



Convention on the Rights of the Child

Distr.: General
26 June 2024

Original: English

Committee on the Rights of the Child

Concluding observations on the combined fourth to sixth periodic reports of Namibia*

I. Introduction

1. The Committee considered the combined fourth to sixth periodic reports of Namibia¹ at its 2788th and 2789th meetings,² held on 6 and 7 May 2024, and adopted the present concluding observations at its 2816th meeting, held on 24 May 2024.

2. The Committee welcomes the submission of the combined fourth to sixth periodic reports of the State party and the written replies to the list of issues,³ which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses its appreciation for the constructive dialogue held with the high-level delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the measures taken to implement the Convention, including the adoption of the Child Care and Protection Act of 2015, the Repeal of Obsolete Laws Act of 2018, the national agenda for children for the period 2018–2022, the Judiciary Act of 2015, the Namibian Citizenship (Second) Special Conferment Act of 2015, the national plan of action for the period 2022–2025 aimed at preventing and responding to violence against children, the National Health Act of 2015, the national policy on sexual, reproductive and child health of 2013, the national sanitation and hygiene strategy for the period 2022–2027, the Witness Protection Act of 2017 and the ratification of the International Labour Organization Domestic Workers Convention, 2011 (No. 189) in 2020. It also notes with appreciation the pledges made by the State party in the context of the seventy-fifth anniversary of the Universal Declaration for Human Rights.

III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: abuse, neglect and sexual exploitation and abuse (para. 24), children deprived of a family environment (para. 29),

* Adopted by the Committee at its ninety-sixth session (6–24 May 2024).

¹ [CRC/C/NAM/4-6](#).

² See [CRC/C/SR.2788](#) and [CRC/C/SR.2789](#).

³ [CRC/C/NAM/RQ/4-6](#).



adolescent health (para. 34), standard of living (para. 36), education (para. 39) and economic exploitation, including child labour (para. 43).

5. **The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals insofar as they concern children.**

A. General measures of implementation (arts. 1, 4, 42 and 44 (6))

Legislation

6. **While welcoming the enactment of the Child Care and Protection Act in 2019, the Committee recalls its previous recommendations⁴ and further recommends that the State party:**

(a) **Ensure the effective implementation of the Child Care and Protection Act by allocating sufficient resources for its implementation, establishing the Children's Fund provided for under the Act and ensuring continuous capacity-building for relevant professionals working with and for children;**

(b) **Expediently enact legislation relevant for children, including the sexual exploitation bill, the uniform matrimonial property bill, the child justice bill and the marriage bill, and prepare for their effective implementation;**

(c) **Develop mandatory child-rights impact assessment procedures for all legislation and policies relevant to children.**

Comprehensive policy and strategy

7. **The Committee recommends that the State party:**

(a) **Develop and adopt a national policy and corresponding action plan on the implementation of the Convention, with the participation of children and based on a comprehensive assessment of the results of the national agenda for children for the period 2018–2022, that encompass all areas covered by the Convention, clearly define the roles and responsibilities of the relevant agencies and include specific, time-bound and measurable goals;**

(b) **Provide adequate human, technical and financial resources for the implementation and monitoring of the policy and action plan, including through accountability mechanisms and regular oversight and evaluation.**

Coordination

8. **The Committee recommends that the State party:**

(a) **Ensure that the permanent task force on children has sufficient authority and a clear mandate to coordinate all activities regarding the implementation of the Convention across all sectors and at all levels;**

(b) **Assess the current institutional structure for the implementation of the Convention, with a view to addressing gaps and strengthening coordination among relevant ministries and structures at national, regional and local levels.**

⁴ [CRC/C/NAM/CO/2-3](#), para. 11.

Allocation of resources

9. The Committee commends the State party for its generous budget allocations for education and health, and recommends that the State party:

(a) Establish a budgeting process with a child rights perspective and clear allocations for children in the relevant sectors and agencies, including specific indicators and a tracking system for the allocation, use and monitoring of resources for children, with a view to ensuring equitability and positive outcomes for them all;

(b) Strengthen procurement systems in the education and social welfare sectors, conduct an assessment of the budget needs of children, particularly the sectors that require more funding, and ensure that sufficient budgetary resources are allocated to those sectors;

(c) Ensure transparent and participatory budgeting in which civil society, the public and children can participate effectively.

Data collection

10. Noting with concern significant data gaps on the situation of children, the Committee recommends that the State party:

(a) Strengthen its national data collection system on children to allow for the sufficient and regular monitoring and analysis of the situation of children, including by addressing data gaps, standardizing mechanisms and platforms for data-sharing and improving the collection, quality and analysis of disaggregated data on children in disadvantaged situations;

(b) Ensure that the data collected, including through national surveys, encompass all areas of the Convention and are disaggregated by age, sex, disability, geographical location, ethnic origin, nationality and socioeconomic background;

(c) Improve the collection and analysis of data on birth registration, violence against children, children in alternative care, children with disabilities, health, nutrition, mental health, early pregnancy, substance abuse, child labour, trafficking, asylum-seeking and migrant children, children in street situations and child justice;

(d) Ensure that statistical data on children are collected, analysed regularly and shared among relevant ministries, professional groups and civil society organizations, and used for the formulation and evaluation of policies and projects on children's rights.

Access to justice and remedies

11. The Committee notes that children can file a complaint to the Children's Advocate but is concerned about the limited availability and accessibility of complaints mechanisms in all settings. The Committee recommends that the State party:

(a) Ensure that all children, including children with disabilities and children in rural areas, have access to: (i) confidential, child-friendly and independent complaint mechanisms in all settings including schools, alternative care settings and detention, for reporting all forms of violence, abuse, discrimination and other violations of their rights and (ii) legal support and representation, age-appropriate counselling and remedies, including compensation and rehabilitation;

(b) Raise awareness and widely disseminate information about existing mechanisms for reporting violations, violence and abuse, including the child helpline and the portal for reporting online violence, and provide sustainable funding for such services to ensure that they are accessible, confidential, child-friendly and effective;

(c) Ensure systematic and mandatory training of all relevant professionals working with children on child-friendly procedures and remedies, children's rights and the Convention.

Independent monitoring

12. Noting with appreciation the establishment of the Children's Advocate in 2013, the Committee recommends that the State party:

(a) Ensure that the Children's Advocate has sufficient human, technical and financial resources to monitor children's rights and to receive, investigate and address complaints from children in a child-sensitive manner;

(b) Adopt the ombudsman bill and continue to ensure the full compliance of the Office of the Ombudsman with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), including with regard to its staffing, funding and mandate.

Dissemination of the Convention and awareness-raising

13. The Committee recommends that the State party strengthen its awareness-raising activities regarding children's rights among the public to ensure that the Convention and the Optional Protocols are widely known by the general public, parents and children.

Cooperation with civil society

14. The Committee recommends that the State party:

(a) Systematically involve civil society organizations, including youth- and child-led organizations, communities and children's organizations in the development, implementation, monitoring and evaluation of legislation, policies and programmes related to children's rights;

(b) Provide sufficient resources for civil society organizations to deliver the necessary services for children on behalf of the Government.

Children's rights and the business sector

15. Recalling its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights and the Guiding Principles on Business and Human Rights, the Committee recommends that the State party:

(a) Integrate children's rights into the national action plan on business and human rights;

(b) Establish and implement regulations to ensure that the business sector, including the agricultural, fishing, manufacturing, tourism and informal sectors, complies with international and national human rights, labour, environmental and other standards, particularly with regard to children's rights and in the light of the Guiding Principles on Business and Human Rights;

(c) Require companies to undertake assessments of, consultations on and full public disclosure of the environmental, health-related and children's rights impacts of their business activities, and their plans to address such impacts.

B. General principles (arts. 2, 3, 6 and 12)**Non-discrimination**

16. While noting the efforts of the State party to address discrimination, the Committee recommends that the State party:

(a) Review relevant legislation to explicitly prohibit all forms of discrimination, including on the basis of language, political or other opinion, national origin, disability, place of birth, sexual orientation or gender identity;

(b) Implement targeted policies and programmes to eliminate discrimination against children belonging to Indigenous or ethnic minority groups, including San,

Ovahimba and Ovazemba children, children with disabilities, lesbian, gay, bisexual, transgender and intersex children, children in remote areas, children of single mothers and other children in disadvantaged situations;

(c) Ensure that children in disadvantaged situations have access to birth registration, education, adequate health services, housing and an adequate standard of living.

Best interests of the child

17. Noting with concern the inadequate or inconsistent application of the principle of the best interests of the child, the Committee recalls its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration and recommends that the State party:

(a) Ensure that the principle of the best interests of the child is consistently interpreted and applied in all legislation, policies and programmes affecting children, and by public or private social welfare institutions, courts of law, administrative authorities and legislative bodies, in accordance with section 3 (1) of the Child Care and Protection Act of 2015;

(b) Strengthen the capacity of all professionals working with and for children to assess and determine the best interests of the child in every area as a primary consideration, including through systematic training and the development of procedures and criteria.

Right to life, survival and development

18. The Committee recommends that the State party strengthen its efforts to address the root causes of child abandonment and ensure the right of all children to life, survival and development.

Respect for the views of the child

19. Taking note of section 4 of the Child Care and Protection Act, the Committee recalls its general comment No. 12 (2009) on the right of the child to be heard and recommends that the State party:

(a) Promote the meaningful and empowered participation of all children within the family, communities and schools, in all relevant judicial and administrative proceedings, and include children in decision-making in all matters related to them;

(b) Formally institutionalize the Children's Parliament, establish junior town councils in all towns, with adequate financial resources, and develop mechanisms to ensure that the outcomes are systematically fed into public decision-making at the national and constituency levels;

(c) Develop toolkits and structures for consulting children on national and local policy issues, and ensure that all relevant professionals receive training on the right of the child to be heard.

C. Civil and political rights (arts. 7, 8 and 13–17)

Birth registration and nationality

20. The Committee notes with appreciation the digitalization of birth registration but is concerned about barriers faced by children in disadvantaged situations. The Committee recommends that the State party:

(a) Strengthen its efforts to achieve universal birth registration and ensure that all children, including children in rural areas, children belonging to minority groups, asylum-seeking and refugee children, children whose place of birth cannot be determined and children without identity documents, have access to birth registration and identity documents, including by adopting the civil registration and identification

bill, increasing mobile registration units and outreach visits to rural areas, strengthening multi-agency coordination between government departments, health-care facilities and schools and providing interpretation services;

(b) Conduct a comprehensive public awareness-raising campaign regarding the importance of registering children's births and the associated procedures, particularly targeting rural areas and regions with low registration rates;

(c) Ensure that safeguards are in place for the protection of stateless children, in line with the State party's *harambee* prosperity plan and the pledge made at the Global Refugee Forum to prevent and reduce statelessness;

(d) Take legislative measures, including by adopting the bill on statelessness, to facilitate the acquisition of nationality for children who would otherwise be stateless, including foundlings and orphans, and ensure that such provisions include a definition of foundling;

(e) Consider ratifying the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.

Right to identity

21. The Committee notes with appreciation the decriminalization of "baby-dumping" but is concerned about the large number of abandoned babies and the lack of a legal framework for surrogacy. The Committee recommends that the State party:

(a) Address the causes of the anonymous abandonment of children, strengthen family support measures, seek policies to guarantee children access to their identity and preserve the biological origins of such children, with a view to eliminating the use of baby boxes;

(b) Consider adopting a regulatory framework for protecting the rights of children born through surrogacy, including their right to nationality and access to information about their origins.

Right to privacy and access to appropriate information

22. Recalling its general comment No. 25 (2021) on children's rights in relation to the digital environment, the Committee recommends that the State party:

(a) Improve digital inclusion for children in disadvantaged situations and promote the equitability and affordability of online services and connectivity;

(b) Develop regulations and safeguarding policies to protect the rights and safety of children in the digital environment;

(c) Adopt the data protection bill and ensure that laws and policies on the digital environment respect children's privacy and protect them from harmful content and online risks;

(d) Enhance the digital literacy, awareness and skills of children, parents, caregivers and teachers, including by incorporating digital literacy into school curricula and developing age-appropriate programmes.

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 35, 37 (a) and 39 of the Convention, and the Optional Protocol on the sale of children, child prostitution and child pornography)

Abuse, neglect and sexual exploitation and abuse

23. The Committee notes the amendments made in 2022 to the Combating of Domestic Violence Act and the Combating of Rape Act, but is deeply concerned about:

(a) The prevalence of violence against children, including gender-based violence, domestic violence and sexual exploitation and abuse;

- (b) Significant delays in investigating cases and prosecuting the perpetrators;
- (c) The inadequate services and insufficient coordination among the relevant sectors for supporting victims.

24. **The Committee urges the State party:**

(a) **To further strengthen the legal framework on violence against children by expeditiously adopting the cybercrime and sexual exploitation bills, aligning existing legislation regarding online sexual exploitation and abuse with international standards and amending the Combating of Domestic Violence Act with gender-neutral language;**

(b) **To ensure effective collaboration among national, regional and constituency mechanisms for child protection, including by: (i) addressing gaps in the coordination and division of responsibilities across ministries addressing child and family issues; (ii) integrating regional and constituency childcare protection forums into relevant community-based mechanisms; and (iii) strengthening accountability and reporting mechanisms;**

(c) **To develop programmes aimed at engaging communities and promoting social and behavioural change in relation to child protection, and allocate sufficient resources to ensure their sustainability and reduce reliance on donor funding;**

(d) **To ensure the effective implementation of the integrated case management guidelines and standard operating procedures for violence, including by expanding their scope to cover all regions, ensuring a multidisciplinary approach to case management, establishing clear referral pathways, developing documentation protocols and ensuring adequate follow-up;**

(e) **To strengthen the capacities of professionals working with and for children to prevent, report and respond to cases of violence, and enforce the provision on mandatory reporting under the Child Care and Protection Act;**

(f) **To prevent and eliminate violence against children online by, inter alia: (i) ensuring that national legal and policy frameworks clearly define and criminalize online grooming and adequately cover all forms of online violence; (ii) establishing a legal framework for regulating digital service providers and requiring Internet service providers to promptly block and remove online sexual abuse material; (iii) developing and promoting child-friendly reporting mechanisms, in partnership with the digital business sector, for reporting online violence; and (iv) integrating specific components on online offences into the training of relevant professionals, particularly law enforcement officials and those working in specialized units, so they have the necessary tools to investigate and prosecute cases;**

(g) **To promptly and effectively investigate and intervene in all cases of violence against children, including domestic violence and the sexual abuse and exploitation of children in and outside the home, in the digital environment and in educational and alternative care settings, and ensure that the perpetrators are brought to justice;**

(h) **To ensure that all children who are victims or witnesses of violence have access to child-sensitive, multisectoral and comprehensive interventions, services and support, including forensic interviews, medical evaluation, counselling and psychosocial support, with the aim of preventing the secondary victimization of those children;**

(i) **To ensure that gender-based anti-violence protection units have sufficient resources to ensure that they provide child-friendly, confidential and comprehensive services;**

(j) **To strengthen awareness-raising campaigns about the harmful impact of violence, including online violence, on the physical and psychological well-being of the child;**

(k) **To strengthen its laws, policies and programmes aimed at preventing sexual violence against children and any recurrence thereof.**

Corporal punishment

25. The Committee is deeply concerned that corporal punishment is not prohibited in the home and remains socially acceptable in all settings. Recalling its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee recommends that the State party:

(a) Explicitly prohibit by law, as a matter of priority, all forms of corporal punishment in all settings, including in the home and in all childcare settings;

(b) Develop protocols and guidelines for action when corporal punishment takes place, including mechanisms for safe and confidential reporting, and ensure appropriate responses;

(c) Strengthen awareness-raising campaigns for parents, teachers and other professionals working with and for children in order to promote attitudinal change within the family and the community and with a view to eradicating the practice of corporal punishment and promoting positive, non-violent and participatory forms of child-rearing.

Harmful practices

26. The Committee notes that the State party will develop a strategy to end child marriages, but is concerned that the Child Care and Protection Act and the Marriage Act allow for marriages of individuals under 18 years of age if ministerial consent is given. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State party:

(a) Urgently amend the Child Care and Protection Act and the Marriage Act to prohibit all marriages of individuals under 18 years of age, without exception, and ensure that the legal framework is coherent to avoid regulatory gaps regarding child marriage;

(b) Ensure that the strategy aimed at ending child marriage includes measures to effectively address the root causes of such marriages, provide relevant training to relevant professional groups and raise public awareness of the harmful effects;

(c) Clarify practices that would be considered harmful under the Child Care and Protection Act, and assess the impact of traditional practices on children, including initiation rites (*olufuko* or *tijramue*), bride wealth (*lobola*) and polygamy, with a view to eliminating all harmful practices in relation to children;

(d) Ensure the implementation of comprehensive awareness-raising campaigns for educating communities in vulnerable situations, especially in rural areas, using a gender-based approach to end the practice of child marriage.

E. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Family environment

27. The Committee recommends that the State party:

(a) Promote the equal sharing of parental responsibilities, including by increasing paid maternity leave and introducing paternity leave in the public and private sectors, ensuring the availability of affordable childcare options for working parents, and providing incentives for fathers to be actively involved in child-rearing;

(b) Conduct awareness-raising programmes, with the participation of traditional and religious leaders, to address discriminatory stereotypes regarding the roles and responsibilities of women and men in the family.

Children deprived of a family environment

28. The Committee is deeply concerned about the lack of oversight or monitoring of residential care facilities and the shortage of professionally trained social workers to support children at risk.

29. The Committee urges the State party:

(a) To reduce its reliance on residential care and prioritize and ensure that there are family- and community-based care options for children who cannot stay with their families, including by allocating sufficient resources for foster care and adoption and providing adequate training and support for foster parents;

(b) To clarify the responsibilities of the ministries responsible for child welfare and family matters with respect to ensuring family support and child protection services, with a view to addressing gaps and preventing overlaps in mandates, including by conducting a comprehensive mapping of all professionals working in the field of child protection, such as child protection officers and social workers from various ministries;

(c) To continue efforts to increase the number of social workers, develop training programmes, in cooperation with academia, and creative incentives for the profession, and ensure that social workers receive continuous capacity-building;

(d) To ensure that all children in alternative care have individualized and regularly updated care plans and are consistently supported by a trained social worker throughout their time in care;

(e) To ensure that all alternative care facilities are registered and the quality of care monitored, including their adherence to the norms and standards outlined in the Child Care and Protection Act, and conduct regular and substantive reviews of placements in care with a view to facilitating the reintegration of children into their families and communities whenever possible;

(f) Enable the reporting, monitoring, remedying and effective prosecution of maltreatment and abuse of children in alternative care;

(g) Ensure the best interests of the child in adoption proceedings and the provision of pre-adoption and post-adoption services and monitoring.

F. Children with disabilities (art. 23)

30. The Committee recommends that the State party:

(a) Continue its efforts to fully adopt a human rights-based approach to disability, including by aligning relevant policies with international standards;

(b) Strengthen early detection and intervention services, and ensure multisectoral coordination for the collection and sharing of data on children with disabilities and referral to specialized health care and other support services;

(c) Strengthen support for parents of children with disabilities by increasing financial support, providing training and introducing flexible working arrangements, and ensure that they know how to seek the necessary support;

(d) Ensure that there is support for the social integration and individual development of children with disabilities, particularly those in rural areas, including by ensuring their access to early childhood care and development, personal assistance, rehabilitation and reasonable accommodation for their full inclusion in all areas of public life, including education, health, play and cultural activities;

(e) Ensure that there is capacity-building for all professionals working with and for children on the rights and specific needs of children with disabilities;

(f) Conduct awareness-raising campaigns aimed at combating the stigmatization of children with disabilities, including children with psychosocial or intellectual disabilities, and promoting a positive image of them as rights holders.

G. Health (arts. 6, 24 and 33)

Health and health services

31. The Committee recommends that the State party:

(a) Finalize and adopt the national reproductive maternal and newborn, child and adolescent health and nutrition strategy;

(b) Strengthen measures to ensure that all children, particularly children in disadvantaged situations, have access to quality health services, including by: (i) increasing the number of adequately trained community health workers; (ii) addressing the shortage of health professionals and the inadequacy of the transportation required to reach rural populations; (iii) expanding the coverage of mobile clinics; and (iv) ensuring that children with albinism have access to low-vision support and other specialized services;

(c) Strengthen efforts to reduce infant mortality rates, including through evidence-based and adequately resourced programmes for comprehensive newborn health interventions and early paediatric care, and to prevent and treat HIV/AIDS and tuberculosis among children;

(d) Strengthen efforts to eliminate malnutrition, stunting and micronutrient deficiency among children, including children in communities with particularly high malnutrition rates, by, inter alia: (i) allocating sufficient resources for the implementation of the food and nutrition security policy of 2021; (ii) establishing a multi-agency coordination structure on nutrition that clearly defines mandates, priorities and accountability mechanisms for the relevant agencies; (iii) expanding the free schools meals programme, including to early childhood development centres, and ensuring their sustainability and continuity by reducing reliance on donor funding; (iv) investing in food fortification; and (v) raising public awareness of what good nutrition is;

(e) Develop a comprehensive strategy to address the growing trends in overweight and obesity, taking into consideration the notable gender disparity, and ensure that it includes measures to address the root causes, regulate the marketing of unhealthy foods to children and promote healthy lifestyles and physical activity;

(f) Continue to ensure access to HIV/AIDS testing, treatment and follow-up for children and pregnant women;

(g) Strengthen measures to promote exclusive breastfeeding, including by identifying and addressing the factors behind the low rates of exclusive breastfeeding, implementing the International Code of Marketing of Breast-milk Substitutes and the baby-friendly hospitals initiative, and raising awareness of the importance of breastfeeding.

Mental health

32. The Committee recommends that the State party:

(a) Expeditiously adopt the mental health bill and its related strategy;

(b) Develop a national mental health programme dedicated to children that has sufficient human, technical and financial resources and includes measures to: (i) provide outpatient, community-based, child-sensitive, therapeutic and

interdisciplinary mental health services; (ii) provide screening for mental health issues and early prevention services in schools; and (iii) prevent suicide;

(c) Conduct awareness-raising activities for children, parents and educators on how children can seek support for mental health issues.

Adolescent health

33. The Committee notes with appreciation the comprehensive sexual education manual, national integrated school programme, teenage pregnancy campaign and adolescent-friendly corners in health-care clinics. Nonetheless, it is deeply concerned about the high rate of early pregnancies, the prevalence of HIV/AIDS and sexually transmitted infections among adolescents, their limited access to contraceptives and sexual and reproductive health services, and the criminalization of abortion.

34. **The Committee urges the State party:**

(a) To integrate adolescent health issues into broader national health and education policies;

(b) To ensure that all adolescents, particularly those in rural areas and those who are out of school, have access to age-appropriate family planning services and free contraceptives;

(c) To update the standards for adolescent health services, including with regard to ensuring confidential, adolescent-friendly sexual and reproductive health services, and allocate sufficient resources for their implementation;

(d) To ensure that sexual and reproductive health education includes education on sexual and reproductive health rights, sexual diversity, responsible sexual behaviour and prevention of early pregnancy and sexually transmitted infections, especially HIV/AIDS;

(e) To strengthen measures to address the high rate of early pregnancies, including by: (i) identifying and addressing the factors contributing to unintended and early pregnancies, including gender inequality, violence, harmful practices, poverty and limited access to sexual and reproductive health services; (ii) ensuring the effective implementation of the policy on the prevention and management of teenage pregnancies in schools; and (iii) strengthening awareness-raising campaigns on the harmful effects of teenage pregnancies;

(f) To decriminalize abortion and expand the legal grounds for access to safe abortion, and ensure the practical operation of such access and that there are post-abortion care services for adolescents;

(g) To provide children and adolescents with objective information and life skills education on preventing substance abuse, including tobacco and alcohol, and ensure their access to adequate referral and community-based, adolescent-friendly and accessible drug dependence treatment services, as appropriate;

(h) To ensure that professionals working with and for children, including health-care professionals, community health workers, teachers and social workers, receive training on taking a child rights-based approach to addressing sexual and reproductive health issues and substance abuse among adolescents.

H. Standard of living (arts. 18 (3), 26 and 27 (1)–(3))

35. The Committee notes with appreciation the high level of spending on social protection but is deeply concerned about the large number of children living in poverty and regional disparities in access to water and sanitation facilities.

36. **The Committee urges the State party:**

(a) To strengthen measures to end child poverty and ensure the right of all children to an adequate standard of living, including access to adequate housing, water

and sanitation, and pay particular attention to children living in rural areas and urban informal settlements;

(b) To increase budget allocations for social protection programmes affecting children and strengthen their effectiveness, particularly by: (i) improving multi-agency coordination in the identification and disbursement of grants; (ii) expanding coverage of the child grant programme to cover all groups of children in disadvantaged situations; and (iii) addressing barriers that prevent certain groups of children from accessing social assistance;

(c) To ensure that the sanitation and hygiene strategy is effectively implemented by allocating dedicated budget lines and strengthening multisectoral coordination, transparency and accountability mechanisms;

(d) To ensure that measures to combat poverty comply with a child rights-based approach, address the root causes of multidimensional child poverty and inequality, and include a particular focus on children in disadvantaged situations, including children with disabilities and children living in rural areas and urban informal settlements.

I. Children's rights and the environment (arts. 2, 3, 6, 12, 13, 15, 17, 19, 24 and 26–31)

37. Recalling its general comment No. 26 (2023) on children's rights and the environment with a special focus on climate change, the Committee recommends that the State party:

(a) Strengthen climate change mitigation and adaptation measures for floods and droughts, in particular in relation to children's access to food, water, sanitation services and renewable energy, to reduce the risk of hazards related to climate change affecting children's rights;

(b) Take measures to increase the physical safety and resilience of schools infrastructure, and reduce the climate-sensitive health risks faced by children, including waterborne diseases;

(c) Ensure that national policies and programmes addressing environmental protection, climate change and disaster risk management are developed and implemented with child rights impact assessments and taking into account the principles of the Convention and the needs and views of children;

(d) Incorporate rights-based environmental education into school curricula at all levels and into the training of teachers, and promote children's awareness of and preparedness for climate change and natural disasters.

J. Education, leisure and cultural activities (arts. 28–31)

Education

38. The Committee welcomes the Education Act of 2020 providing for free pre-primary to secondary education, the national technical and vocational education and training policy of 2021 and the safe school framework of 2018. Nonetheless, it is deeply concerned about the poor quality of education, high dropout and repetition rates, adolescent mothers who are not attending school, low enrolment rates in early childhood education, insufficient opportunities for multilingual education and vocational training, and the prevalence of bullying in schools.

39. The Committee urges the State party:

(a) To ensure that the current reforms aimed at improving the quality of education involve children and include measures to, inter alia, integrate life skills training and modern teaching methods into school curricula, strengthen the training of

teachers and education professionals, and improve educational outcomes for all children;

(b) To strengthen measures to prevent school dropouts, such as by requiring all schools to regularly collect and report data on dropouts; addressing the root causes of school dropouts and repetitions, particularly among children in disadvantaged situations; and reintegrating children exposed to economic exploitation into school;

(c) To ensure the policy aimed at supporting pregnant teenagers and adolescent mothers is effectively implemented, including with sufficient resources, to ensure that they can complete their education in mainstream schools without discrimination or stigma;

(d) To improve access for all children to quality early childhood education by: (i) allocating sufficient resources from the national education budget for early childhood education; (ii) addressing disparities in access for children in remote areas, children living in poverty and children belonging to ethnic minority groups; (iii) ensuring the registration of all centres and monitoring the quality of care and education; and (iv) promoting awareness among parents of the importance of early childhood education;

(e) To take targeted measures to eliminate bullying, cyberbullying and other forms of violence in schools, and ensure that such measures encompass prevention, early detection mechanisms, intervention protocols, psychosocial support for victims, mandatory training for teachers, recording and monitoring of bullying behaviour and raising awareness of the harmful effects of bullying;

(f) To increase the availability of vocational training opportunities, especially for children who have dropped out of school;

(g) To strengthen the teaching of human rights and the principles of the Convention within the mandatory school curriculum at all levels and in the training of teachers and education professionals, taking into account the framework of the World Programme for Human Rights Education.

Inclusive education

40. Noting with appreciation the policy on inclusive education of 2013 and the establishment of schools in Osire refugee camp for asylum-seeking and refugee children, the Committee recommends that the State party:

(a) Strengthen measures aimed at ensuring that all children with disabilities, including forcibly displaced and stateless children, have access to inclusive education in mainstream schools, such as by: (i) incorporating innovative teaching methods and approaches for enhancing inclusion into the policy on inclusive education; (ii) allocating sufficient resources for ensuring reasonable accommodation within schools infrastructure; and (iii) adapting curricula and training, and assigning specialized teachers and professionals to integrated classes, so that children with disabilities receive individual support and due attention;

(b) Expand the provision of quality multilingual education, particularly for children belonging to Indigenous or ethnic minority groups, including through multilingual teachers and appropriate materials and educational technologies;

(c) Continue to ensure, including through sufficient resources, that children in rural areas, children in alternative care, children belonging to Indigenous or ethnic minority groups and other groups of children in disadvantaged situations have access to inclusive education and sporting, recreational, leisure, cultural and artistic activities.

K. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40 of the Convention and the Optional Protocol on the involvement of children in armed conflict)

Asylum-seeking, refugee and migrant children

41. The Committee notes with appreciation the action plan to strengthen procedures for refugee status determination, and the standard operating procedures for refugee status determination, which recognize the principles of family reunification and the best interests of the child as a primary consideration. Recalling joint general comments No. 3 and No. 4 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 (2017) of the Committee on the Rights of the Child on the human rights of children in the context of international migration, the Committee recommends that the State party:

(a) Ensure that the proposed amendments to the Namibia Refugees (Recognition and Control) Act are rights-based, that the best interests of the child are given primary consideration in all asylum processes and that children's views are heard and given due weight;

(b) Ensure that relevant operational policies and procedures are in line with the State party's international obligations under the Convention, the Convention relating to the Status of Refugees and its 1967 Protocol, and the Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa;

(c) Continue to ensure that asylum-seeking and refugee children, including unaccompanied or separated children, have access to child-friendly asylum procedures, education and health services;

(d) Ensure that asylum-seeking and refugee children are not detained on the basis of their or their parents' migration status and ensure that there are alternatives to detention with the timely provision of safe and dignified accommodation;

(e) Withdraw its reservation to article 26 of the Convention relating to the Status of Refugees.

Economic exploitation, including child labour

42. The Committee is deeply concerned about the prevalence of child labour, particularly in the informal, agricultural and manufacturing sectors, and the involvement of children in forced labour, hazardous work and commercial sexual exploitation.

43. The Committee urges the State party:

(a) To amend the Labour Act to raise the minimum age of employment to the level of the age of completing compulsory education and the minimum age of employment in hazardous work to 18 years, in line with the Committee's previous recommendations;⁵

(b) To conduct a comprehensive study to assess the prevalence, causes and forms of child labour, including in the informal sector;

(c) To adopt a plan of action, with the participation of children, to prevent and combat the economic exploitation of children, and ensure that the plan promotes a multisectoral and coordinated approach, encompassing the education, social protection and child protection sectors;

(d) To intensify labour inspections and measures to identify children involved in domestic work; improve the monitoring and enforcement of laws and policies on child labour, including in the informal and agricultural sectors; and impose sanctions on violators;

⁵ CRC/C/NAM/CO/2-3, para. 68.

(e) To conduct prevention activities with families and capacity-building for employers, local authorities and other relevant stakeholders.

Children in street situations

44. The Committee notes with appreciation the national strategic plan on children in street situations, but is concerned about the growing number of children in street situations. Recalling its general comment No. 21 (2017) on children in street situations, the Committee recommends that the State party:

(a) Allocate adequate financial, human and technical resources for the implementation of the national strategic plan on children in street situations and ensure that it includes measures to address the root causes of their situations;

(b) Ensure that children in street situations have access to food, education, health care and housing, and establish mechanisms to prevent them from falling victim to trafficking and economic and sexual exploitation;

(c) Facilitate the reunification of children in street situations with their families when possible, considering their best interests, and support their long-term education and developmental needs, including through psychological support services.

Trafficking

45. The Committee notes with appreciation the Combating Trafficking in Persons Act of 2018 and the national action plan on combating trafficking in persons for the period 2023–2027, but is concerned about the increase in the number of children who are trafficked into the State party and subsequently placed in domestic or hazardous work, or subjected to commercial sexual exploitation. The Committee recommends that the State party:

(a) Strengthen measures for the early identification and referral of child victims of trafficking to appropriate services, including rehabilitation and reintegration services, and provide systematic training on such mechanisms for the police, immigration officials and other law enforcement officers;

(b) Increase its efforts aimed at international, regional and bilateral cooperation among countries of origin, transit and destination through information exchange, in order to prevent trafficking in persons, and identify and prosecute the perpetrators.

Administration of child justice

46. The Committee is concerned about the lack of progress in adopting the child justice bill and about reports of children held in pretrial detention together with adults. Recalling its general comment No. 24 (2019) on children's rights in the child justice system, the Committee recommends that the State party bring its child justice system fully into line with the Convention and other relevant standards, and in particular:

(a) Ensure that the child justice bill raises the minimum age of criminal responsibility to at least 14 years of age and establishes child-friendly justice courts and procedures;

(b) Actively promote non-judicial measures, such as diversion and mediation, for children accused of having infringed criminal law, or recognized as having done so, and, wherever possible, the use of non-custodial measures for children, such as probation or community service, and ensure that health and psychosocial services are provided to such children;

(c) Ensure that the child justice bill provides, at an early stage of the procedure and throughout the legal proceedings, for qualified and independent legal aid to children accused of or recognized as having infringed criminal law;

(d) Ensure that detention is used as a last resort and for the shortest appropriate period of time, and that, in cases where detention is unavoidable, children are not held together with adults;

(e) Strengthen rehabilitation and reintegration support for children leaving the justice system;

(f) Ensure that the child justice bill provides for systematic and mandatory training for judges, lawyers, prosecutors, probation officers, the police and other relevant professionals.

L. Ratification of the Optional Protocol on a communications procedure

47. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, accede to the Optional Protocol on a communications procedure.

M. Ratification of international human rights instruments

48. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

49. The Committee urges the State party to fulfil its reporting obligations under the Optional Protocol on the sale of children, child prostitution and child pornography, and the Optional Protocol on the involvement of children in armed conflict, given that the related reports have been overdue since 16 May 2004.

N. Cooperation with regional bodies

50. The Committee recommends that the State party cooperate with the African Committee of Experts on the Rights and Welfare of the Child of the African Union on the implementation of the Convention and other human rights instruments, both in the State party and in other States members of the African Union.

IV. Implementation and reporting

A. Follow-up and dissemination

51. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fourth to sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

B. Next report

52. The Committee will establish and communicate the due date of the combined seventh and eighth periodic reports of the State party in due course, in line with the envisaged predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should be in compliance with the Committee's

harmonized treaty-specific reporting guidelines⁶ and should not exceed 21,200 words.⁷ In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

⁶ [CRC/C/58/Rev.3](#).

⁷ General Assembly resolution 68/268, para. 16.