



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

Eighty-second session

Summary record of the 1888th meeting

Held at the Palais des Nations, Geneva, on Friday, 17 June 2022, at 3 p.m.

Chair: Ms. Acosta Vargas

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Sixth periodic report of Namibia (continued) (CEDAW/C/NAM/6;
CEDAW/C/NAM/Q/6; CEDAW/C/NAM/RQ/6)

1. *At the invitation of the Chair, the delegation of Namibia joined the meeting.*

Articles 10–14

2. **A representative of Namibia** said that various measures had been taken to prevent and manage schoolgirl pregnancies, including actions aimed at boys. As part of a project introduced in 2021 to ensure that women and girls could manage their menstruation with dignity, the Government had eliminated the tax on sanitary products. Teacher training had been strengthened to include the teaching of life skills, which were incorporated into subjects such as biology and life sciences. In 2021, a study on menstrual hygiene and school attendance had been carried out to ascertain why girls dropped out of school. While the official outcome of the study was pending, it had shown that girls tended to share information with teachers rather than with their parents. To that end, a programme to promote social accountability in school governance had been set up, under which parents and community members were given information on health issues in schools. In 2020, the Ministry of Education had initiated dialogue with religious and community leaders on comprehensive sex education and health, to improve their understanding and obtain their support regarding the need to keep girls in school. Capacity-building initiatives with teachers were being continued, with the support of United Nations partners.

3. At the end of every term, a health task force consisting of school principals provided feedback to the Ministry of Education on the impact of policies introduced and on ways to improve their implementation. Disciplinary measures had been introduced for male schoolteachers who had a relationship with a schoolgirl, or made her pregnant, including the loss of their job for eight years. A number of policies were in place to ensure the safety of students in school, and teachers were trained to reinforce positive discipline. Circulars had been issued to enforce the relevant laws and policies, and inspectors of education ensured that the relevant measures were implemented. In 2020 the Ministry of Education had reviewed the Education Act, placing students at the centre of education and promoting education that was cost-free and free of discrimination.

4. Gender education had been mainstreamed into the entire curriculum in institutions of higher education. The accessibility to education of students with disabilities presented a challenge, particularly when it came to the journey to and from school, and especially in rural areas. Not all students had access to digital technology.

5. **Ms. Sioka** (Namibia) said that negotiations were under way to provide students with free university education, including persons with disabilities and disadvantaged persons.

6. **Ms. Gbedemah** said that it would be useful for the State party to give due consideration to the Committee's general recommendation No. 25 (2004), on temporary special measures. Also, it was important that the targets of initiatives to raise awareness of discrimination and harmful practices against girls should include women themselves, who were often agents of patriarchy.

7. **Ms. Bonifaz Alfonzo** said that she would appreciate information on any plans to decrease the gender wage gap. She also wished to have information on any policies in place to ensure that more women could move from the informal to the formal economy, and thus benefit from social security, and on any training planned in that regard. She would like to know what measures were planned to combat sexual harassment, such as prevention campaigns and telephone hotlines for legal assistance. She also wished to know what was being done to address the high levels of women's unemployment and their underrepresentation at senior levels of management. She would appreciate information on any training made available to women who wished to enter traditionally male professions.

8. **A representative of Namibia** said that the minimum wage set under the law had been increased twice since 2013. The Ministry of Employment was currently engaging stakeholders in designing a road map to make the transition from the informal to the formal economy. A workshop was planned for the second half of 2022, in which relevant stakeholders would be invited to review their policies in areas including social security benefits and access to microfinance. The Labour Act provided a clear definition of what constituted an employer and an employee, whether in the formal or informal sector. Legislative amendments were under consideration to extend labour protection to those in the informal economy. In the meantime, a social security policy had been designed to allow informal workers to be covered by social protection.

9. To address unemployment, a centralized employment system existed through which jobseekers could submit their curricula vitae. Employers were encouraged to register any vacancies with the employment bureau, and to take candidates from the centralized system. The system had been operating for five years and had seen good results in terms of job creation. The Affirmative Action Act prioritized women and persons with disabilities when it came to fulfilling vacancies in both the public and private sectors; under the Act, employers were required to submit affirmative action plans and indicate what training was given to women to ensure their promotion to higher-level jobs. Gender balance scorecards designed to record how many women were recruited to management positions, and provide information on equal remuneration, were still in draft form and were expected to be implemented in autumn 2022. A road map was in place for training judges, members of arbitration panels and labour inspectors in dealing with sexual harassment cases. Awareness-raising campaigns were being conducted around the country on sexual harassment in the workplace and how to report it. In addition, the Labour Act was under review with the aim of incorporating a new section on that subject.

10. **A representative of Namibia** said that the Ministry of Labour had conducted a study on violence in the workplace, with a view to drawing up a strategy to help employers combat gender-based violence.

11. **Ms. Bonifaz Alfonzo** said that, while the State party had made progress in the fight against the human immunodeficiency virus (HIV), some HIV-positive women had faced forced sterilizations. She wished to know what measures were being taken to ensure that did not happen again, and what support was being provided to victims. She would also like to know what health care was provided to victims of violence, including the provision of emergency contraception. In light of the food crisis in the State party, what was being done to ensure that girls, teenagers, pregnant women and those who were breastfeeding received better food? She would appreciate information on what action was being taken to ensure that teenagers, young women and women in rural areas had access to family-planning information, medical assistance and contraception. Details of actions planned to improve medical infrastructure for refugees would also be welcomed. She wished to know what measures would be taken to help women overcome the challenges women currently faced in obtaining abortions.

12. **A representative of Namibia** said that abortion was only lawful in cases of rape, incest and when the mother's life was in danger; the procedure was performed under strict medical supervision. The Ministry of Health had issued a circular to ensure that women undergoing sterilization were fully informed of the advantages and disadvantages of sterilization, and that consent was obtained before the procedure was performed.

13. **Ms. Bethel** said that she wished to know what mechanisms were in place to assess the impact on women's socioeconomic empowerment of the fourth National Development Plan and the poverty reduction strategy. It would be useful to have an account of the outcomes of those policy documents and any obstacles that had prevented them from meeting women's social needs.

14. She would be grateful to learn what social security benefits were available to women working in the informal economy, especially rural women, women with disabilities, women affected by the coronavirus disease (COVID-19) crisis and women whose livelihoods had been destroyed by climate change and drought. The delegation might indicate whether the

training programmes conducted under the fourth National Development Plan had improved women's economic situation and helped them to cope with food insecurity.

15. It would be interesting to learn to what extent women were involved in the transition to renewable energy sources and how the expansion of the green economy would empower women financially, including rural and otherwise marginalized women. The delegation might explain whether the Harambee Prosperity Plan had a gender-responsive component and whether any specific plan was in place to reduce women's use of coal-based energy, especially in rural areas, and replace coal with affordable and sustainable energy sources.

16. The Committee would welcome information on the challenges faced and successes achieved under the project of the Accelerating Women-Owned Micro-Enterprises (AWOME) Programme to promote decent work and economic security, which provided women micro-entrepreneurs with business and life-skills training. It would also be interested to hear about any measures being taken to increase women's access to public procurement spending and any technical innovations used to provide advice on growing commercially sustainable crops. The delegation might describe any measures and programmes in place to improve rural and urban women's access to markets for their products.

17. In view of the fact that economically vulnerable women had been disproportionately affected by the COVID-19 pandemic, she asked what social benefits were available for women in the informal economy, women with disabilities, women heads of households and other women who were not formally employed and did not contribute to a pension fund. She wondered whether the State party would consider adopting fiscal policies and strategies to change women's lives by helping them to cope with the burden of care work and enhancing their access to quality and affordable health care, education, transportation, sanitation, water, housing and other services.

18. **Ms. Sioka** (Namibia) said that, in accordance with a decision taken by the President, cash benefits rather than food banks were now being used to meet the needs of persons on low incomes, making it easier for such persons to look for work and gain access to health care outside their local area. Cash benefits were currently available to persons aged 18 years and under and would soon be made available to persons aged between 19 and 59 years. Persons aged 60 years or over were entitled to receive a State pension. Cash benefits for persons with disabilities would shortly be increased.

19. **A representative of Namibia** said that the Government had just completed implementing the fifth National Development Plan and would shortly begin implementing the sixth such plan. Under the fourth and fifth plans, social protection programmes had been strengthened. The gender perspective was being mainstreamed and gender-responsive planning and budgeting were being implemented in all projects related to the green economy.

20. The AWOME Programme, which was being piloted in the Erongo and Khomas regions, enhanced women's ability to manage their businesses effectively. Despite the success of the programme, women entrepreneurs often had difficulty finding markets for their products. During the COVID-19 pandemic, that situation had been exacerbated by restrictions on travel and the cancellation of trade fairs in Namibia and neighbouring countries. Efforts were being made to ensure that women trained under the programme had access to financial support so that they would have the resources necessary to expand their businesses.

21. **A representative of Namibia** said that the Ministry of Labour, Industrial Relations and Employment Creation was working with stakeholders to draw up a road map for making the transition from the informal to the formal economy. The Government had established policies to guarantee access to social security benefits for persons working in the informal economy and laws on social security would be amended to ensure that they were not excluded from social security programmes. The Ministry had become aware that persons working in certain sectors did not receive a workplace pension. In order to address that situation, it had set up a commission to look into the possibility of establishing a national pension fund for all working persons, including those employed in the informal sector. The report drawn up by the commission would subsequently be discussed by Parliament. Certain retired persons currently received a State pension through the social security system.

22. **Ms. Sioka** (Namibia) said that the Bank of Namibia gave loans to small and medium-sized enterprises, including those owned by women. The Agricultural Bank of Namibia loaned money to women at much lower interest rates than were available to men. Women's applications for government tenders and positions as company directors were prioritized. Company boards were required to have equal numbers of men and women.

23. **Ms. Bethel** said that she was concerned to note that women's socioeconomic empowerment did not appear to be a central aspect of government policy in Namibia. It was necessary to discriminate in favour of women as they were the backbone of the family and were overrepresented in the informal economy. Women should participate in all decision-making related to the green economy and their needs should be considered in all relevant projects.

24. **Ms. Gabr** said that the Committee welcomed the measures taken to increase rural women's access to land but would be grateful to receive statistical information on women's land ownership, including the number of women who had benefited from the Flexible Land Tenure Act (No. 4 of 2014) and other related measures. She wished to know what percentage of rural women had been granted a loan and whether the Government fully implemented the Committee's general recommendation No. 34 (2016) on the rights of rural women.

25. The Government might provide information on its disaster risk reduction and climate change policies and on the impact of climate change on women. The Committee wished to know to what extent women participated in the design, adoption and implementation of programmes related to climate change and disaster risk reduction and whether the Government was fully implementing the Committee's general recommendation No. 37 (2018) on gender-related dimensions of disaster risk reduction in the context of climate change. She wondered what impact the Government's oil and gas extraction policies had on rural and indigenous women.

26. She would be interested to hear whether indigenous communities enjoyed access to their traditional lands and basic social services, including education. She wondered how the Ovahimba and the Ovazemba peoples would be affected if the Government's plans to construct a dam on the Kunene River were implemented. The Committee would welcome information on any plans to improve detention conditions for women and bring such conditions into line with international standards. It would also be grateful to learn more about the situation of women with disabilities and older women in Namibia.

Articles 15 and 16

27. **Ms. Reddock** said that the Committee welcomed the measures taken by the State party to reform its legislation on marriage and the family. She wished to know whether the State party would go as far as to consider amending the Namibian Constitution to include marital and other statuses among the prohibited grounds for discrimination, thereby bringing it into line with article 1 of the Convention.

28. She was aware that a national study on child marriage had been carried out, following which a number of recommendations had been made. She was interested to know how the State party planned to implement those recommendations. In particular, it would be useful to understand whether the State party would consider taking steps to improve the access of young married women to education, vocational skills, life skills and information on sexual and reproductive health and rights. She also wished to know whether the State party was prepared to provide those young women with the psychological care and childcare support they required, in order to make such action effective and ensure that they could continue to develop and fulfil their innate potential.

29. The Committee would welcome further information as to whether the State party intended to build on the findings of that study by carrying out more detailed research into certain specific issues related to child marriage. Such research might take the form of a more in-depth examination of the phenomenon of cohabitation and how it could be addressed in national legislation. Another area that warranted further attention concerned the relationship between child marriage and harmful practices such as gender-based violence, rape and sexual violence. In that respect, it would be helpful to understand whether any plans had been made to bring the minimum age for marriage in customary practice into line with the provisions of

the Married Persons Equality Act, in order to ensure a national minimum age of 18 for all persons and with no loopholes.

30. The Committee would welcome updated information on the status of the Divorce Bill, the Intestate Succession Bill, the Customary Marriages Bill, the Uniform Matrimonial Property Bill and the Maintenance Amendment Bill. She wished to know whether the State party would consider amending those pieces of legislation to ensure that they applied equally to women with disabilities, lesbian, bisexual and transgender women and intersex women and all other groups of women in Namibia. It would be helpful to understand whether the State party was prepared to take the necessary measures to extend equal family rights, including with respect to domicile, to all spouses and children of Namibian citizens, without discrimination and regardless of their circumstances, such as adopted children, surrogate mothers, non-nationals and lesbian, bisexual and transgender women and intersex women partners.

31. **A representative of Namibia** said that the Government was in the process of analysing the recommendations that had been made following the national study on child marriage. According to the study, amendments were required to harmonize the national legislation on marriage and family relations. For example, relevant changes needed to be introduced to the Child Care and Protection Act and the Married Persons Equality Act in order to align the age of sexual consent with the minimum age for marriage. The study had also underlined the importance of changing the attitudes of citizens to traditional child marriage practices. Many people were unaware of what constituted a child under the law and continued to define children exclusively by their level of physical development. According to the recommendations, awareness-raising and community mobilization could both play an important role in changing those outdated mindsets.

32. The Government also recognized the importance of empowering girls and young women who had already entered into marriage and informing them about their sexual and reproductive health rights. Young married women should therefore be encouraged to remain in formal education or provided with vocational training. In general, standards of education needed to be enhanced in order to motivate girls to complete their education and to refrain from early marriage. At the same time, continued action was required to combat poverty, since the study had indicated that parents often resorted to forcing their daughters into early marriages because of economic difficulties. Lastly, the study had concluded that further research should be conducted into the potential risks associated with cohabitation and traditional initiations.

33. The Government was currently developing an overall strategy and plan of action to give effect to those recommendations and would be interested to hear the Committee's suggestions regarding the approach that it should take.

34. **A representative of Namibia** said that no plans had been made to amend the Constitution to include marital status among the prohibited grounds for discrimination. However, the delegation had taken note of the suggestion and it would be given due consideration. The drafting of the Divorce Bill and the Intestate Succession Bill had been finalized and that draft legislation was scheduled to be submitted to the National Assembly for approval before the end of the year.

35. The purpose of the Uniform Matrimonial Property Bill was to repeal the Native Administration Proclamation Act 15 of 1928 and to create a uniform marital property regime. At the same time, the Government was developing transitional measures to enable changes to the property regimes applicable to certain civil marriages that had been concluded under that Act, to provide redress for those affected and to support the many women who were unsure whether they had been married within or outside the community-property system.

36. **Ms. Reddock** said that very serious consideration needed to be given to the question of whether to align the age of sexual consent and the minimum age for marriage in legislation. Such a reform would create a situation in which sex outside of marriage could become an illegal act for young people. That might have the consequence of discouraging them from using contraception or seeking information on sexual and reproductive health. On the contrary, it could be beneficial to leave a gap between the age of sexual consent and the minimum age for marriage, so long as young people were given free access to all the support

they required to make informed decisions, including information on sexual and reproductive health and sexuality.

37. **Ms. Chalal** asked whether the State party had set up a mechanism to monitor its implementation of the Committee's recommendations.

38. **A representative of Namibia** said that her Government had established an Interministerial Committee on Human Rights and International Humanitarian Law, chaired by the Ministry of Justice. The Interministerial Committee had set up a national human rights database to monitor the implementation of recommendations received from United Nations treaty bodies. The database provided a space for the Interministerial Committee to record all recommendations and to develop indicators to monitor the extent to which they were being implemented on the ground. The status of all draft legislation relating to human rights was just one example of the information recorded in the database.

39. **A representative of Namibia** said that, under current legislation, a 16-year-old girl could consent to sex but could not marry. One of the challenges facing her country was that of ensuring that the age of sexual consent, the age of statutory rape and the minimum age for marriage were set at an appropriate level and were consistent with one another. She agreed that many factors needed to be given careful consideration in that regard, including the provision of information on sexual and reproductive health.

40. With regard to follow-up on the implementation of recommendations, the Government had met with civil society organizations and other stakeholders following the publication of the Committee's concluding observations on the country's fourth and fifth periodic reports in 2015 ([CEDAW/C/NAM/CO/4-5](#)). The purpose of that meeting had been to analyse the recommendations from the perspective of the situation on the ground, so that a targeted plan of action could be drawn up for their implementation. Relevant stakeholders had been made responsible for putting those action plans into effect and had then been asked to report back on them prior to the drafting of the sixth periodic report. It had been a useful and productive exercise. However, to ensure comprehensive follow-up in the future, she believed that stakeholders should be asked to provide regular progress reports on each recommendation throughout the reporting period.

41. **A representative of Namibia** said that she wished to thank the Committee for its consideration of her country's report and its interest in the matters that had arisen from it. Her delegation was always willing to provide further information and eager to hear the Committee's guidance on how it might best give effect to the provisions of the Convention.

42. **The Chair** said that the Committee was grateful to the delegation for being open about both the progress that had been made and the challenges that the State party continued to face. She encouraged the State party to take the necessary action to implement the Committee's recommendations and to improve the situation of girls and women throughout the country.

The meeting rose at 4.40 p.m.