











# Namibia

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>67.5</b>	<b>29.2</b>	<b>74.4</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Namibia, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Windhoek). The scores for Namibia are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0 Legal frameworks score	25.0	100.0	50.0	75.0	100.0	50.0	25.0	50.0	100.0	100.0
WBL 2.0 Supportive frameworks score	25.0	66.7	33.3	50.0	0.0	33.3	0.0	33.3	0.0	50.0
WBL 2.0 Expert opinions score	25.0	100.0	87.5	87.5	93.8	50.0	25.0	75.0	100.0	100.0

In summary, the **WBL 2.0 legal frameworks score** for Namibia (67.5 out of 100.0) is higher than the global average (64.2) and higher than the Sub-Saharan Africa regional average (57.4). When it comes to constraints on freedom of movement, constraints related to marriage, laws affecting women’s property and inheritance and laws affecting the size of a woman’s pension, Namibia obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Namibia is on the indicator measuring laws affecting women’s safety. To improve on the Safety indicator, Namibia may wish to consider introducing legislation on femicide, adopting comprehensive legislation on sexual harassment and introducing legislation on child marriage.

The **WBL 2.0 supportive frameworks score** for Namibia (29.2 out of 100.0) is lower than the global average (39.5) and higher than the Sub-Saharan Africa regional average (24.5). Namibia does not attain a perfect score on any of the WBL 2.0 supportive frameworks indicators. There is room for improvement across all ten indicators. As an example, one of the lowest scores for Namibia is on the indicator measuring supportive frameworks related to marriage. To improve on the Marriage

indicator, Namibia may wish to consider making available a fast-track process or procedure for family law disputes, establishing specialized family courts and making legal aid available for family law disputes.

The **WBL 2.0 expert opinions score** for Namibia (74.4 out of 100.0) is higher than the global average (65.7) and higher than the Sub-Saharan Africa regional average (54.6). When it comes to expert opinions on freedom of movement, expert opinions on women's property and inheritance and expert opinions on women's pensions, Namibia obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Namibia is on the indicator measuring expert opinions on women's safety.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Does the law address child marriage?	No	No applicable provisions could be located
Does the law address sexual harassment?	No	Labour Act of 2007, Sec. 5(7)-(10); Communications Act, 2009, Sec. 117(1) and 117(2)(b)
Does the law address domestic violence?	Yes	Combating of Domestic Violence Act, 2003, Secs. 2(1)(a)-(c),(g), 21 and Part II; Combating of Rape Act, No. 8 of 2000, Sec. 2(3)
Does the law address femicide?	No	No applicable provisions could be located
<b>Mobility</b>		
Can a woman choose where to live in the same way as a man?	Yes	Married Persons Equality Act, Sec. 12
Can a woman travel internationally in the same way as a man?	Yes	Immigration Control Act, Art. 1
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do a woman and a man have equal rights to confer citizenship on their spouses and their children?	Yes	Namibian Citizenship Act 14 of 1990, Secs. 2 and 3; Constitution of the Republic of Namibia, Arts. 4(2) and 4(3)
<b>Workplace</b>		
Can a woman get a job in the same way as a man?	Yes	Married Persons Equality Act, Secs. 2 and 7(5)
Does the law explicitly prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law prohibit discrimination in employment based on gender?	Yes	Labor Act, Secs. 5(1)(b) and 5(2)(b)
Does the law allow employees to request flexible work?	No	No applicable provisions could be located
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
<b>Marriage</b>		
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	No applicable provisions could be located
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	Married Persons Equality Act, Secs. 2(b) and 3(b)
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Constitution of Namibia, Art. 14(1); Divorce Laws Amendment Ordinance, Sec. 1
Does a woman have the same rights to remarry as a man?	Yes	Constitution of Namibia, Art. 14(1); Divorce Laws Amendment Ordinance, Sec. 3
<b>Parenthood</b>		
Is paid leave of at least 14 weeks available to mothers?	No	Labor Act, Art. 26
Are leave benefits for mothers paid solely by the government?	Yes	Labor Act, Art. 26(3)-(4); Social Security Act, Art. 29(1)

Is paid leave available to fathers?	No	No applicable provisions could be located
Is dismissal of pregnant workers prohibited?	Yes	Labor Act, Secs. 5(1)(b) and 5(2)(g)
<b>Childcare</b>		
Does the law establish the provision of center-based childcare services?	Yes	Child Care and Protection Act 3 of 2015, Secs. 73-74
Does the law establish any form of support for families for childcare services?	No	No applicable provisions could be located
Does the law establish any form of support for nonstate childcare providers?	No	No applicable provisions could be located
Does the law establish quality standards for the provision of center-based childcare services?	No	No applicable provisions could be located
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Married Persons Equality Act, Secs. 2 and 3
Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
Does the law prescribe a gender quota for corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	Yes	Public Procurement Act, Secs. 2(b-ii) and 70(3)
<b>Assets</b>		
Do a woman and a man have equal administrative power and ownership rights to immovable property, including land?	Yes	Married Persons Equality Act, Sec. 2, 3, 5 and 7
Do sons and daughters have equal rights to inherit assets?	Yes	Intestate Succession Ordinance, Sec. 1
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Intestate Succession Ordinance, Sec. 1
Does the law provide for the valuation of nonmonetary contributions?	Yes	Married Persons Equality Act, Sec. 2, 5 and 7
<b>Pension</b>		
Are the ages at which a woman and a man can retire with full pension benefits the same?	Yes	National Pensions Act, Secs. 1 and 2
Are the ages at which a woman and a man can retire with partial pension benefits the same?	Yes	No applicable provisions could be located
Is the mandatory retirement age for a woman and a man the same?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	Yes	National Pensions Act

## WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	No	Insufficient evidence located
Are special procedures in place for cases of sexual harassment?	No	Insufficient evidence located
Is a government entity responsible for monitoring and implementing national services, plans and programs addressing violence against women?	Yes	The Ministry of Gender Equality and Child Welfare (MGE CW)
Is an annual budgetary allocation devoted to violence against women risk mitigation, prevention, and response programs?	No	Insufficient evidence located
<b>Mobility</b>		
Are passport application processes the same for a woman and a man?	No	Passport application procedures

Are the application processes for official identity documents the same for a woman and a man?	Yes	ID application procedures
Does a current policy or plan explicitly consider the specific mobility needs of women in public transportation?	Yes	Namibian Transport Policy 2018
<b>Workplace</b>		
Does a specialized body receive complaints about gender discrimination in employment?	Yes	Constitution of the Republic of Namibia, Arts. 10 and 91; Ombudsman Act, Art. 3
Has the government published guidelines on nondiscrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
<b>Pay</b>		
Are pay transparency measures or enforcement mechanisms in place to address the pay gap?	Yes	Affirmative Action (Employment) Act 29 of 1998, Sec. 47(2)
Have sex-disaggregated data on employment in different industries or sectors been published?	No	Insufficient evidence located
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	No	Insufficient evidence located
Are there specialized family courts?	No	Insufficient evidence located
Is legal aid available for family law disputes?	No	Insufficient evidence located
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Claim for Maternity Leave form (Form 13)
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Have sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by nonstate childcare providers?	No	Insufficient evidence located
Has the government published any reports on the quality of childcare services?	No	Insufficient evidence located
<b>Entrepreneurship</b>		
Have sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses been published?	Yes	Namibia Statistics Agency
Are government-led programs supporting female entrepreneurs providing access to finance and training, coaching, or business development?	No	Insufficient evidence located
Does a current national government plan or strategy focus on women's access to financial services?	No	Insufficient evidence located
<b>Assets</b>		
Are mechanisms or incentives in place to encourage women to register immovable property (including joint titling)?	No	Insufficient evidence located
Are awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Have anonymized sex-disaggregated data on property ownership been published?	No	Insufficient evidence located
<b>Pension</b>		
Are incentives in place to increase women's retirement benefits?	No	Insufficient evidence located



Is a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?

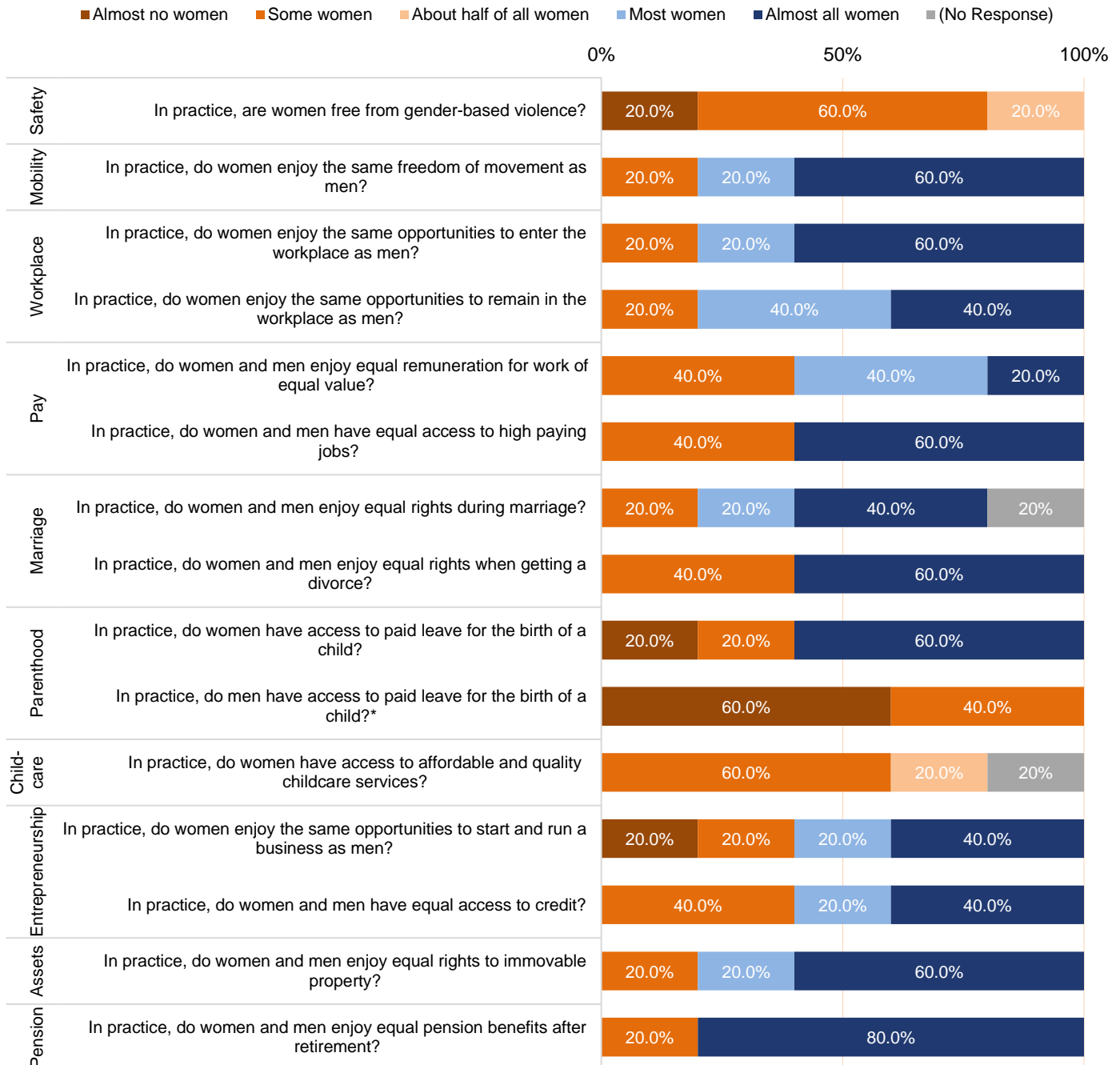
Yes

Namibia Financial Institutions Supervisory Authority (NAMFISA)  
Complaints Procedure

---



## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.