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I. Executive Summary of the 4th cycle of Namibia

Namibia's fourth cycle under the Universal Periodic Review (UPR) took place on May 4, 2026, in Geneva. Led by the Minister of Justice and Labour Relations, Fillemon Wise Immanuel, the session highlighted the country's progress since the previous review cycle including the passing of relevant laws and policies, existing constitutional provisions and challenges faced in the implementation of such laws including economic hardships as well as societal norms that hinder progress.

The UPR is a four-and-a-half year cycle mechanism of the UN Human Rights Council (HRC) that reviews the human rights records of all 193 UN Member States. It promotes equality and accountability by allowing countries to review each other's human rights commitments and provide recommendations. Furthermore, the methodology of self-reporting and peer-review where Member States give recommendations to the State under review promotes accountability.

The State under review implements the recommendations in the next four years and reports progress made in the next review cycle. The main objective of the UPR is to improve human rights situations and address violations among member states. Although the review is state-driven, other participants like NGOs and human rights groups can attend the meetings, may give recommendations before the review and monitor the implementation of recommendations.

II. Background of Namibia's political and social situation

Namibia is a stable, multi-party constitutional democracy, recognized for having strong institutions and holding regular, generally free elections, with the South Western People's Organisation (SWAPO) retaining dominance. Socially, it faces high inequality, high rates of GBV, and economic pressure from inflation, despite being an upper-middle-income country. The SWAPO has been in power since 1990 when the country gained independence and it enjoys a majority representation in the national assembly. As of 2026, Namibia is facing a challenging albeit positive political climate focusing on economic diversification, following a downturn in the diamond sector.

Namibia's economy is upper-middle-income, yet there is widespread inequality and high unemployment levels. The country faces inflationary costs in transport, food and logistics, which results in constant demand for safety nets. There are limited water resources - Namibia is the driest country in Africa south of the Sahara and land degradation is persistent, forcing the country to import about 50% of its cereals. Currently, the government is focused on diversifying the economy by shifting away from reliance on mining and this has been boosted by discoveries of oil in 2022, leading to rapid development as noted in updates regarding the 2026 Namibian oil landscape (www.namibian.com.na/severe-drought-pushes-cereal-imports-up/)

In terms of rights and freedoms, there is some progress after the high court overturned pre-colonial laws against homosexuality in 2024 although the LGBTQ+ have limited freedoms. Gender-Based Violence remains a major challenge in Namibia, with the UN and other stakeholders categorizing it as high-level, in addition to restrictions on reproductive rights.

III. Background and Critical Perspective on the subsisting issues across the second, third and fourth UPR cycles

Throughout the previous three Universal Peer Review cycles, UN Member States and civil society organisations have consistently highlighted several human rights challenges that have persisted.

(<https://www.ohchr.org/en/press-releases/2026/04/human-rights-records-14-states-be-examined-universal-periodic-review>).

Gender-Based Violence

Despite the government implementing national action plans and introducing tougher legal frameworks, GBV remains one of the most critical and heavily scrutinized issues in Namibia's UPR history. There are high rates of domestic violence and rape which caused outrage among the public, resulting in mass protests and the **#ShutItDown** movement, which was started by civil society organisations while pushing for a state of emergency over femicide and demanding specialized police training and better survivor support structures.



Discrimination Against LGBTIQ+ Persons

Same-sex relationships have been criminalised. Although enforcement of laws against such relationships is not common, the failure to totally decriminalise such relationships has left the

LGBTIQ+ groups vulnerable. Although the country has clear anti-discrimination laws, there is no law that clearly protects against sexual orientation and/or gender identity which exposes individuals to societal bias and lack of access to state benefits.

Discrimination Against Women and Girls

While political representation for women in Namibia has risen notably (almost 46% in parliament), structural inequality heavily impacts everyday life. Harmful Practices such as child marriages, early pregnancies, and cultural initiation traditions that harm young girls remain persistent concerns, particularly in rural communities. Due to persistent economic inequality, reviewing bodies and UN Member States frequently point to gaps in land ownership and unequal economic opportunities for women as primary barriers to true gender parity.

Marginalisation of Indigenous People

One concern that has been consistently raised throughout the cycles is the slow progress in the protection of the San people in particular. Despite state outreach programs, the San population faces deep systemic barriers to basic needs, including primary education, clean water, and adequate healthcare. The UPR stakeholder reports frequently highlight cases of neglect, cultural discrimination, and lack of land tenure security for indigenous communities.

Challenges in the Justice System

Member States have reported that challenges within the justice system remain a hurdle in protecting the rights of detainees. Such challenges include Prolonged Detentions with defendants routinely spending as many as four years on average in pretrial holding facilities before their cases are heard.

Shortage of staff: Reviewing states have cited a chronic shortage of court officials, a lack of efficient plea-bargaining infrastructure, and slow police investigations as the root causes of severe judicial backlogs.

Unfavorable conditions in holding facilities: Police holding cells and pretrial facilities are consistently called out for extreme overcrowding, poor sanitation, and high rates of diseases like tuberculosis.

Ratification and Domestication of International Treaties

Namibia has consistently been criticised by UN Member States for the lag between bridging international commitments and local enforcement, with some members citing a lack of political will to ratify such treaties. Accordingly, Reviewers have consistently urged Namibia to fully domesticate outstanding treaties concerning economic, social, and cultural rights.

Human Rights Concerns in Namibia raised in previous UPR cycles

The first, second and third UPR reviews of Namibia took place in January 2011, January 2016 and May 2021, respectively. During the second cycle of the UPR for Namibia held in 2016 (24th session), human rights concerns were raised including the following:

1. There were concerns over high rates of violence against women and children, along with calls to improve legal protections.
2. Member states were especially concerned by human rights violations in the criminal justice system including overcrowding, and the need for improved legal aid.
3. Recommendations were made to prohibit the sterilization of women living with HIV/AIDS without their informed consent, a key issue carried over from the first cycle.
4. There were calls for the government to focus on the land rights and social protection of "marginalized communities," particularly the San people.
5. Member States called for an end to child marriages and harmful traditional practices. Critics argue that these challenges are because of lack of political will to conclusively address them.

During the third cycle of the UPR held in May 2021 (in the 38th session), the following human rights issues were raised.

- 1) **Gender-Based Violence (GBV) and Women's Rights:** A major focus was the high prevalence of GBV, with over 30 recommendations urging the government to strengthen mechanisms to combat sexual and gender-based violence, enhance victim support services, and investigate, prosecute, and punish perpetrators.
- 2) **Sexual and Reproductive Health:** Issues were raised regarding the need for comprehensive sexual and reproductive health care for women, including access for rural women, and tackling unsafe abortions.
- 3) **LGBTQIA+ Rights:** Concerns were raised regarding the discrimination and criminalization of same-sex conduct under common law (sodomy), and the lack of protections for LBQ women and transgender individuals.
- 4) **Protection of Children:** Issues included the need to protect children from sexual initiation practices and child marriage, as well as the implementation of the Child Care and Protection Act (3 of 2015).
- 5) **Rights of Indigenous Minorities:** Recommendations called for improving access to basic services and education for marginalized indigenous communities, particularly the San and Himba, and tackling high school dropout rates.

- 6) **Economic and Social Rights:** Concerns were raised regarding Namibia's high income inequality and persistent unemployment, particularly among the youth.
- 7) **Human Trafficking:** The need to strengthen efforts to fight human trafficking, including training law enforcement and enhancing public awareness, was highlighted.
- 8) **Digital Rights and Privacy:** While Namibia has a good record on media freedom, recommendations encouraged the protection of journalists, the need for data protection laws, and safety in the digital space.
- 9) **Access to Justice:** There were calls for continued efforts to improve access to justice, especially for indigent individuals in rural areas.

During the fourth cycle of the UPR in May 2026, Namibia was urged to address high levels of GBV, severe economic inequality, and the protection of LGBTQIA+ rights following the 2024 Marriage Act. Key issues included high rates of unemployment, child marriage, indigenous rights, and digital rights, with calls to strengthen human rights mechanisms.

The following key human rights issues were raised:

- 1) **Gender-Based Violence and Sexual Rights:** The continued prevalence of violence against women, girls, and children was a major focus, with calls for the abolition of harmful traditional laws and improved protection against child marriage (nearly 18.4%)
- 2) **LGBTQIA+ Rights and Discrimination:** The enactment of the Marriage Act 14 of 2024 (which reinforces prohibitions against same-sex marriage) and related social hostility were highlighted as causing legal uncertainty and increased harassment against the LGBTQIA+ community.
- 3) **Social and Economic Rights:** Namibia's extreme income inequality was highlighted, alongside high poverty and unemployment, particularly in rural areas.
- 4) **Rights of Children and Indigenous Groups:** Concerns were raised regarding child labour in agriculture, children's poverty, and the failure to fully implement recommendations from the Land Conference for indigenous communities.
- 5) **Digital Rights and Privacy:** Concerns were raised regarding technology-facilitated gender-based violence, the need for data protection regulations, and freedom of expression online.

- 6) **Human Trafficking:** While a National Action Plan (2023-2027) is in place, stakeholders encouraged continued action against human trafficking, including the training of officials on victim identification.

IV. Exhaustive Summary of the State's 4th UPR cycle

A. Presentation of Namibia's National Report in the Fourth cycle of the UPR

Namibia presented its human rights record at the 52nd session of the UPR in Geneva, Switzerland, where it was among 14 states under review from 4 to 15 May 2026. While presenting the national statement, Minister of Justice and Labour Relations Mr. Fillemon Wise Immanuel said the country continues to align its policies with international human rights standards while drawing lessons from the past.

The delegation from Namibia consisted of representatives from the ministry of justice, ministry of gender, labor and social welfare, the National Assembly, department of correctional services and the Namibian police. All these have the responsibility to ensure adherence to human rights in Namibia, showing the country's commitment to ensuring the protection of human rights.

Mr. Immanuel mentioned steps taken to strengthen labour protections, including the ratification of key International Labour Organisation conventions in August 2025. Namibia ratified key International Labour Organisation conventions, including Convention No. 190 on Violence and Harassment in the World of Work, as well as Convention No. 156 on Workers with Family Responsibilities, reinforcing protections of workers and promoting dignity in employment.

Mr. Immanuel also pointed to efforts to advance gender equality, legislative measures to combat discrimination and the ongoing work to domesticate provisions of the Convention Against Torture. On social development, there is marked progress in education, health, gender equality, and economic empowerment, while challenges such as GBV, unemployment, inequality and poverty remain. Addressing these challenges remains a national priority, and that is why the government has implemented various interventions under the National Development Plan and other policies.

The Government in collaboration with other stakeholders and partners creates awareness on GBV through campaigns on prevention and response. Gender Liaison Officers in all fourteen regions also address GBV at regional level and sensitize community members daily on GBV and how to respond to it. Coordination of GBV interventions is done through national and regional GBV clusters. To ensure access to justice by victims of GBV, members of the GBV Protection Division conduct awareness campaigns and operations in collaboration with other stakeholders, to educate the public on GBV, rights of victims and survivors, the consequences of GBV, and available legal remedies to empower victims to come forth and report crimes. Information is shared with the public through media outlets as well as the community affairs office.

Outlining the progress made in the period under review, Mr. Immanuel stated that Namibia has its first female president, female vice-president and eight female and in male cabinet ministers.

The secretary to cabinet, speaker of the national assembly and the secretary general of the ruling party. The ruling party has 50/50 gender representation in the national assembly. All these highlight commitments by the Namibian government to promote inclusive leadership.

Since the last review, Namibia has continuously fostered democratic participation under rule of law as shown by successful presidential and national assembly elections of 2024, and regional local elections in 2025. May 4th is a public holiday to commemorate the Kassinga massacre in 1978 in which over 600 Namibian refugees were killed in Southern Angola by the then apartheid regime in South Africa. Namibia hosted the 25th anniversary of the UN Security Council 1325 on women, peace and security.

Namibia ratified key conventions of the ILO including convention 190 on violations and harassment in the work environment and convention 136 on workers with family responsibilities.

B. Statements by Member States

The Member states mostly commended Namibia's efforts in addressing human rights abuses including the adoption of the National Action Plan on the elimination of trafficking of persons 2023-2027, closing the gender gap especially in education and political empowerment, deliberate efforts in ensuring equal representation in political-making decisions, closing the gender gap by at least 81.1% rated as number 8 globally and number 1 in countries south of the Sahara, amendment of the National Disability Council Act and adoption of the National Disability Policy 2025, and, ensuring women participation in the governance system, particularly for electing a woman president, vice-president, speaker of the national Assembly and women cabinet ministers.

V. Recommendations Section



The Member States present made the following recommendations.

Protection of Children

Member States recommended that the government should strengthen measures to ensure that all children have access to quality health services and strengthen efforts to reduce infant mortality rates. Furthermore, there were calls to accelerate efforts to reduce school dropout rates due to early pregnancy and put in place measures to readmit students who dropouts due to pregnancy. Furthermore, the government was recommended to take measures to improve the quality and inclusiveness in education, particularly for children with disabilities and those from marginalized backgrounds and ensure fulfillment of commitment to providing free primary and tertiary education. The government was also commended for implementing the National Action Plan on Violence Against Children 2022-2025 and the National Agenda for Children 2018-2022. There were calls to ensure access to education for children with disabilities in mainstream schools.

Addressing GBV

The government should consider professionalizing the GBV information management system nationwide. The Member States commended efforts to end GBV by increasing the budget of the ministry of Gender, Equality and Child Welfare; and amending the combating of domestic

violence Act and establishing 17 GBV protection units throughout the country. The Member states acknowledged steps taken to address socio-economic inequality, strengthening of enforcement legislation against harmful practices against women and girls, and called for accelerated efforts to reduce maternal mortality rates.

Justice, Human Rights and Freedoms

The Member States commended Namibia's efforts towards protection of vulnerable groups and access to justice, and welcomed continued efforts to ensure freedom of expression and media independence. They further urged the need for continued efforts to improve conditions in correctional facilities in line with the Nelson Mandela rules. There were calls for the government to consider ratifying the protocol of the Convention Against Torture, take measures to increase representation of Indigenous Peoples in government structures. Promote effective equality and prevent discrimination against LGBTQ+ persons.

Set up a national mechanism for the prevention of torture. Continue social development of rural communities especially access to water and health services. To put in place measures to ensure that perpetrators of GBV are held accountable. The delegation was urged to urgently operationalize the Access to Information Act (2022) and the Whistle-blower Protection Act (2017), which have faced significant delays in implementation.

Protection of Indigenous Minorities: Concerns were raised regarding the marginalization of indigenous groups, specifically in their access to land, healthcare, and education. Constitutional Limits: Unlike civil and political rights, economic rights (like housing and health) are categorized as "Directive Principles of State Policy" and are not fully enforceable in court. Member states recommended amendments to the Constitution to change this.

Recommendations by members focused on gender equality, social welfare including education, healthcare, social protection and equal opportunities, environmental protection, need to strengthen mechanisms against GBV and protection of children and vulnerable groups.

Ensuring the independence of the ombudsman: The Ombudsman Bill will be in parliament before the end of the current financial year.

Cruel or inhuman treatment: Namibia's Minister of Justice reminded the working group that Article 10 under the Constitution of Namibia guarantees equality before the law for all persons and prevention of discrimination on the basis of sex, race, colour, religion and other social factors.

Universal health coverage policy: The Minister of Justice argued that since 1 April, 2026 the President directed that all public servants and government officials start using public health

facilities to ensure that public monies aren't spent treating them but channeled to public health facilities which are accessed by all citizens.

Recognition of same sex marriages: The delegation of Namibia promised that the government will carry out wide consultations instead of rushing the law. The international community needs to give Namibia ample time to make further consultations regarding the same.

National Equality and Equity policy 2025-2035

Namibia is implementing the National Gender Equality and Equity in Article 10 of the Namibian Constitution, which prohibits discrimination based on gender, race, religious beliefs and sexual orientation among others. Implementation should include capacity-building and reporting mechanisms to prevent GBV. The policy also includes reporting clusters whose main function is to report on its implementation.

In addition, the Ombudsman bill has been drafted and tabled in the Parliament and is awaiting further consultations.

Protection of women and children against harmful practices.

The Minister informed Member States that the government has enacted several laws including the Combatting of Rape Amendment Act of 2022, Combatting of Domestic Violence Amendment Act of 2022, and the Child Care and Protection act of 2015.

Other measures taken include enactment of the National action plan on GBV, the National Plan of Action on Violence against Children, the training manual on Maltreatment for Children, which contains strategies to address violence against children. The establishment of 17 GVB units in 14 regions and appointed GBV liaison officers in 14 regions to address it at regional levels. The Minister reported that the Government has not yet ratified the Optional Protocol of the Convention against Torture but it hopes to do so in future. In addition, the government has taken steps to ratify the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, and directed the line ministries to start the ratification process.

Access to healthcare for all citizens

Namibia reported that all public health services are free and 76% of the population lives within 10km radius of a health facility and there is construction of more health facilities to boost those in existence. Additionally, all persons receiving pension access free medical services according

to the national pensions act, and Namibia is a signatory to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons.

Steps to ensure survival and protection of victims of GBV

Namibia reported marked improvement in the protection of victims of GBV including Provision of psycho-socio and medical support and temporary shelter; Improved access to justice by victims of GBV; the government has taken steps to measure the effectiveness of awareness campaigns conducted by the GBV protection division; implementation of measures to monitor effectiveness of services rendered to victims of GBV; Namibia intensified the #endGBV campaign both online and offline.

VI. Final Remarks by Namibia’s minister of Justice and Labor relations

In addition to the responses discussed in the previous section, the Minister reported that his government welcomed comments and recommendations and mentioned that:

- The Government ratified all conventions against torture as per recommendations from previous cycles.
- In terms of Data laws and Information, the data protection bill will be presented in Parliament in the current or next financial year.
- There is strict legislation against corporal punishment in schools as one of the measures to ensure the protection of children against violence.
- The Mental Health Bill has been presented to Parliament in the week preceding the UPR review and was due for passing.

Same sex marriages “the elephant in the room”

Namibia’s minister of Justice and Labor relations reported that he was compelled to report his government’s position on same sex marriages, which he referred to as “the elephant in the room”. The Supreme Court has not decriminalized same sex marriages, and there is no universal law that recognizes such marriages. International human rights instruments don’t explicitly guarantee rights to same sex marriage but provide for rights to dignity, equality and non-discrimination and as such, various countries apply their respective constitutions regarding such marriages. Accordingly, the President of Namibia ordered public consultations on which laws to amend or abolish soon after she took office. The ministry received proposals to amend and/ or abolish certain laws but did not receive any input regarding the recognition of same sex marriages.

Why do Human Rights issues persist in Namibia?

The government of Namibia is committed to upholding human rights as is evidenced by the passing of legislation and policies that are pro-human rights. However, the country faces a number of challenges like colonial history (Namibia was once ruled by an apartheid regime), extreme socioeconomic inequality, and recent legislative shifts. Furthermore, the government has made strides in passing legislations that ensure the protection of human rights. However, the implementation of such legislation remains a challenge. Some of the challenges are discussed below.

Limited human resource capacity as reported by a member of Namibia's delegation during the presentation of the country's report. Shortages of specialized staff and technical skills, particularly in legislative drafting and enforcement, hamper the effectiveness of new policies. The gap between policy formulation and practical implementation is made worse by lack of intergovernmental collaboration and failure to prioritize community needs.

Financial limitations: The government is not able to implement new initiatives, for example in rural infrastructure and monitoring due to financial constraints. The debt to GDP ratio is a staggering 71% and this severely affects government's efforts in service delivery, as the government diverts a big chunk of the national budget towards servicing the national debt.

Socioeconomic challenges

Inequality, unemployment and poverty hinder the effective implementation of government policies especially the socioeconomic ones. The difference in regional development and stark divides in access to infrastructure (water, electricity) hinder the uniform implementation of national projects. In addition, high rates of poverty often require significant social spending, which often eats into the resources for infrastructure development that can boost economic growth.

The case of growth amongst a jobless population in Namibia

Namibia's growth is concentrated in capital-intensive industries, especially mining of diamonds and uranium. Such sectors generate significant GDP but fail to create a labor-intensive "multiplier effect" for the unskilled and semi-skilled majority. As a result, there is a deep structural gap because the government provides social services including education, healthcare and good road networks, yet these are not necessarily transformational. Citizens can be healthy and educated, but economically handicapped. As such, public services are a safety net and not a springboard, which further widens the disconnect between national wealth and individual livelihood.

VII. GICJ position

GICJ commends Namibia for continuous progress towards the protection of human rights. GICJ takes special note of the several laws that ensure the protection of victims of Gender-Based Violence, protection of children and media freedom. GICJ acknowledges the challenges faced by the government including socioeconomic challenges that may hinder effective implementation of such laws and urges the international community to support Namibia where necessary to ensure the protection of human rights.

Furthermore, GICJ commends the office of the Ombudsman for establishing various mechanisms to report complaints of human rights violations including telephone, email, online web forms, private social media messages, and SMS.

Whereas Namibia has mostly engaged constructively with the UPR mechanism, accepting a majority of recommendations such as those concerning child welfare, gender parity, and poverty reduction, the government has selectively pushed back or "noted" those regarding LGBTIQ+ rights and specific indigenous land frameworks.

The government of Namibia is commended for increasing resources to ensure strict, independent human rights training for law enforcement agencies to prevent abuses of power, thereby ensuring a transparent, and accountable human rights culture for all its citizens.

GICJ further commends Namibia's Constitution for explicitly protecting children's right to a name, nationality, family care, and basic education (Article 15), and for prohibiting exploitative child labor and harmful economic practices, and, enactment of the Child Care and Protection Act (CCPA) governs foster care, adoption, child trafficking, and procedures for protecting endangered children.

VIII. Sources

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@geneva4justice



Geneva International Center for Justice



info@gicj.org



<https://www.gicj.org>

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