



**REPUBLIC OF NAMIBIA  
MINISTRY OF JUSTICE**

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**ADDRESS BY HONOURABLE DR. ALBERT  
KAWANA, MP, MINISTER OF JUSTICE, DELIVERED  
AT THE 32<sup>ND</sup> SESSION OF THE HUMAN RIGHTS  
COUNCIL, ITEM 6 – UPR OUTCOMES OF NAMIBIA**

**23 JUNE 2016**

**GENEVA, SWITZERLAND**

**Mr. President,**

**Excellencies,**

**Ladies and Gentlemen,**

Namibia is honoured to attend this UPR segment of the 32<sup>nd</sup> session of the Human Rights Council today to table the final report for our 2<sup>nd</sup> cycle review under the UPR mechanism. On behalf of my delegation, I would like to thank the Office of the High Commissioner for Human Rights Secretariat for their kind and able assistance in finalizing the report for Namibia.

**Mr. President,**

I would like to state, once again that Namibia is a proponent of the UPR since its inception in 2006. We value the distinct universal and peer review nature of this mechanism, which is supported by many countries. We believe that the review platform is conducive for engagement between States to address issues of concern. As a member of the Human Rights Council, we recognise the importance of the UPR mechanism as a preventative intervention, which contributes to avoid conflict and instability.

We also believe that our focus should first and foremost be on our people who put their trust in us to protect and promote their rights. It is in this context that we submitted a 2<sup>nd</sup> cycle report, which reflects statistical data on the implementation of recommendations and other progress made. We also highlighted the challenges that we are facing in the implementation of some of the recommendations.

During the UPR which took place on 18 January this year, Namibia received 219 recommendations. We are pleased to report that after consultation with stakeholders, 191 recommendations were accepted. The remaining 28 recommendations are still the subject of further consultation since some of them would require constitutional amendments prior to their implementation. As an established democratic culture, constitutional amendments in our country require wider consultations, including consultations with all political parties in the country and if need be effect the amendments through consensus. This will, therefore, take time before a firm decision is made on some of the outstanding issues.

**Mr. President,**

Namibia attaches great importance to strengthening and promoting human rights for all in our country. However, we recognise the fact that no country is free from allegations of human rights abuses and Namibia is no exception.

In our collective effort as a nation, we continue to strengthen our legal and policy framework as well as those institutions responsible for combating human rights abuses. We remain committed to deliver on our promises. As pointed out earlier on, we will continue to build on the progress made during our era of peace and stability, and move into the era of economic emancipation and prosperity for all our citizens. The best interest of our people, our country and the broader international community remain the basis for our replies to the recommendations as reflected.

**Mr President,**

I once again urge the Commission when reviewing us, to take into account the fact that for three consecutive years, Namibia is experiencing a severe drought. The entire Southern Africa is in the grip of severe drought.

As a result, we are forced to, *inter alia*, redirect resources from education, health, infrastructure development etc. to drought relief. This state of affairs has naturally affected our international commitments, including in areas of further enhancing the enjoyment of human rights of our citizens. We have committed ourselves to ensuring that no Namibian citizen should die of hunger as a result of drought. Currently thousands of livestock have been lost to the drought.

**Mr President,**

Our National Human Rights Action Plan which mainly centres on access to health services; access to justice; access to education; right to water and sanitation; right to housing; and access to land is likely to be adversely affected due to the drought.

**Mr President,**

In addition to the challenges referred to above, other overriding challenges Namibia faces today is to effectively tackle and overcome the problem of unemployment and persistent poverty of its citizens.

These challenges are compounded by the fact that Namibia is regarded as an upper middle income country. Since Namibia has been rated as an upper-middle-income country, we have experienced the withdrawal of many social development partners. Added to the drought situation, this has aggravated the challenges we are currently facing.

**Mr President,**

You may recall that among some of the pertinent issues raised by several UN human rights committees is the absence of a specific legislation criminalizing torture. I am pleased to inform the distinguished Members that legislation to this effect will be tabled in Parliament before the end of this year. The envisaged legislation defines the crime of torture as explicitly stated under the United Nations Convention against Torture.

**Mr. President,**

We are aware of the fact that we have to speed up law reform initiatives in order to implement some of the accepted recommendations.

Some of the draft Bills in question will be tabled in Parliament this year still. The implementation of the Child Care and Protection Act is one of the main priorities of our Government. We are currently working tirelessly to finalize the outstanding regulations so that this Act is brought into operation.

In order to demonstrate our commitment to further enhance the rights of the child in Namibia, the Child Justice Bill has been drafted and will be tabled in Parliament this year.

**Mr. President,**

The recommendations to repeal the provisions in our criminal laws, which criminalize sodomy and the recommendations calling for recognition of the rights of same sex couples, are all noted. We would like to reiterate that the Namibian Constitution does not allow marriage by same-sex couples. However, we reiterate that they are not persecuted. Victimization of or violence against any person in Namibia is prohibited.

**Mr. President,**

We are pleased to report that Namibia has accepted the recommendation to accede to the Optional Protocol to the Convention Against Torture and other cruel, inhuman or degrading treatment or punishment; the 3<sup>rd</sup> Optional Protocol on the Convention on the Rights of the Child on a communications procedure; the 2<sup>nd</sup> Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Convention on the Reduction of Statelessness, amongst others.

Violence against women and girls remain a serious concern to the Namibian Government. We continue to consult with all stakeholders on finding ways and means beyond progressive legislation to curb this evil.

**Lastly Mr. President,**

The UPR mechanism provides us with an opportunity to acknowledge our shortcomings and request for assistance, where needed, to effectively implement the accepted recommendations.



On behalf of the Government of the Republic of Namibia, I would like to express my sincere appreciation to our social development partners and the international community at large for their cooperation, assistance and partnership with us in our efforts to strengthen our capacity to promote and protect the rights of our citizens.

**I thank you Mr. President**