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STATEMENT BY
HON. MARLENE MUNGUNDA, MINISTER OF GENDER EQUALITY
AND CHILD WELFARE
AT THE REVIEW BY THE CEDAW COMMITTEE ON NAMIBIA'S 2ND
AND 3RD COMBINED PERIODIC REPORTS DURING THE 37TH SESSION
OF THE COMMITTEE ON THE ELIMINATION OF ALL FORMS OF
DISCRIMINATION AGAINST WOMEN

New York

17 January 2007

Madam Chairperson

Distinguished members of the Committee

Ladies and Gentlemen

It is a special honour for me, on behalf of my delegation, to present/introduce Namibia's 2nd and 3rd combined periodic reports on the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

First and foremost, I wish to congratulate you, Madam Chairperson, and all elected members of the Committee on CEDAW.

I also wish to take this opportunity to extent, on behalf of the Government of Namibia, our sincere congratulations to H.E. Mr. Ban Kin -Moon for his appointment as Secretary-General of the United Nations. In the same vein, we want to thank the Secretary-General for appointing a woman as his Deputy, Her Excellency, Dr. Asha-Rose Migiro, and the former Minister of Foreign Affairs of the United Republic of Tanzania. What a great honour for us as African women in particular.

Let me also thank the Committee for assisting Namibia in its efforts to implement the Convention. We are grateful to engage in constructive dialogue with the Committee and also to entertain your comments and recommendations. I am therefore confident that today's dialogue with the Committee will promote and strengthen the fruitful implementation of the Convention in Namibia and facilitate ongoing progress and development of human rights for the Namibian women.

This report is being submitted in accordance with the provisions of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in terms of Article 18 of the Convention which requires state parties to report to the Secretary General of the United Nations for consideration by the Committee, on the legislative, judicial, administrative or other measures adopted in order to give effect to the provisions of the Convention and the progress made in this regard.

In terms of Art 18 (a) of the Convention, Namibia has submitted her first report in December 1995. However, due to limited resources, we did not submit our second periodic report to the Secretary General of the United Nations as required in terms of Article 18(b) of the Convention. Hence I have the honour to present to the Committee our 2nd and 3rd combined periodic reports.

The Report consists of two parts: Introductory Section in Part I, which provides the background information, general, social, economic, political and legal structures, primarily for readers who may not be well acquainted with Namibia; and Part 2 that covers Namibia's implementation of the Convention.

Madam Chairperson

During the last quarter of 2006, we had received the questions from the Committee to clarify some of the issues in our reports and we have responded and submitted the answers to the Committee. Therefore, today we are at the disposal of the Committee to entertain any further questions that the Committee still may have.

This report is a product of broad consultations, which involved all stakeholders in Government, private sector and civil society. It is also a demonstration of our commitment to fulfill our obligations under the Convention. It is of paramount importance to affirm that CEDAW is a universal guiding instrument, which Namibia is also obliged to adhere to and report on progress made in achieving gender equality and the promotion of human right issues.

Madam Chairperson

In my presentation, I propose to specifically address issues raised by the Committee in relation to our first report as well as point to new developments that have taken place in achieving gender equality and equity since the submission of the first report.

With the adoption of the National Gender Policy in 1997, significant changes have taken place, not only in terms of law reform, but also at institutional and administrative levels to address issues of gender equality and women's empowerment. The policy provides guidelines and sets out principles for implementation and coordination of gender issues. The Policy is currently under review to close gaps within the current policy in order to incorporate among others, issues such as gender and HIV and AIDS, gender mainstreaming and monitoring mechanism.

During the period under review, the Department of Women Affairs was elevated to a full-fledged Ministry of Women Affairs and Child Welfare in 2000, which has been changed in 2005 as the Ministry of Gender Equality and Child Welfare. The elevation of the Department to a Ministry is a demonstration of the political will of the Namibian Government to address the issue of gender equality and women empowerment at a higher level.

The mandate of the Ministry of Gender Equality and Child Welfare is to create and ensure an enabling environment in which gender equality and the well being of all children can be realized. The establishment of this Ministry is therefore a holistic response to the many varying challenges of empowering women and highlighting children's concern, protecting their rights and advocating for change in traditional practices and attitudes, which deny them equal access to opportunities to realize the attainment of their potentials and aspirations.

There has been an increase of women in parliament from 20% to 27% after the general elections in 2004. For the first time, Namibia has appointed a woman Deputy-Prime Minister, a woman Deputy-Speaker of the National Assembly, a woman Deputy Chairperson of the National Council, a woman Minister of Justice and Attorney General, a woman Minister of Finance. Namibia has also enacted the Local Authority Act (Act No. 23 of 1992) to ensure higher representation of women in the decision-making process, as a result 43% of women were elected in the local authority elections of 2004. Namibia's Public Service has achieved 33% of women in management positions. This indicates the commitment of the Government to promote gender equality and the empowerment of women.

In order to strengthen women's participation in leadership and decision-making the Namibian Government has enacted Affirmative Action (Employment) Act (Act No. 29 of 1998), which is encouraging the participation of women in formal work force. In order to ensure efficient implementation of the Act, the government has established of Employment Equity Commission whose functions are involved in workplace visits and training programmes to ensure that all employers are fully aware of their rights and obligations under the Affirmative Action Act. Employers are expected to submit progress reports to the Commission after every 12 months, after which reports are reviewed and recommendations are provided to the respective employers. Non-compliance with the provisions of the Act is punishable by law.

The Government, through the Ministry of Gender Equality and Child Welfare is addressing the problem of human rights education through conducting basic legal literacy workshops countrywide, with the aim of educating citizens on existing laws and policies regarding their rights, obligations and responsibilities as enshrined in our Constitution, Combating of Rape Act, Combating of Domestic Violence Act, Maintenance Act, Family Law and Inheritance Law. The office of the Ombudsman is mandated by the Namibian Constitution to promote and protect human rights, fair and effective administration, combat corrupt practices and protect our environment and natural resources. The Anti Corruption Commission has been established and our President, His Excellency Hifikepunye Pohamba spearheading a zero tolerance campaign on corruption in the country.

Apart from basic legal literacy, the Government strides in sensitizing the nation on gender issues through awareness and training workshops, targeting the traditional leaders, councilors, parents, youth, and learners, through this way communities are assisted in identifying societal values and attitudes that have negative impact on gender relations and to influence changes in their attitude and behaviors in promoting women's positive dignity, rights and equal access to different resources, services and opportunities.

With regard to the problem of domestic violence in the country, the Government has enacted the Domestic Violence Act (Act No. 4 of 2004). This act makes provision for protection measures in domestic violence activities. The Government through the Ministry of Safety and Security has established Women and Child protection units in all the thirteen regions of the country to facilitate the effective implementation of the Act. These units do not only cater for women and children but also provide the same protection to men as well. Professional staffs such as the police, Social Workers and medical doctors delivering services at these units are being trained on how to deal with victims of domestic violence. The training is conducted in conjunction with United Nation agencies and other development partners. In addition, the Government is in the process of drafting the Recognition of Customary Marriage Bill, which is aimed at addressing traditional practices that hinder the spirit of the Convention. The Bill will also address polygamous marriages and the registration of customary marriages.

Furthermore, the Government of Namibia has enacted the Combating of Rape Act (Act No. 8 of 2000). This legislation provides protection to victims of rape and sexual abuse and also caters for stiffer sentences on the perpetrators.

In respect of land ownership by women in rural areas, Namibia adopted a National Land Policy in 1998 under which a unitary land system was introduced, whereby all citizens have equal rights, opportunities and security across a range of tenure and management systems. The Communal Land Reform Act (Act No. 5 of 2002) provides for equal opportunities for both men and women to apply for and be granted land rights in communal areas. This Act further provides for the establishment of Communal Land Boards, which consist of 12 members of which not less than four (4) should be women. The board administers the allocation and cancellation of customary land rights by traditional authorities, and decides on applications for leasehold rights, and maintain registers to record all communal land-related controls.

The Labour Act 6 of 1992 is currently under review to close the gaps identified during its implementation. The review of maternity leave for women to enjoy their full benefits is highly emphasized and countrywide consultations took place with stakeholders, partners, unions, employers etc. through the Social Security Commission and the Tripartite body of the Ministry of Labour and Social Welfare.

The Abortion and Sterilization Act 2 of 1975 address the issue of abortion in Namibia. The general public is being educated through gender sensitization and health education on the danger of making unprofessional abortion without medical experts' involvement. Family planning services is freely available to all Namibians.

In the area of Education, Namibia developed an Education and Training Sector Improvement Programme (ETSIP). This comprehensive Programme covers early childhood development and pre-primary education, general education, vocational education and training, tertiary education and training, knowledge and innovation, information, adult and lifelong learning.

In addressing teenage pregnancy in schools, the Educational Policy provides that a pregnant girl may continue with her education at school, until the time of her confinement, or an earlier date on the advice of a medical practitioner or clinic sister. After giving birth and provided that a Social Worker is satisfied that the infant will be cared for by a responsible adult, the girl shall have the right of readmission to the same school within twelve months of date on which she left school, irrespective of her age.

The Government through the Ministry of Trade and Industry and MGECW has programmes in place, which encourage women to design projects with the assistance of the Small and Medium Enterprises (SME). The government further encourages private sectors, especially financial institutions to provide financial assistance to women in order to create self-employment projects.

In order to alleviate poverty in rural areas, the Government through the Ministry of Regional and Local Government have established Regional Development committees that mobilize communities to initiate income-generating projects. Community members are coming up with various projects such as pottery, leather work, tailoring, brick making, gardening, hair dressing, just to mention a few. The Ministry of Gender Equality and Child Welfare facilitates women's participation in Trade fairs where they promote their products through exhibitions and share experiences.

In addressing discrimination in the family the Government has enacted the Married Persons Equality Act (Act No. 1 of 1996). This Act abolishes the marital power of the husband that was previously applied to civil marriage in Namibia, and also provides for equal power of spouses married in community of property to jointly decide on the administration of their joint estate.

In the area of care and protection of all children, the Government has enacted the Maintenance Act 3 of 2003, which confers equal rights and obligations on spouses with respect to the support of their children. Furthermore, Namibia has formulated a National Orphans and Vulnerable Children (OVC) Policy in 2004, which creates a framework for protecting and promoting the well being of all orphans and vulnerable children. The policy is translated into 6 local languages for easy implementation. Out of one hundred and fifty six thousand one hundred and sixty five (156 165) OVC as per 2001 National Census, fifty five thousand one hundred and forty six (55 146) are benefiting from the child welfare grants by Government through the Ministry of Gender Equality and Child Welfare. In November 2006, the Namibian Parliament passed the Children Status Bill. The purpose of this Bill will among others, make it possible for children who are born out of wedlock to have equal rights of inheritance from their fathers.

Namibia as a country has been implementing the CEDAW, in working closely with the United Nations Agencies, Non-Governmental Organizations and the Civil Society.

Madam Chairperson

From the preceding it is clear that Namibia has made significant progress in programmes since our last periodic review. However, challenges to achieve full gender equality still exist. Indeed much more will be done, and we believe that much will be achieved in light of the commitment and the enabling environment created by the Government of Namibia. The challenge is to maximize the advantage of this momentum to keep women issues on the front banner. The Government of Namibia will therefore continue to adopt measures and initiatives that progressively propel us towards the successful achievement of women empowerment, gender equality and equity, thereby implementing our obligations under CEDAW.

In conclusion Madam Chairperson, on behalf of the Government of the Republic of Namibia I would like to extend our appreciation to all UN Agencies and other Development Partners for the technical and financial support.

Madam Chairperson, members of the Committee, I will take this opportunity to bless you with unlimited success for the supernatural accomplishment in the pulling down of all forms of discrimination against women in all countries.

May God Bless and strengthened you.

I Thank you for your attention.