



Convention on the Rights of Persons with Disabilities

Distr.: General
25 April 2025

Original: English
Arabic, English, French and
Spanish only

Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of Namibia*

A. Purpose and general obligations (arts. 1–4)

1. Please provide information about:
 - (a) Measures taken to review and harmonize all legislation, policies and measures, including the removal of derogatory terminology, to adhere to the Convention and the human rights model of disability;
 - (b) Measures taken to review the different definitions relating to disability and persons with disabilities in national laws and policies, in particular any plans to abolish the definition of “disability” in the Mental Health Act (No. 18 of 1973), the National Pensions Act (No. 10 of 1992), section 1 of the National Disability Council Act (No. 26 of 2004) and the Labour Act (No. 11 of 2007) and to adopt one definition that is in accordance with the human rights model of disability and the Convention;
 - (c) Steps taken to review and update the National Policy on Disability of 1997;
 - (d) Measures taken to ensure that human and financial resources are available at all levels of government for meaningful and close consultation with and the active involvement of persons with disabilities, through their representative organizations, regarding all legislation, policies and programmes.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

2. Please provide information on:
 - (a) The legal and other measures taken, in accordance with the Convention, to prohibit all forms of disability-based discrimination in national legislation, including the Constitution, and to include recognition of the denial of reasonable accommodation as a form of disability-based discrimination;
 - (b) Measures taken to ensure provision of accessible and effective complaints mechanisms that exist for persons with disabilities who are victims of discrimination, and the sanctions provided for in law against perpetrators of disability-based discrimination;
 - (c) Measures taken to investigate cases of multiple and intersecting forms of discrimination experienced by persons with disabilities, particularly women and girls with disabilities, persons with disabilities living in poverty and persons with disabilities living in rural areas.

* Adopted by the pre-sessional working group at its twentieth session (24–28 March 2025).



Women with disabilities (art. 6)

3. Please provide the Committee with information on:

- (a) Steps taken to address the negative attitudes and multiple and intersectional discrimination that women with disabilities face to achieve sustainable livelihoods and access to social services;
- (b) Steps taken to consult and engage with women with disabilities in the review and update of the National Gender Policy (2010–2020) to mainstream their rights therein;
- (c) Any reasonable accommodation provided to ensure full and independent access to sexual and reproductive health programmes and services for women with disabilities, including those living in rural areas;
- (d) Measures in place to protect women with disabilities from gender-based violence, including financial violence;
- (e) The extent to which women and girls with disabilities are represented in public life, including their full participation and engagement in decision-making and policymaking entities, in particular their representation on the National Disability Council;
- (f) Measures taken to protect women with albinism from all forms of discrimination.

Children with disabilities (art. 7)

4. Please provide information about:

- (a) The goals achieved and the results of the implementation of strategic pillar 2.4 of the National Agenda for Children 2018–2022 in terms of equal access to health and education for children with disabilities and integrated childhood development services for children with disabilities living in rural areas;
- (b) Any plans to review the Childcare and Protection Act (No. 3 of 2015) to include further provisions on the protection of children with disabilities against all forms of discrimination and violence;
- (c) Measures taken to ensure the full protection for children with albinism against all forms of violence;
- (d) Steps taken to ensure the deinstitutionalization of children with disabilities and to provide access to alternative care in a family setting in the community;
- (e) Measures taken to ensure that children with disabilities are fully protected against human trafficking and have full access to all protection mechanisms and related services;
- (f) Any mechanisms available for children with disabilities to inform the authorities about incidents of bullying or violence, and the data and information compiled by those mechanisms;
- (g) Disaggregated data on access to social services by children with disabilities, particularly in rural areas.

Awareness-raising (art. 8)

5. Please provide information on:

- (a) Awareness-raising strategies developed in consultation with organizations of persons with disabilities, including campaigns and training programmes targeted at government officials, the private sector and the general public, including at the community level, and carried out to combat stigma, stereotypes, harmful practices against and deep-rooted cultural beliefs about persons with disabilities;
- (b) Campaigns to raise awareness about the rights of persons with albinism;
- (c) The role played by the media in portraying a positive image of persons with disabilities regarding their contributions to public life.

Accessibility (art. 9)

6. Please provide information about:

(a) Steps taken to approve and implement minimum standards and guidelines on accessibility, including in old buildings and premises, in close consultation with and with the active involvement of organizations of persons with disabilities;

(b) Measures taken to ensure compliance with the accessibility standards, the monitoring mechanisms available and the applicable remedies and sanctions in place;

(c) Strategies put in place to guarantee access to information and communications technology for persons with disabilities on an equal basis with others, through the provision of information in Braille, Easy Read, sign language and other alternative and augmentative modes and means of communication and the implementation of the Web Content Accessible Guidelines;

(d) The quantity and type of accessible public transportation that is available.

Right to life (art. 10)

7. Please outline the steps taken to review national legislation, including the Witchcraft Suppression Proclamation (No. 27 of 1933), to protect people with disabilities, especially those with albinism, from deadly witchcraft-related acts.

Situations of risk and humanitarian emergencies (art. 11)

8. Please provide information about:

(a) The efforts made to align the Disaster Risk Management Act (No. 10 of 2012), in consultation with persons with disabilities and their representative organizations, with the Convention and the Sendai Framework for Disaster Risk Reduction 2015–2030;

(b) Measures taken to actively involve persons with disabilities, through their representative organizations, in the planning and implementation of plans for disaster and emergency response, rehabilitation and recovery, including in the National Disaster Risk Management Plan of 2011 and the National Disaster Risk Management Committee.

Equal recognition before the law (art. 12)

9. Please provide information on:

(a) Efforts being made to review and amend legal and other policy measures that deny persons with disabilities, in particular persons with psychosocial disabilities and persons with intellectual disabilities, legal capacity to enter into contracts, open bank accounts and exercise rights relating to family life;

(b) Steps taken to replace substituted decision-making regimes with supported decision-making regimes that are in accordance with the Convention, taking into account the Committee's general comment No. 1 (2014);

(c) The accommodation provided to persons with disabilities to ensure that they have independent and equal access to bank services.

Access to justice (art. 13)

10. Please provide information on:

(a) Any plans to review and amend national legislation to ensure full access to justice for persons with disabilities as complainants and witnesses, including plans to amend the Civil Proceedings Evidence Act (No. 25 of 1965) and to abolish all provisions that deny persons with disabilities access to justice;

(b) Measures taken to provide procedural and age-appropriate accommodation for persons with disabilities to facilitate their effective role as direct and indirect participants in all legal proceedings, particularly in courts and police stations;

(c) Steps taken to equip police stations, courts and prisons with accessible modes and means of communication and to make their physical structures and services accessible to persons with disabilities;

(d) The current conditions of persons with disabilities in prison, including the number of persons with disabilities in prisons and the accommodations available to them.

Liberty and security of the person (art. 14)

11. Please provide information about:

(a) Measures taken to ensure the liberty and security of persons with disabilities and to abolish, under all circumstances, their involuntary placement in the justice system or in mental health facilities on the grounds of their impairments;

(b) Measures taken to prohibit the forced hospitalization of children with psychosocial disabilities by their parents or by health authorities;

(c) Steps taken to amend the Mental Health Act (No. 18 of 1973) to stop the unlawful detention of defendants and prisoners with disabilities based on “dangerousness”;

(d) Any plans, with details of the proposed time frame, to adopt a national mental health policy that is in accordance with the human rights model of disabilities, the general principles and the relevant provisions of the Convention.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

12. Please inform the Committee about:

(a) Measures taken to end all forms of torture or cruel, inhuman or degrading treatment or punishment, including mechanical restraints, in health facilities, psychiatric hospitals and other health facilities and residential institutions, with which persons with psychosocial disabilities are faced when they are admitted to such facilities, as well as in domestic settings;

(b) The data available on persons with disabilities who are subjected to corporal punishment in special education schools and care centres, and the steps taken to eliminate that practice.

Freedom from exploitation, violence and abuse (art. 16)

13. Please provide information on:

(a) Any plans to develop a comprehensive national policy on the protection of persons with disabilities, in particular women and children with disabilities, from all forms of violence, abuse and exploitation;

(b) The availability of protection and support services across the State Party, including accessible emergency shelters, psychological support and legal aid, for persons with disabilities who have survived exploitation, violence or abuse, including domestic violence;

(c) Steps taken to collect data on cases of exploitation and abuse, including sexual abuse, of and violence against persons with disabilities, disaggregated by gender, age and geographical location, in order to improve the services provided.

Protecting the integrity of the person (art. 17)

14. Please provide information on measures taken:

(a) To protect women with disabilities, in particular women with intellectual disabilities and women with psychosocial disabilities, from being subjected to forced sterilization and forced abortion without their free and informed consent;

(b) To protect persons with disabilities from scientific and medical experimentation and to put in place operative mechanisms to ensure that their free and informed consent is obtained before any medical intervention is carried out.

Liberty of movement and nationality (art. 18)

15. Please provide information on access to services, including health and rehabilitation services, for refugees and asylum-seekers and on the number of migrants detained in psychiatric facilities.

Living independently and being included in the community (art. 19)

16. Please inform the Committee about:

(a) Any plans to impose a moratorium on the establishment of new shelters for persons with disabilities and to develop a comprehensive national plan for deinstitutionalization;

(b) The number of persons with disabilities who have benefited from the government housing programme and any plans to enhance its use, considering the cost of home adaptation.

Personal mobility (art. 20)

17. Please provide information on the existing legal and policy measures that are available to support persons with disabilities to enhance their personal mobility, including the provision of mobility aids, assistive devices and other assistive technologies and information and communications technology, particularly in rural areas.

Freedom of expression and opinion, and access to information (art. 21)

18. Please provide information about:

(a) The availability of media content in accessible formats for persons with disabilities;

(b) The impact of the Media Ombudsman on the promotion of freedom of expression and access to information for persons with disabilities, including documented cases regarding lack of accessibility of media outlets;

(c) Steps taken or plans to officially recognize Namibian Sign Language in the law and to increase the number of qualified sign language interpreters, in close consultation with the deaf community.

Respect for privacy (art. 22)

19. Please provide information about:

(a) Measures taken to protect personal information, including medical data, of persons with disabilities, in particular HIV survivors and persons with psychosocial disabilities;

(b) Any capacity-building programmes for service providers in the health and rehabilitation sector on how to respect and protect personal information and how to effectively communicate with users with disabilities, particularly the users of sexual and reproductive health services.

Respect for home and the family (art. 23)

20. Please provide information about:

(a) Plans to amend the discriminatory provisions in the Marriage Act (No. 14 of 2024), particularly the provision in section 25 (1) (b) (ii);

(b) Measures taken to ensure that women with disabilities can freely and independently exercise their right to marry and to have the relationships they wish to have;

(c) Steps taken to provide parents of children with disabilities and parents with disabilities with information services and other social and financial support to exercise their right to parenthood in full individual autonomy.

Education (art. 24)

21. Please provide information on:

(a) Steps taken to achieve the goal in strategic pillar 2.4 of the National Agenda for Children 2018–2022 to improve access to education for all children with disabilities;

(b) The status of implementation of the Basic Education Act (No. 3 of 2020), in particular section 12 on the obligations of the Government to provide inclusive education for children with disabilities, and any plans to review the Act to replace the provisions relating to special education with inclusion settings for children with disabilities;

(c) Measures taken to ensure quality inclusive education for persons with disabilities, by ensuring the provision of accessible materials, particularly educational material in Braille and Easy Read, a sufficient number of teachers qualified in sign language and/or Braille, adaptive learning environments and adequate individualized accommodation for students with disabilities at all levels;

(d) The number and distribution of the accessible schools and the number and qualifications of the assistant teachers in public schools;

(e) Available detailed and analytical statistics about persons with disabilities enrolled in public and private schools and in special education schools or centres;

(f) Measures taken to promote access to public higher education institutions for persons with disabilities, including the provision of individualized support;

(g) Measures taken to provide accommodation for persons with disabilities, in particular blind persons and deaf persons, to access and study in scientific faculties such as medicine, mathematics and physics.

Health (art. 25)

22. Please inform the Committee about:

(a) The status of implementation of the National Health Policy Framework 2010–2020, in particular strategic pillar 2.7 and related goals regarding persons with disabilities;

(b) Steps taken to address the existing gaps in equality of access by persons with disabilities to healthcare, such as the provision of accessible information and infrastructure, including in rural areas;

(c) Any plans to provide systematic training to health personnel on the rights of persons with disabilities in accessing healthcare and health services, including women and girls with disabilities;

(d) Measures taken to ensure that sexual and reproductive education and services are available, accessible and affordable to women and girls with disabilities.

Habilitation and rehabilitation (art. 26)

23. Please provide information on measures taken:

(a) To ensure that habilitation and rehabilitation services for persons with disabilities are based on a human rights model of disability and that services are designed and implemented to enable persons with disabilities to attain and maintain maximum independence and full inclusion and participation in all aspects of life;

(b) To expand access to comprehensive and community-based habilitation and rehabilitation programmes for persons with disabilities, including in rural areas, and to ensure that the services offered to persons with disabilities are based on their free, prior and informed consent.

Work and employment (art. 27)

24. Please provide information on:

- (a) Plans to amend the Labour Act (No. 11 of 2007), which still contains medical definitions of persons with disabilities, and to adopt provisions that ensure equal access to the open labour market for persons with disabilities, in accordance with the Convention;
- (b) Whether disability-based discrimination in employment, including the denial of reasonable accommodation, is prohibited under the law, the sanctions provided for in the law for employers who do not comply with the relevant legislation and the remedies available to victims of such discrimination;
- (c) The available data on the number of persons with disabilities who are employed, unemployed, seeking employment and in hidden employment and the response plan, if any, to improve the situation.

Adequate standard of living and social protection (art. 28)

25. Please provide information about:

- (a) Measures taken to safeguard an adequate standard of living and social protection for persons with disabilities, in particular children with disabilities, women with disabilities, older persons with disabilities and persons with disabilities in rural areas;
- (b) Available data disaggregated by gender, disability and geographic distribution on persons with disabilities who have benefited from the government housing programme over the past four years;
- (c) Plans to conduct periodic reviews of the disability grants and the special maintenance grants for children with disabilities to evaluate their sufficiency in accordance with the different requirements of persons with disabilities, the inflation rate and rising prices.

Participation in political and public life (art. 29)

26. Please provide information about:

- (a) Plans to amend the Electoral Act (No. 5 of 2014) to guarantee the right to vote, on an equal basis with others, for all persons with disabilities, in particular persons with intellectual disabilities and persons with psychosocial disabilities;
- (b) Measures taken to ensure that electoral infrastructure, processes and information are fully accessible to all persons with disabilities;
- (c) Steps taken to promote the full and equal participation of persons with disabilities, particularly women with disabilities, in political and public life, and to ensure that they can exercise their right to stand for election, be elected and effectively hold office and perform public functions at all levels of government, on an equal basis with others.

Participation in cultural life, recreation, leisure and sport (art. 30)

27. Please provide information on:

- (a) Steps taken to increase the availability of accessible spaces for culture, sport, recreation and leisure for persons with disabilities, both in rural and urban areas;
- (b) Measures taken to better distribute the financial allocations to meet a wider range of sporting, cultural, recreational and leisure needs of persons with disabilities and to ensure a more inclusive approach;
- (c) Plans to ratify the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled and the steps taken, if any, to begin modifying national legislation to harmonize it with that Treaty.

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

28. Please provide information on efforts made to establish a system for collecting data on the situation of persons with disabilities and to increase the systematic collection of and reporting on disaggregated data and coordination among all public bodies and State agencies, to give effect to the Convention. Please also provide an update on whether the short set of questions on functioning of the Washington Group on Disability Statistics and the related methodology were used in the 2023 census and how the results will be used to improve the national policies and plans relating to the rights of persons with disabilities.

International cooperation (art. 32)

29. Please provide information on:

(a) Measures taken to ensure that persons with disabilities, through their representative organizations, including those of women and girls with disabilities, are included in international cooperation engagements on disability-specific and other policies, with the aim of mainstreaming the human rights model of disability in development policies and programmes;

(b) The percentage of disability-inclusive projects in international cooperation programmes over the past five years.

National implementation and monitoring (art. 33)

30. Please provide information on:

(a) Any collaboration between the National Disability Council and the Division of Disability Affairs and Marginalized Communities on implementing the national disability legislation and the Convention and steps taken to establish a national coordinating mechanism for this purpose;

(b) Measures taken to ensure that there is a designated independent monitoring mechanism that complies with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

(c) Measures taken to ensure the meaningful involvement of representative organizations of persons with disabilities in the monitoring of the enjoyment of the rights of persons with disabilities under the Convention.
