary education. In some community schools, children from poor families benefit under the school feeding programme. The school feeding programme is a government initiative to keep children at school through the provision of free food. Government is also in the process of providing free sanitary pads to school girls to enable them to attend school during their menstrual periods. |
| 94. | Consolidate efforts made to ensureaccess to education for all citizenswithout discrimination. (Egypt) | This recommendation enjoys Namibia’s support. As mentioned above, government provides free schooling from primary to secondary schools. Mobile schools are further provided to school children belonging to members of the indigenous/marginalized Himba and San communities. |
| 95. | Continue efforts to achieve universalprimary education in line with the vision of the National Plan of “Education for all”.(Sri Lanka) | This recommendation enjoys Namibia’s support. See our response to recommendation 94 above. |
| 96. | Combat and address the worst formsof child labour by punishing offendersand by conducting research on theprevalence of child labour. (USA) | This recommendation enjoys Namibia’s support. The Labour Act of 2007 prohibits all forms of child labour and perpetrators of this offence can be prosecuted. Moreover, the Prevention of Organized Crime Act (POCA) of 2004 prescribes heavy sentences and monetary penalties for perpetrators of human trafficking which involves child labour. A Committee on child labour was also formed to oversee the implementation of mechanisms aimed at addressing the scourge. The said Committee consists of the Ministry of Safety and Security, Ministry of Gender Equality and Child Welfare and the Ministry of Labour, Industrial Relations and Employment Creation. A survey on the prevalence of child labour was done by the Ministry of Labour, Industrial Relations and Employment Creation. Results from the survey are currently being used to further develop mechanisms that will alleviate child labour in the country.  |
| 97. | Take all measures to eradicate childlabour, in the informal sector and ruralareas. (Uzbekistan) | This recommendation enjoys Namibia’s support. See our response to recommendation 96 above |
| 98. | Continue to take steps to ensure the fulland effective implementation of its Child Care and Protection Act to guard against all forms of child abuse. (Singapore) | This recommendation enjoys Namibia’s support.  |
| 99. | Raise the minimum age of criminalresponsibility in accordance withGeneral Comment No. 10 (2007) of theCommittee on the Rights of the Child. (Uruguay) | This recommendation enjoys Namibia’s support. Under the Child Care and Protection Act and the envisaged Child Justice Bill, the minimum age of criminal responsibility was raised from 7 to 12.  |
| 100. | Develop a comprehensive nationalstrategy to prevent all forms of violenceagainst children, with particularattention to its gender dimension. (Ukraine) | This recommendation enjoys Namibia’s support.  |
| 101. | Fully implement and enforce laws onelimination of violence against children. (Ukraine) | This recommendation enjoys Namibia’s support. The Ministry of Gender Equality and Child Welfare continues to develop and implement measures aimed at eliminating violence against children. The envisaged Child Care and Protection Act once fully operational will further enhance the protection of children from all forms of violence.  |
| 102. | Prohibit all corporal punishment ofchildren, including in the home. (Estonia) | This recommendation enjoys Namibia’s support. Corporal punishment was abolished in Namibia in 1991 after the High Court ruled it unconstitutional in the case of Ex parte: in re corporal punishment by organs of the state. The Education Act of 2001 prohibits corporal punishment in schools. The Child Care and Protection Act prohibits all forms of corporal punishment in the home setting. |
| 103. | Prohibit corporal punishment ofchildren in all settings. (Tunisia) | This recommendation enjoys Namibia’s support. See our response to recommendation 102. |
| 104. | Improve mechanisms of legal and social protection of children against sexual violence. ((Lao People’sDemocratic Republic) | This recommendation enjoys Namibia’s support.  |
| 105. | Take further steps to eliminate harmfulpractices, and to abolish child, early and forced marriages. (Sierra Leone) | This recommendation enjoys Namibia’s support. The Married Persons Equality Act restricts the right to marry by age and consent. In other words, a child as defined under the Age of Majority Act, 1972 (Act No. 57 of 1972) will not be allowed marriage unless emancipated to marry. In this regard the Married Persons Equality Act amended section 26 of the Marriage Act and provides that “no boy or girl under the age of 15 years shall be capable of contracting a valid marriage except with the written consent of the Minister”.Moreover, section 226 of the Child Care and Protection Act, 2015 (Act No. 3 of 2015), enacted but not operational, provides that a person may not give a child out in marriage or engagement if such child does not freely consent to the marriage or engagement or is below the minimum age for marriage as contemplated in the Marriage Act as well as the Married Persons Equality Act. |
| 106. | Implement awareness raising campaigns and education programs, working closely with traditional authorities, to promote and protect the rights of women and girls. (Australia) | This recommendation enjoys Namibia’s support. The Ministry of Gender Equality and Child Welfare (MGECW) also continues to engage traditional leaders on issues related to gender stereotypes and harmful practices. Furthermore, the MGECW through its community liaison officers stationed across the 14 regions continues to disseminate information on the negative impact of gender stereotypes and harmful traditional practices. |
| 107. | Expedite the adoption of pending billssuch as the Child Care and ProtectionAct, with a view to ensuring betterprotection for children against all typesof violence and abuses. (Republic of Korea) | This recommendation enjoys Namibia’s support. See our response to recommendation 101. |
| 108. | Facilitate the access of ethnic minoritygroup children to education for instance by allowing them to attend school in their traditional dress or by providing them with free school uniforms. (Austria) | This recommendation enjoys Namibia’s support. See our response to recommendation 86. |
| 109. | Take effective measures to eliminatediscrimination against the children ofindigenous peoples, in particular theHimba and San communities. (Uzbekistan) | This recommendation enjoys Namibia’s support. Discrimination of any kind is prohibited under Namibia’s Constitution. The Office of the Ombudsman has specific programs aimed at combating all forms of racial discrimination in the country. Furthermore the Office of the Vice-President has a specialized division that protects and promotes the rights of indigenous peoples.  |
| 110. | Continue with the projects and programs for the protection of indigenous communities, particularly in the field of education of their children. Venezuela (Bolivarian Republic of)  | This recommendation enjoys Namibia’s support. See our response to recommendation 109 above.  |
| 111. | Continue efforts to improve the access to adequate land by ethnic minority groups who have been deprived of their original lands. (Austria) | This recommendation enjoys Namibia’s support. The Ministry of Land Reform is a government agency responsible for the redistribution of land to landless Namibians. Landless Namibians are not minority groups, rather represent Namibia’s many ethnic groups. Currently White Namibians occupy the best arable land in the country and government through the ‘willing seller, willing buyer concept’ intends to buy land from its white citizens and redistribute it to landless blacks. Currently the Commercial Land Reform Act regulates the re-distribution of land in the country.  |
| 112. | Ensure effective implementation andenforcement of the Child care andProtection Act. (United States ofAmerica & Slovenia) | This recommendation enjoys Namibia’s support. Consultations are underway between government and other stakeholders such NGOs on how best to fully implement the Child Care and Protection Act.  |
| 113. | Align the provisions of the nationality law with international human rights standards so as to enable children born in the territory of Namibia whose parents are unknown to acquire nationality of Namibia. (Kenya) | This recommendation enjoys Namibia’s support. Article 15 of the Namibian Constitution provides that “Children shall have the right from birth to a name, the right to acquire a nationality and subject to legislation enacted in the best interest of children, as far as possible the right to know and be cared for by their parents”. The State under review hereby confirms that children born in the territory of Namibia whose parents are unknown may obtain Namibian Nationality upon application to the Ministry of Home Affairs and Immigration. |
| 114. | Continue to develop its National SafeSchool Framework to provide a safeenvironment for students to receivea good education that is free fromharassment, aggression and bullying. (Singapore) | This recommendation enjoys Namibia’s support. The Education Act of 2001 provides for measures aimed at providing a safe environment for students to receive a good education that is free from harassment, aggression and bullying. Moreover, the National Safe School Framework (NSSF) was developed by the Ministry of Education, Arts and Culture. The framework is a comprehensive document that provides a vision and guiding principles for building safe and supportive school communities, centered on the wellbeing of learners and educators. It identifies seven standards to help Namibian schools to create conducive teaching and learning environments.School safety must be balanced with the overall mission of schooling, which is to promote the holistic wellbeing of learners and educators through mutual care and support, while championing academic excellence, civic values and healthy lifestyles for children and educators. Racism, tribalism and discrimination are all forms of violence against each other and the framework seeks to create a culture of care and tolerance within the school.  |
| 115. | That Namibia’s education policieswhich were designed for inclusivity,be evaluated by the Government foreffectiveness in relation to access andaffordability for minority cultural groups. (Fiji) | This recommendation enjoys Namibia’s support. All Namibians have access to education as this is a constitutional right. They are specific policies in place that caters for learners with disabilities and minority ethnic groups. The Education Act of 2001 is in the process of being repealed and replaced by a new Act. The new Act is expected to build on the 2001 Act and cater for all groups irrespective of their social status or cultural affiliations.  |
| 116. | Ensure equal access to education for allChildren. (Portugal) | This recommendation enjoys Namibia’s support. See our response to recommendation 115.  |
| 117. | Continue its efforts to ensure the right to education for all people. (Myanmar) | This recommendation enjoys Namibia’s support. See our response to recommendation 115.  |
| 118. | Continue to strengthen educationalsystem and ensure equal access ofdisabled children to education. (Lao People’s Democratic Republic) | This recommendation enjoys Namibia’s support. With the support from UNICEF, the Ministry has commissioned a rapid analysis to examine the needs and barriers that hamper the full participation of children with disabilities and special education needs in Namibia. the following challenges among others were identified:* Lack of knowledge on disability and practical skills among teachers, principals and hostel staff to teach children with disabilities in special and inclusive settings;
* Lack of disability friendly infrastructure in and around schools, classrooms and in hostels;
* Lack of supporting technology to address the specialized needs of the learners.

In an attempt to address the challenges mentioned above, the Ministry has developed strategies to address the lack of capacity amongst teachers, principals and educators. Resource and inclusive schools have already been contacted to list their needs to draft a plan for the procurement thereof. Government intends to make former special schools to become resource schools, with teachers trained in the different disabilities and equipped to teach learners with specialized needs, thus leading the implementation of inclusive education. |

EDUCATION

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| 119 | Facilitate the access of ethnic minoritygroup children to education for instance by allowing them to attend school in their traditional dress or by providing them with free school uniforms. (Austria) | This recommendation enjoys Namibia’s support. See our response to recommendation 86.  |
| 120 | Continue to develop its National SafeSchool Framework to provide a safeenvironment for students to receivea good education that is free fromharassment, aggression and bullying. (Singapore) | This recommendation enjoys Namibia’s support. See our response to recommendation 115. |
| 121 | That Namibia’s education policieswhich were designed for inclusivity,be evaluated by the Government foreffectiveness in relation to access andaffordability for minority cultural groups. (Fiji) | This recommendation enjoys Namibia’s support. See our response to recommendation 115. |
| 122 | Ensure equal access to education for all Children. (Portugal) | This recommendation enjoys Namibia’s support. See our response to recommendation 115. |
| 123 | Continue to strengthen educationalsystem and ensure equal access ofdisabled children to education. (Lao People’s Democratic Republic) | This recommendation enjoys Namibia’s support. See our response to recommendation 115. |
| 124 | Consider introducing civic andhuman rights education in the schoolcurriculum. (Ethiopia) | This recommendation enjoys Namibia’s support. Civic and human rights education are covered under the existing school curriculum. Learners at primary schools are taught civics and human rights in a subject called Social Studies and at secondary schools in subjects such as history and Development Studies.  |
| 125 | Take the necessary measures toguarantee the right to schooling for allchildren. (Algeria) | This recommendation enjoys Namibia’s support. See our response to recommendation 115. |
| 126 | Consolidate efforts made to ensureaccess to education for all citizenswithout discrimination. (Egypt) | This recommendation enjoys Namibia’s support. See our response to recommendation 115. |
| 127 | Continue efforts to achieve universalprimary education in line with the vision of the National Plan of “Education for all”. (Sri Lanka) | This recommendation enjoys Namibia’s support. See our response to recommendation 115. |
| 128 | Prohibit corporal punishment ofchildren in all settings. (Tunisia, Estonia, Djibouti) | This recommendation enjoys Namibia’s support. Corporal punishment is prohibited under the Constitution. Moreover, both the Education Act of 2001 and the Child Care and Protection Act of 2015 proscribes all forms of corporal punishment including at school as well as at home respectively.  |
| 129 | Implement awareness raising campaigns and education programs, working closely with traditional authorities, to promoteand protect the rights of women and girls. (Australia) | This recommendation enjoys Namibia’s support. Awareness raising campaigns to promote and protect the rights of women and girls are being carried out by both the Ministry of Gender Equality and Child Welfare as well as the Ministry of Education, Arts and Culture.  |

MIGRANT WORKERS

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| 130 | Consider ratifying the InternationalConvention on the Protection of theRights of All Migrant Workers andMembers of Their Families. (Philippines, Madagascar, Niger, Senegal, Turkey, Honduras, Côted’Ivoire, Indonesia, Ecuador & Ghana.) | The state party takes note of this recommendation. See our response to recommendation number 1. |

*TORTURE*

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| 131 | Expedite the process for drafting andadopting legislation on the punishmentof torture. (Burundi) | This recommendation enjoys Namibia’s support.  |

LESBIAN, GAY, BI-SEXUAL, TRANSGENDER AND INTERSEX

(LGBTI)

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| 132 | Repeal provisions criminalising sexualrelations between consenting adults of the same sex, to respect the principles of equality and non- discrimination among all people. (France, Spain, Iceland, Netherlands & Argentina)  | Although this recommendation does not enjoy Namibia’s support, the Namibian Government does not persecute members of the Lesbians, Gays, Bisexual, Transgender and Intersexed (LGBTI) community in Namibia.Article 10 of the Namibian Constitution provides for equality and freedom fromdiscrimination. It states that:• All persons shall be equal before the law.• No persons may be discriminated against on the grounds of sex, race, colour, ethnic origin, religion, creed or social or economic status.There are no records of cases of harassment or discrimination reported to the Ombudsmanor the Namibian police. The reality and the legal history of the Namibian people does not suggest that legalising same sex relations is important or beneficial to our legal system and culture.The Government considers the issue of same sex marriages in Namibia as a non-issue. Nevertheless, the Government has no intention to repeal any laws including the common law crime of sodomy. |

INTERNATIONAL CRIMINAL COURT

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| 133 | Implement the Rome Statute ofthe International Criminal Courtincluding through adopting appropriate national legislation, so as to ensure full cooperation with the ICC and effective investigation and prosecution ofgenocide, crimes against humanity andwar crimes before its national courts. (Czech Republic) | This recommendation enjoys Namibia’s support. Namibia is already a state party to the Rome Statute and will continue to cooperate with the ICC and to effectively assist it in its investigation and prosecution of genocide, crimes against humanity and war crimes brought before it.  |

HUMAN TRAFFICKING

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| 134 | Continue its efforts in drafting theHuman Trafficking Legislation, with the active participation of the civil society. (Indonesia) | The Combating of Trafficking in Persons Act 1 of 2018 was recently enacted**.**The purpose of the Act is to give effect to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; to criminalise trafficking in persons and related offences; to protect and assist victims of trafficking in persons, especially women and children; to provide for the coordinated implementation and administration of this Act; and to provide for incidental matters. |
| 135 | Elaborate and enact the anti-trafficking legislation in line with international norms and standards. (Ukraine) | This recommendation enjoys Namibia’s support. See our response to recommendation 134 above.  |
| 136 | Strengthens legislation to prohibittorture and ill treatment as wellstrengthen legislation against humantrafficking. (Zambia) | This recommendation enjoys Namibia’s support. In addition to the enactment of the Anti-human trafficking Act, the state party continues to develop other mechanisms that are aimed at detecting and/or identifying victims of trafficking. Police officers, immigration officials, prosecutors and magistrates have undergone training organized by government and various United Nations agencies on detecting and/or identifying victims of human trafficking. Although Namibia lacks a specific law against torture and ill-treatment, there exist other pieces of legislation that can be invoked to prevent these crimes. These are the Combating of Rape Act, Act No.8 of 2000, the Combating of Domestic Violence Act, Act No. 3 of 2003, the Criminal Procedure Act, Act 51 of 1977, the Labour Act of 2007, the Prevention of Organised Crime Act, Act 29 of 2004.  |
| 137 | Intensify its efforts in the area ofprevention and fight against trafficking in particular girls and children in situation of vulnerability. (Honduras) | This recommendation enjoys Namibia’s support. See our responses to recommendation 136 above.  |
| 138 | Continue efforts in the prevention ofhuman trafficking, with special attention to investigation and prosecution of all cases of sale and trafficking of children. ( | This recommendation enjoys Namibia’s support. See our responses in recommendation 136 above. |

LAND REFORM

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| 139 | Continue implementing its agrarianreform policy and resettlement program by giving land to groups who have been historically disadvantaged. (Cuba) | This recommendation enjoys Namibia’s support. Namibia recently held the second national land conference from 05 to 08 October 2018. The Conference sought to address the structure of land ownership in Namibia and debated the following issues, amongst others:* To review progress made towards the implementation of the Resolutions of the1991 National Land Conference and the Land Question in Namibia;
* To deliberate over what more could be done to fast track the implementation of the 1991 Land Conference and other related issues emerging during the implementation of the land reform programme;
* The willing-seller, willing-buyer principle;
* Ancestral land claims for restitution;
* Expropriation of Agricultural (Commercial) Land in public interest;
* Urban land reform and Resettlement Criteria;
* The Veterinary Cordon Fence, and other eminent land related issues
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| 140 | Pursue its land reform and resettlement program in order to enable underprivileged persons to have access to land, given that the right to land is fundamental human right. (Angola and Venezuela) | This recommendation enjoys Namibia’s support. See our response to recommendation 139 above. |
| 141 | Continue Government’s efforts withits land reform and resettlementprogramme, both at the rural and urban level. (South Africa) | This recommendation enjoys Namibia’s support. See our response to recommendation 139 above. |
| 142 | Implement effectively the Green Scheme, the San Development, Land distribution, the Mass Housing Programme, Water Supply and Sanitation, Safe drinking water, and Equipment Aid Scheme to SMEs. (Democratic People’s Republic of Korea) | This recommendation enjoys Namibia’s support.  |
| 143 | Maintain efforts to protect the rightsof vulnerable groups, considering theirspecific needs and capabilities, throughthe empowerment of their rights, andfair reparation mechanisms. (Ecquador) | This recommendation enjoys Namibia’s support.  |
| 144 | Continue efforts to improve the access to adequate land by ethnic minority groups who have been deprived of their original lands. (Austria) | This recommendation enjoys Namibia’s support. See our response to recommendation 139 above. |

CIVIL RIGHTS

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| 145 | Ensure the issuance of birth registration documents for all children born on its territory. (Romania) | This recommendation enjoys Namibia’s support. All children in Namibia are issued with a birth certificate within 24 hours after being born. Most state owned health facilities have specific offices run by the Ministry of Home Affairs and Immigration. These offices are tasked with the responsibilities of issuing birth certificates to newborns.  |
| 146 | Expedite efforts to ensure that a birthcertificate is issued free of charge forall children without discrimination,including children born in rural andpoor areas. (Turkey) | This recommendation enjoys Namibia’s support. See our response to recommendation 145 above. |
| 147 | Ensure the registration of all new born as a way to generate liable statistics and data. (Mexico) | This recommendation enjoys Namibia’s support. See our response to recommendation 145 above. |
| 148 | Continue to encourage the immediateregistration of newly born children, andintroduce mechanisms to ensure that the absence of a parent does not prevent the registration of the child concerned. (Uruguay) | This recommendation enjoys Namibia’s support. See our response to recommendation 145 above. |
| 150 | Launch a comprehensive nationalpolicy to universalize the right to civilregistration, considering its pivotalrole to ensure the realization of otherhuman rights, including to an adequatestandard of living. (Brazil) | This recommendation enjoys Namibia’s support. Namibia’s support. See our response to recommendation 145 above. |

PRISON CONDITIONS AND CORRECTIONAL SERVICES

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| 151 | Take steps to improve prison conditions and, particularly, ensure that adults and minor prisoners are separated at all times.( Australia, Djibouti and United Kingdom of GreatBritain & Northern Ireland) | This recommendation enjoys Namibia’s support. As a state policy minors and adults in correctional facilities are separated from each other at all times. All correctional services in the country have separate wings for adults and minors. |
| 152 | Adopt provisions to ensure that detained children are always held separately from adults. (Sweden, Trinidad & Tobago) | This recommendation enjoys Namibia’s support. See our response to recommendation 151 above. |
| 153 | Take additional measures to addressissues of overcrowding in its prisons in compliance with international standards. (Ghana) | This recommendation enjoys Namibia’s support. The Namibian Correctional Service has constructed and converted three (3) facilities into unit management whereby it increased the capacity of the facilities at: * Hardap Correctional Facility, this project is completed and the detention capacity had increase as follows:

Minimum Security Unit twenty (20) beds were added Reception and Assessment Unit twenty (20) beds were added Female Unit: twenty (20) beds were added.This means that with the new system of Unit Management, Hardap Correctional Facility’s capacity was increased with 60 beds space, meaning that it can accommodate 60 more inmates.* Walvis Bay Correctional Facility, this project is currently under construction and will increase the detention capacity as follows:

Reception and Observation Unit: forty (40) beds are being addedMinimum Security Unit: sixty (60) beds space are being added* Windhoek Correctional Facility Female Unit. This project is completed and is currently awaiting inauguration. This is a female Unit and will accommodate 108 female offenders.

Minimum Security Unit: forty (40) beds are being added Medium Security Unit fifty six (56) are being addedPre-trial detention Unit: twelve (12) beds are being added* Evaristus Shikongo Correctional Facility: Minimum Security Unit: 48 beds were added and additional 72 beds space is under construction.
 |
| 154 | Improve health, sanitation andhabitability conditions in prisons,including a decrease in overcrowding. (Spain) | This recommendation enjoys Namibia’s support. See our response to recommendation 153 above. |
| 155 | Continue efforts to improve the access to adequate land by ethnic minority groups who have been deprived of their original lands. (Austria) | This recommendation enjoys Namibia’s support. See our response to recommendation 139 above. |

JUDICIARY

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| 156 | Provide resources to introduce casemanagement systems in both criminaland civil court registries to clearthe backlog of cases and set out thetimes lines for the disposal of cases inaccordance with the rights of everyperson to trial and justice within areasonable time. (Fiji|) | This recommendation enjoys Namibia’s support. Case management systems in both criminal and civil courts are already in place and this has considerably reduced the backlog of cases. |
| 157 | Ensure that Namibia’s juvenile justicesystem is in line with international standards. (Botswana) | This recommendation enjoys Namibia’s support. |
| 158 | Raise the age of criminal responsibilityso that it complies with internationalstandards, create an effective juvenilejustice system and provide separatedetention and prison facilities forjuvenile offenders and appropriatetraining for personnel working in thejuvenile justice system. (Czech Republic) | This recommendation enjoys Namibia’s support. Under the envisaged Child Justice Act, the age of criminal responsibility will be raised from 7 to 14 years. |
| 159 | Ensure that members of the securityforces responsible for violations ofhuman rights are brought to justice, andimprove prison conditions. (France) | This recommendation enjoys Namibia’s support. Security forces are not above the law and those found to have abused their powers can be prosecuted in courts of law. Furthermore The Defence Act provides for measures that are aimed at dealing with members of the security force who are accused of violating human rights. |
| 160 | Consider establishing legal assistanceoffices in order to assist those whocannot afford the services of a privatelawyer. (Haiti) | The Government established a legal aid scheme, which provides legal representation to indigent person who cannot afford the services of a private legal practitioner. The Legal Aid Act, No.29 of 1990 provide for granting of legal aid in civil and criminal matters to persons whose means are inadequate to enable them to engage practitioners to assist and represent them. |
| 161 | Ensure that women – in particularwomen pursuing divorce or havingexperienced gender based violence –have effective access to justice in all parts of the country. (Liechtenstein) | This recommendation enjoys Namibia’s support. To make it easier and inexpensive for couples to institute divorce proceedings, the government is in the process granting Regional Magistrate courts jurisdiction to hear and adjudicate divorce cases. Currently only the High Courts in Windhoek and Oshakati have the jurisdiction to deal with divorce cases in the country.  |
| 162 | Establish a prosecution mechanism forperpetrators of violence against womenand girls. (Turkey) | This recommendation enjoys Namibia’s support. |
| 163 | Strive to reduce the timelines before theCourts and to expedite rulings. (China) | This recommendation enjoys Namibia’s support. Government continues to build new court buildings and improve the existing ones in all its 14 geographic regions. More Prosecutors and Magistrates are being trained and recruited to the judicial system. These interventions are expected reduce the backlog of cases in the country’s courts.  |
| 164 | Ensure that all cases of violence againstwomen and girls are thoroughlyand effectively investigated and thatperpetrators are prosecuted ex officioand adequately punished.( Liechtenstein) | This recommendation enjoys Namibia’s support.  |
| 165 | Continue efforts to strengthen thecapacity and compatibility between theinvestigation and prosecution of cases. (South Sudan) | This recommendation enjoys Namibia’s support. |
| 166 | Establish mobile courts especially in the rural areas. (Uganda) | The Government currently runs thirty-four (34) periodic Magistrate Courts in outlying areas of the country. Although Namibia does not use the term mobile court, periodic courts serve a similar purpose as mobile courts. |
| 167 | Establish a mechanism under whichvictims of gender-based violence canfile for protection orders in towns andvillages where there is no magistrate, and under which protection orders can be filled outside of designated court hours. (United States of America) | This recommendation enjoys Namibia’s support. |

MEDIA

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| 168 | Enhance the law on the freedom ofthe media and promulgate laws on thefreedom of expression | Namibia ranks high in global standing on freedom of the media. According to the 2017 rankings on World Press Freedom Index, Namibia ranks number one in Africa. Freedom of Expression is protected by the Namibian Constitution. Article 21 of the Namibian Constitution guarantees the right to freedom of speech and expression, which includes freedom of the press and other media. The Namibian media is self-regulating through the office of the media ombudsman. The Media Ombudsman can only be appointed and removed from his or her position by the Editor’s Forum of Namibia. |

DEMOCRACY AND PUBLIC PARTICIPATION

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| 169 | Continue the practice of holding public meetings with senior authorities in the country, so that persons from the communities can have access to higher authorities and participate in the process of seeking solutions and decision-making.(Cuba) | This recommendation enjoys Namibia’s support. The Ministry of Urban and Rural Developed is tasked with the responsibility of ensuring that there is constant consultations between government and the people on matters concerning governance.  |
| 170 | Enhance the participation of grass roots people in decision-making processes regarding their welfare. (Zimbabwe) | This recommendation enjoys Namibia’s support. It is a common practice for government ministries and agencies to allow the participation of grass roots people in decision-making processes regarding their welfare. For example, no development project in rural areas can take place without consultations having taken place between government and local traditional authorities who represent the people.  |

SANITATION

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| 171 | Ensure access to clean water supply and proper sanitation. (Malaysia) | This recommendation enjoys Namibia’s support. The Namibian Water Cooperation (NAMWATER) is a state owned entity that regulates water related activities in the country. NAMWATER ensures that the water supplied to the city, towns and villages is of good quality. The department of rural water supply in the Ministry of Agriculture, Water and Forestry is tasked with supplying subsidized water to rural settlements in the country.  |
| 172 | Make progress in the effective realization of human rights to safe drinking water and sanitation through increasing the public water infrastructures, particularly in rural areas and in informal urbansettlements, through the adequatetraining and awareness raising onsanitation of the local communities who benefit from these services.( Spain) | This recommendation enjoys Namibia’s support. See our response to recommendation 171 above.  |

HUMAN RIGHTS INSTRUMENTS & MECHANISM

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| 173 | Consider ratifying the outstandinginternational human rights instrumentsand further update their national laws to be in line with those treaties. (Lesotho) | This recommendation enjoys Namibia’s support. See our responses to recommendation 1 |
| 174 | Accelerate the process for the ratification of international human rights instruments to which it is not yet a party. (Benin) | This recommendation enjoys Namibia’s support. See our responses to recommendation 1 |
| 175 | Continue to strengthen its human rightsinstitutions and develop additional measures to ensure the effective implementation of their mandate. (Lesotho) | This recommendation enjoys Namibia’s support. The Office of the Ombudsman has a constitutional mandate to protect and promote human rights in the country without any interference from the state.  |
| 176 | Create a national governmentalindependent mechanism in charge of the supervision of human rights policies.( Morocco) | This recommendation enjoys Namibia’s support. See our response to recommendation 175. |
| 177 | Strengthen the capacities of theOmbudsman office. (Haiti) | This recommendation enjoys Namibia’s support. The budget of the Office of the Ombudsman has been increased and several satellite offices have opened across the country. |
| 178 | Continue to implement the NationalHuman Rights Action Plan 2015- 2019. (Pakistan) | This recommendation enjoys Namibia’s support.  |
| 179 | Strengthen its cooperation with treatyBodies. (Niger) | This recommendation enjoys Namibia’s support |
| 180 | Submit overdue reports to the relevanttreaty bodies. (Sierra Leone) | This recommendation enjoys Namibia’s support |
| 181 | Extend a standing invitation to theSpecial Procedures of the Human Rights Council. (Turkey) | This recommendation is noted.  |
| 182 | In the spirit of ongoing cooperationbetween United Nations and Namibia,extend an open and standing invitationto the United Nations special procedures. (Chile) | This recommendation is noted. |
| 183 | While acknowledging the efforts tocooperate with special procedures,consider issuing a standing invitation tothe special procedures mandate holders. (Georgia) | This recommendation is noted. |
| 184 | Extend a standing invitation to allspecial procedure mandate holders of the Human Rights Council. (Germany, Panama and Portugal) | This recommendation is noted. |
| 185 | Extend a standing invitation to allSpecial Procedure mandate holders. (Latvia) | This recommendation is noted. |
| 186 | Develop an instrument to monitorthe implementation and verificationof the recommendations from theprevious and current Universal Periodic Review, paying special attention to the ratification of international human rights instruments which are pending, including the Optional Protocol to CAT. (Costa Rica) | This recommendation is noted. |
| 187 | Adopt a National Action Plan toimplement the UN Guiding Principleson Business and Human Rights. (The Netherlands) | This recommendation is noted. |
| 188 | Strengthen existing mechanismswithin its institutional infrastructureto eradicate discriminatory, culturalor based on customary laws, practicesto the detriment of women, children,minorities and LGBT groups. (Honduras) | This recommendation is noted. |