



Mandate of the Special Rapporteur on extreme poverty and human rights

United Nations Special Rapporteur on extreme poverty and human rights

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PRELIMINARY OBSERVATIONS AND RECOMMENDATIONS

Members of the press, ladies and gentlemen, I am addressing you today at the conclusion of my official mission to Namibia, which I undertook at the invitation of the Government from 1 to 8 October 2012.

I would like to start by thanking the Government of Namibia for inviting me and for fully supporting my visit. I have very much appreciated the spirit of openness and cooperation shown during my stay in the country.

I also would like to express my gratitude to the office of the United Nations Resident Coordinator in Namibia for providing logistical support for the visit and for all the efforts made to coordinate this visit so successfully.

During my stay, I met with various Government authorities, including the Prime Minister and the Deputy Minister of Labor and Social Welfare, representatives of the Ministries of Foreign Affairs, Finance, Agriculture, Water and Forestry, Justice, and Home Affairs and Immigration. I also met with the National Planning Commission, the Social Security Commission, the Deputy Director of the Anti-Corruption Commission and the Ombudsman. In Kavango (Rundu) I met with representatives of the local authorities. Please allow me to convey my deep appreciation to all of them for taking the time to meet with me.

I also met with many representatives of international organizations, donor agencies and a range of national and international civil society and grass roots organizations. I take this opportunity to thank everyone for the open and candid exchanges I had with them. I was particularly struck by the vibrant and active engagement by civil society working on human rights and poverty issues during the mission.

During my stay I visited communities living in poverty in the Omaheke, Kavango, Khomas, and Karas regions, I am especially grateful to all those who shared their personal, and sometimes tragic, experiences of struggling with the plight of extreme poverty.

I will now limit myself to a few preliminary and provisional remarks on some of the issues that, along with others, will be explored in more detail in my final report, to be presented to the United Nations Human Rights Council in June 2013.

Ladies and Gentlemen,

In 1990 Namibia emerged as an independent country, inheriting as legacies of the colonial rule huge disparities in income, land distribution, participation in the labor market and access to services. Since

independence, Namibia has enjoyed political stability and steady economic growth, achieving the status of a middle-income country.

While the GDP has increased considerably, the poorest sectors of Namibian society have not benefited in the way they should. Inequality and poverty levels are still at unacceptable levels. The GINI coefficient remains extremely high (0.58 in 2009-2010), indicating very small progress since independence (when the GINI coefficient was 0.67).

The fact that Namibia remains one of the most unequal countries in the world is a clear demonstration that the benefits of economic growth have not trickled down to the poor.

Namibia ranks poorly in human development (120 out of 187 according to the 2011 Human Development Index) and 62.2% of the population lives on less than 2 dollars per day.

Poverty should not be understood solely as an economic issue. Living in extreme poverty poses challenges beyond limited access to income, such as food insecurity, lack of access to education, health and housing, and lack of access to information. People living in poverty also face violations of other rights such as violations to their personal security and physical integrity and lack of access to justice. The lives and struggles of the poor clearly illustrate the indivisibility and interdependence of all human rights.

The women, men and children I have met during my visit shared with me their sense of disempowerment, deprivation and social exclusion. Many of them feel that Namibia as a country has been marching forward, while leaving them behind. If not addressed as matter of priority, these high levels of social exclusion may well be a threat to social stability in the future.

During the past two decades, subsequent Governments have recognized the need to address endemic inequality and to achieve broad-based sustainable growth. Over the years, Namibia has put in place numerous developmental plans. I commend the Government on its ambitious vision as articulated in the Fourth National Development Plan (NDP-4) and in Vision 2030, which are based on the recognition that economic growth is not an end in itself rather a means to achieve other goals such as poverty reduction and increased employment.

While a number of poverty reduction goals have been reached (such as an increase in primary and secondary school enrolment), the limited capacity for implementation and monitoring, lack of a comprehensive strategy and weak coordination between various policies have resulted in disappointing outcomes for many of the social policies. Even excellent policies, for example in the areas of education, health and land reform, have not produced the intended effects.

While I recognise the immense levels of inequality that existed at independence as a legacy of colonial rule, progress has not been quick enough. There are still unacceptable levels of inequality along the lines of gender, race, region, ethnicity and class. More systematic structural changes are needed to redress the enormous levels of socio-economic inequality.

During my stay, I have seen that in Namibia, poverty wears a woman's face. In Kavango, for example (the poorest region with almost half of the population living below the national poverty line - 43% and 24% severely poor), I witnessed the fierce struggle of poor women to feed their children. In Havana, here in Windhoek, women shared with me their sense of disillusion: while they try hard to overcome poverty, they feel that the system is constantly working against them. In Keetmanshoop I met with indigenous peoples and a landless community of mainly female-headed households, who have been forcibly evicted from an informal settlement to a location further away from jobs and services. They

have lost their few possessions and feel abandoned by the local authorities, yet they survive with their dignity and determination untouched.

While unemployment remains high across the whole country, the situation is particularly grave in rural areas, where I have witnessed the dire living conditions and lack of prospects of the rural population. The percentage of poverty in rural areas is almost three times higher (27%) than in urban areas (9.5%). 14% of households are severely poor in rural areas compared to 4% in urban areas (NHIES 2009-2010). This is leading to increased internal migration to urban areas and it is changing the fabric of Namibian society.

While acknowledging the compounded challenges faced by Namibia - including limited institutional capacity, and the fact that Namibia has one of the world's lowest population densities - much more can be done in order to ensure that Government policies and programmes reach the poorest of the poor, especially given the country's rich natural resources.

Ladies and Gentlemen,

During my visit I have identified several segments of Namibian society which are particularly vulnerable to and most severely affected by poverty and social exclusion, such as women, children and youth, people living with HIV/AIDS, persons with disabilities, older persons, indigenous peoples, sex workers, refugees and stateless persons. While my report will address at more length the specific human rights issues and deprivations that affect all these groups, I would like to take this opportunity to voice particular concerns about the situation of Namibian women and children.

Women

Although Namibia provides robust legal protection for women through its Constitution and legislation, women in Namibia continue to be economically marginalised. They are disproportionately affected by unemployment, HIV/AIDS and lack of access to land. The socio-economic inequality of women and girls and some negative cultural practices are at the root of widespread gender-based violence that in turn increases the risk and vulnerability of women and girls to poverty, social exclusion and disempowerment.

Although school enrolment figures have improved significantly for girls at the primary and secondary education levels, female learners face unique challenges in completing their education. When young women drop out of school, their chances of employment reduce considerably.

Overall, it is clear to me that discrimination against women and their economic marginalization are preventing them from enjoying their human rights on an equal footing with Namibian men. I am particularly concerned about alarming rates of maternal mortality and the widespread prevalence of gender-based violence.

Maternal mortality

Two decades after independence maternal mortality in Namibia remains exceptionally high and Namibia has made virtually no progress in this regard. This is a tragic, unacceptable and wholly preventable reality.

I call on the Namibian Government to make the reduction of maternal mortality an urgent priority. Decreasing maternal mortality requires a redoubling of efforts and full engagement of all relevant sectors in order to ensure universal and equal access to quality maternal health care.

The government must provide more maternal healthcare services and a more equitable distribution of trained staff between urban and rural areas. Community-based services must be expanded and solidified in order to overcome the obstacles women face in accessing health facilities.

Gender-based violence

Gender-based violence represents a serious human rights concern in Namibia. Reports I received indicate that between 11,000 and 12,000 incidents of gender-based violence are reported yearly. One out of three Namibian women report having been physically and/or sexually abused by a male partner and many more survivors of violence never report the abuse they suffer (Seeking Safety – LAC report, 2012).

Poverty is both a contributing factor to and a result of domestic violence. Women's lower economic status and lack of economic autonomy create relationships of dependence and increase their vulnerability to abusive relationships.

While I commend the strong legal framework in place to address the various forms of gender-based violence and sexual exploitation (the Combating of Rape Act and Combating Domestic Violence Act), once again, ineffective implementation and inconsistent criminal enforcement prevent Namibian women from enjoying their rights to life, security of person, and bodily integrity.

Studies indicate that many female victims of violence experience continuing problems when turning to the police. When, after being subjected to abuse or violence, women encounter unsympathetic police attitudes, slow response times, failure to follow up complaints, and inadequate investigations, their suffering is increased and compounded.

Police training and increased public awareness of the negative impact of domestic violence are still needed. Domestic violence has no justification and the victim is not the one to blame. All women and girls, including those living in rural areas, should be made aware of their rights and have access to justice, as well as counselling and shelter in cases of gender-based violence. This means, for example, that in addition to education and accessible campaigns, the Government must ensure that well equipped Women and Child Protection Units are available throughout the country.

A comprehensive approach is needed to combat gender-based violence. If women's social and economic disempowerment is not addressed as a matter of priority, if women cannot enjoy their rights to food, health (including sexual and reproductive health), housing and access to land, education (including higher education) and work on an equal level with men, they will continue to be trapped in a vicious cycle of violence and poverty.

Specific measures aiming to ensure that women have access to land, employment opportunities, credit and other productive assets must be taken as a matter of priority, as well as reform of family law. The State must also take all appropriate measures to eliminate prejudices and negative practices that undermine women's enjoyment of rights in line with the obligations assumed by Namibia under the Convention on the Elimination of Discrimination against Women.

Children

Namibia's future depends on its children and youth. Namibia is relatively youthful country with more than one third of the population (37.2%) under 15 years of age. It is therefore of grave concern that children are disproportionately affected by poverty and malnutrition.

Child poverty undermines the capacity of children to survive, develop and thrive and impedes the realization of their human rights, particularly the right to survival and development (CRC article 6). Poverty prevents children from enjoying equal opportunities and undermines family and community environments, leaving children vulnerable to exploitation, violence and discrimination. Poverty in childhood is also a root cause of poverty in adulthood.

Extreme poverty affects children in a different way than it does adults, as it has a cumulative impact on their evolving capacities in the longer term. As children can usually do little themselves to improve their situation, they rely on actions and decisions made by their families, society and the State and are particularly dependent on public policies to provide the conditions they need to grow up free of poverty, in particular access to health, social welfare services and education.

Therefore, strong efforts must be made by the Government to ensure that no child's future is blighted by extreme poverty. Under its human rights obligations, in particular the Convention on the Rights of the Child, Namibia has the obligation to protect and promote the rights of all children in its territory, without discrimination of any kind and irrespective of the sex, race, national origin, ethnicity or other status of the child or their parent.

During my visit, I was shocked to witness the serious gaps in basic public service provision for poor children, children living in rural areas, non-registered children, children with disabilities, children living with HIV/AIDS, orphans and children born to non-Namibian parents. While I will address this issue in greater length in my report to the United Nations Human Rights Council, I wish to highlight now the main barriers I have identified during my visit which prevent Namibian children from accessing affordable and adequate public services, such as health and education.

Birth Registration

I welcome recent progress made by the Government towards ensuring universalization of birth registration. Still, further efforts are needed to ensure that the poorest children including those living in the most isolated areas are registered. I also call on the Government to review the out-dated and inadequate law on birth registration (The Birth Marriage and Death Registration Act of 1963).

Furthermore, the Government must ensure that the lack of a birth certificate is not an impediment to access basic public services such as education and health. Every child in the country, including those born to foreign parents, must have access to basic public services without discrimination of any kind.

Violence against children

Violence against children remains widespread. I received tragic information indicating that roughly four out of ten rape cases involve the rape of a child and over 25% of children under 12 have been forced to have sexual intercourse (Namibia National Plan of Action for Orphans and Vulnerable Children, 2006-2010). The response of the legal system in cases of sexual violence against children remains inadequate. The Government should better monitor the incidence of child abuse and responses to it. Improvements must be made in a variety of areas, from the availability and functioning of the Women and Child Protection Units, the lack of social workers, public awareness raising and police training.

Ladies and Gentlemen,

Working within its current constraints, there are a number of areas where the Government could strengthen its efforts to improve the enjoyment of human rights by those living in poverty. While my final report to the Human Rights Council will articulate these recommendations in full, I wish to touch on several of them now.

Unemployment and the right to work

The annual 3 per cent economic growth in recent years has not translated into job opportunities for the majority of the Namibian population, particularly the young. Government efforts in this regard have not been successful and unemployment rates have actually increased for the past two decades, reaching a startling level of 51.2% by 2008 (Labour Force Survey 2008).

During my visit I have seen the devastating effects of unemployment, particularly on young women and men, many of whom are driven from a young age towards damaging behaviours such as alcohol abuse and sex work by desperation, poverty and lack of prospects.

I note Government efforts to address the unemployment crisis with urgency by introducing the Targeted Intervention Program for Employment and Economic Growth (TIPEEG) and providing necessary funds for the implementation of the programme. However I am concerned by the fact that, despite the extensive budget allocated to the programme, it has already encountered implementation problems due to institutional and capacity constraints. The implementation rate of the programme currently stands at only 38%. I am also concerned by the fact that most of the implementation to date has concentrated on infrastructure development through public works programmes. These programmes will generate only a limited number of sustainable jobs and will not address the needs of the un-skilled labour force and sustenance farmers. I was also concerned to learn that the programme has not been designed with the participation of its intended beneficiaries nor with a gender perspective, and does not address the specific challenges to employment faced by women. Given that women's unemployment rate exceeds that of their male counterparts in almost all age groups, this failing must be addressed.

Employment is not only a prerequisite for sustainable growth, but also for social stability and effective democracy. Moreover, the right to work and rights at work are essential rights for the poor. I therefore call on the Government to reassess its unemployment reduction policies after a broad consultation process with a diverse spread of Namibian society.

Employment generation policies must target the specific needs of groups most severely affected by unemployment such as women, youth, people living in rural areas and indigenous peoples. These policies must be designed to overcome the specific barriers that impede their access to decent and sustainable work.

Access to land and right to adequate housing

Given that most Namibians live in rural areas and depend on subsistence farming, access to land is a precondition for poverty reduction. While I acknowledge that at independence Namibia had massive levels of land dispossession affecting the black majority, land reform has been a slow and ineffective process. While the need to support the poor by improving access to land is articulated in many official documents, the role of land reform in poverty reduction has not been successful. Since the original land

reform programme the allocation of land seems not to have been among the Government's priorities in poverty alleviation efforts.

The lack of access to land is of course not only a problem in rural areas. During my stay I visited some informal settlements where I witnessed the acutely precarious situation of one quarter of the Namibian population. In Windhoek, I have seen a city segregated by economic status. The disparity between the formal and informal settlements, separated by only a few miles, is shocking.

The informal settlements are spread over a vast territory practically un-serviced by local authorities. The residents of informal settlements are forced to live in overcrowded shacks built with corrugated iron and sometime even plastic, without adequate protection against the weather, with insufficient access to electricity and water and almost no access to sanitation facilities. This situation severely impacts the health, personal integrity and wellbeing of those who live there.

I believe that the situation in the informal settlements is a ticking bomb in term of health, security and social stability. Comprehensive measures must be taken, as a matter of priority, to address the living conditions of those women, men and children living in informal settlements around the country.

I am concerned that the Government's housing delivery has failed to keep up with demand and that housing delivery has actually substantially declined in recent years, while the housing deficit is at an all-time high. Moreover, housing provision has failed to reach the poorest segments of society, with the housing provided usually too expensive for most Namibians.

I welcome the recent adoption of the Flexible Land Tenure Act to enable poor households to secure tenure. However, I want to stress that security of tenure is only one aspect of the right to adequate housing. The Government must address the issue of informal settlements with the utmost urgency, based on the broader framework of the right to adequate housing that includes issues of affordability, accessibility, location, habitability, security of tenure and availability of adequate public services and employment opportunities. These measures must be taken in a holistic and coordinated approach.

Access to health services and the impact of HIV/AIDS Epidemic

Despite substantial investment in public health, Namibia continues to face significant public health challenges, particularly a high maternal and infant mortality ratio and prevalence of communicable diseases, in particular HIV and TB. I am alarmed to learn that maternal mortality remains at the same level as at independence and that in the past decade there has been an increase in infant and under-five mortality.

I welcome the fact that the Government has included improved public health outcomes as a core component of the country's development strategy. I also commend the Government for scaling up institutions and programmes to address maternal, infant, and under-five mortality rate, as well as the prevalence of HIV/AIDS.

However, the extent to which Namibians benefit from these resources and services varies depending on socio-economic status and geographic location. Further, vulnerable groups—in particular, women, children, ethnic minorities, persons with disabilities and sex workers —have limited access to facilities staffed by skilled health care workers.

While recognising that one of the main challenges in ensuring equal access to services is the geographically scattered population, I believe that some measures should be taken as a matter of priority to improve access to health services by the poorest segments of the population.

I refer, for example, to the policy of imposing “user fees” on persons who access the public health care system. Although a waiver system exists, I have been informed that it is inconsistently implemented and poor people are often stigmatised or refused adequate treatment based on their inability to pay the fees.

For the poorest segments of the population the payment of even the smallest user fee poses an insurmountable barrier to accessing health care services, especially as this cost comes on top of transportation and other indirect costs that they have to assume to reach health centres. No one should be denied access to vital health care or medicines because they cannot pay the fees.

The shortage of skilled healthcare professionals and severe gaps in institutional capacity are major barriers to the realization of the right to the highest attainable standard of health by people living in poverty. Efforts must be made to improve the quality of the provision of health services by, for example, improving and better equipping health facilities and training healthcare professionals. Since language is a major barrier between health care professionals and the rural poor, the Government must ensure availability of health workers who can communicate in the local languages. Efforts must also be made to ensure that health care personnel respect the dignity, autonomy and confidentiality of all their patients.

The impact of HIV/AIDS

The HIV/AIDS epidemic is the most pressing health issue in Namibia - one of the five countries most affected by HIV/AIDS in the world (UNAIDS, 2010 Report on the Global AIDS Epidemic). I applaud the significant programmes implemented to alleviate the epidemic, such as the Prevention of Mother to Child Transmission and Anti Retroviral Therapy programmes. These programmes have achieved high levels of coverage and positive impact.

Nevertheless, HIV prevalence remains high and contributes to the high maternal mortality rate, as well as infant and child mortality. The epidemic affects more Namibian women than men and poor women are particularly vulnerable to HIV infection. Women’s economic marginalization forces dependence on men and increases the likelihood of involvement in transactional and inter-generational sex, both of which are key drivers of the epidemic.

Namibia has put in place strong legislation and policies with regard to stigma and discrimination against people living with HIV/AIDS; however implementation sometimes falls short. I have heard disturbing testimonies of stigma and discrimination against people living with HIV by health workers in clinics and hospitals.

I am particularly alarmed by incidents of coerced forced sterilisation of women who are HIV positive. Poor women are particularly at risk for unwanted medical intervention, given that they have less access to information and legal recourse. I call on the Government to take immediate measures to ensure that all service health service providers are accountable and abide by the law on health-related human rights issues, particularly in terms of non-discrimination and confidentiality.

Right to Social Protection

The right to social security is a core human right, which supports the enjoyment of a wide range of other human rights, including the rights to an adequate standards of living, health and education. Namibia stands out as being one of the few African countries providing non-contributory social grants to some of the vulnerable in society such as persons with disabilities, orphans and vulnerable children. I welcome

the fact that over the past decade Namibia has considerably expanded its social grant system, both in terms of coverage and value.

I particularly commend the Government on the design and implementation of the universal non-contributory old age grant. This programme is a positive example that many other countries should follow. I call on the Government to continue this universal programme, which has contributed to covering the basic needs of thousands of households and is having a positive impact on child poverty in these households.

Despite these notable achievements, during my visit I have learned that in many cases, State grants are not reaching the poorest of the poor. Some of those most in need of social protection have been consistently excluded from receiving the benefits that they are entitled to. The poorest encounter many barriers in accessing State grants, such as lack of information, geographical distance from registration offices or distribution centres, and administrative barriers including documentation requirements.

I am also concerned with the limited coverage of persons with disabilities (only 22% - Ministry of Finance Accountability Report 2011-2012). Persons with disabilities face severe obstacles in participating on a full basis in society and enjoying their human rights, including their rights to equality and non-discrimination, education and an adequate standard of living. In addition, their access to public services and employment is limited. Thus, it is especially crucial that they receive adequate social protection from the State.

I praise the efforts of the Government to increase the coverage of grants for orphans and vulnerable children, which has expanded more than tenfold from 2002 to 2010 (From 9,000 beneficiaries in 2002 to 110,638 in 2010 - Ministry of Finance, Accountability Report 2011-2012). Despite the impressive increase in coverage, these grants are not sufficient to effectively address the high level of poverty and vulnerability of children in the country. While these grants are an essential support for orphans and some vulnerable children, the broader group of extremely poor children are not reached.

The absence of grants for poor children whose biological parents are alive but do not have sufficient income to provide for their children's basic needs creates a large group of children suffering the plight of poverty without any chance to overcome it.

During my visit, some children have told me about their difficult lives and struggles, and I have personally seen the deplorable conditions in which they live, with limited access to nutritious food, education and health.

I note with satisfaction that the Government is aware of these problems and is considering ways to effectively tackle them. In this regard, I am pleased that the NDP4 advocates strongly for a universal child grant that would progressively include all children. Such a grant would ensure that they receive adequate nutrition and access to education and health. If implemented, such a universal grant could further contribute to building a stronger future for Namibia.

I encourage the Government to take the necessary steps to ensure that the pledge for a universal, non-conditional child grant included in the NDP-4 becomes a reality. A universal child grant will ensure that all children are provided with equal protection against poverty and vulnerability. A universal child grant can significantly contribute to closing equality gaps between children and eventually, ensuring that all Namibian children are healthy and educated.

The universal old pension grant now in place serves as a good example for the future of the child grant. The use of universal rather than targeted grants diminishes administrative costs and opportunities for corruption. A universal approach eliminates the danger of targeting errors that can prove so damaging to

an individual or family's life chances. It also protects against any stigma or discrimination attached to beneficiaries of targeted grants.

As an interim measure, I call on the Government to take all necessary efforts to remove all the administrative barriers currently limiting the coverage of the existing grants, particularly to avoid unnecessary documentation requirements. The poorest of the poor are disproportionately affected by these requirements, as they do not have the information nor the means to acquire documentation or challenge bureaucracy.

I also call on the Government to quickly review the value of the existing grants for those groups most in need. The value of the grants aimed at the most vulnerable groups remains too low to meet the basic needs of children, older persons and persons with disabilities. The respective amount of these grants has not been adjusted for a number of years despite increasing costs of living. I therefore recommend that the Government adjusts the grant amounts according to the inflation rate and regularly reviews the amount to assess whether it should be raised in real terms.

While I cannot emphasize enough the importance of social protection, and I commend the implementation of several social protection schemes in the country, I wish to stress that poverty reduction efforts must take a holistic approach. Social grants are not enough by themselves to tackle poverty and they must be coupled with measures to ensure that public services are accessible, affordable and of good quality.

Unfortunately, the accessibility and quality of public services in Namibia remains questionable. A large percentage of the population, particularly those living in rural areas, are denied access to basic public services. For the poorest people in society, the distance to schools and clinics is a major obstacle to the enjoyment of their rights to education and health. For example, it is unacceptable that poor pregnant women living in rural areas are forced to walk long distances or pay for costly transportation to get to a medical center. They should not be forced to camp outside health centers waiting to receive treatment, as is now sometimes the case, and should be treated by health care personnel with full respect for their rights and dignity.

Right to Education

Education is a human right and a vehicle for empowerment, by which economically and socially marginalized groups, particularly children, can lift themselves out of poverty and obtain the means to participate fully in their local communities and broader public life.

I welcome the fact that Namibia has invested significantly in the education sector since independence (currently 23% - Democracy report, Institute for Public Policy Research, National Budget 2012/2013, March 2012). However, as recognised by the Government, there are still many challenges remaining, such as the low quality of education provision and lack of infrastructure and qualified teachers. These areas require significant intervention.

Low educational levels (the "skills gap") is directly linked to the high levels of unemployment and low levels of productivity in Namibia. While low educational outcomes and lack of skilled workers are in part a legacy of the colonial era, the question remains as to why the independent Namibia has not managed to address those weaknesses significantly in the last two decades.

I commend Namibia for guaranteeing the right of every citizen to free compulsory primary education (Education Act, 2001). I am also encouraged by the recent commitment of the Government in the NDP-

4 to increase the availability of Early Childhood Development services. I call on the Government to progressively solidify a universal pre-primary education system.

Even though access to primary education remains comparatively high, several factors such as distance to schools in rural areas, lack of available and affordable transportation, requested payments to the School Development Fund and costs of uniform and materials often impede access to education and contribute to significant dropout rates, particularly for the poorest and most marginalized children.

Namibia ranks among the top ten countries in the world in terms of the percentage of money spent on education. However, quality of education remains a major concern, with Namibia's performance in this regard falling well below what spending would suggest and lagging behind in international rankings.

Many schools, particularly in disadvantaged areas, are in a bad state, lacking sanitation facilities, equipment and materials. Education outcomes are hampered by an insufficient teacher-student ratio, poor teacher training and lack of learning material in minority languages. Increased efforts should be made to improve quality of education through a more efficient use of resources, standardization measures, monitoring of results and sensitizing teachers to the particular educational needs of vulnerable groups.

Ladies and Gentlemen,

Given the immediacy of some of the issues that were raised with me by various stakeholders, I feel compelled to address them here today, rather than waiting for consideration of the issues in my final country mission report in June 2013. While I recognize that much more could be said on a range of issues, including commending positive Government policies and programmes, this is a strategic choice. I believe the Government can take immediate steps to address the following pressing issues without substantive budgetary implications.

1. I recommend that the Government considers abolishing the Health User Fees and the School Development Fund scheme, which impede access to essential services for Namibians living in extreme poverty.

The **health user fees** are seemingly a small amount of money (between \$4-8 Namibian Dollars), but for many Namibians living in extreme poverty, this amount is often a deterrent to seeking care. Moreover, the fees system may not be cost-effective overall, considering the administrative costs of collecting these relatively small amounts. When one takes into account Namibia's high levels of maternal and child mortality, as well as HIV/AIDS prevalence, which represent a human tragedy as well as a terrible waste of human capital, free access to healthcare should be a priority in economic *and* human rights terms. Removing user fees may be a direct way to increase access and assist in improving health outcomes without a considerable increase in budgetary costs for the State.

I am also concerned about the negative impact of the **School Development Fund scheme**. Although administrative guidelines instruct schools to exempt poor and vulnerable children from contributing to the School Development Fund, in practice these exemptions are not fully implemented. As a consequence, poor children are dropping out of school or being kept away from school, or often children's school certificates are withheld until the payment is made. All this is in contravention of the right to free primary education (Article 20.2 Constitution of Namibia). Children also told me how they

are often stigmatised by teachers or school administrators in front of other children because their parents cannot pay.

Moreover, the positive impact of some of the grants to orphans and vulnerable children is diminished when part is used to pay into the School Development Fund instead of being used on food or health care. Although child welfare grant recipients are supposed to be exempted from paying into the School Development Fund, many people are unaware of the exceptions or lack the information or resources to challenge a school that refuses to grant an exception.

I welcome the fact that the Government is already considering the abolition of the School Development Fund scheme and I encourage the Government to promptly repeal this scheme, while ensuring that schools most in need of additional resources receive necessary funding from the State without having to charge fees to parents and caregivers. The abolition of the School Development Fund scheme will remove one major barrier to accessing education for poor families and will allow them to allocate more money towards essential food and health care.

2. I call on the Government to enact the **Child Care and Protection Bill** as a matter of priority and to allocate the necessary budgetary and human resources for its effective implementation. The Child Care and Protection Bill will bring national legislation in line with Namibia's international human rights obligations.

I also take this opportunity to congratulate the Government on the broad consultation carried out during the drafting of the Bill, which should serve as a model for public consultation in the development of important legislation in future.

3. During my visit I met with the three women whose case of **forced sterilization** has been recently brought before the courts. I was saddened by the pain and suffering that these women have endured and moved by their courage and perseverance in taking their case to the High Court. I was disturbed by the fact that the Government has appealed the case on the basis of a technicality, especially given that the main motivation of these women is for the Government to take active measures to stop the generalised practice of forced sterilisation of women. I was appalled to learn that the Government has not taken a strong and public stand against these practices, nor established a mechanism to assess the extent of the practice and to take concrete measures to actively prevent and protect women against it. The lack of concrete actions together with the appeal is sending the wrong message to the country. I call on the Government to take immediate measures to actively prevent the recurrence of forced sterilization and to seriously considering withdrawing the appeal of this case, as well as ensure that the three women are fairly compensated for the enormous and lasting damage inflicted on them.

4. During my visit I also met with **sex workers** - one of the most marginalised groups in Namibia. The women and men I have met shared with me stories of the violence, stigmatization and discrimination they and their children suffer at the hands of public service providers, the police, their communities and even their own families. They have asked me: "are we not Namibians too?" The de facto criminalization of sex work is a severe barrier to the equal enjoyment of sex workers of their basic human rights to health, education, freedom of movement, security of person, privacy and human dignity. I therefore call on the Government to repeal the provisions relating to sex work in the Combating of Immoral Practices Act (Act 21 of 1980) and all similar municipal regulations.

Ladies and Gentlemen,

As I have already observed, my remarks today are preliminary, and they are certainly not comprehensive.

The Namibian Government has declared its commitment to ensure that persons living in poverty enjoy all their rights. I welcome the fact that the Government has identified poverty and inequality as one of its key focus areas; however, more can and must be done. The Government must devise and adopt a poverty reduction strategy based on human rights that actively engages individuals and groups, especially those living in poverty, in its design and implementation.

Increased and targeted resources need to be invested in order to tackle inequality in a holistic manner. To do so, the Government must redouble its efforts to gather disaggregated data on poverty, establish time-bound benchmarks, monitor implementation and hold authorities accountable when they do not fulfil their mandates.

The international community also has a role to play in assisting Namibia to reduce poverty and inequality. I would like to take this opportunity to call upon the international community to continue its cooperation with Namibia, including through financial and technical support. Despite the fact that in terms of economic growth Namibia now enjoys the status of a middle income country, the high level of inequality and the substantive institutional and capacity challenges in the country necessitate continued support from the international community, particularly with regard to capacity building and skills development. Meanwhile, I call on the Namibian Government to increase its efforts to take ownership over services currently provided with the assistance of the donor community and international agencies.

I would like to finish my remarks on a positive note, by sharing with you a positive example for which Namibia is renowned in the international discourse on poverty reduction. I refer to the Basic Income Grant pilot that has been implemented in the Otjivero settlement for the past three years. The reputation of this innovative project preceded it and during my stay I visited the Otjivero community. I was impressed to witness the positive impacts of the Basic Income Grant in reducing poverty, improving access to health and education, diminishing crime and increasing social cohesion. This is a world-praised example, and I commend the efforts of Namibian civil society organisations in initiating and implementing this project. I call on the Government to put aside prejudices against people living in poverty and objectively assess the positive impacts of this project. The Government should be leading the debate and undertaking studies on the viability of extending a Basic Income Grant throughout the country.

I will finish by reiterating my commitment to continuing the dialogue initiated during this visit. I look forward to working with the Government in a spirit of cooperation on the implementation of my recommendations.