

RESPONSES TO QUESTIONNAIRE ON HUMAN RIGHT AND MNFCS

1. The NIC as the investment promotion agency, promotes and facilitates inward and outward investment. Though the investment policy does not address human rights directly or with reference to international human rights principles, responsible business conduct is nevertheless emphasised. Furthermore, investors are compelled to comply with all applicable laws within Namibia when operating a business. This includes adhering to labour laws, which addresses labour and social related issues. The Namibian constitution also requires that fundamental human rights and freedom must be respected.
2. MITSMED, through the NIC requires general good conduct from businesses or investors to request support.
3. MITSMED, through the NIC, does not specify human rights/alignment with the UN guiding principles in its regulations, but requires that such principles are respected.
4. Currently officials do not attend specific training on human rights related matters.
5. The NIC does address complaints received from employees of non-compliant businesses or companies. Though, currently not within its mandate the NIC cannot penalise such companies or businesses but relates the matter to the relevant line Ministry (eg Labour) for action to be taken. However, the NIC can terminate business or company support previously facilitated.
6. If grievances are received via the NIC, the department is obliged to inform all relevant line Ministries with regard to the matter in order to take action against the company or business within their respective mandate. Should the NIC have facilitated the business operations in the past it can seize to do so if the business does not undertake remedial action.
7. Namibia has an Export Processing Zone (EPZ) Regime which is not limited to geographically demarcated zones. The EPZ status is granted to an applicant for economic productive manufacturing plant as single factory enterprise which can locate anywhere in Namibia.
8. The government entity charged with EPZ Regime is responsible for the marketing and promotion, processing of application, monitoring and providing aftercare services to the investors.

The entity charged with EPZ regime create awareness and respect of the human right by EPZ enterprises at the earliest stage specifically that, the EPZ ACT, 1996, as amended, provide that the Labour Act, 1992, shall be applicable in an Export Processing Zone. As such, any violation of human right is not permissible in Namibia.

In other words, all the Namibian Laws related to human rights and labour laws are applicable in the EPZ Program.