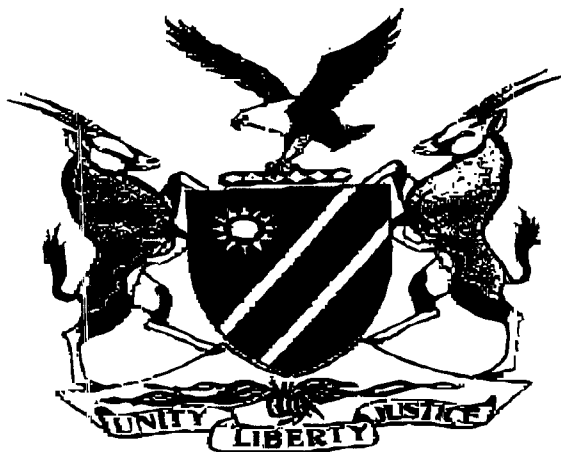


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REPUBLIC OF NAMIBIA

MINISTRY OF GENDER EQUALITY AND CHILD WELFARE

**VIOLENCE AGAINST WOMEN AND CHILDREN IN
NAMIBIA**

APRIL 2005

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1. INTRODUCTION

Violence against women and children is a serious problem in Namibia that needs stringent measures to be taken against the perpetrators. One is always informed by the newspapers every morning about so many cases of rape, of murder, of assault etc which are committed daily and in most cases against women and children. This makes you wonder as to why all these killings and rapes are happening and the question we need to ask ourselves is what has happened to our society's respect for human beings and its moral values as well as respect for human dignity – especially the lives of women and children. Once you open a newspaper, especially on a Monday morning, the Police Crime Bulletin tells it all.

Violence in general is a criminal act and it is unconstitutional according to Article 8 of the Namibian Constitution which states that “the dignity of all persons shall be inviolable” and article 8 (2) (b) states that “no person shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” In addition to the Supreme Law of the Country, the Namibian Government adopted the National Gender Policy to promote gender equality and has also passed two pieces of legislation which are aimed at reducing violence against women and children i.e. the Combating of Rape Act (Act 8 of 2000) and Domestic Violence Act (Act 4 of 2003). The effectiveness of these laws still remains to be seen as they are still new and an impact assessment needs to be done to ascertain the effectiveness of these two pieces of legislation. In the next section statistics on violence against women and children i.e. rape, attempted rape and assault are presented as reported to the police on a monthly basis.

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2. STATISTICAL OVERVIEW ON VAWC FOR THE YEAR 2002, 2003 & 2004.

2.1 Rape and Attempted Rape

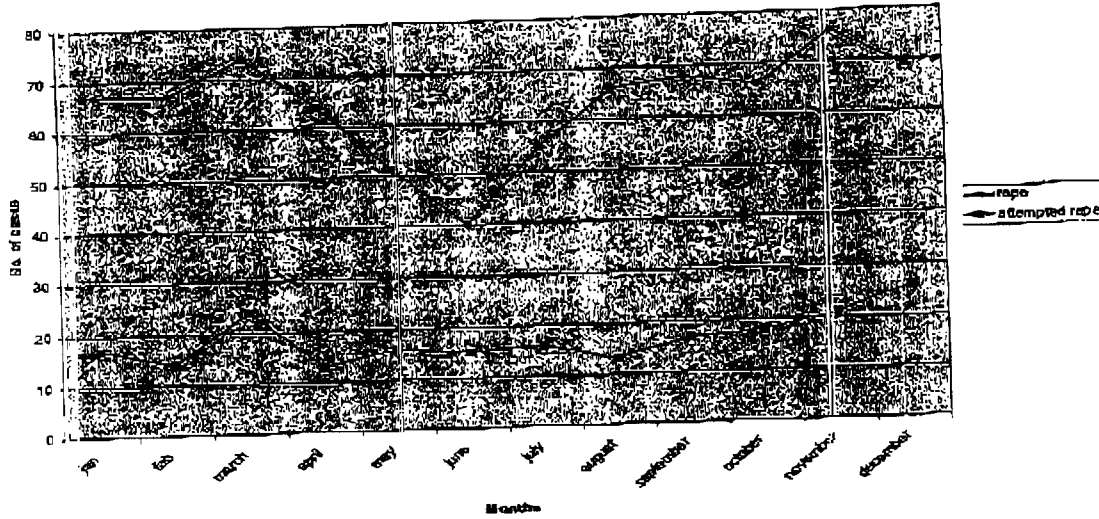
2.1.1 Table 1: Cases of attempted rape & rape for 2002, 2003 & 2004.

Month	Attempted rape			Rape		
	2002	2003	2004	2002	2003	2004
January	17	22	18	67	75	62
February	14	20	9	67	66	68
March	24	22	15	74	80	73
April	13	17	27	64	71	76
May	16	8	14	51	63	53
June	15	12	N/A	40	62	N/A
July	16	17	N/A	55	60	N/A
August	13	24	N/A	66	67	N/A
September	17	20	N/A	68	86	N/A
October	18	10	N/A	66	92	N/A
November	21	24	N/A	76	80	N/A
December	26	19	N/A	69	89	N/A
TOTAL	210	215		679	891	

Source: NAMPOL, Crime Unit

2.1.2. Figure 1: Statistics on reported cases of rape and attempted rape, 2002.

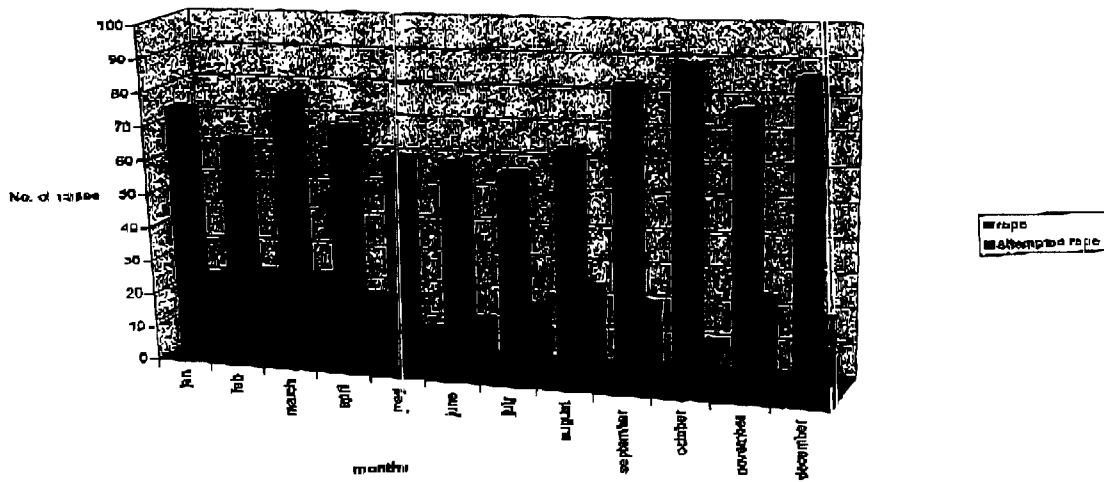
Statistics on reported cases of rape and attempted rape, 2002.



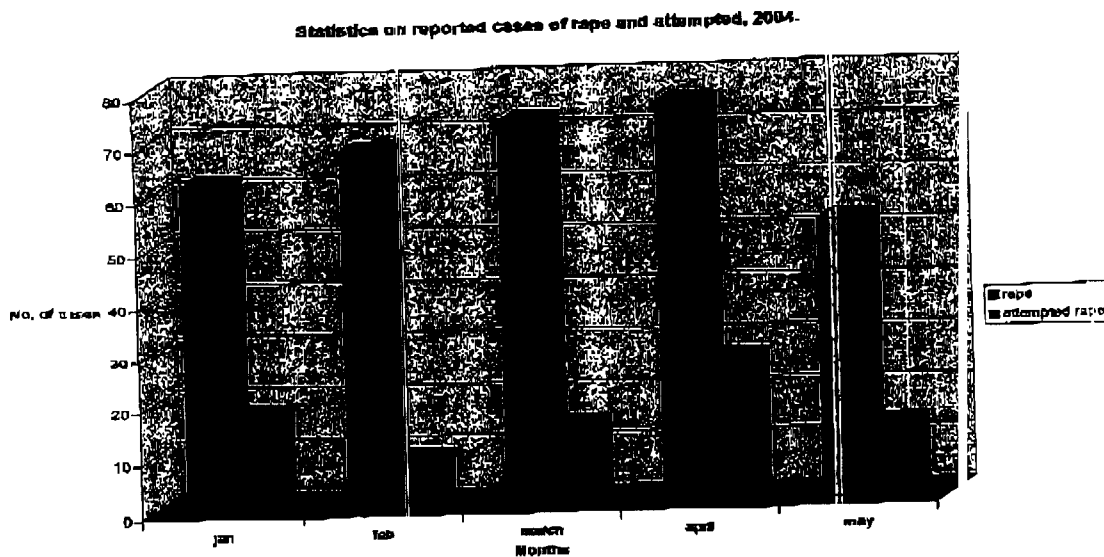
The above-presented statistics shows that the number of reported cases of both attempted rape and rape is increasing, as one can see that in 2002 the number of attempted rape increased from 210 to 215 in 2003, an increase of 2%. Meanwhile the number of reported cases of rape has as well increased from 679 in 2002 to 891 in 2003. This is a very big jump as the cases have increased with more than 200 new cases, hence an increment of 24%. Hence, it is expected that cases reported for the year 2004 will follow the same trend. This could be attributed to the fact that such cases are in reality on the increase, or the reporting of such cases has increased as the public is now more aware of the available legislation on rape.

2.1.3 Figure 2 Statistics on reported cases of rape and attempted rape, 2003.

Statistics on reported cases of rape and attempted rape, 2003.



2.1.4 Figure 3 Statistics on reported cases of rape and attempted rape, 2004.



The statistics for rape for the year 2004 shows a gradual increase as from January until March, and there is a decrease in May. Unfortunately the statistics for the remaining months of the year are not available at this stage so it is impossible to predict how the trend has gone. With the attempted rape cases, there are fluctuations in the trend although in April the highest incidents were reported, but dropping down again in May. This fluctuation might be attributed to the fact that attempted rape cases are not regarded as serious cases and it is very easy for a person to drop such a case as compared to the rape case which has detrimental effect on the victim. Thus one can conclude that there might be as much cases of attempted rape as those of rape itself but the severity and perceptual importance of such cases might lead to many cases of attempted rape not being reported or being ignored.

2.1.5 Table 2: Rape cases as reported monthly per region for 2002.

	Jan	Feb	Mar	April	May	June	Jul	Aug.	Sept.	Oct.	Nov.	Dec.	Total
Caprivi	1	2	4	2	3	1	4	1	6	5	2	3	34
Erongo	4	7	5	9	4	1	8	6	7	6	4	6	67
Hardap	6	4	4	3	1	1	0	7	4	1	1	5	43
Karas	9	5	3	2	4	1	4	4	3	4	0	2	47
Kavango	3	5	3	2	4	3	2	5	5	3	1	3	40
Khomas	9	20	16	14	8	8	11	9	22	25	8	14	174
Kunene	2	1	5	4	2	0	4	2	0	1	1	3	28
Ohangwena	7	4	6	4	3	6	4	5	4	2	1	4	50
Omaheke	8	3	6	3	6	3	3	2	3	2	1	4	52
Omusati	n/a	n/a	n/a	n/a	n/a	n/a	5	5	2	2	5	3	23
Oshana	12	7	14	13	9	9	6	7	5	6	8	11	107
Oshikoto	2	3	5	4	4	4	2	7	3	3	8	8	53
Otjozondjupa	4	6	3	4	3	3	2	6	4	6	1	3	45
TOTAL	67	67	74	64	52	40	55	66	68	66	76	69	763

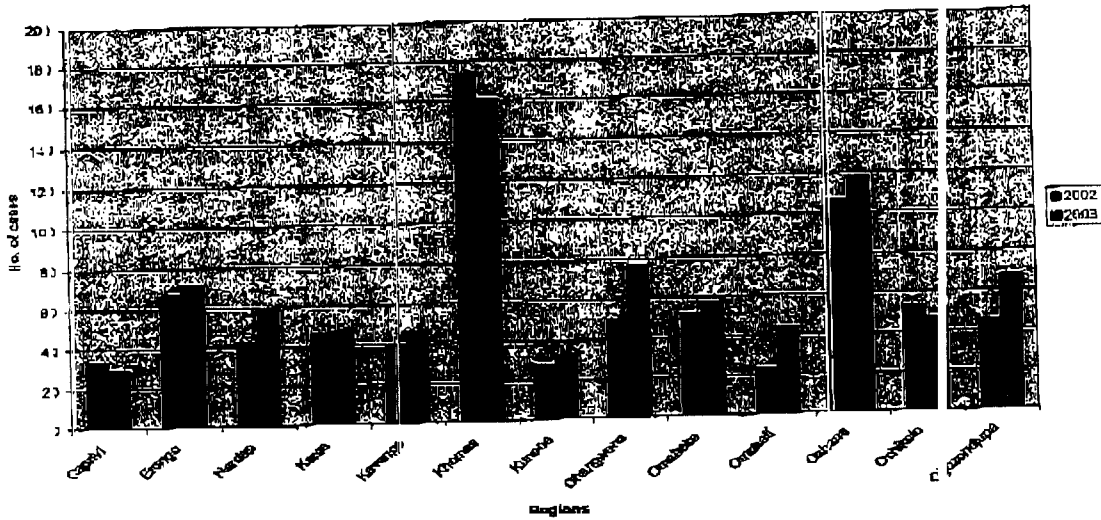
2.1.6 Table 2: Rape Cases as reported monthly per region for 2003.

	Jan	Feb	Mar	April	May	Jun	Jul	Aug.	Sept.	Oct.	Nov.	Dec.	Total
Caprivi	4	2	4	5	3	2	3	1	0	2	3	1	30
Erongo	3	3	8	5	10	6	5	7	6	8	6	5	72
Hardap	6	2	3	2	3	3	3	1	10	7	6	12	58
Karas	6	4	5	4	1	4	3	2	3	10	2	4	48
Kavango	2	3	6	3	6	1	0	3	5	7	7	4	47

Khomas	14	16	15	16	8	12	8	9	14	18	13	18	161
Kunene	2	4	1	5	1	2	3	1	4	3	4	3	33
Ohangwena	3	6	4	7	6	8	4	10	4	4	6	7	77
Omabeteke	5	7	3	3	4	5	3	6	2	10	5	8	58
Omusati	4	2	3	1	7	4	5	6	3	3	3	3	44
Oshana	10	12	13	9	7	11	9	11	12	4	11	9	118
Oshikoto	7	3	11	3	3	2	3	1	3	3	1	5	47
Otjozondjupa	4	2	4	8	4	2	7	7	6	7	7	10	68
TOTAL	75	66	80	71	63	62	56	65	72	86	76	89	861

2.1.7 Figure 4: Statistics on reported cases of rape per region for 2002/3

Statistics on reported cases of rape for 2002/3 per region.



At the regional level, the reported cases of rape for 2002 and 2003 show that in most regions there has been an increase with the exception of Caprivi, Khomas and Oshikoto

where there is a slight drop or decrease in the number of reported cases for the year 2002 and 2003. The highest incidents of rape and attempted rape are reported in the Khomas and Oshana regions where the annual figure is on average 168 and 113 cases respectively. The second highest incidents of rape are reported in the Erongo (average 70), Oshana (64) and Otjozondjupa (57) regions. The lowest incidents of rape cases are reported in Omusati, Kunene and Caprivi where the average cases reported annually is 34, 31 and 32 cases respectively.

2.1.8 Table 3: Cases of Indecent Assault Against Women

	2003			2004		
	Total	Female	Male	Total	Female	Male
January	N/A	N/A	N/A	10	10	0
February	N/A	N/A	N/A	8	7	1
March	N/A	N/A	N/A	7	6	1
April	N/A	N/A	N/A	4	2	2
May	N/A	N/A	N/A	13	8	5
June	N/A	N/A	N/A	N/A	N/A	N/A
July	10	10	0	N/A	N/A	N/A
August	4	4	0	N/A	N/A	N/A
September	5	5	0	N/A	N/A	N/A
October	9	6	3	N/A	N/A	N/A
November	7	6	1	N/A	N/A	N/A
December	9	7	2	N/A	N/A	N/A

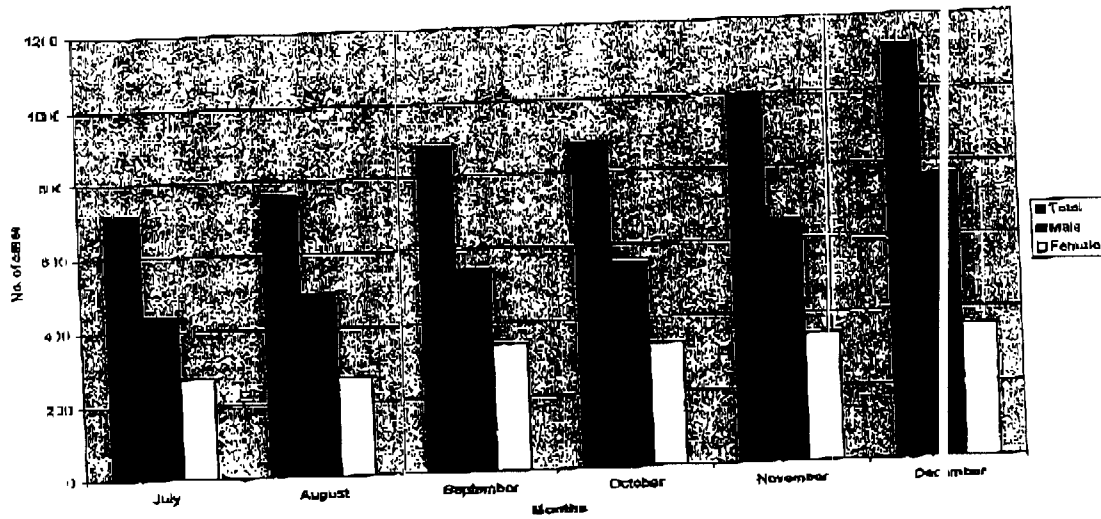
2.1.9 Table 3: Assault with the intent to do grievously bodily harm

Year	2003			2004		
	Total	Male	Female	Total	Male	Female
Months						
January	n/a	n/a	n/a	777	517	260

February	n/a	n/a	N/A	873	566	307
March	n/a	n/a	N/A	900	592	308
April	n/a	n/	N/A	791	491	300
May	n/a	n/a	N/A	715	462	253
June	n/a	n/a	N/A	N/A	N/A	N/A
July	713	440	273	N/A	N/A	N/A
August	761	494	267	N/A	N/A	N/A
September	883	542	341	N/A	N/A	N/A
October	883	553	330	N/A	N/A	N/A
November	998	654	344	N/A	N/A	N/A
December	1121	767	354	N/A	N/A	N/A

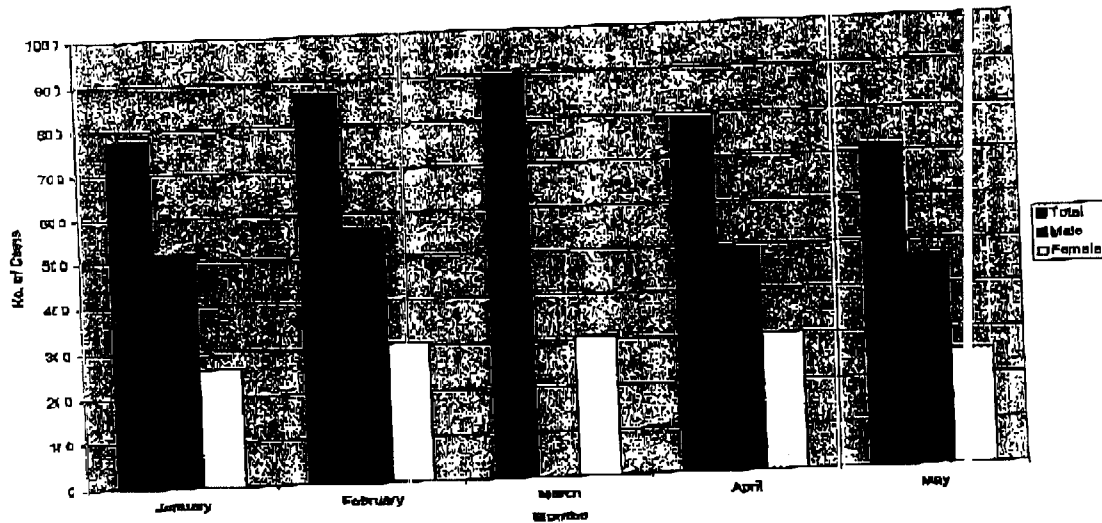
2.1.10 Figure5: Assault with intent to do grievous bodily harm, 2003.

Statistics on Assault with intent to do grievous bodily harm, 2003.



2.1.11 Figure 6: Assault with intent to do grievous bodily harm, 2004.

Statistics on cases of assault with intent to do grievous bodily harm, 2004.



On the incident of assault, the majority of the victims are male as they are composed of more than half of the victims in such cases. Women and children make up a third of the victims (about 35%) of assault which is also high as in most cases it is severe cases that women report e.g. where the victim is killed or seriously injured. Such cases happen mostly in sexual relationships where the perpetrator doesn't want to accept the victim's decision of stopping a relationship. This incidents always end in tragedy where the weaker party i.e. woman is always victimized.

3. Contributing factors to violence against women & children

In a study conducted by the Ministry of Health and Social Services in November 2004, in Windhoek on the nature and consequences of intimate male-partner violence, 419 respondents who reported physical violence mentioned some situations which they felt lead to violence from their own experiences as indicated below:

3.1 Table 4: Situations leading to violence against women

Situations	No. of women	%
Partner drunk	204	48.7%
Jealousy	164	39.1%
Other	65	15.5%
No reason	60	14.3%
Financial Problems	58	13.8%
Refuse Sex	27	6.4%
Disobeyed him	24	5.7%
Problem family	20	4.8%
Unemployed	17	4.1%
Pregnant	14	3.3%
Problems at work	10	2.4%
No food at home	10	2.4%

MOHS: An Assessment of the nature and consequences of intimate male-partner violence in Windhoek, Namibia, November 2004.

The men's alcohol abuse was single out by women experiencing violence as one of the main contributing factors, followed by jealousy. Furthermore no reason at all, but just anger and aggression out of the blue was also cited as a contributing factors leading to violence against women coupled with financial problems.

3.2 Medium and long-term consequences of Violence Against Women

- Physical injuries may cause absence from work; shame to be seen by other people injured e.g. neighbors, family, children etc.
- Frequent headaches, loss of appetite due to injuries
- Fear of the same incidence to be repeated, and this gives the victim mental problems
- Health costs on payment for injuries
- Disintegration of family due to unhappiness and problems caused by violent actions

- Victim gets thoughts of ending life
- Effects of violence on children – nightmares, sucks thumb, wets bed, timid, shoplifting, aggressive etc.
- Frustrations – victims ends up smoking or drinking excessively

3.3 Health, Social and Economic costs of Violence Against Women

In the same study conducted by the MOHSS, respondents reported having attained injuries as a result of physical violence by their partners. Out of 419 respondents, 127 reported to have experienced injuries due to physical violence from their partners.

3.4 Table 5: Injuries as a result of physical violence by partner

	Number	%
Partnered women reporting physical violence (N=419)		
Ever injured	127	30.5%
Injured in past twelve months	44	10.5%
Ever lost consciousness	29	6.9%
Injured more than five times	25	6%
Type of injuries among women ever injured (N=127)		
Scratches, abrasions, bruises	65	51.2%
Broken eardrums, eye injuries	56	44.1%
Cuts, punctures, bites	54	42.5%
Fractures, broken arms	24	18.9%
Penetrating injuries, deep cuts and gashes	22	17.3%
Sprains, dislocation	14	11.0%
Others	13	10.2%
Broken Teeth	11	8.7%
Burns	7	5.5%
Among those ever injured (N=127)		
1-2 times	8	6.3%
3-5 times	44	34.6%
> 5 times	25	19.7%
Injured in the past twelve months	44	35.8%
Ever lost consciousness	29	22.9%
% Hurt enough that needed health care	84	62.9%

4. Best Practices to combat Violence Against Women

The Namibian Constitution enshrines the fundamental human rights and freedoms of every individual and it protects every Namibian from discrimination on the basis of sex. It also guarantees every Namibian a fair trial, equality of everybody before the law and the respect of human dignity during legal procedures.

Article 144 of the Constitution states that all international agreements signed by Namibian Head of State binding on Namibia, shall form part of the supreme law of Namibia.

Namibia has signed and ratified agreements and convention related to gender equality and the elimination of violence against women and children and the protection of their rights such as:

- the United Nation's Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- the United Nation's Convention on the Rights of the Child
- the Beijing Declaration and Platform of Action
- the Southern Development Community (SADC) Gender and Development Declaration and its Addendum on the Prevention of Violence against Women and Children

The Government has also passed various Acts of Parliament which all play a significant role in the fights against violence committed against women and children such as:

- the married person's Equality Act (Act. No. 1 of 1996)
- the Combating of Immoral Practices Amendment Act (Act. No. 7 of 2000)
- the Combating of Domestic Violence Act (Act No. 4 of 2003)
- the combating of Rape Act (Act No. 8 of 2000)

The Namibian court system has also established a victim-friendly court for sexually abused children at the local magistrates' court to provide special protection to child witnesses who are particularly vulnerable to being intimidated by the presence of the accused or by the normal formal court procedures.

Currently, the government has responded to the escalating incidences of violence against women and children by establishing a network of Women and Child Protection Units located in the Namibian Police Units run by the police officers and social workers. At present there are fifteen units established countrywide providing a sensitive and multi-disciplinary approach to the victims of rape, domestic violence and child sexual abuse.

The National Gender Policy approved by Cabinet in 1997 also prioritize violence against women and children as one of the critical areas to be addressed with identified strategies to address such violence.

Currently the government has signed a project funded by UNDP on 'Combating Gender-Based Violence through advocacy, training and awareness raising related to legal issues. Activities to be carried out under the project include:

- providing legal information and training for judicial officials and other service providers on the new legislation on domestic violence and rape by:
 - publication and distribution of guidelines for professionals in two booklets, one on domestic violence and one on rape
 - production of video training module for clerks of the court on the Combating of Domestic Violence Act
- strengthening the active participation of the civil society in the justice sector reform by

- training of trainers, mainly women from rural communities and others from marginalized ethnic groups and the disabled to empower and equip their communities with advocacy skills;
- encouraging broad-based consultative processes on legal issues related to gender by
 - preparing simplified materials on proposed bills for public distribution, briefing of journalists and publication in local media
 - workshops to explain forthcoming bills to grassroots groups and to assist them with formulating and strategizing their input to government
- increasing the availability of legal information for the public on gender-based laws by:
 - production and publication of four simplified guides to newly enacted laws in English and two indigenous languages each on the following topics:
 - (i) guide to women's rights in the new Labour Act
 - (ii) guide to the new Recognition of Customary Marriages Act
 - (iii) Guide to the New Divorce Act
 - (iv) Guide to the new legislation on children (Children Status Act and Child Care and Protection Act)
- supporting the process of establishing a comprehensive national data base on gender based violence
 - carrying out a mapping and collection exercise of existing data on gender-based violence in Namibia
 - undertake an analysis of the scope and quality of available data and undertaking a gap analysis
 - producing guidelines for a comprehensive national data base on gender based violence

5. Conclusions

Violence Against Women and Children remains the biggest challenge facing the Namibia society and there is need for concerted efforts to fight this curable disease. Violence cuts across all races and happens in daily lives of the Namibian women and children irrespective of their ethnic, religious or socio-economic background. Alcohol and drug abuse is single out to be the major contributing factors to the high incidents of violence committed against women and children. The enactment of the laws alone is not enough to remedy the situation but greater awareness and popularization of such laws is needed to ensure that all members of the society are aware of the piece of legislation and its provisions. Hence, training and education is needed to ensure that the provisions in the law are adhered to and respected. Heavier punishment in terms of stiffer sentences or maximized sentences should be given to perpetrators of any kind of gender-based violence.