



**REPUBLIC OF NAMIBIA**

**Ministry of Gender Equality, Poverty Eradication and Social Welfare  
(MGEPESW)**

# **BASIC UNDERSTANDING OF GENDER BASED VIOLENCE**

**July 2020**



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## 1. INTRODUCTION

**1.1 What is Gender Based Violence (GBV):** “All acts perpetrated against women, men, girls and boys on the basis of their sex, which causes or could cause them physical, sexual, psychological, emotional or economic harm, including the threat to take such acts.

The aim of the pamphlet is to provide basic information on what Gender Based Violence is, forms of Gender Based Violence, root causes and contributing factors, effects of GBV on persons, communities and society at large and where service victims can be referred for further assistance.

Target audience for the pamphlet includes but not limited to: women, men, girls and boys in communities, Institutions creating awareness on GBV in Namibia.

### 1.2 Examples of form abuse

**1.3 Where does GBV takes place:** in public or private spaces during calm such war, natural disaster or health outbreaks. GBV can also happen during calm and peaceful times

**1.4 How serious is GBV in Namibia:** According to the Namibia Demographic Survey and study by Legal Assistance Centre, one in three girls/ women experience GBV in their life. The perpetrators are mainly male counterparts.

## 2. FORMS OF GBV:

**2.1 Rape -** Rape is a sexual act committed in a forceful circumstance

**2.2 Domestic violence -** Refers to a range of violent conduct which takes place within a domestic relationship, such as between spouses, intimate partners, family members or persons that share a domestic space.

### Physical

**Pushes or shoves you, slaps or hits you, pulls your hair, kicks or punches you, restrains you with force, chokes you, throws objects at you, abandons you in a dangerous place, grabs you roughly, twists your arm, takes “playful wrestling” too far, pinches you, subjects you to reckless driving, threatens you with weapons.**

### Sexual

**Calls you sexual names, forces you to take off your clothing, touches you in ways that make you feel uncomfortable, forces you to have sex against your will, treats members of your gender as objects, insists you dress either more or less sexually than you want to, minimises the importance of your feelings about sex, accuses you of sexual activity with others.**

**Ignores your feelings, withholds appreciation, approval or affection as punishment, continually criticises you (calls you names, shouts at you), makes all decisions for you, wants to control all your actions, humiliates you in public or in private, ridicules your most valued beliefs, your religion, your culture, your family or your heritage.**

### Psychological/ emotional

### Financial/ economic

**Has control over your access to economic resources, e.g. cash or ATM card. The perpetrator limits your capacity to support yourself and forces you (and your children) to depend on him/her financially when it comes to paying for rent, food, airtime etc. Economic abuse also includes the control of your present or future earning potential by preventing you from obtaining a job or education.**

**2.3 Sexual harassment** - means repeatedly following, pursuing or accosting the complainant (or a family member or dependant of the complainant), or making persistent unwelcome communications.

Harmful traditional practices includes practices such as forced marriages- these are marriages that are performed under duress without the full consent or free will of the two parties.

Sexual advances/ assault by a service provider against a beneficiary of the assistance

### 3. ROOT CAUSES OF GBV:

**3.1 Harmful Gender Norms:** Higher rate of GBV is seen in societies is deeply rooted in persistence patriarchal values and norms that perpetuates unequal power relations between women, men, boys and girls. This is further evident in some culture or religious norms and practices that justify and defend the use of violence particular against women and girls.

#### 3.2 Trauma from violence in the past

**3.2.1 Trauma from Violent Experiences in the past,** both individually and collectively (see p. 17) – as long as violent and traumatic experiences have not fully been integrated and healed, one is likely to either behave violently in the future (as offenders) or to accept certain levels of violent behaviours as the norm (as victims or bystanders). Unresolved trauma is also unconsciously and almost automatically being passed on from one generation to the next.

#### 3.3 Harmful beliefs and practices

**3.3.1 Harmful Gender Norms** – societies and cultures with rigid and inflexible gender norms (see p. 5 + 18) have much higher rates of gender-based violence, because both women and men only have limited options to be who they are meant to be, express themselves openly, and interact with one another freely. This not only limits women but it also restricts men in how they are allowed to express themselves, e.g. emotionally. Hence, it is harmful for both. Especially norms that say females should be ‘small’ and ‘subordinate’, while males should be ‘dominant’ and ‘emotionless’ are a dangerous breeding ground for violence.

### 4. GBV CONTRIBUTING FACTORS:

**4.1 Own Childhood and Upbringing:** The way we have been socialised contributes significantly to how genuinely we respect each other or resort to violence, and how far we see women and men as equals or not. The more one is loved, nourished and supported (especially during the first 0-3 years of life – as Early Childhood Development research has proved), and the more non-violent alternatives to corporal punishment one experiences as a child/youth, the less likely it is that one will use violence when faced with conflict or relationship challenges.

**4.2 Alcohol and substance abuse.** Being under the influence of alcohol or drugs reduces our ability to respond constructively during an argument. This

easily escalates the argument into a fight where violence is used. There is also a danger of both victim and offender using alcohol or drugs to 'deal with' the pain or 'forget about' problems. The same goes for other forms of addiction, such as gambling. Addiction is a sign that something within someone is out of balance. Such persons and often their immediate family members need support in dealing with this, which requires looking for the root causes of the addictive behaviours, if possible with professional help and therapeutic interventions. Unrecognised and untreated addictions make matters worse over time, because the real issues are not being dealt with, and the whole family gets pulled even deeper into problems and financial debt while the violence may easily spiral out of control. There is a need for people to realise that the numbing of pain, fear and other uncomfortable feelings through drugs and alcohol doesn't work, and that these substances are easily addictive. Possible warning signs should be taken seriously, and must not be dismissed! Advice or support from colleagues, friends, family and self- help groups should not be ignored, and there are also rehabilitation centres available.

**4.3 Poverty and Unemployment:** Limited financial resources and struggling to pay one's bills easily increases dependencies on an abusive partner, especially for mothers with children. There are many cases of women and girls struggling to report their partner's violent behaviour towards them or their children because they depend on him financially, and they fear that he will stop supporting them. A high number of men in Namibia don't pay child maintenance at all, despite being obliged by law and by common sense to support their own children. Other poverty-related examples are those of men 'investing' in their girlfriends (e.g. by paying for their studies) and then expecting these young women to stay in the relationship as a 'return on their investments'. In recent years these kinds of pressures and false expectations led to threats, physical violence and even killings. Poverty also makes it difficult to access proper support services when GBV occurs, considering transport costs as well as long queues at police stations, courts and public health facilities – access to private healthcare practitioners and counselling services not being possible.

**4.4 Trauma from violence Experiences:** One is likely to behave violently in the future or accept violence behaviour as the norm. It can be passed to the next generation if it's not properly resolved.

Fatherless – absence of father figure



## 5. CONSEQUENCES ASSOCIATED WITH GBV

Physical	Sexual Reproductive health	Mental
Immediate physical injuries to body	Sexual and gynaecological disorders	Low self esteem
Headache	Unwanted pregnancy	Alcohol and substance abuse
Fatigue	Abortions (safe and unsafe)	Aggression and violence
Chronic lower abdominal pain	Miscarriages	Post-traumatic stress disorders
Function limitation and disability	STI/HIV infection	Phobias and panic disorders
Chronic pain syndromes	Cervical cancer	Depression
Fibromyalgia	Sexual dysfunction	Anxiety
Gastrointestinal disorders	Obstetric complications	Sleeping disorder
Premature mortality	Pelvic and inflammatory disease	Psychosomatic disorder
	Premature labour	Obesity and anorexia
Death	Low birth weight	Inter-generational violence
	Foetal injuries	Sexual risk taking

## 6. LIFE-CYCLE PHASES OF GENDER-BASED VIOLENCE

GBV can take place through the life cycle of an individual, meaning before birth until old age.



**6.1 Prenatal:** battering during pregnancy (emotional and physical effects on the woman; effects on birth outcome);

**6.2 Infancy:** Female infanticide; emotional and physical abuse; differential access to food and medical care for girl

**6.3 Childhood:** Child marriage; genital mutilation; sexual abuse by family members and strangers; differential access to food and medical care; child prostitution, Child trafficking.

**6.4 Adolescence:** Dating and courtship violence; economically-coerced sex: Sugar Daddy Syndrome); sexual abuse in the workplace; rape; sexual harassment; forced prostitution; trafficking in women.

**6.5 Reproductive:** Abuse of women by intimate male partners; marital rape; dowry abuse and murders; partner homicide; psychological abuse; sexual abuse in the workplace; sexual harassment; rape; abuse of women with disabilities.

**6.6 Old-age:** Abuse of widows; elder economic abuse (pensioners and their pension money) abuse from family members

## **7. GBV related laws**

### **7.1 Namibian laws:**

**7.1.1 Combating of Rape Act 8 of 2000:** The Combating of Rape Act 8 of 2000 is characterized by a gender-neutral definition of rape. It defines rape as the intentional commission of a sexual act under coercive circumstances. Coercive circumstances include force, threats of force and other situations which enable one person to take unfair advantage of the other. The Act provides for the opportunity for the victim to testify at the bail hearing on the accused, provides minimum sentencing guidelines for rape which range from 5-15 years for first offenders depending on the circumstances of the crime and it also provides in section 2 (3) that marriage or other relationship shall not be used as a defence for rape.

**7.1.2 Combating of Domestic Violence Act 4 of 2003:** The Combating of Domestic Violence Act lays the foundation for addressing GBV in Namibia by outlining an inclusive definition of GBV that includes physical abuse, sexual

abuse, economic abuse, intimidation, harassment and serious emotional, verbal or psychological abuse in a variety of relationship categories. The act also provide for structures and procedures to allow survivors of GBV to obtain a protection order aimed at addressing the following areas: orders of 'no contact, forced removal from shared premises, financial support, and provide guidance regarding shared assets, property and minor dependents.

**7.1.3 Child Care and Protection Act 3 of 2015:** The Act sets out principles relating to the best interests of children. The Act provides for protective measures that should be used in various listed circumstances were a child is vulnerable.

**7.1.4 Combating of Trafficking in Persons Act 1 of 2018:** The Act defines Trafficking in Persons as the recruitment, transportation, transfer, harbouring or receipt of a person by means of threat, use of force or other forms of coercion, abduction, fraud or deception. One should be able to prove exploitation in a court of law.

**7.1.5 National Gender Policy and accompanying plan of action (2011):** The NGP addresses gender inequality and promote women empowerment by addressing GGV as one of the key programme areas, the NGP outlines strategies on how to address GBV by encouraging law and policy reforms prohibiting all forms of gender based violence and sexual exploitation in homes, work places, schools and communities, and increase implementation and enforcement efforts under existing legislation, monitoring legislation to ensure its effectiveness in eliminating violence against women and children, particularly with respect to the Combating of Domestic Violence Act and the Combating of Rape Act

**7.1.6 Education sector policy for the prevention and management of learner pregnancy (2009):** This policy is based on six guiding principles -the right to education, and the need for prevention, information, respect and support and respect for cultural and family values. The goal of this policy is to improve the prevention and management of learner pregnancy in Namibia, with the ultimate aim of decreasing the number of learner pregnancies and increasing the number of learner-parents who complete their education.

**7.1.7 Married Persons Equality Act 1 of 1996:** The Married Persons Equality Act abolishes the marital power of the husband over his wife and her property and amends community property laws. It further provides women with the pow-

er to register immovable property in their own name, gives them legal capacity to litigate and contract, and allows them to act as directors of companies. The Act also establishes that the minimum age for marriage as 18, thereby prohibiting child marriages.

**7.1.8 Marriage Act 21 of 1951:** The Marriage Act sets 18 years as the minimum age for civil marriage.

**7.1.9 Labour Act 11 of 2007 (sexual harassment):** The Labour Act prohibits direct or indirect sexual harassment of an employee in any employment decision or in the course of employment. The Act covers two types of sexual harassment: conduct which the employee has indicated that he or she finds unwelcome; and conduct that any reasonable person would find unacceptable.

**7.1.10 Criminal Procedure Act 51 of 1977:** This Act makes provision for a complainant in a case of rape or a domestic violence, the Act gives the complainant the right to attend bail proceedings as well as the right to be informed of any bail hearings and bail application concerning the accused in the case of rape or domestic violence.

**7.1.11 National Development plans:** The 5th National Development Plan (NDP5) comprises of 4 pillars which include a pillar of Social Transformation which addresses social development which includes gender equality, The Plan aims to Increase financial and human capacity of services providers to enhance financial and human capacity (police, justice, security, education) of services providers for integrated prevention, protection and response services for victims of GBV, human trafficking and violence. Enact laws protecting the rights of women and children that are in line with international standards. Also to ensure financial inclusion for women by mainstreaming informal businesses led by women.

**7.1.12. A call for Action: A prioritised NPA on GBV (2019-2023):** The Plan of Action outlines actions designed to prevent GBV, to improve the implementation of laws and services aimed at victims of GBV, and to provide adequate support services for survivors

## 7.2 International instruments:

7.2.1 SADC Protocol on Gender and Development

7.2.2 UN Convention on the Elimination of All forms of Discrimination Against Women

7.2.3 UN Convention on the Rights of Persons with Disability

7.2.4 UN Convention on the Rights of the Child

7.2.5 Protocol to the African Charter on human and Peoples' rights on the rights of Women in Africa

7.2.6 African Charter on the Rights and Welfare of the Child

7.2.7 Protocol to the Convention against Transnational Organised crime to Prevent, Suppress and Punish Trafficking in persons, Especially women and children

7.2.8 Optional Protocol to the Convention on the Rights of the Child on the sale of Children, Child Prostitution and Child pornography

## 8. PREVENTIVE MEASURES OF GBV

Strengthen information sharing platforms both at National, Regional and household levels

8.1 Promote economic empowerment activities for women to ensure economic independence by funding women's full participation in civil society

8.2 Train parents in positive parenting

8.3 Train first responders in communities

8.4 Sensitize the community on strategies on how to deal with un equal power relations by focusing on gender and empowerment

8.5 Improve safety nets

8.6 Impose stiffer sentences on perpetrators of GBV

8.7 Provide psychosocial support to purported victims and perpetrators of GBV

## 9. WHERE TO GO FOR ASSISTANCE IN NAMIBIA RESPONDING TO GBV

The Namibian laws make provision for victims of GBV to receive essential services namely medical, psycho-social support, safety/ shelter, police and justice.

What has happened? What do you need?	Where to go	What you need to know What to expect
Rape, attempt rape (adult)	Nearest GBV protection unit (Office Hours) Nearest po- lice station or hospital/clinic (afterhours)	Seek help as soon as possible.  To preserve evidence, do not shower or change clothing before reporting.  You will be medically examined by a doctor or nurse.  The police will open a case You should be supported by a social worker throughout If you are not safe at home, you may be offered a place safety

Child Rape, attempt rape, sexual abuse	<p>Nearest GBV protection unit (Office Hours)</p> <p>Nearest police station or hospital (afterhours)</p>	<p>As for adult above.</p> <p>A social worker from Ministry Gender Equality and Child Welfare (MGE CW) will offer initial and ongoing psychosocial support.</p> <p>If the child is not safe at home, the child may be removed for alternative care.</p> <p>A court order may be issued for other provisions to protect and support the child.</p>
Physical domestic or intimate partner violence-grievous bodily harm, assault, sexual abuse	<p>Nearest police station</p> <p>If you require urgent medical attention, go to a hospital or clinic first</p>	<p>You will be referred to a GBV protection Unit after a case has been opened.</p>
Child neglect, abuse and other child protection cases	Nearest Gender Equality and Child Welfare social worker	<p>A social worker will investigate and manage your case, offer support and refer for other services, as needed.</p> <p>If the child is not safe at home, the child may be removed for alternative care.</p>
Homicide, including in a domestic or intimate partner relationship	Nearest police station	Homicide is not dealt with at GBV protection Units

Grievous bodily harm, assault outside a domestic or intimate partner relationship	Nearest police station	These cases are not dealt with at GBV protection Unit.
Offences committed in a domestic setting, but which are not GBV-related (e.g. theft, fraud)	Nearest police station	These cases are not dealt with at GBV protection Unit.
Requiring safety or protection: Experiencing or in fear of experiencing domestic, intimate partner violence or sexual abuse	<p>Nearest magistrate's court for a protection order</p> <p>Near GBV protection Unit for a place of safety</p>	<p>You will have to fill in a form and produce an affidavit giving your reasons for needing protection.</p> <p>You should be issued with an interim protection order within 2 days.</p> <p>If your situation warrants it, you may be placed in a shelter or place of safety.</p>

<p>Adults requiring professional counselling: Experiencing 'red flags' for violence in domestic or intimate partner relationship</p> <p>Experiencing other forms of GBV (emotional, financial etc.)</p> <p>Feeling 'stuck' in abusive relationship</p> <p>You are perpetrating or at risk of perpetrating GBV yourself</p>	<p>Near Ministry of Health and Social service social worker</p> <p>A private psychologist (for those with private medical aid)</p> <p>NGOs, e.g. Lifeline/Childline, Phillipi trust, Regain Trust, Women's solidarity</p> <p>Phone the GBV Helpline, 106, toll free(8am-10pm)</p>	<p>You can expect to receive counselling for yourself and, where appropriate, couple or family counselling.</p> <p>Where needed, you will be referred for other services.</p>
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Children (18 years and under) requiring professional counselling and support	<p>Nearest MGECSW social worker School Counsellors or Life Skills Teachers</p> <p>Private psychologist (for those with medical aid)</p> <p>NGOs, e.g. Lifeline/Childline, Phillipi trust, Regain Trust</p> <p>Phone the GBV Helpline, 106, toll free(8am-10pm)</p>	<p>You can expect to receive individual counselling, with family counselling where appropriate.</p> <p>Where needed, onward referral to other services will be offered.</p>
Requiring Initial safety net support and referral: You have concerns about GBV and need initial support and advice	<p>Your nearest 'GBV-responsible' institution</p> <p>Phone 106 GBV helpline</p>	<p>Certain churches, NGO's, workplaces, traditional authorities offer 'safety net' services-knowing the law, how to listen and to offer initial support and assisted referral for the services</p>
Requiring information and support You need information on GBV and /or GBV services	<p>Your Nearest community Health worker or other community workers who are part of the GBV-watch network</p> <p>Phone 106 GBV helpline</p>	<p>Community Health Workers (Health Extension Workers) and certain other community-based workers have been trained to listen, offer basic information and referral for services</p>

## 10 SUPPORT SERVICES

### 10.1 EMERGENCY NUMBERS

<b>NAMIBIA – NATIONWIDE</b>	
Police Emergency [NAMPOL] – toll free!	10111 [no code]
Ministry of Gender Equality, Poverty Eradication and Social Welfare	061-2833111
GBV Helpline [Lifeline/Childline] – toll free!	106 [no code]
Child Helpline [Lifeline/Childline] – toll free!	116 [no code]
Legal Assistance Centre [LAC]	061-223356
<b>WINDHOEK ONLY</b>	
City Police [or SMS: 4444] – toll free!	061-302302
GBVPU in Windhoek (Social Workers)	061-2266495/99
<b>NAMIBIAN POLICE'S GBV PROTECTION UNITS:</b>	
Head: GPVP Division	Dep. Comm. Johanna F. Situde
Region	Telephone
//Kharas	063-221844 063-202255
Erongo	064-219068
Hardap	063-345000 062-523223
Kavango - East	066-266300
Kavango - West	066-264788
Khomas	061-2095226 / 061-2095375
Kunene	065-273148
Ohangwena	065-264204
Omusati	065-251349
Oshana	065-2236056
Oshikoto	067-2235015
Otjozondjupa	067-300625
Zambezi	066-251215





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