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# 2021 Trafficking in Persons Report: Namibia

OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS

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### NAMIBIA: Tier 1

The Government of Namibia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period, considering the impact of the COVID-19 pandemic on its anti-trafficking capacity; therefore Namibia remained on Tier 1. These efforts included training social workers on the national referral mechanism (NRM) and standard operating procedures (SOPs) on victim identification, referring identified victims to care, and allocating more funding to NGOs and shelters supporting trafficking victims. Although the government meets the minimum standards, it identified fewer victims and did not initiate any new prosecutions of alleged traffickers. Occasional breakdowns in communication between government officials and civil society and within government ministries led to a lack of coordination among members of the National Coordinating Body (NCB).

## PRIORITIZED RECOMMENDATIONS:

Train law enforcement and judicial officials on the Trafficking in Persons Act of 2018. • Train all actors on the national referral mechanism and standard procedures to proactively identify trafficking victims. • Strengthen coordination among government ministries to ensure roles and responsibilities are clear and anti-trafficking policies are effective. • Increase funding to civil society partners that provide accommodation and care to trafficking victims. • Increase efforts to investigate, prosecute, and convict traffickers. • Improve communication between government ministries and civil society. • Expand efforts to raise public awareness of human trafficking indicators and risks through sensitization campaigns and community outreach, especially in rural areas. • Screen Cuban medical workers for forced labor indicators and refer victims identified to appropriate services.

## PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The Combating of Trafficking in Persons Act of 2018, which came into effect in November 2019, criminalized sex trafficking and labor trafficking and prescribed penalties of up to 30 years' imprisonment, a fine not exceeding 1 million Namibian dollars (\$68,150), or both. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as kidnapping. Courts operated at a reduced capacity due to the pandemic, creating judicial backlogs during the reporting period. Despite the pandemic's impact, the government initiated 10 case investigations and continued 16 case investigations, compared with nine case investigations initiated and 29 case investigations continued during the previous year. Of the 10 new investigations, the government initiated four forced labor investigations and six sex trafficking investigations. The government continued prosecutions of 18 defendants and convicted one trafficker in 2020. This compared with prosecutions of 15 defendants initiated, prosecutions of four defendants continued, and conviction of one trafficker in 2019. The government convicted one South African national in a child sex trafficking case pending since 2018; the court had not yet sentenced the trafficker at the close of the reporting period. The government did not report any investigations, prosecutions, or convictions of government employees

complicit in human trafficking offenses. However, observers alleged an off-duty immigration official threatened officials screening for trafficking indicators in the Hosea Kutako International Airport.

Specialized prosecutors within the Office of the Prosecutor General's Sexual Offenses Unit prosecuted all trafficking cases in the High Court and worked closely with prosecutors on cases indicted outside of the High Court. The government did not report providing specialized anti-trafficking training to law enforcement or judicial officials during the reporting period, in part due to pandemic-related restrictions on in-person gatherings. This was a decrease compared with training 35 criminal justice practitioners and 166 immigration officials during the previous reporting period. The government maintained bilateral law enforcement cooperation agreements with Zimbabwe and Angola; however, the government did not report using either agreement for mutual legal assistance during the reporting period. An NGO expanded a program aiming to increase victim identification at airports to include land border crossings, in cooperation with the government.

## PROTECTION

The government maintained overall protection efforts but identified fewer trafficking victims; the government also significantly increased funding allocated to NGOs supporting trafficking victims. The government identified 19 trafficking victims, compared with 30 victims in 2019. This included three Namibian children and one Namibian adult exploited in sex trafficking, six Angolan children and six Angolan adults exploited in domestic servitude and sex trafficking, one Zambian adult exploited in domestic servitude, one Zimbabwean adult exploited in sex trafficking, and one Kenyan adult exploited in sex trafficking. The government provided assistance and referred 16 victims to NGO shelters; of the three remaining victims, one was repatriated, and two victims found alternate accommodations. The government continued implementing SOPs for victim identification and the NRM for provision of services. Police and immigration officials used anti-trafficking pocket manuals outlining the SOPs and NRM. The government, in partnership with an international organization, trained 30 social workers from all 14 regions of the country on the SOPs and NRM during the reporting period. However, observers reported some government and civil society frontline responders still

did not fully understand their roles within the procedures. In practice, labor inspectors and immigration officials contacted the Namibian Police Force (NamPol) when they identified a potential trafficking victim; NamPol referred victims of all crimes to government or NGO-operated temporary shelters and government-provided medical assistance.

There were no shelters or services specifically for trafficking victims, but the government and NGOs jointly provided shelter, psycho-social services, medical care, and provision of other basic needs to victims of trafficking, gender-based violence, and child abuse. NGO shelters cared for men, women, and children, although observers noted it was sometimes difficult to find shelter for male victims. Child victims were placed in government residential childcare facilities and had access to education. Foreign victims had access to the same shelter and services as domestic victims. Shelter staff did not permit victims, including adults, to leave unchaperoned. The government allocated 6 million Namibian dollars (\$408,910) to NGOs and shelters supporting trafficking victims in 2020, a significant increase from allocating 325,000 Namibian dollars (\$22,150) during the previous reporting period. Seventeen Gender-based Violence Protection Units nationwide offered initial psycho-social, legal, and medical support to victims of crime, in coordination with the police, the Ministry of Gender Equality, Poverty Eradication, and Child Welfare (MGEPECW), the Ministry of Health and Social Services, and NGOs. Adult victims were able to seek employment and work while receiving assistance, although it is unknown how many victims did so during the reporting period.

Authorities did not condition access to victim services on cooperation with law enforcement; the government provided legal aid, transportation, and witness protection to victims who chose to cooperate with law enforcement proceedings. The government allowed victims to testify in rooms separate from the courtroom when such rooms were available. All 19 victims identified voluntarily assisted law enforcement during the reporting period. Foreign victims could obtain temporary residence visas during legal proceedings. The law allowed victims to obtain restitution and file civil suits against their traffickers; however, no victims to date had received restitution or compensation. Authorities screened vulnerable populations, including irregular migrants and individuals in commercial sex, for trafficking indicators. There were no reports the government detained or otherwise penalized trafficking victims for unlawful acts traffickers committed them to commit.

## PREVENTION

The government maintained prevention efforts. The NCB, chaired by the MGEPECW, coordinated the government's anti-trafficking efforts. The NCB met twice during the reporting period, compared with four times during the previous reporting period. The government drafted a five-year, anti-trafficking national action plan (NAP), which remained pending adoption at the end of the reporting period. The government continued implementing its 2019-2023 NAP on gender-based violence, which addressed all forms of trafficking. Due to pandemic restrictions on in-person gatherings, the government conducted fewer public awareness raising activities. The MGEPECW held an in-person event to commemorate World Day against Trafficking in Persons; officials distributed brochures on trafficking as part of the MGEPECW's national awareness raising campaign. Several NCB members discussed trafficking trends and reporting mechanisms on a popular evening television program. The NCB continued circulating awareness raising materials electronically. This was an overall decrease compared with training 1,120 first responders, community stakeholders, students, and media on trafficking prevention and victim identification in the previous reporting period. The government provided in-kind support to an NGO-operated hotline for gender-based violence, child abuse, and human trafficking; the hotline operated daily from 8:00 a.m. to 10:00 p.m. Authorities did not report identifying any trafficking victims from the hotline. With support from an international organization, the government contributed information to a centralized anti-trafficking database that collected national data on cases and victims identified and shared it with countries in the region. The Ministry of Labor, Industrial Relations, and Employment Creation employed an unknown number of labor and occupational health and safety inspectors responsible for enforcing laws against child labor; the government did not report identifying any victims during the inspections. The law regulated recruitment agencies and banned employee-paid recruitment fees. The Ministry of Labor, Industrial Relations, and Employment Creation oversaw recruitment agency licensing and managed a database registering job seekers, coordinating overseas job placements, and monitoring employees' arrival in their intended destinations; the government did not report identifying any victims or initiating any investigations into fraudulent recruitment from the information collected. The government did not make efforts to reduce the demand for commercial sex acts.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Namibia, and traffickers exploit victims from Namibia abroad. Some victims are initially offered legitimate work for adequate wages, but then traffickers subject them to forced labor in urban centers and on commercial farms. Traffickers subject Namibian children to forced labor in agriculture, cattle herding, and domestic service, and sex trafficking. Namibians commonly house and care for children of distant relatives to provide expanded educational opportunities; however, in some instances, traffickers exploit these children in forced labor. Among Namibia's ethnic groups, San and Zemba children are particularly vulnerable to forced labor on farms or in homes; officials identified Zemba child trafficking victims during the reporting period. Traffickers may subject children from less affluent neighboring countries to sex trafficking and forced labor, including in street vending in Windhoek and other cities as well as in the fishing sector. Traffickers may bring Angolan children to Namibia for forced labor in cattle herding, agricultural work, and domestic servitude. During the reporting period, traffickers exploited individuals from Angola, Kenya, Zambia, and Zimbabwe in sex trafficking and forced labor. An NGO noted an increase in exploitation of Namibians seeking economic opportunity abroad, in part due to the pandemic. The same NGO noted an increase in traffickers using online tools, such as social media, to advertise false jobs and groom individuals, in part due to pandemic movement restrictions. Cuban nationals working in Namibia on medical missions may have been forced to work by the Cuban government. Traffickers allegedly operate at the international airport.

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