



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

Distr.: General
25 February 2022

Original: English
English, French and Spanish only

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

Eighty-second session

13 June–1 July 2022

Item 4 of the provisional agenda

**Consideration of reports submitted by States parties
under article 18 of the Convention on the Elimination
of All Forms of Discrimination against Women**

**Replies of Namibia to the list of issues and questions in
relation to its sixth periodic report***

[Date received: 27 July 2021]

* The present document is being issued without formal editing.



I. Visibility of the Convention and its Optional Protocol

1. A National Gender Policy (2010–2020) was developed using the Convention on the Elimination of Discrimination Against Women (CEDAW) and the rights covered under it. The National Gender Policy is used by regional coordinators who are based in different regions to raise awareness on women's rights and sensitize the local communities which includes marginalized and disadvantaged groups of women. This Policy has created an enabling environment for sectors to mainstream gender, and prioritised implementation of, and accountability for goals and policies aimed at achieving gender equality. In recognition of the need to improve awareness at all community levels on the rights of women to freedom from discrimination, the Government has included this element in the Prioritised National Plan of Action on GBV (2019–2023) under Action Area 2 outcome: Reaching every Namibian Harnessing Community Networks. Under this outcome, community volunteers who are members of existing networks will provide GBV prevention awareness and services to women and girls experiencing violence at levels of the community, including reaching out to women and girls with specific needs such as women living in remote and rural areas, women in marginalised communities (San, Ovahimba & Ovahimba) and women living with disabilities.

2. The Office of the Judiciary has not implemented any measures to conduct capacity-building for Judges on rights under the Convention.

II. Impact of the pandemic on Women's rights, recovery and Gender Equality

3. Indicate measures in place to ensure that COVID-19 crisis response and recovery efforts, including the Recovery and Resilience Plan:

4. Effectively address and seek to prevent gender-based violence against women and girls;

- The Ministry of Gender Equality, Poverty Eradication and Social Welfare's Social Workers and the Ministry of Home Affairs, Immigration and Safety and Security, are part of essential services. The COVID-19 response measures did not disrupt essential services as these were provided without interruption throughout the restrictive period. Additionally, the response plan for GBV and VAC was developed during COVID-19 lockdown to guide the public how to report. The response plan was part of proclamation that was published by the government of Namibia. The response plan entails the process and referral procedures;
- The first point of response to children or adults in need of protective were reporting using 116 or 106 helplines or report the matter to the nearest police station;
- Regional supervisors (Control Social Workers) were immediately informed about the reported case;
- The Ministry of Gender Equality's regional supervisor assigns a specific case for designated social worker to handle GBV and VAC cases as per standards and guidelines in place;
- The Ministry of Education – through aims of strengthening advocacy and expanding training for capacity-building as well as Monitoring and evaluation of understanding and implementation of the following:
 - School Board Training Manual (*);
 - Training Manual for Integrated School Health;

- Namibia Safe School Framework;
- Counselling Training Manual for Teachers;
- Educator Response to Sexual Violence Manual (*);
- Physical Education 4 Life (*);
- Sports 4 Development programme (*);
- EDU-circles training manual (learner governance) (*);
- Window of Hope & My future is my choice;
- Life Skills textbooks and manuals; and
- #Keep me safe campaign with the Namibian police.

(* means not all schools are trained due to the impact of the COVID-19 pandemic due to health protocols and regulations.

5. Women Equal Participation in Political and Public life:

- The Affirmative Action (Employment) Act 29 of 1998 measures are in place to achieve equal opportunity in employment in accordance with Article 10 and Article 23 of the Namibian Constitution; to provide for the establishment of the Employment Equity Commission; to redress through appropriate affirmative action plans the conditions of disadvantage in employment experienced by persons in in designated groups arising from past discriminatory laws and practices; to institute procedures to contribute towards the elimination of discrimination in employment; and to provide for matters incidental thereto;
- The National Gender Policy (2010–2020) also has a strategy that facilitate an enabling environment for women in decision-making positions by engaging them in gender sensitisation and by providing skills-training, mentoring and opportunities for women to play an active and vocal role in important decisions;
- The Government through the Ministry of Gender Equality, Poverty Eradication and Social Welfare (MGEPEWSW) has in place a programme on women in politics and decision making in collaboration with International IDEA and hold workshops since 2014 to-date ones a year, with objectives to support the performance of women parliamentarians in the law-making, representation and oversight functions;
- Strengthen the capacity of women parliamentarians to engage in the functions of the parliament (law-making, representation and oversight);
- Enhance the understanding and knowledge of women parliamentarians on addressing gender issues in law-making, representation and oversight;
- Explore how women parliamentarians can collaborate in parliament and share “good practices” on the difference women can make through their parliamentary functions;
- Coach and mentor women parliamentarians on their parliamentary responsibilities and oversight;
- The Ruling Party SWAPO has put measure in place to allow equal representation for men and women using zebra style in their Party List, which allowed more women in National Assembly, however, this is not the same with the National Council;
- Whenever vacant positions are shared by the SADC Secretariat, they are widely disseminated by the SADC Focal Point: Ministry of International Relations &

Cooperation (MIRCO) to allow interested candidates to apply with an emphasis on women to apply for vacant positions.

6. The Government is acutely conscious of the significant negative economic and social impacts of the COVID-19 outbreak on economy, businesses and households. The decision to grant stimulus relief packages is not crafted in gender exclusive language: All Namibians therefore benefited from stimulus packages.

7. In April 2020, the Ministry of Finance issued the first phase of the economic stimulus and relief package. The purpose of the package is to address the negative socioeconomic challenges brought upon government restrictions on business activities in an effort to stem the spread the corona virus. To this effect, an amount of N\$8.1 billion would be spent. An amount of N\$5.9 billion is in direct support to businesses, households and cashflows acceleration payments for services rendered to government, and N\$2.3 billion relating to off-balance sheet government liabilities.

8. All essential services remain accessible to everyone during the pandemic, police services, judicial services, women and child and other domestic violence protective services, and primary health-care services including sexual and reproductive health.

9. Access to some social services were impacted, but not significantly restricted. The Chief Justice issued a Directive on Judicial Proceedings under GG 7160 as amended, to ensure continuation of critical judicial services including the issuing of interim protective orders as per the Combating of Domestic Violence Act, 2003 and to deal with urgent applications for child protective services under the Child Care and Protection Act, 2015. The Magistrates Courts therefore remained operational despite sporadic closures to enable fumigation after COVID positive cases were detected.

10. The Government recognising that health emergencies such as COVID-19 pandemic can divert attention and resources from the delivery of day-to-day health services decided that it was critical to ensure that health services are maintained during the COVID19 pandemic. Namibia therefore adapted to WHO Technical Guidance and established an Essential Health Services Pillar to support this aspect of the response. The Ministry of Health and Social Services with support from our Development Partners developed the Guidelines and Protocols on Continuity of Essential Health Services in the context of the COVID-19 pandemic under this Pillar. The Guidelines provide guidance to health care providers in the country to ensure uninterrupted essential health services in the context of COVID-19 pandemic.

Legislative and institutional framework

11. Despite passing laws and devising policies aimed at enhancing gender equality, the state party acknowledges that there is still a long to fully achieve gender parity. However, there are no plans to amend Article 10 of the Constitution. Existing laws and policies are sufficient to achieve gender equality in the long term. The state party might consider passing additional laws or enhance existing ones to ensure that all forms of discrimination against women are eliminated.

12. The Uniform Matrimonial Property Bill has been submitted to the Legislative Drafters. The Bill will repeal the Native Administration Proclamation, 1928 in its entirety. The Bill creates a uniform marital property regime for Namibia and provide redress for those who have been negatively affected by the 1928 Proclamation.

13. There is no specified time frame for the adoption the said bills. However, Namibia recently passed the Repeal of Obsolete Laws Act 21 of 2018. This Act provides for the repeal of certain obsolete laws; and to provide for incidental matters. With the passage of this Act, it is expected that all discriminatory laws will be done away with in the near future.

Access to justice and legal complaint mechanisms

14. The qualifying amount to access the legal aid scheme has slightly increased to N\$3000. Consultations are underway between the Ministry of Justice and other stakeholders on how best to expand the scope as well as increase funding for the legal aid scheme. The legal aid scheme is not gender specific nor ethnic based. All indigent Namibian irrespective of race, tribe, creed qualify for the scheme.

15. A total of N\$44,277,000 (Approx. 2 973 520 USD) has been allocated to the Directorate of Legal Aid for the 2021/2022 financial year. In addition, the Law Society of Namibia is in the process of implementing a comprehensive “Change Project” which is intended to review the Legal Practitioners Act, 1995 (Act No. 15 of 1995) and consider measures that will use the law as a tool to enhance social justice. Among the measures considered is making legal provision for an obligation on legal practitioners to provide legal services *pro bono*. This aspect of the project will particularly complement Government efforts in improving access to justice.

16. The Ministry of Gender Equality through its Gender Liaison Officers often provides advise on ways to access the legal aid scheme for rural women including the San. Namibia has Police stations in all towns and settlements where women are free to report cases of violence and the perpetrators are arrested.

17. To increase women’s access to justice, specialised courts to deal with GBV cases have been established country wide. Training of Law enforcements and judiciary on Protection orders and handling of GBV cases have been conducted. GBV Training Manual has been developed with the assistance of Development Partner (UNICEF) with the objective to sensitise new recruits on GBV and how to deal with GBV victims at the police stations once deployed.

National Machinery for the Advancement of Women

18. The Government of the Republic of Namibia, through the Gender Machinery has a coordination mechanism in place through which it mainstreams Gender into other Government departments in order to accomplish its mandate of ensuring Gender Equality.

19. The Gender machinery is allocated 11.3% of the National Budget. The Gender Machinery has adequate human and technical resources allocated to it, complimented by the support from the development partners.

20. The Civil Society are engaged through the following six Implementation Clusters of the National Gender Policy: 1. Gender Health and HIV/AIDS, 2. Gender Based Violence and Human Rights 3. Education and girl Child, 4. Gender Media Research, information and communication. 5. Poverty, Rural and economic development 6. Governance Peace, Security and disaster management

21. To adopt a comprehensive legal definition of discrimination in line with Article 1 of the Convention, covering all prohibited grounds of discrimination, including marital and other status, Namibia is in the process to amend the Combating of Rape Act 8 of 2000 and the Combating of Domestic Violence Act 3 of 2003.

Temporary special measures

Employment (ministry of labour)

22. The Employment Equity Commission has revised its 20-year-old standard report guidelines in order to assess annual affirmative action reports in accordance with

more objective criteria. The Commission has introduced a new Integrated Review Scorecard (IRSC). The IRSC is to assist the Commission in determining the exact compliance effort each relevant employer is making in the process of implementing affirmative action in his/her/its workplace. Furthermore, the IRSC will assist the Commission in the process of categorising relevant employers into various compliance categories which in turn can be used for various purposes such as training; possible charging for non-compliance with the Affirmative Action (Employment) Act; giving of awards; consideration for state contracts, etc. All relevant employers both in public and private sectors are to adhere to the new Reporting Guidelines. The Affirmative Action (employment) Act does not have a special category of San woman, as they are considered within the definition of designated groups.

Ministry of education

23. Temporary special measures are needed to increase the participation of women in public life, particularly indigenous women as San women. The Ministry is implementing the Affirmative Action Policy. The Ministry's advocacy programmes include the advertisement/recruitment process that encourages/calls for affirmative action, that include racially disadvantaged persons, women, and people with disabilities. Summary of employment level in Education:

24. Women's participation in political and public life in Ministry of Education, Arts and Culture.

<i>Political level</i>	<i>Women</i>	<i>Men</i>	<i>Total</i>
Minister of Education	1	0	1
Deputy Minister	1	0	1
Public level			
Executive Director	1	0	1
Deputy Executive Directors	1	2	3
Directors	12	11	23
Deputy Directors	15	6	21
Total	16	13	29

Stereotypes and Harmful practices

25. The Child Care and Protection Act 3 of 2015, prohibits and criminalizes any harmful practices done to all children in Namibia. A study on child marriages was done in the year 2020, and recommendations made from that study are being implemented by all stake holders.

26. We further wish to inform the committee that the state party does not intend to abolish polygamy. Polygamy is an integral part of African culture and the state party does not consider it a harmful cultural practice. Polygamy can only become an offense when it involves child brides or women are forced into it. Overall, the majority of women in polygamous relationships are in it voluntarily and such unions are governed according to the customs and practices of a particular ethnic group. However, the Government is consulting with traditional authorities and other stakeholders on reviewing existing customary marital laws and on enacting specific laws meant it increasing protection for women in polygamous unions.

Gender Based-Violence against Women

27. The Ministry of Gender Equality, Poverty Eradication and Social Welfare's Social Workers and the Ministry of Safety and Security, are part of essential services. Thus, services were provided without interruptions. However, the response plan for GBV and VAC was developed during the COVID-19 lockdown to guide the public how to report. The response plan was part of proclamation that was published by the government of Namibia. The response plan entails the process and referral procedures:

- The first point of response to children or adults in need of protective were reporting using 116 or 106 helplines or report the matter to the nearest police station;
- Regional supervisors (Control Social Workers) were immediately informed about the reported case;
- The Ministry of Gender Equality's regional supervisor assigns a specific case for designated social worker to handle GBV and VAC cases as per standards and guidelines in place.

28. Based on the study, a new "A Call to Action" Prioritized National Plan of Action 2019–2023 was developed. Due to the outcome of the study, community dialogues were initiated targeting in and out of school youth and, community at large. Further, the civil societies amplified efforts to engage traditional leaders and male engagements in terms of GBV.

29. The GBV materials for the campaign have been translated into local languages and they have been aired on the National Broadcasting Corporation. The airing of the GBV materials were extended to private local radio stations.

30. All victims of GBV have access to protection orders and Psychosocial treatment and counselling offered by the Multi-sectoral approach under the GBV investigation units.

Information

31. Detailed information regarding this query will be provided in the next periodic report.

32. The Combating of Rape Act 8 of 2000 is still undergoing review and is currently at parliament for possible amendments.

33. Detailed information regarding this query will be provided in the next periodic report.

Shelters

34. To provide effective comprehensive services to GBV victims and their families, the Government through the Ministry of Safety and Security established 17 Gender Based Violence Protection Units (GBVPU), in 14 regions. The units adopt a multisectoral approach and the key ministries involved are:

- Gender Equality and Child Welfare responsible for psycho-social support services;
- Safety and Security responsible for Protection Services; and
- Health and Social Services responsible for care and treatment services.

35. With regard to provision of temporary shelters for survivors of GBV and victims of Trafficking; the MGECW and stakeholders have identified shelters in 9 regions.

Three shelters have been upgraded in 2018 to accommodate victims of Trafficking In Persons (TIP). The Standard Operational Procedures (SOPs) GBV and operationalisation of shelters have also been finalised in 2018 to assist referral of GBV cases and including TIP. The Lifeline/Childline also has a GBV Help line (106) that compliments the efforts of the Namibian Police Force by offering counselling services and also refers GBV and TIP cases to the Namibian Police Force.

36. The Covid-19 pandemic has impacted the operationalization of these shelters, however, there are three private shelters that are fully operational which are partly funded by the Government.

Trafficking and exploitation of Prostitution

37. Detailed information regarding this query will be provided in the next periodic report.

38. Namibia provided direct assistance for Victims of trafficking. Support and assistance included shelter services, medical, mental health, transport, educational assistance, reintegration and safe return.

39. The campaign continues throughout the country; the campaign was launched by Deputy Prime Minister and Minister of International Relations and Cooperation on 29 March 2019. The Campaign material included: Pens, Pencil Cases, Posters, Billboards, Lanyards, Wrist Bands with a hashtag “Be aware Namibians, Human Trafficking is real”. The campaign is being extended to all ports of entry.

40. The government through the support of International Organization for Migration has upgraded three shelters to accommodate both GBV survivors and victims of trafficking in Persons.

41. Detailed information regarding this query will be provided in the next periodic report.

Participation in Political and Public life

Women in politics and decision-making

42. Namibia has realised significant achievement in women in politics and decision-making positions notably the improvement of women representation in the National Assembly from 25.6% in 2014 to the current 41.7%; 48% of local councillors; 47% of Deputy ministers etc. Women also serve in the Prime Minister, Deputy Prime Minister, Chairperson of the National Council, and Deputy Speaker of the National Assembly positions. Namibia received the 2017 Gender Is My Agenda Campaign (GIMAC) award, as recognition of the progress made in promoting gender equality, the empowerment of women, and promoting the representation of women in key decision-making positions. In addition, Namibia has been awarded the Best African Country Award for progress made in mainstreaming gender equality into the fight against corruption.

Decisions

Explanation and Key Actions

(i) Translate laws and policies into concrete actions such as legislative quotas on women’s representation in politics including the application of Article 5 of the SADC Protocol on Gender and Development on Special Measures and their implementation.

Affirmative Action (Employment) Act 29 of 1998 measures are in place to achieve equal opportunity in employment in accordance with Article 10 and Article 23 of the Namibian Constitution; to provide for the establishment of the Employment Equity Commission; to redress through appropriate *affirmative action* plans

Decisions

Explanation and Key Actions

	<p>the conditions of disadvantage in employment experienced by persons in in designated groups arising from past discriminatory laws and practices; to institute procedures to contribute towards the elimination of discrimination in employment; and to provide for matters incidental thereto.</p> <p>The National Gender Policy (2010–2020) also has a strategy that facilitate an enabling environment for women in decision-making positions by engaging them in gender sensitisation and by providing skills-training, mentoring and opportunities for women to play an active and vocal role in important decisions.</p>
<p>(ii) Document and share good practices and experiences on efforts to effectively implement policy provisions for strengthening women’s participation in politics and decision-making platforms.</p>	<p>The Government through the Ministry of Gender Equality, Poverty Eradication and Social Welfare (MGEPEWSW) has in place a programme on women in politics and decision making in collaboration with International IDEA and hold workshops since 2014 to-date ones a year, with objectives to support the performance of women parliamentarians in the law-making, representation and oversight functions.</p> <p>Strengthen the capacity of women parliamentarians to engage in the functions of the parliament (law-making, representation and oversight);</p> <p>Enhance the understanding and knowledge of women parliamentarians on addressing gender issues in law-making, representation and oversight;</p> <p>Explore how women parliamentarians can collaborate in parliament and share “good practices” on the difference women can make through their parliamentary functions.</p> <p>Coach and mentor women parliamentarians on their parliamentary responsibilities and oversight.</p> <p>The Ruling Party SWAPO has put measure in place to allow equal representation for men and women using <i>zebra style in their Party List</i>, which allowed more women in National Assembly, however, this is not the same with the National Council.</p>
<p>(iv) Member States to continue encouraging female candidates to apply and to nominate suitable female candidates for the positions at the SADC Secretariat as they fall vacant.</p>	<p>Whenever vacant positions are shared by the SADC Secretariat, they are widely disseminated by the SADC Focal Point: Ministry of International Relations & Cooperation (MIRCO) to allow interested candidates to apply with an emphasis on women to apply for vacant positions.</p>

Statistics on women in politics and decision making

Table 1
Women in politics

Category	Total Number of Seats/Positions	Number of Positions held by Women	Percentage of women (%)
Representation in Cabinet	Prime Ministers	1	100%
	Deputy PM	1	100%
	Cabinet Ministers	21	38%
	Assistant/Deputy Ministers	17	70.5%
Representation in Parliament:			
National Assembly: Lower	104	46	44%
National Council: Upper	42	6	14.28%
Representation of Ambassadors	106	78	73.5%

Table 2
Women in management positions in the public sector

Category	Total Number of Positions	Number of Positions held by Women	Percentage of women (%)
Permanent Secretaries/Principal Secretaries/Director Generals/ Executive Directors	29	10	34%
Deputy Permanent Secretaries/Deputy Principal Secretaries/Deputy Director Generals/Deputy Executive Directors	47	19	40%
Directors	162	60	37%

Table 3
Women in the judiciary

Category	Total Number of Seats/Positions	Number of Positions held by Women	Percentage of women (%)
Registrars/Chief Justice	1	0	0%
President of the Courts	1	0	0%
Judges	21	7	33%
Registrars	1	1	100%
Chief Magistrate	1	1	100%
Magistrates	93	46	49.5%

Supreme Court: The Supreme Court bench consists of an all-male bench, with the occasional female judge appointed to act.

High Court: All correspondence must be addressed to the Executive Director the High Court bench consisted of eleven (11) males and three (3) females during 2016, therefore 79% male and 21 % female. The position however changed drastically during the past five years, thus resulting in the 2021 bench to consist of eleven (11) males and eight (8) females, thus having a 58% male representation and a 42% female representation.

Table 4
Women leaders in state owned enterprises

Category	Total Number of Positions	Number of Positions held by Women	Percentage of women (%)
Chief Executive Officers/General Managers in State Owned Enterprises	80	12	15%

Women's economic empowerment

Table 5
Employment and Economic Decision-making

<i>Unemployment rate</i>	<i>Total Number Unemployed</i>	<i>Number of Unemployed Women</i>	<i>Percentage of women unemployed (%)</i>
Unemployment rate for women (as per the latest Labour Survey Report of 2018)	364 411	190 507	52.3%
What percentage of decision-making positions in key economic ministries are held by women from:	Total Number of Positions	Number of Positions held by Women	Percentage of women (%)
<ul style="list-style-type: none"> • <i>Deputy Permanent/Principal Secretaries/Director Generals/Executive Directors,</i> • <i>Permanent/Principal Secretaries/Director Generals/Deputy Executive Directors,</i> • <i>Assistant/Deputy Ministers, and to</i> • <i>Ministers.</i> 			
a) Finance			
Minister	1	0	0
Deputy Minister	0	0	0
<i>Executive Directors</i>	1	1	100%
<i>Deputy Executive Directors</i>	0	0	0%
b) National Planning Commission			
Minister	1	0	0
Deputy Minister	0	0	0
<i>Executive Directors</i>	1	1	100%
<i>Deputy Executive Directors</i>	1	0	0%
c) Defence			
Minister	1	0	0
Deputy Minister	1	1	100%
<i>Executive Directors</i>	2	1	50%
<i>Acting Deputy Executive Directors</i>	1	0	0%
d) Justice			
Minister	1	1	100%
Deputy Minister	0	0	0
<i>Executive Directors</i>	1	1	100
<i>Deputy Executive Directors</i>	0	0	0
e) Foreign Affairs & International Cooperation			
Minister	1	1	100%
Deputy Minister	1	1	100%
<i>Executive Directors</i>	1	0	0
<i>Deputy Executive Directors</i>	1	1	100%
f) Industry and Commerce			
Minister	1	1	100%
Deputy Minister	1	1	100%
<i>Executive Directors</i>	1	0	0
<i>Deputy Executive Directors</i>	1	1	50%

<i>Unemployment rate</i>	<i>Total Number Unemployed</i>	<i>Number of Unemployed Women</i>	<i>Percentage of women unemployed (%)</i>
g) Mines			
Minister	1	0	100%
Deputy Minister	1	1	100%
<i>Executive Directors</i>	1	0	0
<i>Deputy Executive Directors</i>	1	1	100%
h) Lands and Agriculture			
Minister	1	0	0%
Deputy Minister	1	1	100%
<i>Executive Directors</i>	1	0	0%
<i>Deputy Executive Directors</i>	5 (only 2 filled)	1	50%
i) Environment and Tourism			
Minister	1	0	0%
Deputy Minister	0	0	0%
<i>Executive Directors</i>	1	0	0%
<i>Deputy Executive Directors</i>	1	0	0%
j) Fisheries and Marine Resources			
Minister	1	0	0%
Deputy Minister	1	1	100%
<i>Executive Directors</i>	1	1	100%
<i>Deputy Executive Directors</i>	1	0	0%
k) Works and Transport			
Minister	1	0	0%
Deputy Minister	1	0	0%
<i>Executive Directors</i>	1	1	100%
<i>Deputy Executive Directors</i>	3	2	67%
l) Information, Communication and Technology			
Minister	1	0	0%
Deputy Minister	1	1	100%
<i>Executive Directors</i>	1	0	0%
<i>Deputy Executive Directors</i>	0	0	0

Nationality

43. There is no policy that requires both parents to be present at birth registration of their children. The practice is that for a parent to be registered as a parent, that parent's consent is required. Some mothers try to register children using fathers' consent or documentation of the fathers. This is not permissible. The following applies during birth registration:

44. For a child to be registered under his or her father, the father must attend to a birth registration point to be positively identified and also sign the birth registration form. (Only the mother's details are recorded in the electronic birth notification system by the health officials during birth. The father's details are only recorded during birth registration.)

45. a father who cannot be present during registration can also provide a certified copy of his Identity Document together with an affidavit acknowledging paternity and requesting that the child be registered as his child.

46. A possibility also exists that where the father is in a different town, the birth registration can be sent to the birth registration office in the town where he is. He then presents himself in person with his ID for positive identification. He can complete I sign the form there, after which the form is return to the Office near where the child's mother is for the issuance of the birth certificate.

47. Where the above is not possible, women are encouraged to register the children on time under their own surnames as provided for by the Births, Marriages and Deaths Registration Act, 1963. As soon as the father is available or ready, the father's details are registered, and a new birth certificate is issued.

Education

48. Enrolment and completion rates of girls in the school system.

49. Enrolment of females: Pre-Primary to Grade 12 (EMIS 2019) is 757, 856.

Completion rates per grade

<i>Grade</i>	<i>Total</i>	<i>Females</i>
Average	77.7%	80.4%
Grade 1	78.7%	82.2%
Grade 2	84.7%	88.2%
Grade 3	86.7%	90.0%
Grade 4	75.4%	80.8%
Grade 5	79.3%	82.8%
Grade 6	82.3%	84.7%
Grade 7	87.5%	89.4%
Grade 8	66.7%	69.2%
Grade 9	59.2%	60.4%
Grade 10	58.5%	60.1%
Grade 11	96.1%	96.3%

Namibia University of Science and Technology

50. Presented below is NUST enrolment statistics for 2014 to 2020 academic years by sex, and STEM field. Moreover, the graduation statistics is presented by type of qualification obtained.

Enrolment Statistics

51. Table 1 below, indicates that NUST total student enrolment have decline from 12946 in year 2014 to 12610 in 2020. The student enrolment was lowest in year 2017 at 11226. In 2020, 50% of students enrolled were females.

Table 1
Total enrolment statistics, student headcount per sex

<i>Academic year</i>	<i>FEMALE</i>	<i>MALE</i>	<i>Grand Total</i>
2014	6 978	5 968	12 946
2015	6 746	6 003	12 749
2016	6 505	6 248	12 753
2017	5 643	5 583	11 226
2018	5 533	5 702	11 235
2019	5 824	6 098	11 922
2020	6 265	6 345	12 610

52. Table 2 below, shows that NUST student enrolment in the STEM field have increased from 3680 in year 2014 to 5107 in 2020. In 2020, more than 60% of students who enrolled in STEM were females.

Table 2
Total enrolment statistics for STEM, student headcount per sex

<i>Academic year</i>	<i>STEM</i>		<i>STEM Total</i>
	Female	Male	
2014	1 373	2 307	3 680
2015	1 390	2 434	3 824
2016	1 495	2 666	4 161
2017	1 540	2 714	4 254
2018	1 664	2 889	4 553
2019	1 850	3 106	4 956
2020	1 903	3 204	5 107

Graduation statistics

53. Table 3 below, indicates that NUST total graduates have increased from 1893 in year 2014 to 2079 in 2019, a decline to 1645 graduate in 2020 is observed. In 2020, 55% of graduates were females.

Table 3
Graduations per qualification type, sex and academic year

<i>Type of qualifications obtained</i>	<i>2014</i>			<i>2015</i>			<i>2016</i>			<i>2017</i>			<i>2018</i>			<i>2019</i>			<i>2020</i>			
	F	M	T																			
Certificate	170	134	304	124	89	213	97	104	201	96	95	191	65	79	144	64	79	143	52	67	119	
Higher Certificate	14	35	49	11	20	31	18	26	44	10	18	28	27	42	69	25	30	55	2	6	8	
Bachelor's Degree	890	532	1 422	866	532	1 398	857	552	1 409	769	536	1 305	671	532	1 203	633	564	1 197	709	561	1 270	
Honours Degree	64	48	112	150	79	229	199	108	307	260	157	417	330	159	489	369	178	54	7	109	65	174
Postgraduate Cert.	10	13	23	13	9	22	17	12	29	31	35	66	28	6	34	17	18	35				
Postgraduate Diploma	5	9	14	17	9	26	7	2	9	18	21	39	8	3	11							

Type of qualifications obtained	2014		2015		2016		2017		2018		2019		2020								
Master's Degree	2	4	6	9	15	24	11	16	27	17	17	34	30	23	53	36	28	64	6	20	26
Doctoral Degree	1	1	1	2	3	2	2														
Total	1 140	753	1 893	1 170	748	1 918	1 200	824	2 024	1 186	845	2 031	1 162	874	2 036	1 173	906	2 079	903	742	1 645

54. The Ministry of Education does Advocacy of the implementation of Prevention and Management of Learner Pregnancy policy in schools through:

- Further training of Namibia Safe School Framework (NSSF) – Training of Trainers of Trainers (ToT) to Regional School Councillors (RSC) and Regional Aids Committee in Education (RACE), and Kavango East Region;
- The Ministry has entered into a Memorandum of Understanding with the Ministry of Health and Social Services, as lead Ministries of the school health program in the country. As a result, the multi-sector National School Health Task Force and Regional School Health Task Forces have been established in all 14 regions, promoting sectors' close collaboration, harnessing resources, planning and coordinating the implementation of school health activities in the regions; and the teaching of Life Skills curriculum for (Grades 4–12) has been reviewed, and Comprehensive Sexuality Education has been fully integrated into all the curriculum;
- Regional training of ToT – National School Health Task Force and Regional School Health Task Forces underway (May–July 2021) in all regions;
- Ministry has conducted with Ministry of health an assessment of Menstrual Health and Hygiene Management in Namibia (2020), in order to ascertain whether this is a push factor to school attendance and drop out, as well as the relationship between access, knowledge and pregnancy.

55. The implementation of the Policy for the Prevention and Management of Learner Pregnancy in the Education Sector continues and strongly emphasises prevention, along with support and encouragement to learners who are parents to complete their education. This policy allows pregnant learners to remain in school until four weeks before their due date, encouraging learners to keep up with their lessons and homework, and allowing the mother to return to school. Implementation of the Teenage Pregnancy Policy of 2009 on prevention and management of pregnancy is done through:

- Advocacy;
- More training;
- Monitoring plan in place;
- Ministry is currently working an assessing the impact on the policy, with the view of reviewing to improve implementation.

56. The Education Act 2001 has been repealed, and replaced by the Basic Education Act, 2020 (Act No. 3 of 2020). The Basic Education Act, 2020 prohibits all forms of violence including corporal punishment in any school environment. The Child Care Protection Act, 2015 (Act No. 3 of 2015) further prohibits corporal punishment in the home setting. The following measures have been taken to implement the two Acts:

- Training of all teachers on NSSF – reinforce positive discipline;
- Circulars developed to enforce the laws and policies;

- School Rules – The Education Act, 2001 is very clear that school rules and code of conduct are developed in a consultative manner and are signed off by the Regional Directors. They do not permit or condone any violence nor slut-shaming and victim-blaming and protect the rights of learners and teachers;
- Teacher conduct – The Ministry has followed the Public Service Staff Rules (PSSR) in terms of disciplinary procedures for any teachers implicated in inappropriate conduct with learners. Teachers who were found guilty were given the appropriate disciplinary action according to the public service staff rules. Teachers that resigned during the disciplinary process are listed and would not be considered for employment anywhere within the Ministry for eight years.

57. Steps were taken to address reported discrimination, bullying, and violence, particularly against San girls in schools:

- The Ministry of Education, Arts and Culture has various programmes that equip learners with the appropriate skills, knowledge, and attitudes to protect themselves and live a productive life. The curriculum deals with creating a tolerant, respectful, and peaceful society. Gender-based violence is a cross-curricular issue addressed from the multiple angles of factual knowledge in various content and skills-oriented subjects. The Ministry has also developed the Namibia Safe Schools Framework (NSSF) to promote the health, safety, and wellbeing of learners and other school stakeholders in Namibia. The program is meant to assist the School Health and Safety stakeholders in implementing safe practices and programmes in the schools. It further provides teachers and other school personnel with practical tools and ideas for improving safety levels in schools in a step-by-step manner and guides them on how to promote safe and supportive school communities.

Employment

58. In light of the Committee's previous concluding observations (CEDAW/C/NAM/CO/4-5, para. 32) expressing concern at the high levels of unemployment among women and the State party's acknowledgement that unemployment remains a challenge, particularly among women of working age, please provide specific information on measures taken to:

59. The Affirmative Action (Employment) Amendment Act 6 of 2007, requires employers to institute positive measures to further the employment opportunities for persons in designated groups, which may include measures such as:

- ensuring that existing training programmes contribute to furthering the objects of this Act;
- establishing new training programmes aimed at furthering the objects of this Act; and, giving preferential treatment in employment decisions to suitably qualified persons from designated groups to ensure that such persons are equitably represented in the workforce of a relevant employer.

60. The consultation with the stakeholders was concluded and the tripartite Labour Advisory Council advised the Minister in 2019 that Namibia could ratify the Convention. In October 2020, the Namibian Parliament ratified the Convention and the state party deposited the instrument with the ILO in December 2020. The Convention will become binding to Namibia on 9 December 2021.

61. The Ministry of Labour, Industrial Relations and Employment Creation revised the Minimum Wage with effect as from 1 October 2018 with a 4.1 percentage based on the inflation rate plus 1%. The amount was thus increased from N\$1 502.05 per month to N\$1 564.39 per month.

62. The Ministry is ensuring compliance by conducting inspections as per annual plan and conducting educational awareness campaigns in different languages through radios. Most of the domestic workers are aware of the amount of the promulgated minimum wage.
63. The compliance level as per the latest findings is more in urban areas than in rural. The ministry is intensifying its awareness campaigns in rural areas to increase the level of compliance. In addition, the employers of domestic workers are required to submit records and returns on a yearly basis.
64. The following information are required: detailed particulars of employers, employee's nationality, date of employment, employed on permanent or temporary basis, hours of work per day, days of work per week, basic salary, and number of leave taken since November of the last reporting period and if employment has been terminated. The collected information, at any time can be compiled and analysed by the Ministry. The information also facilitates easier access to employers' premises during inspections.
65. In order to ensure protection of employees in the informal economy, the extension of the provision of maternity leave to the informal economy is under discussions. Social Security Commission submitted, to the Minister for consideration, amendments to the Social Security Act to provide for coverage of employees in the informal economy.
66. The tripartite Labour Advisory Council (LAC) established a working committee to assist with the transition from informal to formal economy within the framework of Recommendation no. 204 of the ILO concerning the Transition from the Informal to the Formal Economy.
67. Cases of sex discrimination are only recorded when disputes are lodged with the Office of the Labour Commissioner. In 2020, the Office recorded five (5) cases of sexual harassment. The findings of the Rapid Assessment Study were publicized widely as part of Government's campaign for the ratification of Convention 190. The Government, after consultation with the tripartite Labour Advisory Council submitted the Convention 190 for ratification to Parliament in October 2020. Namibia was the first country in Africa and third in the world to ratify Convention 190 on 9 December 2020. The Ministry has setup a Tripartite Working Committee to spearhead the implementation of Convention no. 190.

Health

68. To increase antenatal care access, antenatal care services are provided free of charge in all public health facilities in the country.
69. Family Planning and contraceptives are available in all public health facilities across the country and are provided free of charge to all in need.
70. In Namibia abortion is legally allowed to be performed only when there is a threat to the pregnant woman's life, when pregnancy poses a threat to the pregnant woman's physical or mental health; and when pregnancy is the result of rape or incest or when there is fetal impairment.
71. Forced sterilization of HIV positive women is prohibited by the Constitution of Namibia which is the supreme law of the country. The Supreme Court has ruled against the Government in the case of LM and Others v Government of the Republic of Namibia Case No: SA 49/2012 citing lack of informed consent due to mental capacity during labour.

72. Namibia addresses the prevalence of HIV and AIDS through strategic expansion of HIV prevention and treatment services, at the community level, and the swift implementation of forward-leading HIV policies.

73. To address sexual abuse of women and girls, Namibia continues to implement the Combating of Rape Act and the Combating of Domestic Violence Act.

74. Adolescent Friendly Health Services (AFHS) are provided in 70% of the thirty-five health districts. An Adolescent Friendly Health Services (AFHS) training manual was developed and 139 health workers from all 14 regions were trained on the use of the manual; Guidelines for Adolescents Living with HIV were developed; Information Education communication (IEC) material for the mass media campaign on the prevention of teenage pregnancy were also developed and seven (7) Youth Friendly clinics were established at selected health centres and cervical screening was conducted for adolescent girls at health centres.

Disadvantaged groups of women

75. The Government offers services such as education, employment, health, housing, and sanitation to marginalized and people with disabilities, through social protection programmes in the office of the Presidency.

Disaster risk reduction and Climate change

76. Detailed information regarding this query will be provided in the next periodic report.

Rural women

77. The available data indicates that a total of 67 families of the San communities were resettled under the Settlement Programme. However, these households were only resettled, and no additional special programmes are offered to them by the Ministry of Land Reform. The Otjozondjupa Regional Council, through the Grootfontein Constituency Office provides the San community with the drought relief food and also funds projects for the San community such as vegetable gardens, small stock (goats) farming and poultry (chicken) projects. Under the Communal Land Rights Registration Programme in the Mangetti Dune area of Tsumkwe West, a total of 270 land rights have been registered in the following villages: Danger, Kankundi M'kata, Meduletu, Kukurushe, Mugoro, Luhebu, Xurube and Soweto. Additionally, in Mangetti Dune area, the Ministry of Land Reform assists with crop farming through the Mangetti Dune project. The Ministry provided ploughing services and provision of seeds to the San community. The Mangetti Dune Project was funded annually and is registered at the National Planning Commission and receive annual funding.

78. Updated and detailed information regarding this query will be provided in the next periodic report.

Marriage and Family Relations

79. The process of promulgating the Marriage Act and the Divorce Act is still at the consultation stage with stakeholders. As per our response to paragraph, there are no plans to abolish polygamy. Article 66 of the Namibian Constitution recognises polygamy an integral part of African culture and the state party does not recognize this practice as tantamount to a harmful cultural practice.

80. The Communal Land Reform Act allows women, particularly widows, to inherit communal land from their husband's deceased estate. Although there is no specific age for marriage under a customary union, it is a crime to marry off any female aged 15 years and less. The Child Care and Protection Act, 2015 has placed measures in place to protect children from harmful cultural and religious practices, and these measures apply to unions under customary law.
