

## ADVANCE QUESTIONS TO NAMIBIA

### **CZECH REPUBLIC**

- Namibian Ombudsman stated that in light of its obligations in relation to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Namibia needed to take legislative and other measures to criminalize torture and establish a national preventative mechanism. The Ombudsman further expressed concerns about the conditions in which detainees were held in police stations with most cells extremely overcrowded. What steps has the Government of Namibia taken in order to respond to Ombudsman's concerns?
- On 21 October 2009, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health together with the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, and the Special Rapporteur on violence against women, its causes and consequences sent a joint allegation letter to the Government regarding the cases of alleged forced sterilization of women living with HIV in government-run hospitals. Could you elaborate on the stance of the Namibian government to this issue?
- According to the assessment which was conducted by the Ministry of Gender Equality and Child Welfare in 2009, only two cases of human trafficking were identified. However, in 2010, the ILO Committee of Experts stated that children were trafficked from third countries to Namibia for livestock and child-minding work and those children were trafficked within Namibia for work in agriculture, road construction, and vending and commercial sex work. How such cases are being reported, investigated and prosecuted and police and judiciary trained in order to combat human trafficking? What measures has the Government of Namibia taken to ensure that the draft Child Care and Protection Bill, which relates to child trafficking, is adopted in the near future?

### **GERMANY**

- In 2008, CERD was concerned about the high occurrence of rape of SAN women by members of other social groups. It recommended that the Government of Namibia adopt all necessary steps to ensure complete and prompt investigation. It stressed the importance of increased efforts to combat prejudices against San and to promote tolerance between different ethnic groups.

Germany would be interested in information on how the Government of Namibia has followed-up these recommendations.

### **LATVIA**

- According to the information by the Office of the UN High Commissioner for Human Rights, 73 countries from different regions of the world have issued

standing invitations to all special procedures of the Human Rights Council. Considering recent request of the Independent Expert on human rights obligations related to access to safe drinking water and sanitation to visit Namibia - would your country consider extending a standing invitation to all special procedures of the Human Rights Council in the future?

## **NETHERLANDS**

- **Electoral process**

With reference to paragraph 18 of the national report which states that the 2009 Presidential and National Assembly were characterized as 'free and fair' by both domestic and international observers, and which also mentions court cases by aggrieved opposition parties, can the Government elaborate to what extent the presented voters roll was accurate, and how the Electoral Commission of Namibia, in cooperation with the Department of Home Affairs and Immigration, will update the voters roll for future elections.

- **International treaties**

With reference to the overview given in the OHCHR compilation on the international human rights treaties to which Namibia is party, and in line with the remarks by the Office of the Ombudsman, stated in paragraph 1 of the stakeholder report, on the international treaties Namibia has not signed, does the Government of Namibia intend to become part of outstanding core international human rights treaties, in particular the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights? Moreover, does the Government intend to accede to the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity, without making prohibited reservations and to implement it in national law?

- **Violence against women and children**

In light of the research mentioned in paragraph 83 of the national report which revealed a high rate of violence against women and children, and with reference to paragraphs 16, 17 and 18 of the OHCHR compilation and paragraphs 11 and 15 of the stakeholder report on the pervasiveness of violence against women and children, is the Government of the opinion that all cases of violence against women and children are currently effectively prosecuted? Furthermore, have the efforts of the Ministry of Gender Equality and Child Welfare resulted in a measured decline of violence against women and children?

- **HIV/AIDS**

With reference to the allegations made by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, and the Special Rapporteur on violence against women, its causes and consequences, stated in paragraph 15 of the OHCHR compilation and also mentioned in paragraph 14 of the stakeholder report, that in government-run hospitals women living with HIV are forced and coerced to be sterilized, does the Government of Namibia recognise that forced and coerced sterilization of women occurs and if so, what measures will the Government take to address this problem?

- **Detention conditions**

In light of the concerns raised in paragraph 13 of the stakeholder report by the Office of the Ombudsman in Namibia about the conditions in which detainees are held in police stations, which are described as ‘horrendous with most cells extremely overcrowded’, how does the Government assess the conditions under which detainees are being held in police stations? Does the Government of Namibia recognise that these conditions of detention and the detention facilities could be improved?

## **SWEDEN**

- Sweden would like to ask the Government of Namibia to elaborate on what measures it is undertaking to improve prisoners’ living conditions ?
- Sweden would like to ask the Government of Namibia to make an assessment of the new regulation of the media (CRAN) and its impact?
- What actions are taken to further reinforce the citizens’ right to freedom of expression and freedom of the press?
- Could the Government of Namibia elaborate on the status of women’s rights and discrimination against women, and on what measures it has undertaken to combat gender- based discrimination?
- Could the Government of Namibia elaborate on what measures it is taking, in accordance with its international obligations, to protect its population from torture or other ill-treatment?
- Does the Government of Namibia plan to sign and ratify the Optional Protocol to the CAT?