DISRUPTING HARM IN NAMIBIA

Evidence on online child sexual exploitation and abuse

Warning:
Disrupting Harm addresses the complex and sensitive topic of online child sexual exploitation and abuse. At times in the report, some distressing details are recounted, including using the direct words of survivors themselves. Some readers, especially those with lived experiences of sexual violence, may find parts of the report difficult to read. You are encouraged to monitor your responses and engage with the report in ways that are comfortable. Please seek psychological support for acute distress.report in ways that are comfortable. Please seek psychological support for acute distress.

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FOREWORD

The Ministry of Gender Equality, Poverty Eradication, and Social Welfare introduce the *Disrupting Harm Study in Namibia*. This report is part of a 13-country research endeavour on online sexual exploitation and abuse of children (OCSEA) across Southeast Asia and Eastern and Southern Africa, including Namibia. The research was conducted by ECPAT, INTERPOL, and UNICEF, with the support of the Global Partnership to End Violence Against Children through its Safe Online initiative.
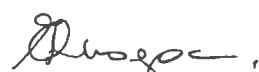
Online sexual exploitation and abuse of children is a problem in all countries. These crimes are constantly evolving and are often underreported. Not only in Namibia, but globally, there is a gap in our knowledge regarding these forms of violence against children. High-quality evidence needs to be central in shaping how we address these harms to children. The Government of the Republic of Namibia and Partners following research studies realised this need a few years ago and, along with partners, generated quality data through the *Voices of Children: an exploratory research study on knowledge, attitudes and practices of ICT use and online safety risks by children in Namibia* (2017) NUST, *the Violence Against Children and Youth in Namibia Study Report* (2020) (GRN and CDC) with online components and *An Exploratory Study into Nature and Dynamics of Online Grooming in Namibia* (2020) (UNICEF).

The Disrupting Harm in Namibia: Evidence on online child sexual exploitation and abuse study provides yet another major step to bridge this evidence gap. The report paints a comprehensive picture of online sexual exploitation and abuse against children in Namibia, using quantitative and qualitative data collected from multiple stakeholders in Namibia.

The Ministry of Gender Equality, Poverty Eradication, and Social Welfare has hosted the Permanent Task Force's meeting on Children in February 2022 to validate the findings of Disrupting Harm Study reflect the progress already made by the government and its partners in combating this online crime in Namibia. An important step has been the establishment of the Namibian National Child Online Protection Taskforce in 2017 and initiating several successful awareness raising efforts such as Safer Internet Day and the #BeFree campaign. These efforts have been essential in bringing together crucial stakeholders to address OCSEA, but also shifting this topic into the public eye.

Through this extensive research effort, we now have the benefit of the highest quality evidence in the world on OCSEA, which will assist us in creating further evidence-based laws and policies to keep our children safe. The report ends with a set of concrete recommendations for our various sectors and stakeholders. It is the Ministry's hope that all relevant stakeholders - from policy makers, law enforcement, civil society, industry and communities - will work collaboratively to action these recommendations.

The Ministry of Gender Equality, Poverty Eradication, and Social Welfare would like to congratulate ECPAT, INTERPOL and UNICEF, and the Global Partnership to End Violence Against Children on this achievement, which will hopefully inspire an acceleration of our existing efforts to tackle these crimes against children.

Ms. Esther Lusepani
Executive Director

MESSAGE FROM THE END VIOLENCE PARTNERSHIP

Our online lives are constantly advancing. The internet and rapidly evolving digital communication tools are bringing people everywhere closer together. Children are increasingly conversant with and dependent on these technologies, and the COVID-19 pandemic has accelerated the shift online of many aspects of children's lives.

The internet is a powerful tool for children to connect, explore, learn and engage in creative and empowering ways. The importance of the digital environment to children's lives and rights was emphasised by the United Nations' Committee on the Rights of the Child in General Comment No. 25 adopted in 2021. The General Comment also stresses the fact that spending time online inevitably brings unacceptable risks and threats of harm, some of which children also encounter in other settings and some of which are unique to the online context.

One of the risks is the misuse of the internet and digital technologies for the purpose of child sexual exploitation and abuse. Online grooming, sharing of child sexual abuse material and live-streaming of child abuse are crimes against children that need an urgent, multi-sectoral and global response. These crimes are usually recorded in the form of digital images or videos, which are very often distributed and perpetually reshared online, victimising children over and over again. As risks of harm continue to evolve and grow exponentially, prevention and protection have become more difficult for governments, public officials and providers of public services to children, but also for parents and caregivers trying to keep up with their children's use of technology.

With progress being made towards universal internet connectivity, it is ever more pressing to invest in children's safety and protection online. Governments around the world are increasingly acknowledging the threat of online child sexual exploitation and abuse, and some countries have taken steps to introduce the necessary legislation and put preventive measures in place. At the same time, the pressure is mounting on the technology industry to put the safety of children at the heart of design and development processes, rather than treating it as an afterthought. Such safety by design must be informed by evidence on the occurrence of OCSEA. *Disrupting Harm* makes a significant contribution to that evidence.

The Global Partnership to End Violence against Children, through its Safe Online initiative, invested US$7 million in the *Disrupting Harm* project. *Disrupting Harm* uses a holistic and innovative methodology and approach to conduct a comprehensive assessment of the context, threats and children's perspectives on online child sexual exploitation and abuse. This unprecedented project draws on the research expertise of ECPAT, INTERPOL and UNICEF Office of Research – Innocenti, and their networks. The three global partners were supported by ECPAT member organisations, the INTERPOL National Central Bureaus and the UNICEF Country and Regional Offices. It is intended that the developed and tested methodology be applied in other countries around the world.

Disrupting Harm represents the most comprehensive and large-scale research project ever undertaken on online child sexual exploitation and abuse at the national level and has resulted in 13 country reports and a series of insight papers. It provides comprehensive evidence of the risks children face online, how they develop, how they interlink with other forms of violence and what can be done to prevent and reduce them.

The findings will serve governments, industry, policy makers, and communities to take the right measures to ensure the internet is safe for children. This includes informing national prevention and response strategies, expanding the reach of *Disrupting Harm* to other countries and regions and building new data and knowledge partnerships around it.

Disrupting harm to children is everyone's responsibility.

Dr Howard Taylor
Executive Director
End Violence Partnership

EXECUTIVE SUMMARY

Funded by the Global Partnership to End Violence against Children, through its Safe Online initiative, ECPAT, INTERPOL and UNICEF Office of Research – Innocenti worked in partnership to design and implement a research project focused on online child sexual exploitation and abuse (OCSEA): Disrupting Harm. This unique partnership utilises a multi-disciplinary approach in order to explore all sides of this complex issue. The research was conducted in six Southeast Asian countries and seven Eastern and Southern African countries, including Namibia. Data was synthesised from nine different research activities to generate each national report. These provide evidence of the threat of OCSEA to children, responses to that threat, before presenting a clear way forward.

Internet use

In Namibia, 81% of children aged 12–17 are internet users, meaning they have used the internet within the past three months. Among internet-using children, 56% go online every day. Internet use increases with age but no gender difference was found in this regard. Internet use is slightly higher among children in urban areas (84%) as compared to their counterparts in rural areas (79%). Overwhelmingly, children use smartphones (91%) to go online, which they often share with someone else. Most (77%) internet-using children in Namibia face barriers in terms of accessing the internet. The cost of the internet and poor or slow connections are the most common barriers. On a weekly basis, the online activities that children in Namibia engage in the most are schoolwork (82%), closely followed by using social media (79%) and instant messaging (78%).

Risky online behaviours and perceptions

People are aware of online risks in Namibia. The majority (70-80%) of children and caregivers surveyed were concerned about the risk for children of talking to unknown people online or of encountering sexual content online. Yet the majority (89%) of caregivers of internet-using children were also active online and responded that they felt confident that they could help their child if they were to encounter harm online.

The majority of children acknowledged the risk involved in talking to people they had met online. In practice, nearly half (46%) admitted to having added people that they had never met face-to-face to their friends or contacts lists. In addition, almost a third (31%) sent their personal sumformation to someone they had never met face-to-face, and close to 1 in 6 (17%) had met someone face-to-face that they had first got to know on the internet. According to the

children, the majority of these encounters did not result in immediate harm and most were described as positive experiences. These meetings may have been new friends in the community, yet such encounters do still carry risks.

Almost 1 in 10 children (9%) reported having shared naked images or videos of themselves online and a further 6% reported allowing someone else to take naked pictures or videos of them. While such content is most frequently shared voluntarily, for example with romantic partners, there remains the risk of others sharing the content without permission. Some children (4 of 89) had shared naked content as a result of threats or pressure, and/or had shared such content with someone unknown.

Children's experiences of online sexual exploitation and abuse

Children were also asked whether they had been subjected to OCSEA within the past year. OCSEA refers to situations that involve digital or communication technologies at some point during the continuum of exploitation or abuse. OCSEA can occur fully online or through a combination of online and in-person interactions between offenders and children.

The instances of OCSEA captured in the *Disrupting Harm* household survey of internet-using children and their caregivers ranged from unwanted requests for images showing a child's private parts, being offered gifts in return for sexual images, to being threatened or blackmailed online to engage in sexual activities. The proportion of children who reported instances of OCSEA varied from 5% to 9% depending on the form of OCSEA. Older children aged 16–17 years old were more likely to have experienced OCSEA. There was little variation between boys and girls, and no notable variation between children in urban and rural settings.

The majority of children who were subjected to unwanted requests to talk about sex or to send sexual images refused to do so, while 8% complied with requests to talk about sex. Overall, 5% said that they had been offered money or gifts in return for sexual images or videos, and the same proportion also said sexual images of them had been shared without their permission in the past year. Of internet-using children aged 15–17 years old, 7% admitted to having accepted money or gifts in exchange for sexual images or videos of themselves in the past year.

These experiences occurred both online and in person, but all were facilitated by digital technology. Instances of OCSEA identified in the household survey frequently involved the use of social media, most commonly Facebook, WhatsApp and Instagram.

In the past year alone, 9% of internet users aged 12–17 in Namibia were subjected to clear examples of online sexual exploitation and abuse that included blackmailing children to engage in sexual activities, sharing their sexual images without permission, or coercing them to engage in sexual activities through promises of money or gifts. While the percentage may appear small, when scaled to the national population, this represents an estimated 20,000 children subjected to OCSEA in just a single year. It is also likely that the true figures are even higher given the likelihood that children may be reluctant to speak openly about this sensitive subject.

Offenders of online sexual exploitation and abuse

Consistent with the evidence concerning violence against children offline, people who were already known to the child were most commonly responsible for the OCSEA-related offences identified in the household survey. These were often intimate partners and adult friends and family members. People previously unknown to the child were responsible for approximately 1 in 4 instances of the OCSEA-related offences identified in the household survey. These findings have significant implications for prevention efforts, as many activities focus on the threat of harm from someone unknown rather than people the child already knows. This should also be a consideration for response systems, as it is often much more difficult for victims to seek help if they are emotionally and/or economically dependent on abusers. This highlights the importance of basing prevention and awareness efforts on evidence.

Disclosure of online sexual exploitation and abuse

Many incidents of OCSEA go undisclosed and formally unreported. Between 16% (1 in 6) and 40% (2 in 5) of children surveyed who had been subjected to OCSEA did not tell anyone what had happened to them. Those who did disclose typically confided in a friend or sibling. Only a small minority disclosed to their caregivers or other adults. Even fewer (0%–4%, depending on the form of OCSEA) accessed formal reporting mechanisms such as the police, a social worker or helplines. The main reasons children cited for not disclosing were a lack of awareness about where to go or whom to tell, being embarrassed, thoughts that the incident was not serious enough and fear that they would get into trouble.

The majority of caregivers predicted that if something happened to their child online, they would access formal reporting channels in Namibia. On the contrary, government, justice and social support sector officials were sceptical about the likelihood of caregivers reporting instances of sexual abuse and exploitation, particularly forms with online elements. The rationale for not reporting was attributed to a range of factors including a lack of awareness of what constitutes OCSEA, the discomfort of openly discussing sex or sexual abuse, fear of being stigmatised by the community and perceptions that crimes against children are not taken seriously or that services are not effective.

Law enforcement response

Within the Namibian Police Force, the Criminal Investigations Department is responsible for investigating all crimes in the country. More specifically, the Gender-Based Violence Protection Units are engaged in investigating cases of sexual and gender-based violence, including OCSEA. This unit is staffed by investigators and social workers and is widely recognised as the first port of call for reports of OCSEA.

While the unit has been provided with some specialised training and equipment and has established a dedicated OCSEA sub-unit, in practice, actively responding to cases remains a challenge. The Cybercrime Unit has also been established to address cases involving digital technologies, including online sexual violence against children. The Cybercrime Unit is identified as being the key unit receiving international referrals and hotline reports.

The low number of reported OCSEA cases means that it is difficult to assess the effectiveness of these two units, both independently and collaboratively, in terms of responding to cases of OCSEA.

Interviews with government representatives, criminal justice professionals and frontline social service providers indicated that law enforcement officers receive limited training on OCSEA response and prevention. In addition, law enforcement officers face difficulties in investigating reported cases due to the limited legislation, the very limited reporting of such cases and the difficulty of keeping ahead of the ever-evolving technological elements involved in such cases. Further concerns were raised by interview participants regarding insufficient standard operating procedures, low funding for purchasing and maintaining the necessary equipment and the absence of a national database on OCSEA. Minimal cooperation with foreign law enforcement agencies and the limited availability of skilled psychological support for law enforcement officers engaged in this difficult work are additional obstacles to an effective law enforcement response to OCSEA.

Experiences of victims in the justice system

Six female child survivors of OCSEA who sought justice were interviewed, along with their caregivers, for *Disrupting Harm*. While these children generally appreciated the opportunity to select the gender of the police officer handling their case, not all survivors interviewed were granted this opportunity. Children reported that child-friendly measures are in place in certain instances but that they are not universal. Being required to retell their story repeatedly was another challenge for children. Some caregivers expressed concern about being excluded from certain stages of the justice process – for example, by being separated from their child during the interview process with the police – and were therefore unable to provide adequate support to their children. Ultimately, none of the children interviewed had their case proceed to court. In one case, the family of the victim chose to withdraw the complaint from the police and settle the case through informal channels. It was not always clear for the other victims as to why their cases did not go to trial.

Interviews with 10 government representatives and 10 justice professionals revealed that the main challenge for successful prosecution of OCSEA in Namibia is the lack of comprehensive legislation to address cases of OCSEA. Certain positive practices were also identified, for instance, interviewees revealed that measures aimed at making the court more child-friendly have been successful. There is now a need to expand these measures outside urban areas to include rural locations. The long duration of the criminal justice process, which can extend over many years, was a major barrier to reporting and to adequate access to justice.

Moreover, there was a widely held concern among the various government representatives and frontline workers that children and their caregivers were not aware of and thus not accessing their right to legal representation and compensation. The children and caregivers interviewed expressed disappointment that they had not been made aware of their rights. While there was very positive feedback from children and caregivers regarding the role of social workers within the Gender-Based Violence Protection Units of the Namibian Police Force, the provision of social support services, including psychosocial, medical and reintegration support for victims, received mixed reviews from the professionals interviewed, who identified the inequitable distribution of resources, the lack of specialised personnel, and the cost and stigma associated with accessing support services as the main barriers for children accessing these important services.

International cooperation and civil society

Within Namibia, several initiatives were identified that demonstrate a growing acknowledgement of and steps toward addressing the threat of OCSEA. Cooperation among government and civil society, and multi-sectorial and international cooperation efforts exist, but to date they have been limited. Importantly, collaboration with internet service providers and platforms at the domestic level has been positive.

EXECUTIVE SUMMARY

In contrast, international reporting of OCSEA cases, particularly via existing mechanisms to remove child sexual abuse material (CSAM) from global platforms, has been negligible, with no transparency reports being provided by major social media platforms between 2017 and 2019. Furthermore, the absence of an effective national database regarding child sexual exploitation and abuse (CSEA), and by extension OCSEA, is indicative of Namibia's ability to meaningfully contribute to the INTERPOL International Child Sexual Exploitation Database.

Current initiatives

Interviews with government representatives demonstrate that the Government of Namibia is aware of the threat of OCSEA and the need for cooperation and collaboration to counter it.

The establishment of the Namibian National Child Online Protection Task Force in 2017 was and continues to be a promising initiative, which brings together critical ministries, NGOs and a range of partners, including academic institutions and industry representatives. The task force is crucial to ensuring collaboration between the main institutions with mandates relevant to OCSEA and to ensure that OCSEA remains firmly on the agenda of all stakeholders.

Public awareness campaigns have been initiated by government and civil society organisations such as Safer Internet Day and the #BeFree campaign, and while not specifically focused on OCSEA, they have been pivotal in raising the profile of OSCEA within the public sphere. Furthermore, several important evidence-gathering initiatives, including *Disrupting Harm*, are seeking to develop a more comprehensive understanding of sexual violence against children in Namibia with a view to informing policy, legislation and practice in order to address and appropriately respond to the issue.

Nonetheless, the government representatives and frontline workers interviewed say that there remains a low level of awareness and capacity to respond to OCSEA within the government, law enforcement, the social services sector, caregivers and among the public.

Insights

The *Disrupting Harm in Namibia* report concludes with six key insights based on the research findings. A detailed set of recommended actions is presented (see pages 89 to 98), each directed towards a key actor in the fight against OCSEA in Namibia. The six key insights are as follows:

1. In the past year alone, 9% of internet users aged 12–17 in Namibia were subjected to clear examples of online child sexual exploitation and abuse that included blackmailing children to engage in sexual activities, sharing their sexual images without permission, or coercing them to engage in sexual activities through promises of money or gifts. Scaled to the national population, this represents an estimated 20,000 children subjected to OCSEA in a single year.

2. The majority of OCSEA offenders (about 80%) are someone the child already knows. These crimes can happen while children spend time online, or in person, but they involve technology.

3. Most children experienced OCSEA through social media, with Facebook, WhatsApp and Instagram being the most common platforms on which this occurred.

4. The majority of children were more inclined to disclose being victims of OCSEA to their interpersonal networks rather than through formal reporting mechanisms, such as helplines or the police. A notable proportion of children (30%) did not tell anyone about their OCSEA experiences.

5. Law enforcement, justice and social support systems have insufficient awareness, capacity and resources to respond to cases of OCSEA appropriately and in a child-friendly manner.

6. Important OCSEA-related legislation, policies and standards have not yet been enacted in Namibia, which hinders the criminal justice system's ability to address OCSEA and impedes the victims' access to justice.

The report ends with a detailed road map for all relevant stakeholders involved in protecting children from OCSEA, including government; law enforcement; the justice and social services sectors, and those working within them; communities, teachers and caregivers; and digital platforms and service providers. The recommendations are too detailed to be recounted in the Executive Summary but can be found in full on page 89 of this report.

DISRUPTING HARM METHODS

As with all the settings in which children live and grow, the online environment can expose them to risks of sexual exploitation and abuse. Yet the scarcity of the available evidence makes it difficult to grasp the nature of the harm caused or to make constructive recommendations on public policies for prevention and response. Informed by the 2018 WeProtect Global Alliance Threat Assessment[1] and a desire to understand and deepen the impact of its existing investments, the Global Partnership to End Violence Against Children through its Safe Online initiative decided to invest in research to strengthen the evidence base on OCSEA, with a particular focus on 13 countries across Eastern and Southern Africa and Southeast Asia.

The countries of focus in the Southeast Asian region are Cambodia, Indonesia, Malaysia, the Philippines, Thailand and Vietnam. The countries of focus in the Eastern and Southern Africa region are Ethiopia, Kenya, Mozambique, Namibia, South Africa, Tanzania and Uganda.

Extensive data collection for nine unique research activities took place in Namibia from early 2020 through to early 2021. During an extensive analysis phase, the data from all the research activities was triangulated and a series of 13 country reports were developed. The analysis for Namibia was finalised in July 2021. Using the same methodology in all 13 countries also allows for cross-country comparisons, which will be presented in a series of *Disrupting Harm data insights*.

Aside from the scope and capacity for cross-country comparisons, the project is also unique as it brings together the specific and complementary expertise of three global organisations with global networks: ECPAT, INTERPOL and UNICEF.

The desired outcome of this report is to provide a baseline and evidence for Namibian policy makers to tackle and prevent online child sexual exploitation and abuse (OCSEA) and strengthen support for children. In addition, the findings and recommendations are expected to be relevant to a broader global audience.

The recommendations made in the report are aligned with the WeProtect Model National Response1 and contribute to the 2030 Agenda for Sustainable Development.[2]

Summary of methods used by ECPAT International in Namibia

Government representatives' interviews

Ten semi-structured interviews were conducted between June 2020 and February 2021 with senior national government representatives[3] with mandates that include OCSEA. As a result of the COVID-19 pandemic, some interviews were conducted in person and some virtually. More information on the methodology can be found here, while the preliminary data analysis report can be found here. Attributions to data from these respondents have ID numbers beginning with RA1 throughout the report.[4]

Analysis of non-law enforcement data and consultations

A range of non-law enforcement stakeholders can provide data and insight on the nature and scale of OCSEA. Data was obtained from International Association of Internet Hotlines (INHOPE), the Internet Watch Foundation and Child Helpline International (CHI). Qualitative insight was provided by a number of global technology platforms. Where relevant, this information supplements the analysis contributed by INTERPOL.

1. WeProtect Global Alliance (2016). Preventing and Tackling Child Sexual Exploitation and Abuse: A model national response. London: WeProtect Global Alliance.
2. United Nations. (n.d.) Sustainable Development Goals. See: Goals 5.2, 8.7 and 16.2.
3. Participants represented: the National Assembly, Ministry of Education, Ministry of Gender – Directorate of Child Welfare, Ministry of ICT, Office of the First Lady, Ministry of Safety and Security, Ministry of Health and Social Services, Ministry of Justice and UNICEF.
4. The format RA1-NA-01-A is used for IDs. 'RA1' indicates the research activity, 'NA' denotes Namibia, '01' is the participant number and 'A' indicates the participant when interviews included more than one person.

Frontline social service providers survey

A non-probability convenience sample of 50 client-facing frontline workers was obtained by reaching out to a set of NGOs. Outreach workers, social workers, case managers, psychologists and some health and legal professionals participated in a survey administered online between June 2020 and August 2020. This research activity aimed to explore the scope and context of OCSEA as it is observed by those working on the social support front line in prevention and response. More information on the methodology can be found here, while the preliminary summary data report can be found here. Attributions to data from these respondents have ID numbers beginning with RA3 throughout the report.

Access to justice interviews with victims of online child sexual exploitation and abuse and their caregivers

Eleven in-person interviews were conducted between June 2020 and February 2021. Six of these were with girls aged between 15 and 18 years who had accessed the legal system for OCSEA cases. In addition to the children, five of the children's caregivers were also interviewed. The children and caregivers decided themselves whether to be interviewed separately or jointly. Only one child chose to be interviewed in the presence of her caregiver. This research activity aimed to provide a better understanding of how and to what extent children who have been subjected to OCSEA can access justice and remedies in Namibia.

Figure 1: *Disrupting Harm* methods in Namibia.

None of those interviewed saw their cases result in a prosecution in court (more details about this are provided in section 3.2.2). The information from the interviews is, therefore, mainly about children who were subjected OCSEA and their caregivers' experiences of interacting with police and social workers. Only very limited information could be collected regarding interaction with other criminal justice actors. The participants of this activity came from four regions, namely, Khomas, Omaheke, Kavango East and Otjozondjupa. More information on the methodology can be found here, while the preliminary summary data report can be found here. Attributions to data from these respondents have ID numbers beginning with RA4 throughout the report. Note that the suffix 'child' or 'caregiver' is also included in the ID numbers for clarity.

Access to justice interviews with justice professionals

Ten semi-structured interviews were conducted with 12 criminal justice professionals between June 2020 and February 2021. These interviews were conducted virtually. The sample included government and non-government representatives who had experience with OCSEA criminal cases.[5] More information on the methodology can be found here, while the preliminary summary data report can be found here. Attributions to data from these respondents have ID numbers beginning with RA4 throughout the report. Note that the suffix 'justice' is also included in the ID numbers for clarity.

Literature review and legal analysis

A literature review was undertaken to inform the research teams prior to primary data collection. A comprehensive analysis of the legislation, policy and systems addressing OCSEA in Namibia was conducted and finalised on 10 July 2020. More information on the methodology can be found here, while the full report on the legal analysis can be found here.

Conversations with online child sexual exploitation and abuse survivors

Unstructured one-on-one conversations led by trauma-informed expert practitioners were arranged with seven girl survivors of OCSEA.[6] In total, 33 young survivors participated in five of the *Disrupting Harm* countries (nine girls in Kenya, five boys and seven girls in Cambodia, four girls in Malaysia and one boy in South Africa). Participants were aged between 16 and 24 but had all been subjected to OCSEA as children. The survivor conversations were analysed collectively for all countries and lessons are incorporated into all the national reports. The Namibia report presents data from the seven girl survivors. More information on the methodology can be found here. The report, which presents the analysis of all 33 survivor conversations, will be released separately in 2022. Attributions to data from these respondents have ID numbers beginning with RA5 throughout the report.

Summary of methods used in Namibia by INTERPOL

Quantitative case data analysis

Data was sought on cases related to OCSEA from law enforcement authorities via the INTERPOL National Central Bureau in each country. Data was also obtained from various sources, including the mandated reports from U.S.-based technology companies to the U.S. National Center for Missing and Exploited Children (NCMEC) and a number of other partner organisations, with a view to deepening understanding of the relevant offences committed in the country, offender and victim behaviour, crime enablers and vulnerabilities. Crime data was analysed for the three years from 2017 to 2019.

Qualitative capacity assessments

In addition to seeking data on OCSEA cases, INTERPOL requested data on the capacity of the national law enforcement authorities to respond to this type of crime and interviewed serving officers. Particular emphasis was placed on human resources, access to specialist equipment and training, investigative procedures, the use of tools for international cooperation, achievements and challenges. Attributions to data from these respondents have ID numbers beginning with RA8 throughout the report.

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5. Interviews were held with representatives from the Legal Assistance Centre, University of Namibia, Office of the First Lady, Namibian Police, the Ombudsman of Namibia, the Office of the Prosecutor General, Tjombe-Elago Incorporated, NamRights and the Namibian Police Force.
6. While enforcement is sporadic and uncommon, same-sex relations are illegal under the common law sodomy provision, so boys were not sampled for ethical reasons. For boys to disclose sexual abuse by a same-sex offender would expose them to the risk of legal self-incrimination against this law.

More information on INTERPOL's methodologies can be found here.

Summary of methods used in Namibia by UNICEF Office of Research – Innocenti

Household survey of internet-using children and their caregivers

In order to understand children's use of the internet and the risks and opportunities they face online specifically regarding OCSEA, a nationally representative household survey was conducted. This included 994 internet-using children and adhered to the COVID-19-related restrictions and procedures in force in the country at the time. The term 'household survey' is used throughout the report to indicate findings that come from this specific research activity. The target population for the survey was children aged 12–17 in Namibia who had used the internet in the three months before the interview. Additionally, one parent or caregiver of each child was interviewed. The survey sample was composed of 496 (50%) boys and 498 (50%) girls. The age breakdown is as follows: 264 (27%) 12–13-year-olds, 359 (36%) 14–15-year-olds and 371 (37%) 16–17-year-olds were surveyed.

To achieve a nationally representative random sample, the survey used random probability sampling with national coverage. In Namibia, the fieldwork coverage was 100%. Coverage is defined as the proportion of the total population that had a chance of being included in the survey sample – meaning that the fieldwork would cover the area where they live if sampled. This means that all regions of Namibia were represented in our sample. Regions include Erongo, Hardap, Karas, Kavango East, Kavango West, Khomas, Kunene, Ohangwena, Omaheke, Omusati, Oshana, Oshikoto, Otjozondjupa and Zambezi.

The sampling followed a three-stage random probability clustered sample design. In the first stage, 100 primary sampling units (PSUs) were selected. The PSU list was provided by the Namibia Statistics Agency (NSA). In the second stage, interviewers randomly selected addresses in the field using random walk procedures and attempted contact at the selected addresses in order to screen for members of the survey population using a screening question developed for this purpose. In the third stage, individuals (children and caregivers) were selected within each eligible household using random methods.

In every household visited, interviewers attempted to collect data on the number of 12–17-year-old children in the household, their gender and whether they had used the internet in the past three months. This allowed for an estimation of internet penetration rates for all 12–17-year-old children in Namibia.

The fieldwork took place between 21 December 2020 and 28 February 2021. Data collection was carried out by IPSOS MORI through the Incredible Creations Research agency on behalf of UNICEF Office of Research – Innocenti.

To enhance the precision of the estimates presented, the household survey data used throughout this report was weighted following best practice approaches for the weighting of random probability samples. The weighting included the following stages:

- Design weight adjustments to reflect the probabilities of selection (inverse probability weights);
- Non-response weights to reduce non-response bias;
- Post-stratification weights to adjust for differences between the sample and population distributions.

A more detailed explanation of the methodological approach and the specific methods used for the household survey data analysis can be found here.

Ethical approval

The UNICEF Innocenti and ECPAT International research components received approval from the Ministry of Health and Social Services Ethical Review Board at a national level. The protocols of ECPAT and UNICEF were also reviewed and approved by the Health Media Lab Institutional Review Board.

Both INTERPOL research activities entailed interviews with law enforcement officials in relevant units and national agencies dealing with OCSEA. The team of interviewers took an online course on Responsible Conduct of Research from the Collaborative Institutional training Initiative and followed the INTERPOL Code of Conduct.

National consultation

In a national consultation on 24 February 2022, representatives from the government, law enforcement authorities and civil society in Namibia were asked to provide input on the *Disrupting Harm* findings and recommendations to enhance their relevance for the Namibian context.

ABOUT ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE

Child sexual abuse **refers to various sexual activities perpetrated against children (persons under 18), regardless of whether or not the children are aware that what is happening to them is neither normal nor acceptable. It can be committed by adults or peers and usually involves an individual or group taking advantage of an imbalance of power. It can be committed without explicit force, with offenders frequently using authority, power, manipulation or deception.[7]**

Child sexual exploitation involves the same abusive actions. However, an additional element of a threat or exchange (e.g., money, shelter, material goods, immaterial things such as protection or a relationship), or even the mere promise of this, must also be present.[8]

Online child sexual exploitation and abuse (OCSEA) refers to situations involving *digital, internet* and *communication technologies* at some point during the continuum of abuse or exploitation. OCSEA can occur fully online or through a mix of online and in-person interactions between offenders and children.

Disrupting Harm focuses on how technology can be misused to facilitate child sexual exploitation and abuse. Its use of the term 'OCSEA' does not refer to abuse or exploitation that occurs exclusively online, nor is it the intention of *Disrupting Harm* to create an artificial divide between online and offline child sexual exploitation and abuse. Children can be abused or exploited while they spend time in the digital environment, but equally, offenders can use digital technology to facilitate their actions, e.g., to document and share images of in-person abuse and exploitation or to groom children to meet them in person.

Any characterisation of OCSEA must recognise that the boundaries between online and offline behaviour and actions are increasingly blurred[9] and that responses need to consider the whole spectrum of activities in which digital technologies may play a part. This characterisation is particularly important to keep in mind as children increasingly see their online and offline worlds as entwined and simultaneous.[10]

For *Disrupting Harm*, OCSEA was defined specifically to include child sexual exploitation and abuse that involves the following:

- Production, possession, or sharing of **child sexual abuse material (CSAM):** Photos, videos, audio or other recordings, or any other representation of real or digitally generated child sexual abuse or sexual parts of a child for primarily sexual purposes.[11]

- Live-streaming of child sexual abuse: Child sexual abuse that is perpetrated and viewed simultaneously in real time via communication tools, video conferencing tools and/or chat applications. In most cases, the offender requesting the abuse in exchange for payment or other material benefits is in a different physical location from the child(ren) and the facilitators of the abuse.

- **Online grooming of children for sexual purposes:** Engagement with a child via technology with the intent of sexually abusing or exploiting the child. While international legal instruments[12] criminalising grooming indicate that this must take place with intent to meet the child in person, it has become increasingly common for offenders to sexually abuse children by, for example, manipulating them

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7. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 18.

8. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 24.

9. May-Chahal, C., & Palmer, C. (2018). Rapid Evidence Assessment: Characteristics and vulnerabilities of victims of online-facilitated child sexual abuse and exploitation. Independent Inquiry into Child Sexual Abuse. UK: Lancaster University.

10. Stoilova, M., Livingstone, S., Khazbak, R. (2021). Investigating Risks and Opportunities for Children in a Digital World: A rapid review of the evidence on children's internet use and outcomes. *Innocenti Discussion Papers* no. 2021-01, Florence: UNICEF Office of Research – Innocenti.

11. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 40.

12. The only two legally binding international instruments containing an obligation to criminalise the grooming of children for sexual purposes are as follows: Council of Europe. (2007). Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Council of Europe Treaty Series – No. 201. Article 23; and European Parliament and Council. (2011). Directive 2011/92/EU on combating the sexual abuse and sexual exploitation of children and child pornography and replacing Council Framework Decision 2004/68/JHA. Article 6.

Figure 2: Framing the main forms of online child sexual exploitation and abuse explored by *Disrupting Harm*.

Internet or communication technology involved

Sexual exploitation and abuse (physical contact)

Child sexual abuse material

Live-streaming

Grooming / coercion

into self-generating and sharing CSAM through digital technologies, without necessarily having the intention of meeting them and abusing them in person.

The *Disrupting Harm* reports also address other phenomena that contribute to understanding the contexts and socio-cultural environments in which OCSEA occurs.

- **The sharing of self-generated sexual content involving children**[13] can lead to or be part of OCSEA, even if this content is initially produced and shared voluntarily between peers, as it can be passed on without permission or obtained through deception or coercion.

- **Sexual extortion of children**[14] refers to the use of blackmail or threats to extract sexual content or other benefits (e.g., money) from the child, often using sexual content involving the child that has previously been obtained as leverage.

Sexual harassment of a child[15] and **unwanted exposure of a child to sexual content**[16] are other phenomena which can represent or enable OCSEA. For example, offenders can deliberately expose children to sexual content as part of grooming to desensitise them to sexual acts. However, for the purposes of evidence-based policy and programme development, it is important to acknowledge that there are differences between voluntary viewing of sexual content by children and viewing that is forced or coerced. The former is not included in the definition of OCSEA used in the *Disrupting Harm* study.

13. Cooper, K., Quayle, E., Jonsson, L. & Svedin, C.G. (2016). Adolescents and self-taken sexual images: A review of the literature. Computers in Human Behavior, vol. 55, 706-716.
14. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 52.
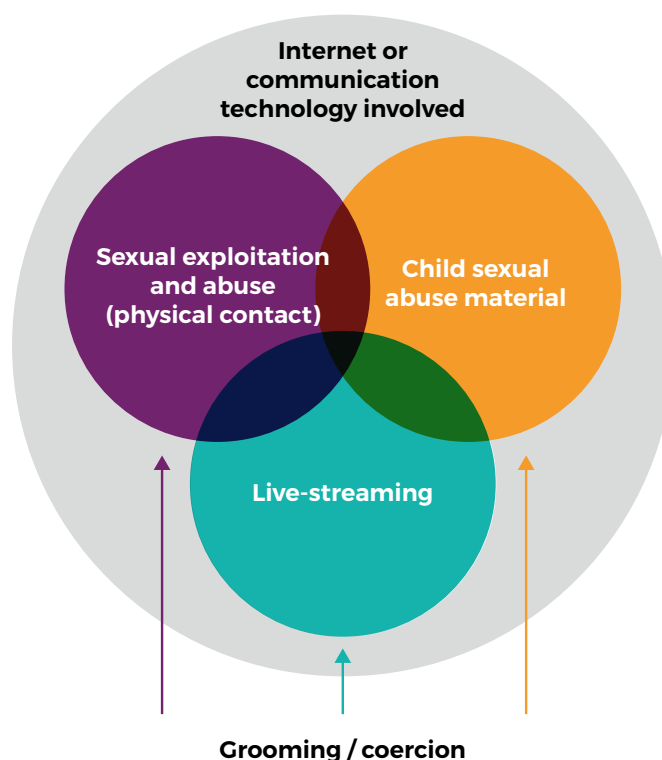15. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 21.
16. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International, 44.

ABOUT NAMIBIA – DEMOGRAPHICS AND INTERNET USAGE

Despite increasing connectivity around the world, few countries regularly update their formal internet use statistics or disaggregate them for their child populations. This presents a challenge in understanding how young people's lives are impacted by digital technologies, particularly in low- and middle-income countries. The infographic below summarises the latest data on internet access and social media use in Namibia, some of which was gathered directly through the *Disrupting Harm* nationally representative household survey of internet-using 12–17-year-olds.

The data presented here provide an important backdrop for understanding the various facets of children's internet use. However, methodological limitations may affect the quality of the data from some secondary sources. Reliance on purposive or other non-probability sampling techniques means that the data cannot be considered representative of the population in question. In addition, variations in data collection methods and definitions of internet use pose a challenge for cross-country comparisons.

POPULATION TOTAL 2020
UN data:
2,541,000[17]
Country data:
2016: 2,324,388[18]

FEMALE POPULATION 2020
UN data:
1,309,000[19]

MALE POPULATION 2020
UN data:
1,232,000[20]

POPULATION UNDER 18 2020
UN data:
1,085,000[21]

Under 18

42.7%
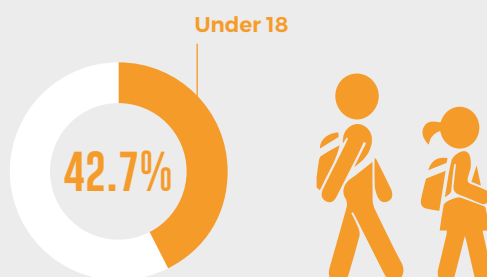
URBAN POPULATION 2018: 50%[22]
2030 prospective: 61%[23]

Urban

50%
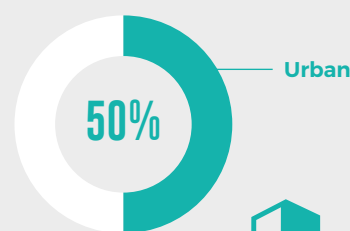
MEDIAN AGE 2020[24]
22
Estimate

GDP PER CAPITA 2020 (US$)
$4,211[25]

17. United Nations Population Division. (n.d.). World Population Prospects 2019.
18. Namibia Statistics Agency (2017). Namibia Inter-censal Demographic Survey 2016 Report.
19. United Nations Population Division. (n.d.). World Population Prospects 2019.
20. United Nations Population Division. (n.d.). World Population Prospects 2019.
21. UNICEF. (2021). The State of the World's Children 2021. UNICEF, New York.
22. United Nations Population Division. (n.d.). World Urbanization Prospects: The 2018 Revision.
23. United Nations Population Division. (n.d.). World Urbanization Prospects: The 2018 Revision
24. United Nations Population Division. (n.d.). World Population Prospects 2019.
25. World Bank. (2020). GDP per capita (current US$) - Namibia

ABOUT NAMIBIA – DEMOGRAPHICS AND INTERNET USAGE

POVERTY RATES
2015: 17%[26]

17%

LANGUAGE

ENGLISH (OFFICIAL)[27]

REPORTED PENETRATION RATE/INTERNET SUBSCRIPTIONS

MOBILE BROADBAND SUBSCRIPTIONS
Country data:

1,669,583[28]

ITU ESTIMATED INTERNET PENETRATION RATE:
2017: 37%[29]

37%
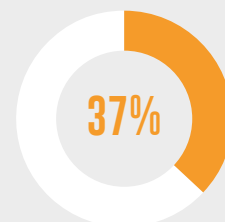
2020 INTERNET PENETRATION RATES AMONG 12–17-YEAR-OLDS

Source: Disrupting Harm data

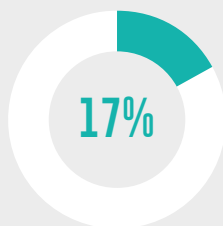|	
Total	81%
12–13 Years	58%
14–15 Years	86%
16–17 Years	94%
Girls	81%
Boys	82%
Rural	79%
Urban	84%
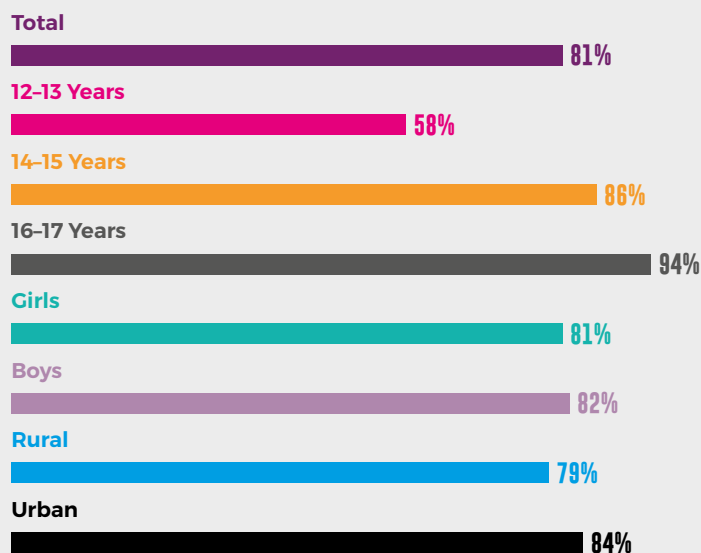
n = 1,733 households.

INTERNET USE AMONG CAREGIVERS OF INTERNET-USING CHILDREN

Source: Disrupting Harm data

89%

n = 994 caregivers of internet-using children.

MOST POPULAR DEVICE TO ACCESS THE INTERNET AMONG 12–17-YEAR-OLDS*

Source: Disrupting Harm data

9% Tablet

31% Computer

Mobile 91%
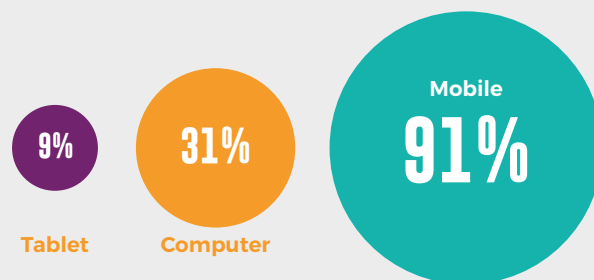
n = 994 internet-using children.

*Multiple choice question

26. World Bank. (n.d.). Poverty & Equity Data Portal.
27. Republic of Namibia. (2014). The Constitution of the Republic of Namibia (as amended in 2014), Section 3(1).
28. Communications Authority of Namibia (n.d.) ICT Sector Stats
29. International Telecommunication Union (n.d.) Percent Individuals Using the Internet

ABOUT NAMIBIA – DEMOGRAPHICS AND INTERNET USAGE

MOST POPULAR PLACE TO ACCESS THE INTERNET AMONG 12–17-YEAR-OLDS*

Cybercafé
48%

Mall
49%

Other
65%

School
77%

Home
99%
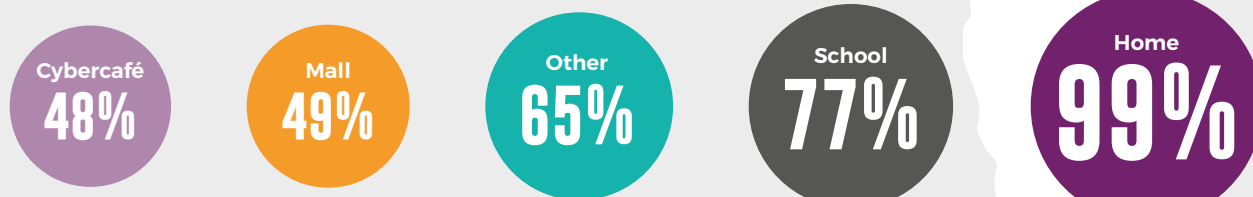
n = 994 internet-using children.   *Multiple choice question

FREQUENCY OF INTERNET USE AMONG 12–17-YEAR-OLDS

Legend:
- Less than once a month
- At least monthly
- At least weekly
- Once a day or more
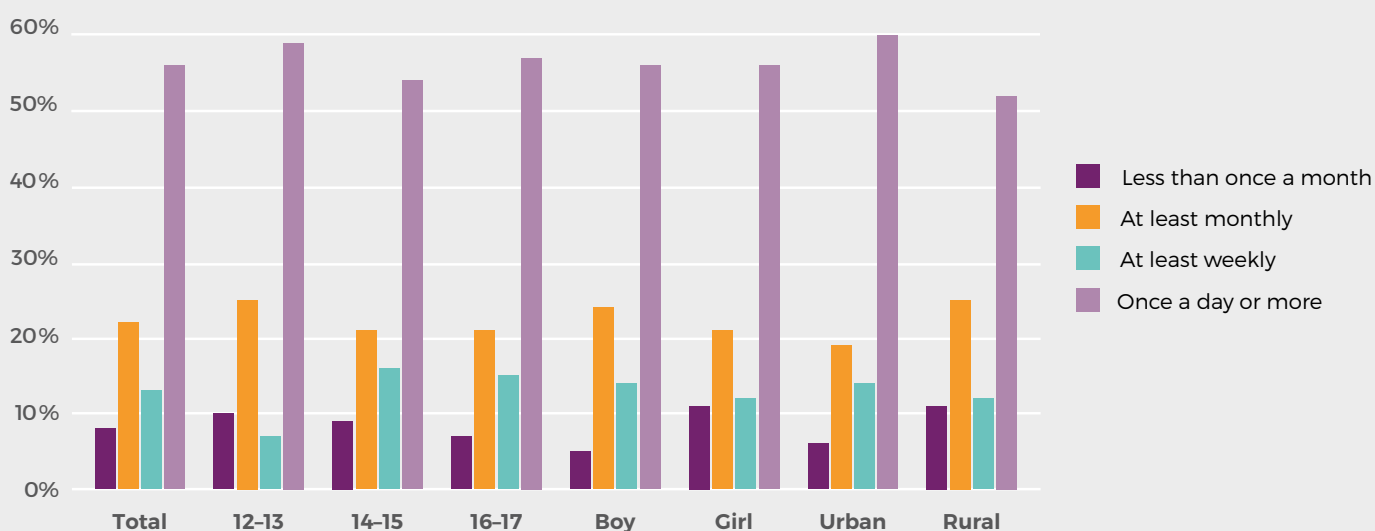
Base: Internet-using children aged 12–17 in Namibia from the Disrupting Harm study. n = 994

FREQUENCY OF INTERNET USE AMONG CAREGIVERS OF INTERNET-USING CHILDREN

- Never — 11%
- Less than once a month — 10%
- At least monthly — 17%
- At least weekly — 9%
- At least once a day — 52%

n = 994 caregivers of internet-using children.

ABOUT NAMIBIA – DEMOGRAPHICS AND INTERNET USAGE

CHILDREN WHO USE SOCIAL MEDIA ON A WEEKLY BASIS

Source: Disrupting Harm data

Total	12-13	14-15	16-17	Boys	Girls
79%	65%	79%	90%	81%	77%
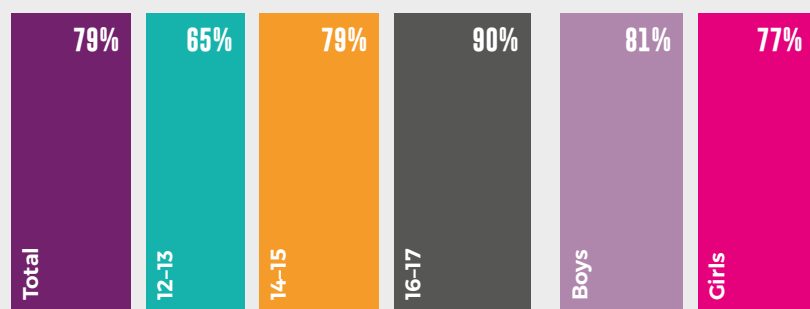
n = 994 internet-using children aged 12–17.

CHILDREN WHO USE INSTANT MESSAGING APPS ON A WEEKLY BASIS

Source: Disrupting Harm data

Total	12-13	14-15	16-17	Boys	Girls
78%	61%	78%	89%	78%	77%
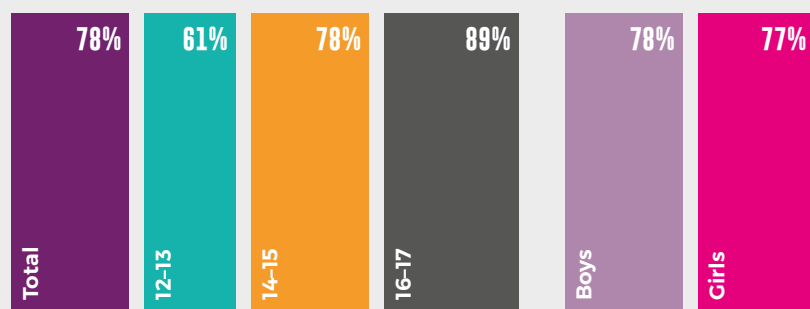
n = 994 internet-using children aged 12–17.

ICT DEVELOPMENT INDEX RANKING (ITU) 2017

Africa: 8/38[30]

World: 118/176
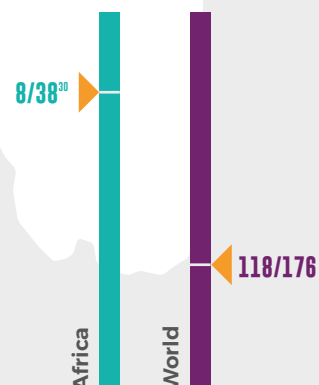
GLOBAL CYBERSECURITY INDEX RANKING 2018[31]

Africa: 29/42[32]

World: 141/175

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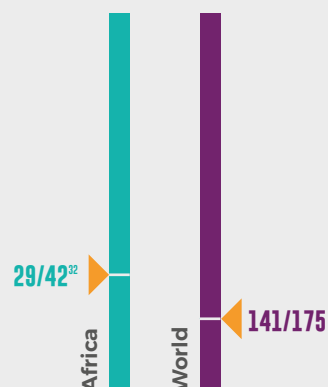
30. International Telecommunication Union. (2017). ICT Development Index 2017.
31. The Global Cybersecurity Index measures the commitment of countries to cybersecurity based on the implementation of legal instruments and the level of technical and organisational measures taken to reinforce international cooperation and cybersecurity.
32. International Telecommunication Union. (2019). Global Cybersecurity Index (GCI) 2018.

Disrupting Harm in Namibia – Evidence on online child sexual exploitation and abuse

OVERVIEW OF LEGISLATION AND POLICY

In Namibia, as in many countries, the rapid evolution of digital technologies and the broad uptake by the population has significantly outpaced policy and legislative development. In terms of policy and legislation specifically focused on addressing OCSEA, the Deputy Minister of the Ministry of Information and Communication Technologies confirmed that currently *"there is none."* (RA1-NA-04-A)

The scope of existing laws that may be used to criminalise OCSEA is very limited, but several pieces of legislation have the potential to be applied. The **Child Care and Protection Act** prohibits any act to "induce, procure, offer, allow or cause a child to be used for purposes of creating child pornography, whether for reward or not."[33] In addition, the **Publications Act** prohibits the production, distribution, importation or possession of certain publications which are 'undesirable'.[34] While the Publications Act defines publications which are offensive or harmful to public morals as 'undesirable',[35] it does not specify if these would include child sexual abuse material (CSAM). Aside from these ambiguous and generic provisions, and the few mentions of CSAM in the regulatory codes of Namibian media,[36,37] current national legislation does not contain any specific definition of CSAM, nor does it criminalise related conduct. Moreover, the provision of the Child Care and Protection Act does not explicitly apply to conduct carried out in the online environment or using information and communication technologies.

Existing Namibian legislation also does not criminalise live-streaming of child sexual abuse, online grooming or sexual extortion committed in or facilitated through the online environment.

Three new pieces of legislation, the **Electronic Transactions Act**, the draft **Cybercrime Bill** and the **Combating of Harassment and Sexual Exploitation Bill**, are at the centre of the most recent attempts to prevent and respond to OCSEA. The first two pieces of legislation began as one, i.e., the draft **Electronic Transactions and Cybercrime Bill**, which proposed the creation of new provisions on CSAM to criminalise offering, distributing, procuring, possessing or accessing CSAM.[38] The initial draft bill also contained a definition of CSAM.[39] However, the initial draft was subsequently split into two bills, and while the Electronic Transactions Act came into force in March 2020,[40] the Cybercrime Bill, within which specific reference to CSAM-related content will sit, remains under consultation. The need for the Cybercrime Bill to be enacted as soon as possible was stressed repeatedly during *Disrupting Harm* interviews with government representatives (RA1-NA-01-A and RA1-NA-03-A) with the Head of Committees of the Parliament/National Assembly stating: *"I think the Ministry of Safety and Security are doing what they can, but we do not have a law. For any law enforcement agency, you need the law that guides you on that issue."* (RA1-NA-01-A)

With regard to the Combating of Harassment and Sexual Exploitation Bill, this was also originally envisaged as a much more comprehensive piece of legislation focusing both on harassment and sexual exploitation. According to the available information at the time of writing, in February 2020, it was decided that the original bill be split and for the sexual exploitation portion of it to also cover CSAM.[41]

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33. Republic of Namibia. (2015). The Child Care and Protection Act No. 3 of 2015 (as amended in 2018), Section 234(1)(d).
34. Republic of Namibia. (1974). The Publications Act No. 42 of 1974 (as amended in 1998), Section 8.
35. Republic of Namibia. (1974). The Publications Act No. 42 of 1974 (as amended in 1998), Section 47.
36. Communications Regulatory Authority of Namibia. (2018). Broadcasting Code for Broadcasting Licensees issued in terms of Section 89 of the Communications Act, 2009 (General Notice No. 602), Rule 5.
37. Editor's Forum of Namibia. (2017). Self-Regulatory Code of Ethics and Conduct for Namibian Print, Broadcast and Online Media, Schedule 1, Rule 11.1.2.
38. Republic of Namibia. (2016). Draft Electronic Transactions and Cybercrime Bill, Section 66.
39. Republic of Namibia. (2016). Draft Electronic Transactions and Cybercrime Bill, Section 62.
40. Republic of Namibia. (2020). Electronic Transactions Act 4 of 2019.
41. Legal Assistance Center. (2021, February). 2020 IN REVIEW Gender Research & Advocacy Project Legal Assistance Centre. 17.

It is also noteworthy and welcome that, according to the latest publicly available draft, the Combating of Sexual Exploitation Bill will include a provision exempting children from criminal liability in case they produce sexual content on their own or with the consent of all others involved, under the condition that they did not involve any person with a severe mental disability nor a child more than three years younger than them.[42] According to reports, the drafts of the Combating of Harassment Bill and Combating of Sexual Exploitation Bill have yet to be finalised and adopted as of April 2022.

Existing Namibian legislation contains concerning provisions that can hamper children's protection and reporting of OCSEA-related offences. In particular, pursuant to the provisions of the **Combating of Immoral Practices Act**, a person cannot be held guilty for committing sexual acts[43] with children under 16 years (the age of sexual consent for both boys and girls)[44] if they are married to the child in question (under general or customary law).[45] However, although this provision has not been formally repealed, the **Combating of Rape Act** indicates that marriage cannot be considered as a defence for charges of rape.[46] It is unclear whether this provision can be expanded also to all other sexual offences covered by the Combating of Immoral Practices Act, which could have an impact on the protection of children from sexual offences other than rape. It is also worth noting that the legal age of marriage for both boys and girls is 18 years.[47] However, children below 18 years can marry with the written permission of either the Minister of Home Affairs or any public service member authorised on their behalf, or with the consent of a court or judge.[48] This legal exception represents a loophole which does not afford full protection to children from child, early and forced marriages.

> " I think the Ministry of Safety and Security are doing what they can, but we do not have a law. For any law enforcement agency, you need the law that guides you on that issue. RA1-NA-01-A "

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42. Minister of Justice of the Republic of Namibia. (2020, October). Draft Combating of Sexual Exploitation Bill. Article 2 (4) a.
43. Republic of Namibia. (1980). The Combating of Immoral Practices Act No. 21 of 1980 (as amended in 2000), Section 14(a).
44. Republic of Namibia. (1980). The Combating of Immoral Practices Act No. 21 of 1980 (as amended in 2000), Section 14.
45. Republic of Namibia. (1980). The Combating of Immoral Practices Act No. 21 of 1980 (as amended in 2000), Section 14(ii).
46. Republic of Namibia. (2000). The Combating of Rape Act No. 8 of 2000. Section 2(3).
47. Republic of Namibia.(1961). The Marriage Act No. 25 of 1961 (as amended in 2019). Section 26.
48. Republic of Namibia.(1961). The Marriage Act No. 25 of 1961 (as amended in 2019). Section 26.

1. CHILDREN ONLINE IN NAMIBIA

The main objective of the *Disrupting Harm* report series is to present the perspectives of young people, government representatives and service providers concerning the sexual exploitation and abuse of children that is facilitated or committed through digital technologies. To better understand OCSEA-related offences in Namibia, it is important to situate them within the wider context of children's internet use. Therefore, the first chapter presents a brief overview the internet access and online activities of 12–17-year-olds and then describes the occurrence of riskier online activities and the ways in which these risks are perceived by children and their caregivers.

1.1 INTERNET ACCESS AND BARRIERS

Data from the *Disrupting Harm* household survey of children suggested that 81% of 12–17-year-olds (n = 1,733) in Namibia were internet users, meaning they have used the internet within the past three months.[49,50] Internet use was observed to increase with age – 58% of 12–13-year-olds were found to be internet users; this figure rose to 94% for 16–17-year-olds. No gender difference was found. Children in rural areas were slightly less likely to be internet users (79%) than children in urban areas (84%).

As regards frequency of internet use, more than half (56%) of children aged 12–17 went online at least every day. Among children who use the internet daily, there was no substantial difference across age groups or gender. Children living in urban areas (60%) went online daily a little more often as compared to those in rural areas (52%) (see Figure 3).

Among the caregivers of the internet-using children surveyed, 89% were internet users and more than half (52%) used the internet on a daily basis. Caregivers aged 50 and above used the internet far less frequently than younger caregivers. No gender difference was observed in terms of frequency of internet use among caregivers.

Figure 3: Frequency of children's internet use.
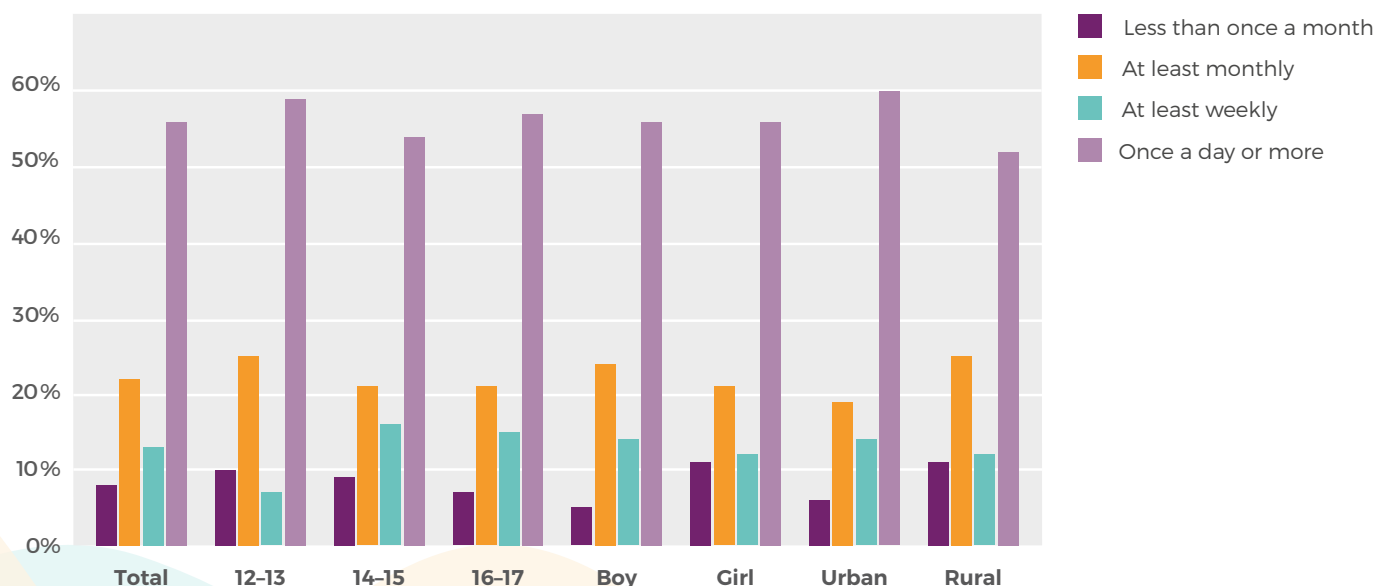
Base: Internet-using children aged 12–17 in Namibia. n = 994.

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49. While conducting the random walk to identify eligible children to partake in the main survey, data was also collected from every household visited concerning the number of 12–17-year-old children living there, their gender, age, and whether they had used the internet in the past three months. This allowed the estimation of internet penetration rates for all 12–17-year-old children in Namibia. n = 3,464 households.
50. The question used to determine whether a 12–17-year-old was an internet user was as follows: Has [PERSON] used the internet in the last three months? This could include using a mobile phone, tablet or computer to send or receive messages, use apps like Facebook, WhatsApp, Instagram, send emails, browse, chat with friends and family, upload or download files or anything else that you usually do on the internet.

Figure 4: Caregivers who say they knew more about the internet than their child, by age and gender.

Legend:
- Never (dark grey)
- Less than once a month (purple)
- At least monthly (orange)
- At least weekly (teal)
- Once a day or more (light purple)
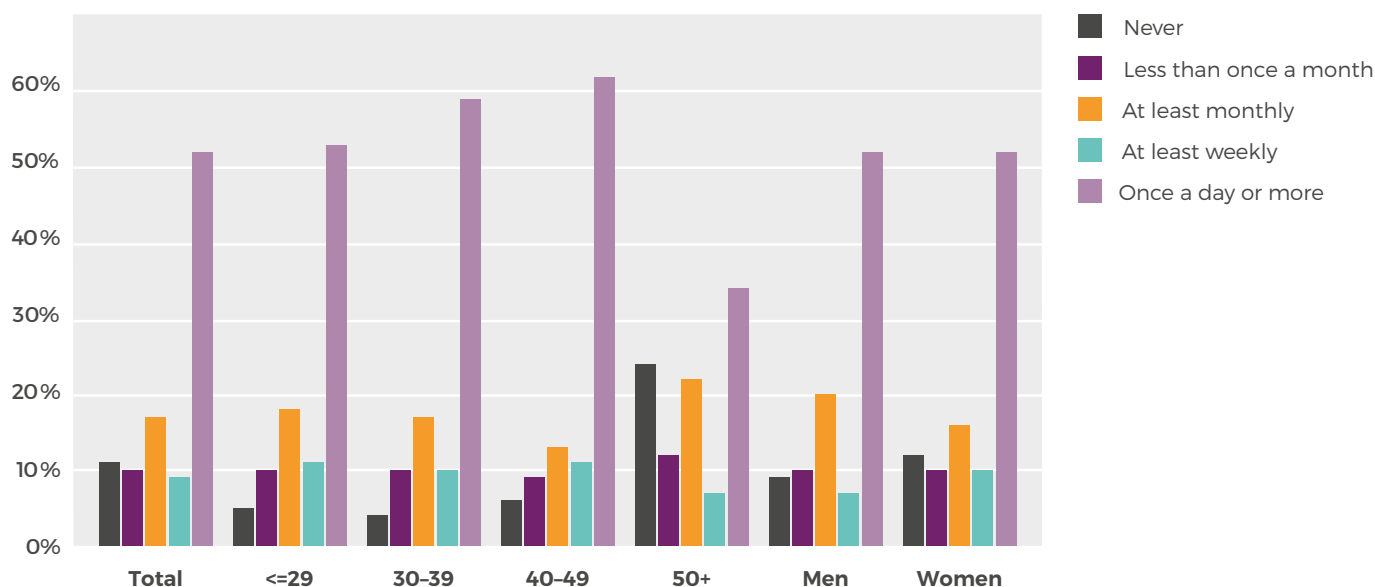
Base: Caregivers of internet-using children aged 12–17 in Namibia. n = 994.

Place of internet use

Almost all 12–17-year-old internet users in our sample (99%) went online at home and the majority (74%) did so weekly or daily, mirroring the global trend.[51] COVID-19-related lockdowns in Namibia may have impacted these figures, but in the absence of pre-pandemic data, it is difficult to come to any conclusion regarding this assumption. The use of public internet access points was less common, with 48% of children indicating that they had used internet cafes and malls to go online, but only 17% did so on a weekly basis or more. A total of 77% of children had used the internet at school, but only 44% did so on a weekly basis.

Devices for internet use

As in most other countries, smartphones were by far the most popular devices used by 12–17-year-olds to access the internet in Namibia, likely due to their relatively low cost and portability.[52] The majority (91%) of internet-using children surveyed used smartphones to go online. Among those children who use smartphones, around half said they owned their own device and did not share the device with anyone, while the other half said they shared it with someone else.

Children were most likely to share their smartphone with a caregiver (29%), followed closely by a sibling (28%) and friends (16%). As compared to using smartphones, the children surveyed were less likely to go online using computers (31%) and/or tablets (9%). There was a small age difference and no gender differences in the use of these devices (see Figure 5).

Figure 5: Devices children use to go online, by age.

Legend:
- Mobile (purple)
- Computer (orange)
- Tablet (teal)
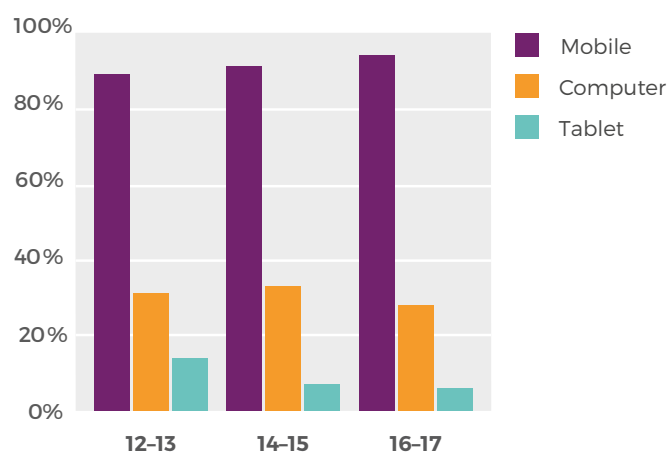
Base: Internet-using children aged 12–17 in Namibia. n = 994.

51. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). Global Kids Online Comparative Report. Innocenti Research Report. UNICEF Office of Research – Innocenti, Florence.
52. Livingstone, S., Kardefelt Winther, D., & Saeed, M. (2019). Global Kids Online Comparative Report. Innocenti Research Report. UNICEF Office of Research – Innocenti, Florence.

Barriers to access and use of the internet

Three out of four internet-using children in Namibia faced barriers in accessing the internet (see Figure 6). The main barriers for children were high internet/data costs and slow connections or poor signal where they live. Poor connections affected more children living in rural areas (40%) than urban areas (23%). Parental restriction was the third most common barrier to internet use among the surveyed internet-using children in Namibia, which was mostly reported for younger children aged 12–13 and girls. Other notable barriers included limited electricity to power devices and a general lack of devices, which affected approximately 1 in 5 internet-using children.

> "
> The main barriers for children were high internet/data costs and slow connections or poor signal where they live.
> "

Figure 6: Barriers to access for internet-using children.

Barrier	%
Always have access	23%
Internet/data is too expensive	35%
Slow connection or poor signal where I live	31%
Parents do not allow them	25%
There is imited electricity where I live	23%
The device they use to go online is being used by someone else	20%
Teachers do not allow them	19%
Other barriers	1%
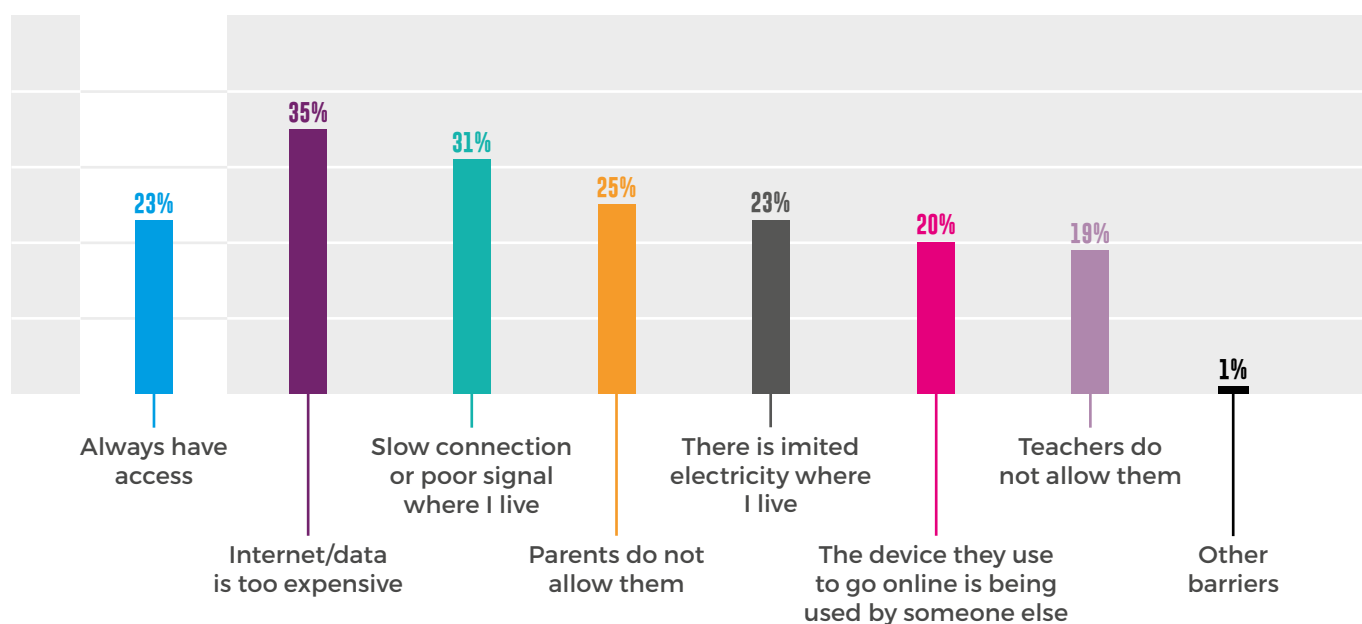
Base: Internet-using children aged 12–17 in Namibia. N = 994.

1.2 CHILDREN'S ACTIVITIES ONLINE

The most common online activity that children in Namibia engage on a weekly basis was schoolwork (82%). This was closely followed by entertainment activities, such as social media (79%), chatting (78%) and watching videos (74%). It is plausible that the popularity of school-related activities was impacted by school closures and the reliance on remote schooling during the COVID-19 pandemic.

In the absence of pre-pandemic data, it is difficult to come to any conclusion regarding this assumption. Older children aged 14–17 engaged in online activities more often than younger children aged 12–13. This was especially evident in their use of social media and instant messaging apps. Gender differences were relatively minor, as is the case in other countries.[53] Figure 7 illustrates how 12–17-year-olds in Namibia use the internet and the activities they enjoy.

Figure 7: Activities children engage in online at least once a week.

Online activities	Total	12–13	14–15	16–17	Boy	Girl
Schoolwork	82%	83%	78%	85%	82%	83%
Used social media	79%	65%	79%	90%	81%	77%
Used instant messaging	78%	61%	78%	89%	78%	77%
Searched for new information	77%	72%	76%	81%	76%	77%
Watched videos	74%	63%	74%	82%	74%	74%
Watched a livestream	59%	52%	58%	66%	60%	59%
Looked for news	56%	46%	54%	66%	55%	57%
Played online games	55%	58%	50%	58%	60%	50%
Followed celebrities and public figures on social media	50%	40%	50%	58%	52%	48%
Created their own video or music	49%	42%	48%	55%	49%	49%
Looked for information about work or study opportunities	49%	41%	43%	61%	51%	48%
Participated in a site where people share their interests	44%	36%	45%	49%	45%	43%
Talked to family or friends who live further away	44%	35%	43%	51%	45%	43%
Looked for health information	39%	28%	40%	45%	37%	41%
Looked for information or events in local neighbourhood	34%	30%	33%	38%	35%	33%
Sought emotional support	27%	19%	27%	34%	28%	27%
Created a blog or website	27%	20%	26%	34%	28%	27%
Discussed political or social problems	26%	20%	26%	31%	30%	23%

Base: Internet-using children aged 12–17 in Namibia. n = 994.

53. UNICEF. (2020). Country Office Annual Report 2020.

1.3 PERCEPTIONS AND EXPERIENCES OF RISKY ONLINE ACTIVITIES

Discussions around the online risks for children often hinge upon adult perceptions and opinions. To help us understand children's perceptions and whether they differ from those of the adults around them, they and their caregivers were asked about their engagements in, and perceptions of, various risky online activities.

1.3.1 Contact with someone unknown online and in person

Communicating with someone unknown online

A common concern around children's online activities is their exposure to 'stranger danger'. Children and caregivers were asked to rate the level of risk involved in children 'talking to someone on the internet who they have not met face-to-face before'. Among caregivers who took part in the household survey, 79% said that talking to someone on the internet who they had not met face-to-face before was very risky for children. The majority of children (62%) also ranked this behaviour as very risky for children their age. Although most children and caregivers recognised that this activity carried a level of risk, some still viewed it as not risky at all (10% of caregivers and 18% of children). In practice, 46% of children in the household survey had added people who they had never met face-to-face to their friend or contacts lists in the past year.

Similarly, 88% of caregivers and 76% of children considered it very risky to send their personal information (for example, their full name, address or phone number) to someone they had never met face-to-face (see Figure 9). In contrast, 20% of children thought it not very risky to do so. In practice, 31% of the internet-using children surveyed had shared their personal information with someone they had never met face-to-face in the past year.
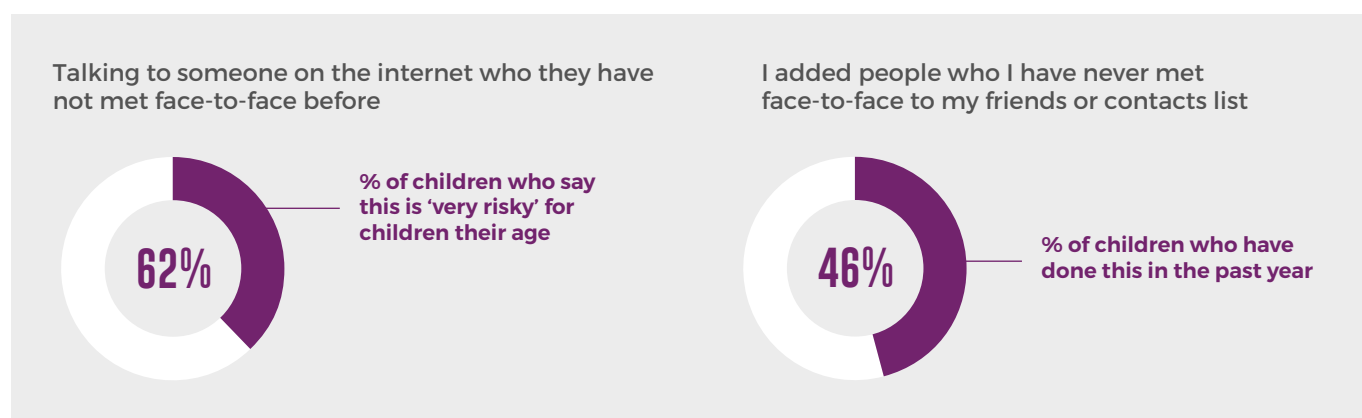
Similarly, 88% of caregivers and 76% of children considered it very risky to send their personal information (for example, their full name, address or phone number) to someone they had never met face-to-face (see Figure 9). In contrast, 20% of children thought it not very risky to do so. In practice, 31% of the internet-using children surveyed had shared their personal information with someone they had never met face-to-face in the past year.

What was evidenced in our conversations with young survivors was that an awareness of risk could change behaviour to some extent, but may not always fully prevent engagement with unknown people: *"I was always downloading. If this application didn't work, then I moved on to Tinder. I moved on to so many different websites or different apps to see which one I could talk to people, but if it's an app that requires too much of my details and a profile picture, then I wouldn't go there. If it's something that I had to pay for, I wouldn't go there. So, if it was an app that allowed me to be a bit anonymous, that's where I will be."* (RA5-NA-04)

Figure 8: Level of risk attributed by children to speaking to someone unknown online.

Talking to someone on the internet who they have not met face-to-face before

62%

% of children who say this is 'very risky' for children their age

I added people who I have never met face-to-face to my friends or contacts list

46%

% of children who have done this in the past year

Base: Internet-using children aged 12–17 in Namibia. n = 994.

Figure 9: Level of risk attributed by children to sharing personal information with unknown people online.

Sending personal information (e.g., their full name, address or phone number) to someone they have never met face-to-face

76% — % of children who say this is 'very risky' for children their age

I sent my personal information (e.g., my full name, address or phone number) to someone I have never met face-to-face

31% — % of children who have done this in the past year

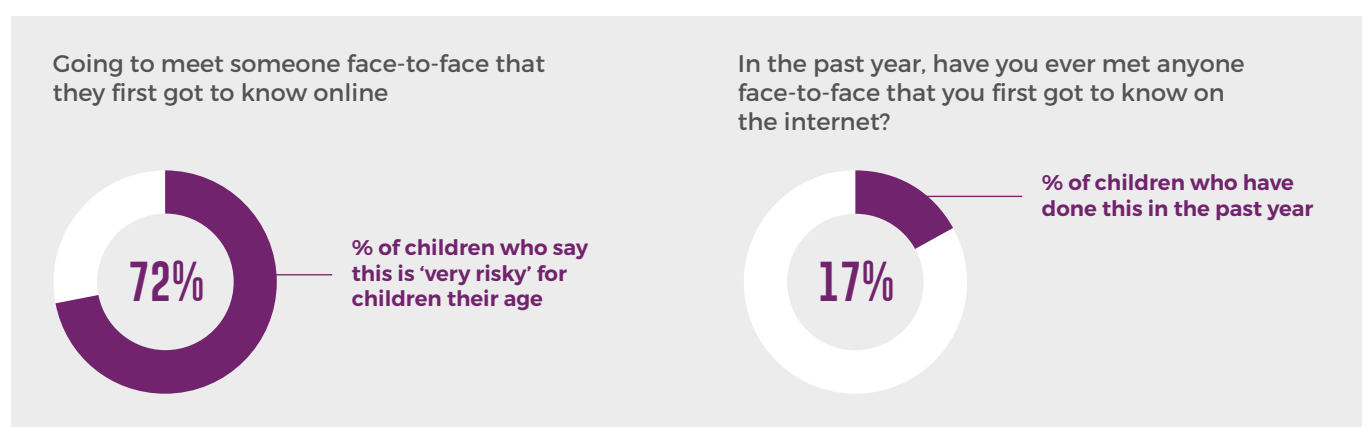Base: Internet-using children aged 12–17 in Namibia. n = 994.

Meeting someone in person following an online interaction

In the household survey, children and caregivers were asked about the level of risk they associated with children meeting someone face-to-face who they first got to know online. A larger proportion of caregivers (86%) said that meeting people they first got to know online was very risky for children, as compared to the proportion of young people who thought the same (72%), though most agreed that this carried a high level of risk. More girls (77%) than boys (67%) regarded this as a very risky behaviour.

A small proportion of caregivers (5%) and children (8%) described this as being not risky at all for children.

In practice, over the previous year, 17% of children surveyed had met someone in person whom they had first met online. These were mostly older children aged 14–17 years. According to the children, many of these encounters did not result in immediate harm and most were described as positive experiences (see Figure 11). Research undertaken across more than 30 countries around the world produced similar findings.[54,55]

Figure 10: Level of risk attributed by children to meeting people in person that they first met online.

Going to meet someone face-to-face that they first got to know online

72% — % of children who say this is 'very risky' for children their age

In the past year, have you ever met anyone face-to-face that you first got to know on the internet?

17% — % of children who have done this in the past year

Base: Internet-using children aged 12–17 in Namibia. n = 994.

54. UNICEF. (2020). Country Office Annual Report 2020.
55. Smahel, D., Machackova, H., et al. (2020). EU Kids Online 2020: Survey results from 19 countries. Florence: UNICEF Office of Research – Innocenti.

Figure 11: How children felt the last time they met someone face-to-face who they had first got to know on the internet.
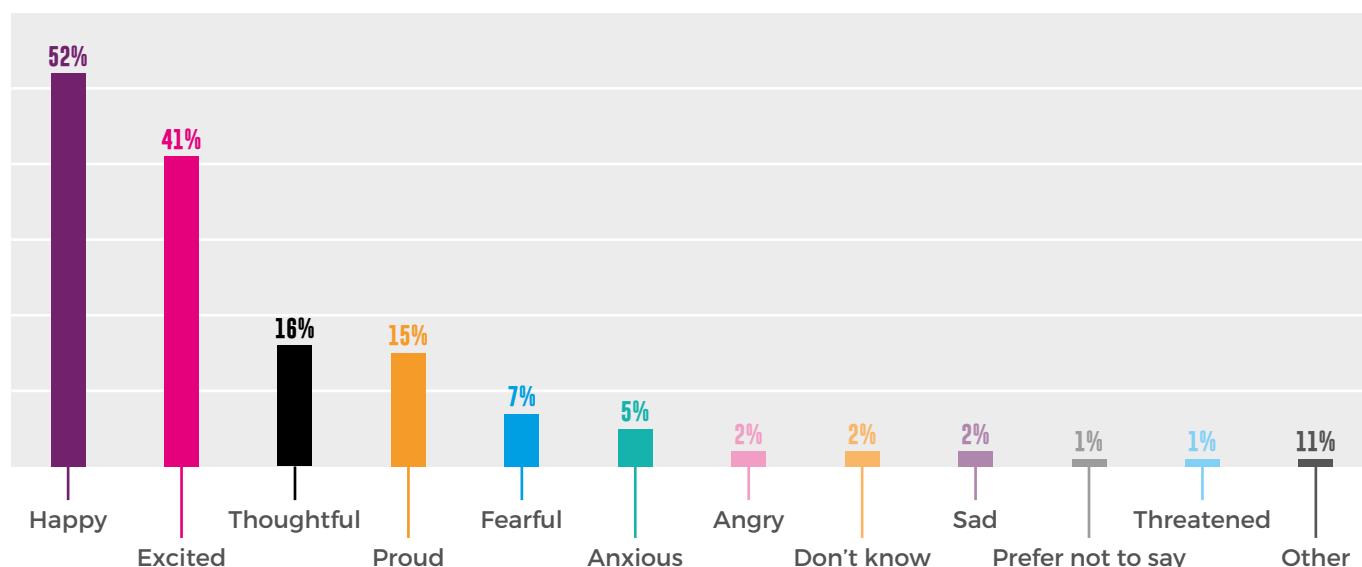
Base: Children who, within the past year, had met someone face-to-face who they had first got to know on the internet. n = 173.
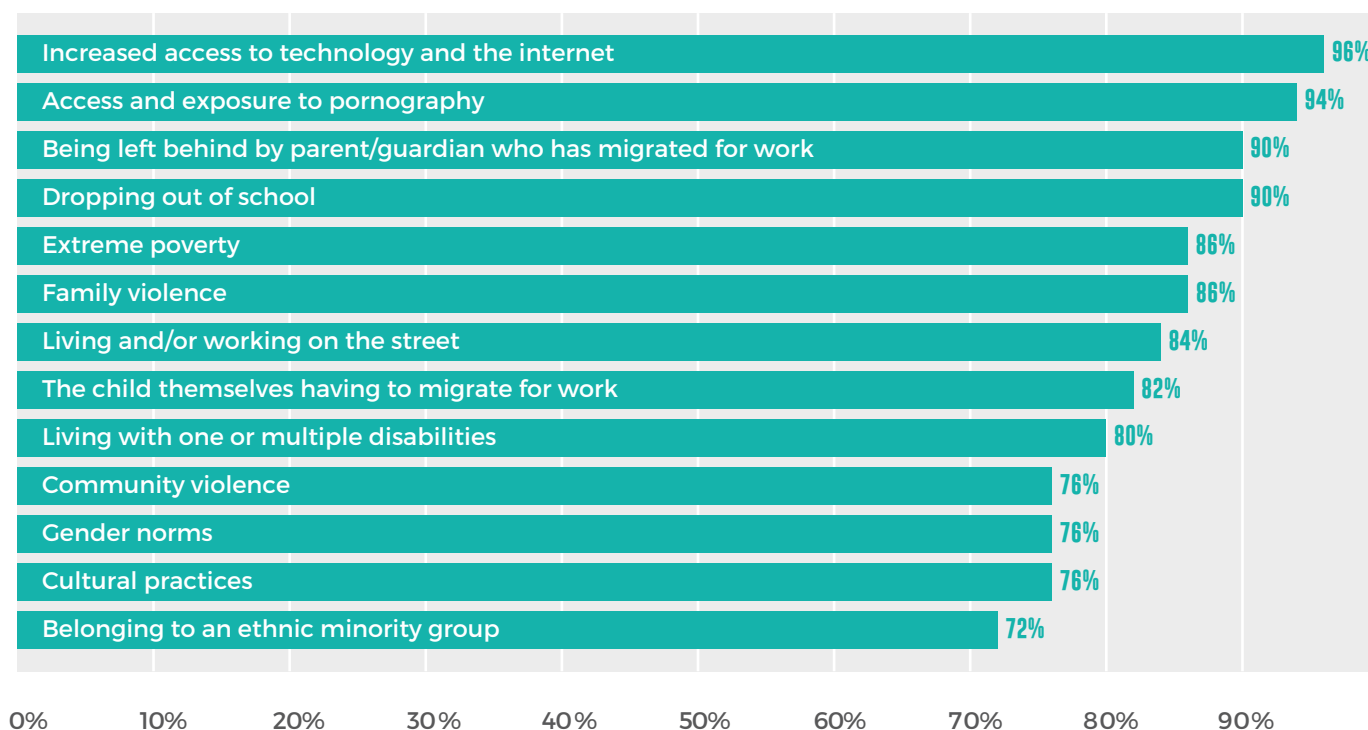
The experiences of most internet-using children in Namibia and other countries around the world seem to indicate that meeting someone in person that they had first got to know online most often poses a relatively low risk for children in general. This may simply be how young people sometimes make new friends. However, as the example below illustrates, it is clear that, if something goes wrong during these encounters, the harm can be severe. Conversations with survivors of OCSEA in Namibia illustrated how navigating the internet for the first time very quickly led to certain risky situations that could lead to harm: *"It all started when I first got a new phone. I started to experiment on, or I started to open new accounts on Facebook, Instagram, TikTok and so on. And when I got for me a Facebook account, that is where a guy, a very good-looking guy, started to follow me and then soon after he started to follow me on Facebook. He sent me a message on Facebook and then we started to chat and chat. Turns out he also lived in my town. Let's say after about a month of chatting, he asked me out and I was scared because it was my first relationship... But I just said yes because I liked him a lot... I was 14 going on 15. He asked me for nude pictures... And he kept on forcing me, 'Can you please send me nudes, can you please send me nudes.' He threatened me and said, 'If you don't send me nudes, I am going to break up with you and forget about you.' So I sent him completely naked photos of me.*

Then he started threatening me saying, 'I will post those nude pictures you sent me. I will post them all on Instagram and on Facebook and on TikTok and I will also share them on my WhatsApp.' I begged him, 'Please don't do that to me.' Then he was like, 'No, it's too late, I already did that.'" (RA5-NA-03-A)

1.3.2. Seeing sexual images online

Household survey data indicates that the majority (69%) of children surveyed believed that seeing sexual images or videos on the internet is very risky. As with other risky online behaviours, among caregivers, the perception of risk was greater (85%). Caregivers in the household survey were not the only adults to be concerned about the impact of children seeing sexual content online. Fifty frontline workers who had managed OCSEA cases in the past year were asked about their perception of factors increasing a child's vulnerability to online sexual abuse and exploitation. The majority of respondents (47 out of 50) cited 'access and exposure to pornography' as a risk factor that increases children's vulnerability to OCSEA. This was superseded only by 'increased access to technology and the internet' (48 out of 50). One issue of concern is the common inference of causality between watching pornography and becoming a victim of OCSEA, which may lead to victim-blaming and prevent caregivers from supporting children if they perceive children as complicit in their own abuse.

Figure 12: Frontline workers' perceptions of factors affecting children's vulnerability to OCSEA.

Factor	Percentage
Increased access to technology and the internet	96%
Access and exposure to pornography	94%
Being left behind by parent/guardian who has migrated for work	90%
Dropping out of school	90%
Extreme poverty	86%
Family violence	86%
Living and/or working on the street	84%
The child themselves having to migrate for work	82%
Living with one or multiple disabilities	80%
Community violence	76%
Gender norms	76%
Cultural practices	76%
Belonging to an ethnic minority group	72%

Base: Frontline welfare workers. n = 50.

From the household survey, 18% of internet-using children said that they had sometimes or often seen sexual images or videos online intentionally within the past year. It is possible that children under-report seeing such images intentionally because it is a sensitive and private issue. On the other hand, 40% of the children said that they had sometimes or often seen sexual images or videos online by accident. In general, older children aged 16–17 more frequently reported having had these experiences (both intentionally and accidentally) as compared to younger 12–13-year-olds. Children who had seen sexual images or videos online by accident reported seeing this content most frequently (57%) via direct messages (for example on WhatsApp or Facebook Messenger). Social media posts (43%) and online advertisements (36%) were also cited by children. Fewer children (18%) reported encountering online sexual content by accident while conducting a web search.

In the 2020 Namibia Violence Against Children Survey, accidental exposure to sexual content online was identified as having occurred in 4% of females and 5% of males aged 13–17, much lower than the percentages reported in the *Disrupting Harm* household survey. It should, however, be noted that the Violence Against Children Survey sample included all 13–17-year-olds, whereas the *Disrupting Harm* household survey included internet-using children only.[56] However, a 2016 exploratory study in Namibia found that 68% of 13–17-year-old school-going children reported having seen sexual content they did not wish to see.[57]

The different ways children may see sexual content online can have different implications. Accidental or intentional glimpses of sexual content are one thing; being exposed to sexual images as part of a grooming process intended to desensitise the child and pave the way for subsequent requests for images or sexual acts is another. While viewing

56. Ministry of Gender Equality, Poverty Eradication and Social Welfare, Namibia Statistics Agency, International Training and Education Center for Health at the University of Washington. (2020).
57. UNICEF Namibia, Namibia University of Science and Technology, Centre for Justice and Crime Prevention (2016). Voices of children: An exploratory research study on knowledge, attitudes and practices of information and communication technology (ICT) use and online safety risks by children in Namibia.

violent or degrading sexual content can serve to normalise harmful gender norms and sexual behaviour, research shows that seeing some pornography appears to be an increasingly present experience for young people.[58] Addressing both phenomena through appropriate sex education is essential. Interviews with justice actors in Namibia revealed instances in which children saw sexual images online that resulted in harm, as shared by one respondent from the University of Namibia: *"Because of Facebook, the girls have reported it is normal for them to receive pictures of males' private parts on WhatsApp, because they [the offenders] take their numbers from Facebook. The girls have accepted it and see it as a normal situation to be targeted by men online."* (RA4-NA-02-A-Justice) This was also evidenced in our conversations with young survivors: *"At that point, they were random people that would send me pictures of them doing things."* (RA5-NA-04)

> **Because of Facebook, the girls have reported it is normal for them to receive pictures of males' private parts on WhatsApp, because they take their numbers from Facebook. The girls have accepted it and see it as a normal situation to be targeted by men online.**
> RA4-NA-02-A-Justice

These insights illustrate why children should be equipped with the necessary online safety knowledge and skills to respond to such instances, and the confidence to realise that such behaviour is not acceptable and that they can make a report.

Knowledge of Online Safety

According to the household survey, children appear confident in their digital skills and their ability to make good judgements regarding risky situations online. For instance, 82% were confident that they were able to discern which images of themselves or their friends to share online and when to remove people from their contact lists. These are subjective evaluations of their own competence and should be interpreted with caution. When it comes to the operational skills needed to keep children safe online, 66% of the children said that they knew how to change their privacy settings and 62% knew how to report harmful content on social media. The figures were lowest among younger children aged 12–13 years. No substantial gender difference was observed.

Yet the household survey also indicated that 47% of internet-using children in Namibia had never received any information on how to stay safe online.

Conversations with young survivors of OCSEA indicated that they value support around how to stay safe online, rather than messages suggesting that going online is dangerous. They also highlighted the crucial role of caregivers, with one survivor advising parents: *'[If I was a parent] every time I would remind my child if they were engaging in games or whatever, I will remind them to be careful. I will tell them if you want to open a Facebook account, it must be done at a certain age when the child can understand the risks that are there, not while they are still young, because it can influence their minds. When they are old enough to be on the internet, I will walk them through the process, make it fun and allow them to explore."* (RA5-NA-07)

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58. See for example, Crabbe, M. & Flood, M. (2021). School based Education to Address Pornography's Influence in Young People: A proposed practice framework. American Journal of Sexuality Education.

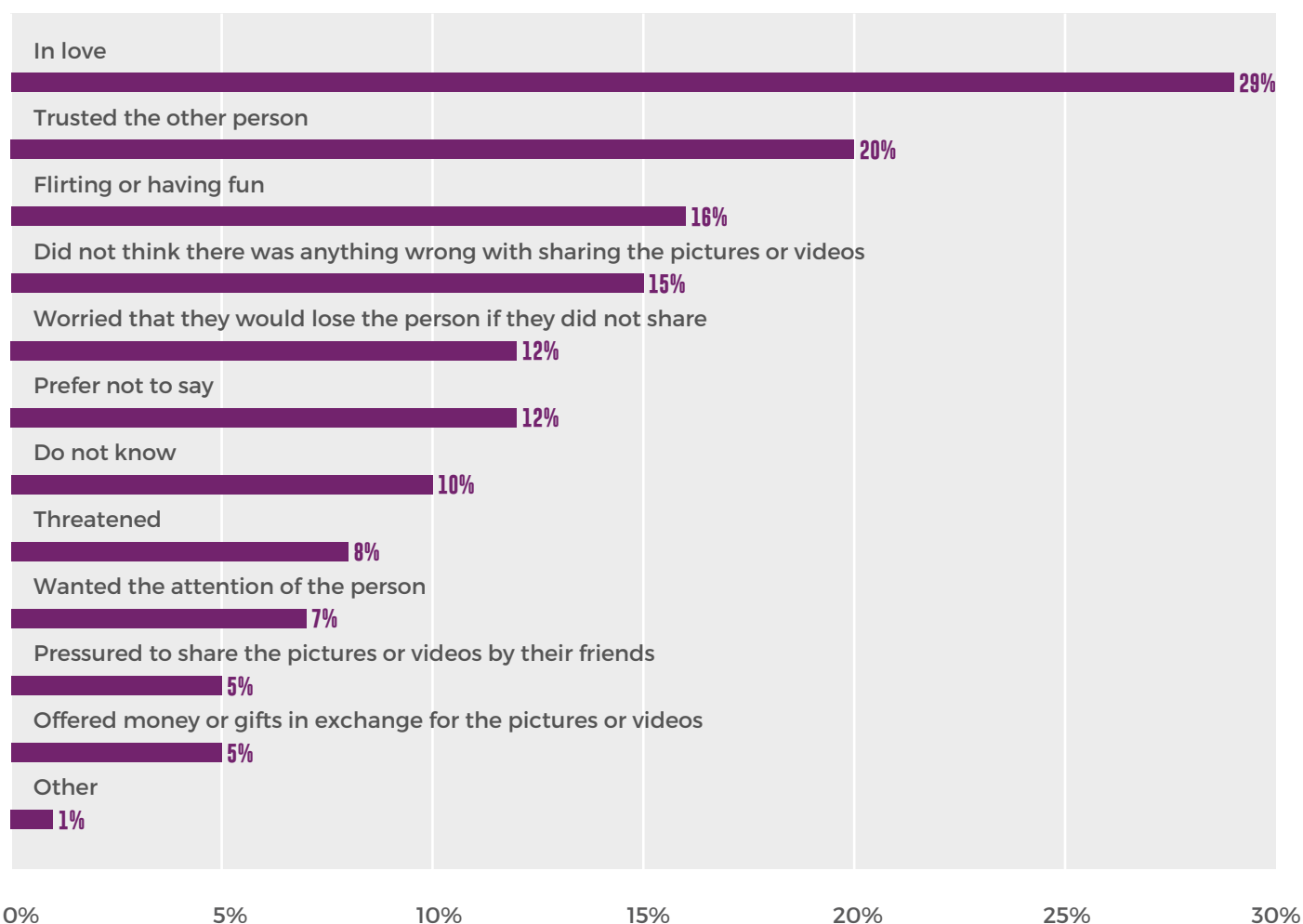### 1.3.3 Making and sharing self-generated sexual content

Around two-thirds of both children (67%) and caregivers (70%) believed that it is wrong for a person to take naked images or videos of themselves. In the same survey, 78% of children and 88% of caregivers said that it was very risky for children to share a sexual image or video with someone online. In practice, 9% of the children surveyed (89 children) said that they had shared naked pictures or videos of themselves online in the past year. This was more frequent in older children (9% of 14–15-year-olds and 11% of 16–17-year-olds, as compared to 5% of 12–13-year-olds). The data did not reveal any notable differences according to gender or whether the child lived in an urban or rural area.

In addition, 6% of the children surveyed (60 children) said that they had allowed someone else to take naked pictures or videos of them in the past year. It is unclear whether these were consensual activities among peers or if these are instances of sexual abuse.

Reasons for sharing self-generated sexual content

The main reasons given by the 89 children who said they had shared sexual images or videos of themselves were being in love, flirting and having fun, because they trusted the other person and because they found nothing wrong with sharing such images (See Figure 13). Nevertheless, some children shared self-generated content because they were threatened (8%), under pressure from friends (5%) or in exchange for money or gifts (5%).

Figure 13: Reasons given by children for sharing naked images or videos of themselves.

Reason	Percentage
In love	29%
Trusted the other person	20%
Flirting or having fun	16%
Did not think there was anything wrong with sharing the pictures or videos	15%
Worried that they would lose the person if they did not share	12%
Prefer not to say	12%
Do not know	10%
Threatened	8%
Wanted the attention of the person	7%
Pressured to share the pictures or videos by their friends	5%
Offered money or gifts in exchange for the pictures or videos	5%
Other	1%

Base: Children who have shared naked images or videos of themselves in the past year. n = 89.

The Global Rise in Self-Generated Sexual Content Involving Children

The increasing use of technology is leading to shifts in notions of privacy and sexuality among children across the globe, particularly among adolescents as they mature.[59] Forms of behaviour that are increasingly normative for young people can be bewildering for adults who grew up in a different time. For instance, chatting and video live-streaming is commonplace among young people, whether among small private groups of friends or large anonymous public audiences. While many of these activities are harmless, producing and sharing self-generated sexual content using these tools is also increasing and bringing significant risks.[60]

The sharing of self-generated sexual content by children is complex and includes a range of different experiences, risks and harms. As the data above shows, certain self-generated content is shared with another person whom they love or trust. Globally, such exchanges are increasingly becoming part of young people's sexual experiences.[61] However, the *Disrupting Harm* data also shows that the creation and sharing of self-generated sexual content can be *coerced*, for example through grooming, threats or peer-pressure (see chapter 2.2).

While coercion can clearly be seen as a crime and leads to harm, children who share images voluntarily can also face negative consequences. Material shared voluntarily may not cause harm at first, but there remains a risk if it is later shared beyond the control of the person who created it. Once it exists, such content can also be obtained deceptively or using coercion and be perpetually circulated by offenders (see Figure 14).[62,63]

Figure 14: Mapping the consequences of sharing self-generated sexual content involving children.
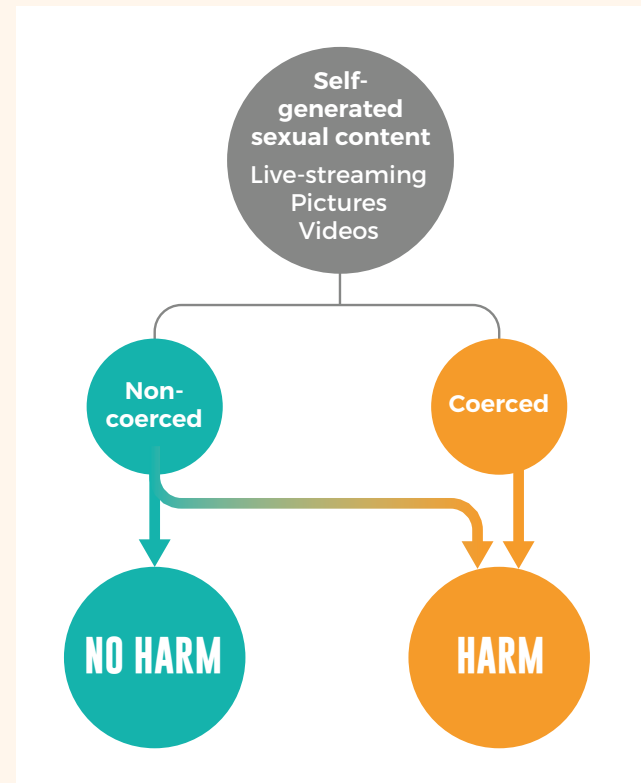
Seeking help if others share their sexual content can be difficult for many children, partly owing to a culture of victim-blaming. In Namibia, the household survey showed that a large majority of children (65%) and caregivers (67%) believe that, should a self-generated image or video be shared further, it is the victim's fault. When self-generated content is shared without permission, reluctance or the inability to seek help may further compound harm for children.

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59. Livingstone, S. & Mason, J. (2015). Sexual Rights and Sexual Risks among Youth Online: A review of existing knowledge regarding children and young people's developing sexuality in relation to new media environments. London: European NGO Alliance for Child Safety Online.
60. Thorn & Benson Strategy Group. (2020). Self-Generated Child Sexual Abuse Material: Attitudes and Experiences.
61. Internet Watch Foundation (2021).The Annual Report 2020.
62. Bracket Foundation. (2019). Artificial Intelligence: Combating Online Sexual Abuse of Children. 10.
63. EUROPOL. (2019). Internet Organized Crime Threat Assessment 2019. Netherlands: EUROPOL.

1.4 AWARENESS OF ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE IN NAMIBIA

> **Parents have no clue what their kids are doing on the Internet, and they have no clue of the dangers.** RA4-J-NA-07-A-Justice

Levels of awareness

Interviews with caregivers of children who accessed the justice system showed that there is some knowledge of OCSEA in Namibia; however, there may not be a clear conceptualisation of the phenomenon. One caregiver described OCSEA as follows: *"When children chat with strangers over the smartphone while the parents do not know anything. By the time the parent realises that their child has been abused online by someone they have been chatting with, it is already too late."* (RA4-NA-06-B-Caregiver)

While the above description demonstrates an understanding of how OCSEA can manifest, it does not reflect the complexity of such crimes and, therefore, may make it difficult for caregivers to recognise it. A lack of awareness of OCSEA among caregivers was identified as a challenge by justice professionals since it limits the role caregivers can play in prevention and response. According to a representative from the Office of the Prosecutor: *"[Parents] have no clue what their kids are doing on the Internet, and they have no clue of the dangers."* (RA4-J-NA-07-A-Justice)

A similar sentiment was shared by frontline workers. They rated levels of awareness of OCSEA among caregivers and the general public in Namibia as poor (56%) or fair (32%). Frontline workers cautioned that low levels of awareness of OCSEA among caregivers translate into low levels of disclosure among children impacted by OCSEA. According to government representatives, raising awareness about OCSEA in Namibia is a critical step forward in protecting children from harm. The Deputy Minister of the Ministry of ICT stated: *"Awareness for children, parents and service providers is the key to preventing these crimes."* (RA1-NA-04-A)

Current interventions

Disrupting Harm found that public awareness campaigns have been initiated by the Namibian Government and civil society organisations. According to government representatives, key examples of such initiatives are Safer Internet Day, a global outreach campaign implemented by the NGO Lifeline/Childline, and awareness-raising campaigns from the U.S. Embassy and the British High Commission. UNICEF's efforts in this area were also referenced: *"Most of the cases received are the results of the #BeFree campaign, where we engage with young people in Namibia. Young people come and say, 'What you have described is something that I am going through."* (RA4-NA-03-A Justice)

Beyond incidental campaigns, schools were identified as one place in which general awareness raising about online safety was currently taking place as part of the established education curricula. One of the caregivers, who was also a teacher, was particularly well informed and shared how they came to know about OCSEA through a public campaign: *"The First Lady had just launched the #BeFree campaign. We had talks with the First Lady about cyberbullying and its effects. Through that campaign, I got to learn about how easy it is to be groomed online."* (RA4-NA-01-B-Caregiver)

This respondent had an opportunity to learn about OCSEA via the #BeFree campaign as part of their role as a teacher. The remaining two caregivers only became aware of OCSEA after children under their care were abused. (RA4-NA-04-B-Caregiver and RA4-NA-05-B-Caregiver) Despite the importance of schools, relying exclusively on them to raise awareness of OCSEA among children may be short-sighted. The Deputy Commissioner of the Ministry of Safety and Security noted that teachers are afraid of becoming involved in the criminal justice system, especially if it involves testifying.

Figure 15: Caregivers' sources of information on how to support their children's internet use and keep them safe online.
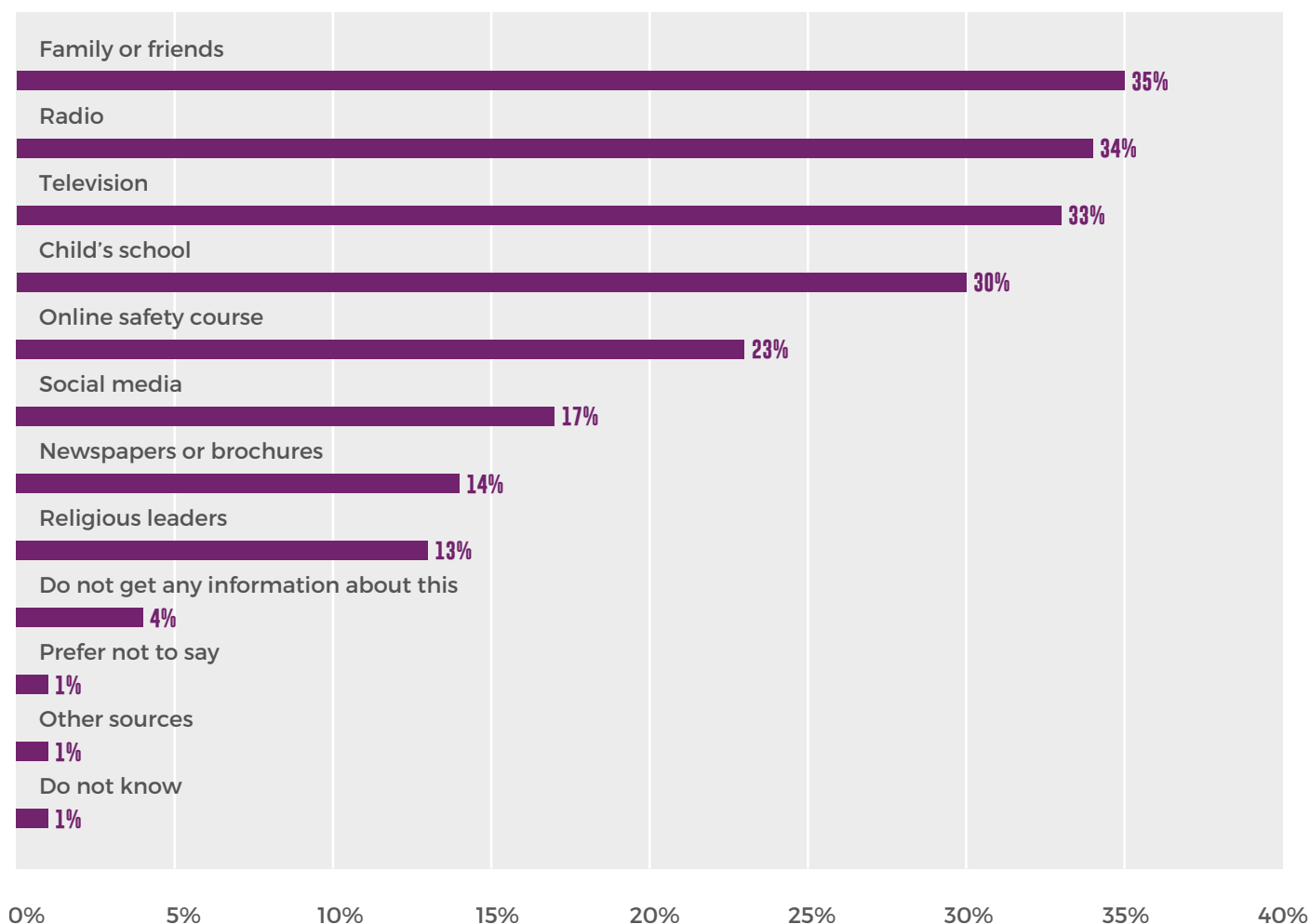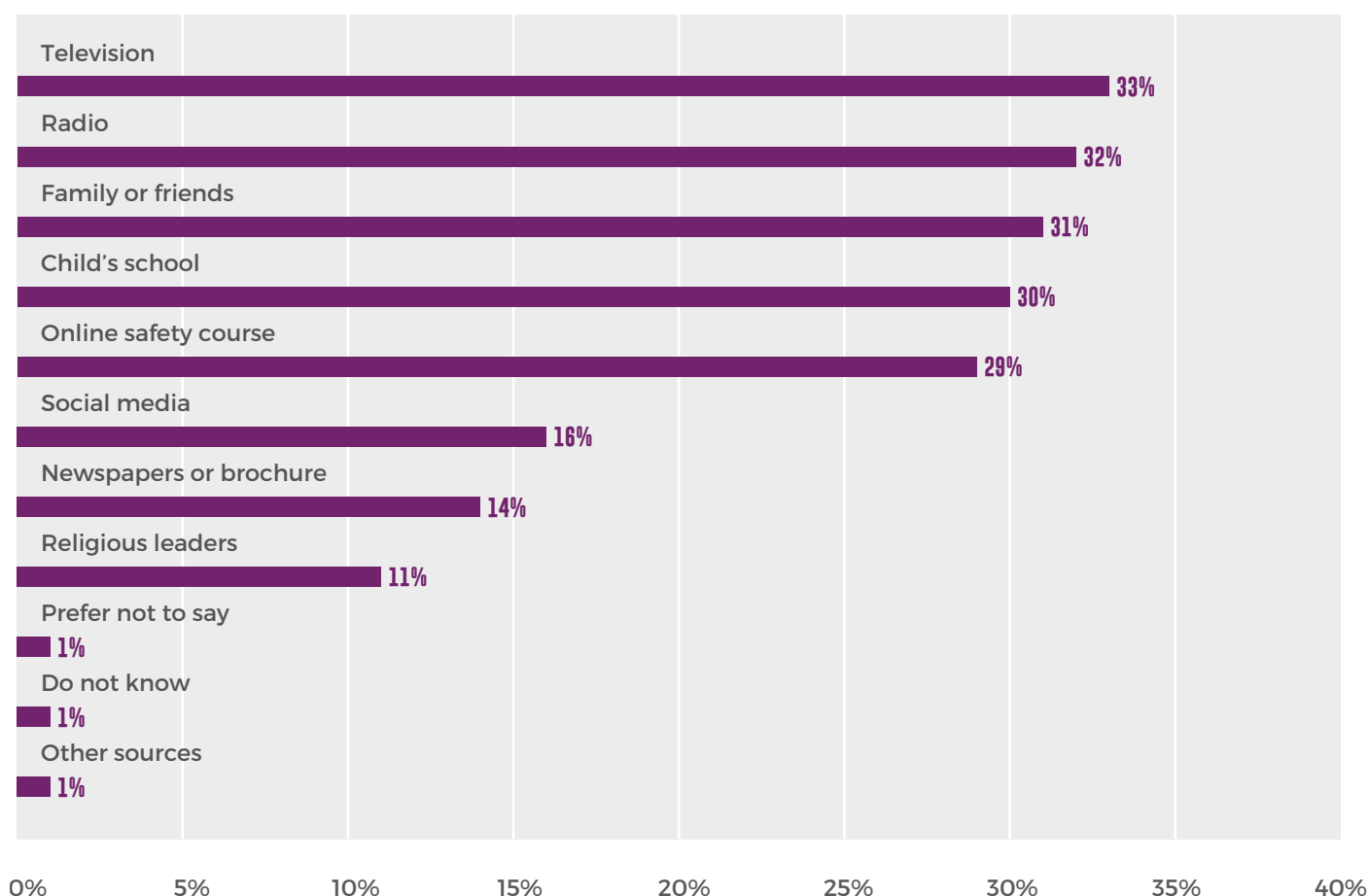

Base: Caregivers of Internet-using children aged 12–17 in Namibia from the Disrupting Harm study. n = 994.

According to the household survey, caregivers in Namibia are currently most likely to obtain information on how to keep their children safe online from family or friends, radio, television and via the child's school (see Figure 15). The same channels were also cited as the most preferred source of such information (see Figure 16). These findings could further help to inform awareness-raising strategies.

Gaps

According to a government representative that was interviewed, OCSEA is only one component of the school safety framework and is possibly insufficient in terms of instructor knowledge and the ability to discuss this topic comfortably with learners. (RA1-NA-06-A) This was confirmed by a member of the National Child Online Task Force Team from the Office of the First Lady, who had reviewed the educational materials and said that they were *"very basic"* and that they did not provide information on issues that are timely or topical. The respondent noted that the materials need to be more *"relevant"* to the pragmatic contemporary realities of child sexual abuse and exploitation, whether online or in person, and that they must include appropriate information specific to different age groups and developmental levels. (RA1-NA-05-A)

Figure 16: Caregivers' preferred sources of information on how to support their children's internet use and keep them safe online.

Television 33%
Radio 32%
Family or friends 31%
Child's school 30%
Online safety course 29%
Social media 16%
Newspapers or brochure 14%
Religious leaders 11%
Prefer not to say 1%
Do not know 1%
Other sources 1%

0% 5% 10% 15% 20% 25% 30% 35% 40%

Base: Caregivers of Internet-using children aged 12–17 in Namibia from the Disrupting Harm study. n = 994.

Government representatives that were interviewed also noted that, for maximum benefit, awareness raising must go beyond school-aged children and must engage caregivers and communities. (RA1-NA-02-A, RA1-NA-07-A) Several respondents confirmed that educating parents and caregivers to provide them with the tools to assist in keeping their children safe online is crucial to success. (RA1-NA-07-A, RA1-NA-10-A) However, a lack of resources to perform this task was cited as an obstacle.

It was also noted that awareness raising must be ongoing rather than just a series of one-off events. (RA1-NA-10-A) When asked about national level awareness raising by the Government of Namibia, the Director of Child Welfare from the Ministry of Gender stated that, as of August 2020, *"there was nothing comprehensive"* and there is *"no targeted prevention campaigns [on OCSEA]."* (RA1-NA-03-A) This was echoed by several interviewees, such as the Deputy Executive Director under the Ministry of Education, Arts and Culture who stated: *"[a] lot more awareness raising should be done."* (RA1-NA-03-A)

2. ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE IN NAMIBIA

Following on from children's perceptions of, and participation in, various risky online activities, this chapter turns to the threat of online child sexual exploitation and abuse (OCSEA). This chapter aims to further strengthen the existing evidence around OCSEA in Namibia by triangulating data from a variety of sources – including law enforcement data, mandated reports from U.S.-based technology companies to the U.S. National Center for Missing and Exploited Children (NCMEC), surveys with frontline workers, and surveys, interviews and conversations with children themselves – to create a well-rounded representation of the nature of these crimes against children.

This chapter estimates the occurrence of certain instances of OCSEA based on data from law enforcement units (chapter 2.1) and children's self-reported experiences (chapter 2.2 and 2.3) and ends with insights concerning victim and offender profiles (chapter 2.4) and reasons for non-disclosure (chapter 2.5). The purpose of these estimates is not to provide a conclusive picture of the prevalence of OCSEA. There are several reasons for this. Firstly, the existing administrative data accessed, such as that kept by law enforcement authorities, rarely delineates or classifies OCSEA elements. Secondly, with respect to the household survey, one would expect a degree of under-reporting due to hesitation to discuss sex and sexuality and fear of legal self-incrimination as some practices are criminalised. Furthermore, in households where sexual abuse occurs, enumerators are less likely to be given permission to talk to the children for such a survey. Finally, some estimates are based on analyses of sub-samples of the household survey data, which are small because OCSEA is still rarely reported. These smaller sub-samples result in a larger margin of error and more uncertainty around the final estimate.

While *Disrupting Harm* has full confidence in the data and the quality of the sample obtained, the challenges of researching specific and sensitive phenomena involve the loss of a certain amount of precision in the final estimate. For these reasons, it is suggested that the reader interprets the findings in this chapter as *a good approximation* of the instances of OCSEA in Namibia and the extent to which internet-using children in Namibia are subjected to OCSEA.

> In Namibia, only one OCSEA case was included in the tally for the national statistical data requested for the period 2017–2019. However, interviews with law enforcement officials from the Gender-Based Violence Protection Units and the Cybercrime Unit of the Namibian Police Force indicated that they were aware of more cases.

2.1 LAW ENFORCEMENT DATA

The analysis in this chapter draws on qualitative and quantitative data from law enforcement authorities and several partner organisations, with a view to understanding offences relevant to instances of OCSEA recorded in the country, offender and victim behaviours, crime enablers and vulnerabilities.

2.1.1 Recorded online child sexual exploitation and abuse-related offences

In Namibia, only one OCSEA case was included in the tally for the national statistical data requested for the period 2017–2019. However, interviews with law enforcement officials from the Gender-Based Violence Protection Units and the Cybercrime Unit of the Namibian Police Force indicated that they were aware of more cases, both in the capital city and in regional areas, which were not included in the national statistics. These anecdotal cases did not appear to be common, and it is unclear why these cases are not reflected in the data provided by Namibian law enforcement. This inconsistency in the formal number of recorded cases limited the evaluation of the scope of OCSEA and is itself elucidating in regard to how Namibian law enforcement recognises and records alleged OCSEA cases.

The data provided by Namibian law enforcement authorities on the numbers of child sexual exploitation and abuse related offences, which *could* include OCSEA, is outlined in Figure 17.

As shown in Figure 18, for the 1,277 CSEA cases recorded during the review period, 2,033 arrests were made, indicating that, for some cases, more than one suspect was arrested. Only 47 of those cases resulted in convictions, i.e., approximately 4% of all cases. Concerning OCSEA, the one case recorded resulted in the arrest of one suspect, but the final judicial outcome could not be determined by the research team. The data collected for *Disrupting Harm* from children and frontline workers provides tangible evidence that a considerable number of children's experience OCSEA every year. While it is clear that OCSEA is an existing threat to children in Namibia, it is unclear why these cases are not reflected in the data provided by Namibian law enforcement.

Figure 17: Number of CSEA and OCSEA-related offences recorded by law enforcement in Namibia.

Number of Offences Recorded	2017	2018	2019	Total
CSEA	437	499	341	1,277
OCSEA	1	0	0	1

Base: Data provided by INTERPOL National Central Bureau Windhoek, 2017–2019.

Figure 18: Investigations and judicial outcomes regarding CSEA and OCSEA-related offences in Namibia.

		2017	2018	2019	Total
CSEA	Investigations Opened	437	499	341	1,277
	Persons Arrested	642	688	703	2,033
	Convictions	16	18	13	47
	Conviction Rate	3.7%	3.6%	3.8%	3.7%
OCSEA	Investigations Opened	1	0	0	1
	Persons Arrested	1	0	0	1
	Convictions	0	0	0	0
	Conviction Rate	0	0	0	0

Base: Data provided by INTERPOL National Central Bureau Windhoek, 2017–2019.

2.1.2 International detection and referral of online child sexual exploitation and abuse

On behalf of Namibian law enforcement, data was requested from NCMEC about CyberTips concerning suspected child sexual exploitation in Namibia for the years 2017 to 2019.[64] Most CyberTips include geographic indicators related to the upload location of CSAM.[65]

Although the numbers are relatively small and the proportion of CyberTips about suspected child exploitation is low for Namibia, there was an overall increase between 2017 and 2019.

An analysis of CyberTips revealed that the possession, production and distribution of CSAM (referred to in U.S. legislation as 'child pornography') accounted for all but one of Namibia's CyberTips in the reporting period.

Figure 20 shows that all but one of the CyberTips for Namibia in the period 2017–2019 had electronic service providers (i.e., technology companies) as their source. A total of 17 electronic service providers submitted at least one CyberTip of suspected child exploitation in Namibia in the reporting period.

Figure 19: CyberTips concerning suspected child sexual exploitation in Namibia.

	2017	2018	2019	% CHANGE 2017 to 2019	% CHANGE 2018 to 2019
Namibia	496	803	897	81%	12%
Global Total	10,214,753	18,462,424	16,987,361	66%	-8%
Namibia % of Global Total	0.005%	0.004%	0.005%		

Base: CyberTip data supplied by NCMEC.

Figure 20: CyberTips concerning suspected child sexual exploitation in Namibia reported by electronic service provider.

Reporting Electronic Service Provider	2017	2018	2019	% of 2019 Total
Facebook	401	691	712	86%
Instagram Inc.	44	46	103	6%
Google	39	27	60	3%
Stelivo LLC			7	
Pinterest Inc.	1	3	3	
Tumblr	2		3	
Twitter Inc. / Vine.co	1	2	3	
Ask.fm			2	
Microsoft - Online Operations		26	2	
Discord Inc.			1	
Rabbit		4	1	
Chatstep	2			
Dropbox Inc.	2	1		
Omegle.com LLC	1	1		
Snapchat	1			
WhatsApp Inc.		2		
Whisper	1			

Base: CyberTip data provided by NCMEC, sorted by 2019 counts, null results removed.

64. U.S. federal law requires that U.S.-based electronic service providers report instances of suspected child exploitation to the CyberTipline of NCMEC. For providers not based in the U.S., this reporting is voluntary. Not all platforms report suspected child exploitation to NCMEC. There is, therefore, an information gap concerning the prevalence of OCSEA on a number of platforms popular in *Disrupting Harm* focus countries.
65. It is important to note that country-specific numbers may be impacted by the use of proxies and anonymisers. In addition, as a result of differences in the law, each country must apply its own national laws when assessing the illegality of the reported content.

Figure 21: CyberTips concerning suspected child sexual exploitation in Namibia, number of unique upload IP addresses by year.

	2017	2018	2019	% Change 2017–2019	% Change 2018–2019
Namibia Unique Upload IP Addresses	386	627	727	88%	16%
Total Namibia Reports	496	803	897	81%	12%
Reports per Unique IP Address	1.28	1.28	1.23	-4%	-4%

Base: CyberTip data provided by NCMEC.

Facebook submitted 82% of CyberTips concerning Namibia for the 2017–2019 period, and 86% of all reports in 2019. The number of CyberTips from Facebook increased by 77% across the reporting period. After Facebook, most of the remaining CyberTips were made by Instagram and Google with the number of CyberTips increasing by 134% and 54%, respectively, over the period.

Further insight into the reporting data over the 2017–2019 period indicates the following:

• The 26 CyberTips submitted by Microsoft in 2018 concerned suspected child exploitation cases detected on various Microsoft services, including web searches, emails, gaming, and other applications;

• The emergence of reporting in 2019 from Discord, an app often used to facilitate gaming chat, may indicate comparatively early adoption of tools and apps requiring greater bandwidth;

• The appearance of the anonymous social media app Whisper in 2017 and virtual private server host Stelivo in the reporting data for 2019 suggests at least some offending at a level of technical sophistication.

CyberTips for Namibia also allow for high-level analyses of unique Internet Protocol (IP) addresses used to engage in suspected child exploitation (see Figure 21).

An IP address is assigned to each individual device on a specific network at a specific time.[66] As seen in Figure 21, the changes in the number of unique Namibian IP addresses identified as involved in the upload of CSAM are broadly similar to the trends seen in the national total number of CyberTips of suspected child exploitation cases. The average number of CyberTips per unique IP address was relatively consistent over the reporting period. Since this number is an average, it is reasonable to assume that some suspect IPs were linked to more CyberTips, and some less.

It is important to note that it is not unusual for a CyberTip to contain more than one upload IP address. This could potentially reflect more than one instance of suspected child sexual exploitation, as would be the case for manual CyberTips that collate multiple events for a single suspect. This may also reflect a dynamic assignment of IP addresses by the suspect's telecommunications provider. For instance, if a suspect's internet connection is refreshed while CSAM is being uploaded to a particular platform, it is possible that more than one IP address would be assigned to that device by the telecommunications provider and, therefore, captured by the platform that is reporting to NCMEC.

2.1.3 Evidence of child sexual abuse material from other sources

Child sexual abuse material distribution on peer-to-peer networks

Data from the Child Rescue Coalition[67] which detects the distribution of CSAM on peer-to-peer file sharing networks, reveals that 94 Namibian IP addresses were identified as engaged in peer-to-peer distribution or downloading from 9 June 2019 to 8 June 2020 (see Figure 22). Since the Child Protection System does not monitor all file sharing networks, this should not be taken as representative of the sum total of CSAM-related offences on such platforms. A representation of the data for Namibia alongside that for other *Disrupting Harm* study countries in Africa allows for comparison..

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66. Note: The same IP address may be counted in more than one year.
67. Child Rescue Coalition (CRC) is a non-profit organisation that rescues children from sexual abuse by building technology for law enforcement, free of charge, to track, arrest and prosecute child predators.

Figure 22: CSAM distribution and downloading of CSAM on peer-to-peer file sharing networks in *Disrupting Harm* focus countries in Africa.

	IP Addresses	Globally Unique Identifiers (GUIDs)
Ethiopia	7	4
Kenya	76	24
Mozambique	6	10
Namibia	**94**	**117**
South Africa	2,413	842
Tanzania	47	5

Base: Data supplied by Child Rescue Coalition for the period from 9 June 2019 to 8 June 2020.

Child sexual abuse material web hosting

Namibia has not been identified as a hosting country for images and videos assessed as illegal by INHOPE member hotlines contributing to the ICCAM project.[68] Moreover, the Internet Watch Foundation actioned zero reports concerning confirmed CSAM hosting in Namibia in the calendar years 2017, 2018 and 2019. Since data pertaining to the ICCAM project is limited to submissions from INHOPE member hotlines, and as the Internet Watch Foundation operates primarily as the United Kingdom's CSAM hotline, this should not be taken as evidence of an absence of CSAM hosting in the country.

Web searches for child sexual abuse material

Research was conducted on Google Trends[69] with a view to identifying levels of search interest in CSAM in Namibia. A sample of 20 specialised terms selected by the INTERPOL Crimes Against Children team served as keywords and phrases for measuring search interest for CSAM. Queries for the period from 1 January 2017 to 31 December 2019 on searches in Namibia returned a result of 'not enough data' for each of these 20 terms.

Returns of 'not enough data' equate to a zero relative popularity score, indicating a comparatively low level of interest in that term (as opposed to absolute zero search volume) within the geographical and time limits set.[70] When compared to global searches for the same terms and those from other countries in the same time frame, this suggests that specialist CSAM search terms may be used less in Namibia than in some other countries. While it may also be argued that more sophisticated CSAM searchers are less likely to search on the open web, the relative popularity in other countries of some of the terms in the INTERPOL sample would suggest that open web searches are still used for CSAM discovery.

There were also searches made for related but less specialised terms (e.g., 'incest', 'father daughter', 'child porn', etc.) with some limited findings. As a result of the lack of information on the use of the terms, though most are fairly descriptive, it is not possible to establish whether the searches were in fact related to CSAM or adult pornography.

Acknowledging that individuals in Namibia looking for CSAM may search in languages other than English, e.g., using local language or slang search terms, presents a key knowledge gap. With this in mind, there exists an opportunity for law enforcement to review OCSEA investigations in Namibia, with a view to identifying additional terms and search strings used by offenders.

2.1.4 Links to travel and tourism

Data on travelling child sex offenders can also serve as an indication of OCSEA as these offenders often record the abuse for their own use or for further distribution. They may also use communications technology to groom or procure children for offline abuse, or to maintain relations with children they have already abused offline.

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68. InHope. (2021). What is ICCAM & Why is it important?

69. Google Trends (trends.google.com) is a publicly available tool that returns results on the popularity of search terms and strings relative to others within set parameters. Rather than displaying total search volumes, the tool calculates a score (in a range of 1 to 100) based on a search term or a string's proportion to all searches on all terms/strings. Data points are divided by total searches in the geographical and time parameters set to obtain a relative popularity. While Google Trends draws only on a sample of Google searches, the dataset is deemed by the company to be representative given the billions of searches processed per day. For more information on data and scoring, see "FAQ about Google Trends data", accessed 17/02/2021.

70. Danti Ramadanti, "Telling stories with Google Trends using Pytrends in Python", *Towards Data Science*, 28/07/2020, accessed 17/02/2021.

2.1 LAW ENFORCEMENT DATA

Convicted sex offenders in several countries are required to notify a central authority when planning overseas travel. An analysis of the data supplied by one foreign law enforcement agency – which requested anonymity – revealed that twelve notifications to their national sex offender registry concerned travel to Namibia between 2015 and 2020, representing 19% of all notifications concerning the *Disrupting Harm* focus countries in Eastern and Southern Africa[71]. An agency from another country – which also requested anonymity – reported that of 283 notifications of convicted sex offender travel from May 2017 to June 2020, 14 were destined for Namibia (1% of *Disrupting Harm* focus countries in Eastern and Southern Africa).

Furthermore, the U.S. Homeland Security Investigations Angel Watch Center provides referrals to officials in destination countries on convicted U.S. child sex offenders who have confirmed scheduled travel. Those that are subsequently confirmed as not being admitted into the destination country (and are communicated to U.S. Homeland Security Investigations) are counted as 'denials.' In the fiscal years 2017 to 2020, the Angel Watch Center made zero referrals concerning travellers to Namibia, making it one of the only *Disrupting Harm* countries (along with Mozambique) to receive zero Angel Watch Center notifications.

> "
> **Facebook submitted 82% of CyberTips concerning Namibia for the 2017–2019 period, and 86% of all reports in 2019. The number of CyberTips from Facebook increased by 77%.**
> "

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71. Ethiopia, Kenya, Mozambique, Namibia, South Africa, Tanzania, and Uganda.

2.2 CHILDREN'S EXPERIENCES OF ONLINE SEXUAL EXPLOITATION AND ABUSE IN NAMIBIA

Under the *Disrupting Harm* project, OCSEA was defined to include CSAM, live-streaming of child sexual abuse and online grooming of children for sexual purposes. These concepts are used herein to organise and present the results of our research. Simultaneously, it is recognised that the ways in which children are subjected to OCSEA are far more complex and nuanced. The experiences or offences in question often occur in combination or in sequence. Moreover, as explored in the box "The Continuum of Online and Offline Child Sexual Exploitation and Abuse" on <u>page 62</u>, OCSEA does not only occur in the digital environment; digital technology can also be used as a tool to facilitate or record in-person sexual exploitation and abuse.

The *Disrupting Harm* household survey of 12–17-year-old internet users measured children's exposure to various manifestations of OCSEA, which will be presented individually below. When taken together, the data reveals that in the past year alone, an estimated 9% of internet-using children aged 12–17 in Namibia were subjected to clear examples of online sexual exploitation and abuse. This aggregate statistic encompassed four indicators of OCSEA experiences in the past year prior to data collection:

1. Someone offered you money or gifts in return for sexual images or videos.
2. Someone offered you money or gifts online to meet them in person to do something sexual.
3. Someone shared sexual images of you without your consent.
4. Someone threatened or blackmailed you online to engage in sexual activities.

According to *Disrupting Harm* estimates, when scaled to the population of internet-using children in this age group, this represents an estimated 20,000, children in Namibia who were subjected to at least one of these harms in a single year. It is worth considering that the survey only included internet users and those who live at home, meaning that more vulnerable child populations – such as children engaged in migration or children in street situations – may not be represented in these figures.

2.2.1 Online grooming

Disrupting Harm defines online grooming as engaging a child via technology with the intent of sexually abusing or exploiting the child. This may happen either completely online or through a combination of online and in-person contact.

Online grooming is a complex concept, which is often highly fluid and difficult to detect, especially if it involves a gradual building of trust between the offender and the child over an extended period. The grooming process often involves 'preparing' the child for sexual abuse and to engage in sexual acts online or in person by means of deceit, coercion or threats. However, in certain cases, online grooming can also be abrupt, with an offender suddenly requesting or pressuring a child to share sexual content of themselves or to engage in sexual acts, including via extortion.

One young survivor from Namibia talked about how she felt she could trust the person she met online, even though that trust was later found to be misplaced: *"He was somehow allowing me into his life because how I felt at that time, is that I wanted to get married very young, I wanted to be settled very young. So, all the things he was saying, it's like he already knew what I wanted without me saying it. This made it easier for me to feel comfortable talking to him and he made me feel safe."* (RA5-NA-04)

Another young survivor from Namibia described how, when she was 16, she met someone unknown on a website. They then subsequently chatted on WhatsApp, where they exchanged pictures and, although she felt very unsure of herself and insecure about how she looked, he made her feel safe and gave her many compliments: *"I would start sending videos of my upper area, me doing stuff and he*

made me feel comfortable and then, it moved to us planning on meeting physically... So, we finally met in person, and we were intimate, we had sex and it wasn't for me that time... It was more like I did it for him... It's like the person I was chatting with online, the caring person, the loving person, the affectionate person was not the same person I met... When we had sex, it was like he was the only person there and I didn't exist. It was like he was having sex with an object... I just allowed him to finish. I realised that he was not a caring person that he had pretended to be all along and that I really didn't know this person as I thought. I just laid there, and he did what he was doing until he finished." (RA5-NA-04)

A 2020 qualitative study on grooming conducted by UNICEF Namibia found a similar trend.[72] The report highlights two typologies of contact with the victim by the potential offender. The first involved enticement through promises of financial returns, a modelling career, and a way out of what were seen as communities in which the victims were trapped and had few opportunities. According to the study, this was done through a combination of peer recruitment and a 'talent agent', primarily through Facebook Messenger, before escalating into direct contact with the victims over WhatsApp and video calls. In this instance, the offender took advantage of the implied trust inherent in online friends and networks. The second entailed a more direct offender–victim process, in which the offender struck up friendships with victims over their social media profiles, primarily Instagram, befriended them, and established trust, before moving the conversation to more 'romantic' and sexual overtones.

The following section focuses primarily on children's experiences of various facets of online grooming as captured in the household survey of internet-using 12–17-year-olds. Recognising that sexual exploitation and abuse of children can happen in many different ways and places, most data points below allow for multiple responses and may add up to over 100%.

Legislation on grooming
At the time of writing, the existing Namibian legislation does not criminalise online grooming of children for sexual purposes. Insights received through the research and consultation process conducted by *Disrupting Harm* indicate that the Combating of Sexual Exploitation Bill will comprehensively fill this gap by criminalising anyone who engages or communicates with a child with the purpose of committing any sexual offences (i.e., both sexual abuse in person and online through, for example, the production of CSAM).[73] Offenders would be liable for the crime of grooming even if the child does not reply to the communication and whether or not the sexual offence was committed.[74]

Potential grooming – Children asked to talk about sex
In the household survey of internet-using children in Namibia, children were asked if they had been subjected to certain behaviours in the past year that could be an indication of grooming. Those children who had experienced possible instances of grooming were then asked follow-up questions about the last time this happened to them, including how they felt, whether it occurred online or offline (or both), who did it to them and whether they told anyone about it. Because relatively few children said they were subjected to possible grooming, many of these follow-up questions involve small sub-samples. In such cases, when the sample is smaller than 50, absolute numbers are presented instead of percentages to avoid misinterpretation of the data. Recognising that sexual exploitation and abuse of children can happen in many different ways and places, most data points below allow for multiple responses and may add up to over 100%.

According to the household survey of 994 internet-using children in Namibia, 9% (85 children) had received unwanted requests to talk about sex or sexual acts within the past year. These were mostly older children aged 16–17 (12%) as opposed to younger children aged 12–13 (3%). There was no notable difference according to gender.

Depending on the context, these experiences could mean varying levels of harm for a child. For example, a child being asked to talk about sex by a boyfriend or girlfriend but not wanting to engage at that moment might not face serious harm from this interaction. Conversely, these experiences could also indicate malicious instances of attempted grooming; therefore, they are reported here and the figures on the next page are designated as instances of potential (versus actual) grooming.

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72. UNICEF Namibia (2020). The Nature and Dynamics of Online Grooming in Namibia.
73. Minister of Justice of the Republic of Namibia. (2020, October). Draft Combating of Sexual Exploitation Bill. Article 3.
74. Minister of Justice of the Republic of Namibia. (2020, October). Draft Combating of Sexual Exploitation Bill. Article 3 (2).
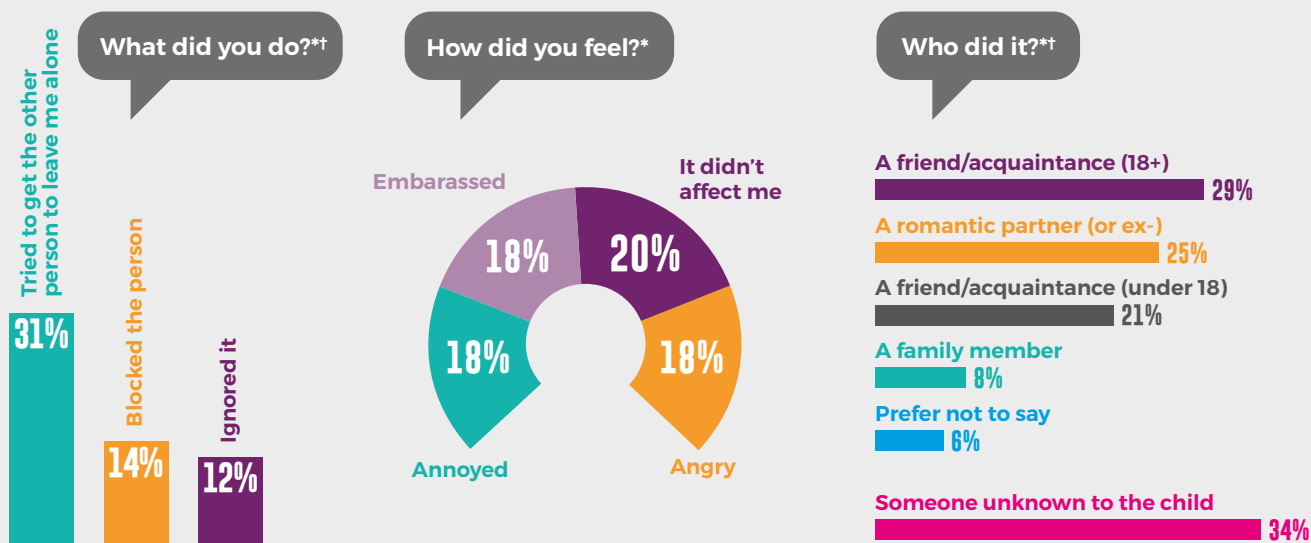
IN THE PAST YEAR
I HAVE BEEN ASKED TO TALK ABOUT SEX WHEN I DID NOT WANT TO
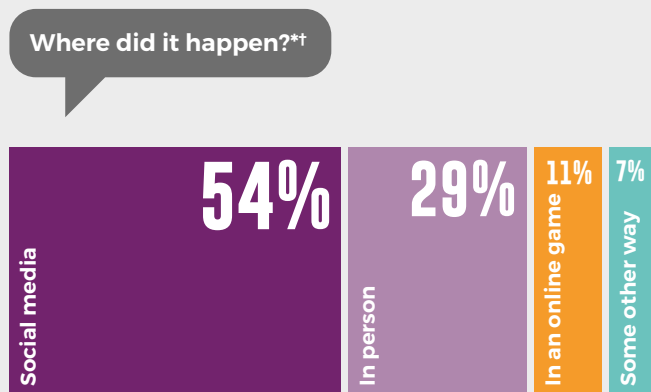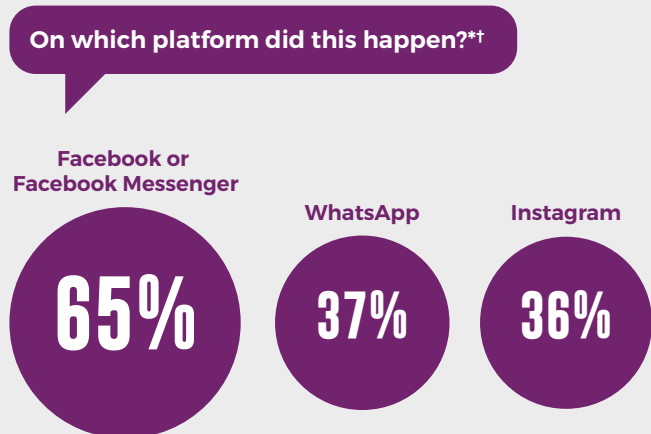
YES 9%

Base: Internet using children 12–17
n = 994 children
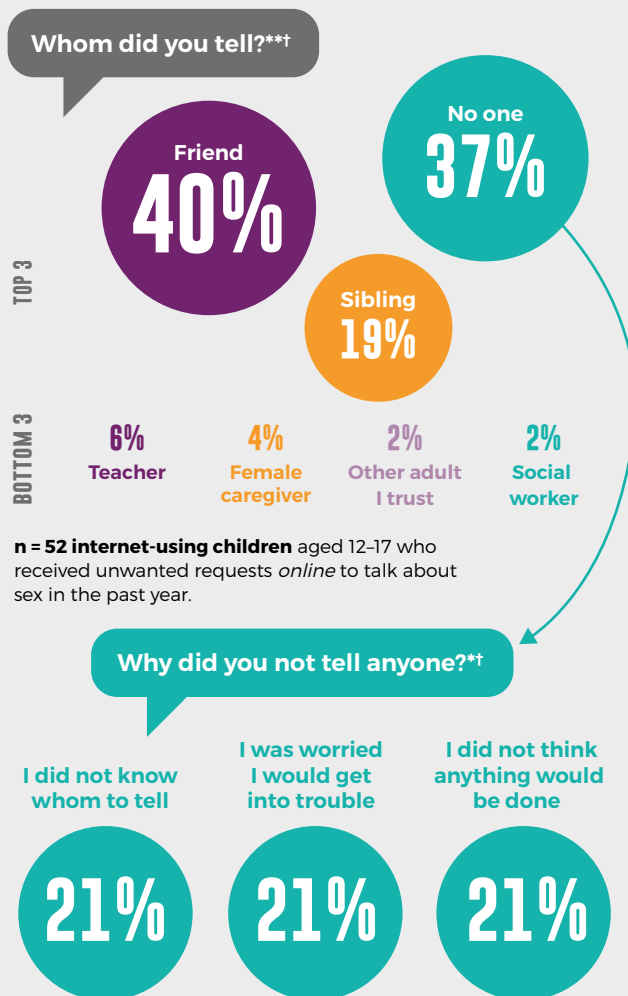
THE LAST TIME THIS HAPPENED ONLINE...

What did you do?*†

Tried to get the other person to leave me alone
31%

Blocked the person
14%

Ignored it
12%

How did you feel?*

Embarassed
18%

It didn't affect me
20%

Annoyed
18%

Angry
18%

Who did it?*†

A friend/acquaintance (18+)
29%

A romantic partner (or ex-)
25%

A friend/acquaintance (under 18)
21%

A family member
8%

Prefer not to say
6%

Someone unknown to the child
34%

n = 52 internet-using children aged 12–17 who received unwanted requests *online* to talk about sex in the past year.

Where did it happen?*†

Social media **54%**

In person **29%**

In an online game **11%**

Some other way **7%**

n = 85 internet-using children aged 12–17 who received unwanted requests to talk about sex in the past year.

On which platform did this happen?*†

Facebook or Facebook Messenger
65%

WhatsApp
37%

Instagram
36%

n = 52 internet-using children aged 12–17 who *most recently* received unwanted requests *via social media* to talk about sex.

Whom did you tell?**†

TOP 3

Friend
40%

No one
37%

Sibling
19%

BOTTOM 3

6% Teacher

4% Female caregiver

2% Other adult I trust

2% Social worker

n = 52 internet-using children aged 12–17 who received unwanted requests *online* to talk about sex in the past year.

Why did you not tell anyone?*†

I did not know whom to tell
21%

I was worried I would get into trouble
21%

I did not think anything would be done
21%

n = 19 internet-using children aged 12–17 who *did not tell anyone* the last time they received unwanted requests *online* to talk about sex.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

In comparison, the 2020 Namibia Violence Against Children and Youth Survey found that, among 13–17-year-olds, 0.3% of girls and 1% of boys were asked to talk about sexual acts with someone on the internet when they did not want to in the 12 months prior to the study.[75] These are much lower than the proportions indicated in *Disrupting Harm* household survey. This difference might be attributed to the fact that the Violence Against Children Survey sample included all 13–17-year-olds, whereas the *Disrupting Harm* household survey included internet-using children only.

Online or offline: Of the 85 children in the household survey who had received unwanted requests to talk about sex within the past year, 65% had received the request online, mainly via social media. The majority of cases involved Facebook (including Messenger), followed by WhatsApp and Instagram. Recognising that asking a child to talk about sex can happen without the involvement of technology, only the 52 children (5%) in the sample that said that this had happened on social media or in an online game were included in the subsequent analysis, as they represented OCSEA cases.

How children felt and responded: The majority of the 52 children receiving unwanted requests online to talk about sex felt negatively about this encounter. The most common negative feelings were feelings of embarrassment, anger or annoyance. In response, half of the 52 children who had received unwanted requests online to talk about sex, refused to do so, and only 8% of children (4 children) complied with requests. The remainder responded by, for example, blocking or ignoring the offender, or they stopped using the internet for a while.

Offenders and disclosure: The 52 children more commonly received unwanted requests online to talk about sex from someone known to them, such as a romantic partner, an adult friend or peer, as compared with someone unknown (34%).[76] Children were more inclined to disclose their experience to people from their circle of trust rather than using formal reporting mechanisms, such as social workers

or a helpline. These were most likely to be a friend or a sibling. Notably, 37% (about 1 in 3) did not tell anyone about what had happened, mostly because they did not know where to go, they were worried they would get into trouble or they did not think anything would be done. These were more frequently boys (50%) than girls (25%), and younger children aged 12–13 (75%) than 16–17-year-olds (30%).

Potential grooming – children asked to share sexual images or videos

Some offenders have the intention of manipulating children into self-generating and sharing sexual images or videos though digital technologies, irrespective of whether they also intend to meet the child in person. Global action to address grooming of children with the sole intent of coercing them into sending sexual images or videos of themselves (and not meet) has been slow.[77] In 2015, amid concern about this issue, the committee in charge of overseeing the implementation of the Council of Europe's Convention on the Protection of Children against Sexual Exploitation and Abuse (also known as the 'Lanzarote Committee') issued an opinion regarding this. The committee recommended that states should extend the crime of grooming for sexual purposes to include *"cases when the sexual abuse is not the result of a meeting in person but is committed online."*[78] As mentioned above, the Draft Combating of Sexual Exploitation Bill, if approved, would ensure that such situations are criminalised under Namibian law.[79] This is a praiseworthy step as it allows for intervention before harm occurs.

From the household survey in Namibia, 88 children (9%) had received unwanted requests for a photo or video showing their private parts in the past year. This was more common among older children aged 16–17 (12%) than younger 12–13-year-olds (4%). More girls (11%) than boys (6%) also revealed receiving such requests. This is another potential indication of grooming: some OCSEA offenders have the intention of manipulating children into self-generating and sharing sexual images or videos though digital technologies, whether or not they also intend to meet the child in person.

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75. Ministry of Gender Equality, Poverty Eradication and Social Welfare, Namibia Statistics Agency, International Training and Education Center for Health at the University of Washington. (2020). Violence Against Children and Youth in Namibia: Findings from the Violence Against Children and Youth Survey.
76. This category is comprised of two items: 1) someone the child didn't know before this happened (19%) and 2) a person they did not know at all (15%).
77. Interagency Working Group on Sexual Exploitation of Children. (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse. Bangkok: ECPAT International. 50.
78. Council of Europe Lanzarote Committee. (2015). Opinion on Article 23 of the Lanzarote Convention and its explanatory note. Para 20.
79. Minister of Justice of the Republic of Namibia. (2020, October). Draft Combating of Sexual Exploitation Bill. Article 3.

IN THE PAST YEAR
I WAS ASKED FOR A PHOTO OR VIDEO SHOWING MY PRIVATE PARTS WHEN I DID NOT WANT TO
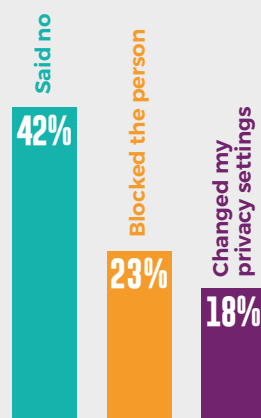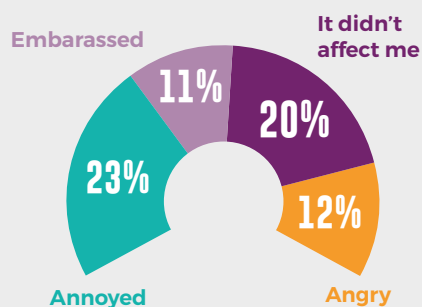
YES 9%

THE LAST TIME THIS HAPPENED

What did you do?*†

- Said no **42%**
- Blocked the person **23%**
- Changed my privacy settings **18%**

How did you feel?*

- Embarassed **11%**
- It didn't affect me **20%**
- Annoyed **23%**
- Angry **12%**

Who did it?*†

- A friend/acquaintance (18+) **24%**
- A romantic partner (or ex-) **23%**
- A friend/acquaintance (under 18) **17%**
- A family member **10%**
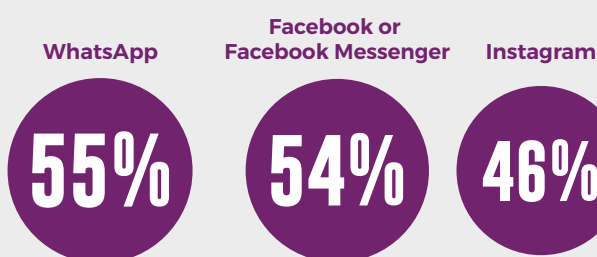- Prefer not to say **10%**
- Someone unknown to the child **37%**

n = 88 internet-using children aged 12–17 who received unwanted requests for sexual images in the past year.

Where did it happen?*†

- Social media **64%**
- In person **23%**
- In an online game **6%**
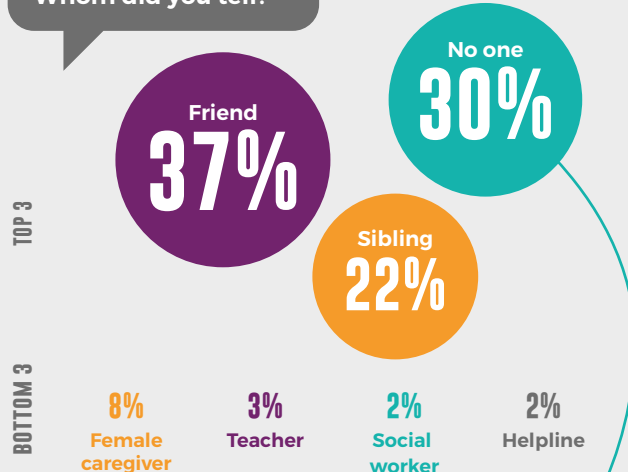- Some other way **3%**

n = 88 internet-using children aged 12–17 who received unwanted requests for sexual images in the past year.

On which platform did this happen?*†

- WhatsApp **55%**
- Facebook or Facebook Messenger **54%**
- Instagram **46%**

n = 56 internet-using children aged 12–17 who *most recently* received unwanted requests for sexual images *via social media*.

Whom did you tell?**†

TOP 3
- Friend **37%**
- No one **30%**
- Sibling **22%**

BOTTOM 3
- Female caregiver **8%**
- Teacher **3%**
- Social worker **2%**
- Helpline **2%**

n = 88 internet-using children aged 12–17 who received unwanted requests for sexual images in the past year.

Why did you not tell anyone?*†

- I did not think it was serious **50%**
- I felt that I did something wrong **23%**
- I was worried it would cause trouble **20%**
- I did not think anything would be done **20%**

n = 26 internet-using children aged 12–17 *who did not tell anyone* the last time they received unwanted requests for sexual images.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

2.2 CHILDREN'S EXPERIENCES OF ONLINE SEXUAL EXPLOITATION AND ABUSE IN NAMIBIA

In the 2020 Violence Against Children Survey conducted in Namibia, the percentage of children aged 13–17 asked for a photo or video showing their private parts on the internet in the past 12 months when they did not want to share was 1% (among females; no data was presented for males).[80] Again, this is much lower than the percentage obtained from the data from the *Disrupting Harm* household survey. This may be attributed to the fact that the Violence Against Children Survey sample included all 13–17-year-olds, whereas the *Disrupting Harm* household survey included internet-using children only. On the other hand, a 2016 exploratory study in Namibia found that 19% of school-going girls and 11% of school-going boys aged 13–17 had been asked for sexual images.[81]

Online or offline? Of the 88 children in the sample who had received unwanted requests for images of their private parts in the past year, the majority (64%) received such requests via social media – mostly through WhatsApp, Facebook (including Messenger) and Instagram. Notably, 20 children indicated that the request was made in person.

How children felt and responded: The 88 children who were asked to share sexual content were most likely to report negative feelings of being annoyed, angry or embarrassed. One in five children said that they had not been affected at all by the requests. In response, about half of the 88 children either blocked the offender, changed their privacy settings or deleted all the messages. Four out of ten said refused the request. These were more frequently younger 12–13-year-olds (70%) than older 16–17-year-olds (30%), and more girls (46%) than boys (34%). Notably, 10 children (11%) did as the offender asked: these were mostly older children aged 16–17 with no notable gender difference.

Offenders and disclosure: The most common source of unwanted requests for sexual images or videos was someone unknown to the child, followed by an adult friend and a romantic partner. Children were more inclined to disclose their experience with people from their circle of trust rather than through formal reporting mechanisms, such as social workers or a helpline. These were most commonly a friend,

a caregiver or a sibling. Notably, 30% (26 children) did not share their experience with anyone, mostly because they did not think it was serious enough to report. Girls and older children (16–17-year-olds) were less likely to disclose than boys and younger children (12–13-year-olds), respectively.

Offering children money or gifts for sexual images or videos

The offer of money or gifts to a child in return for sexual images or videos can be a tactic used by offenders in grooming children for sexual exploitation. Of the 994 children who participated in the Namibia household survey, 5% (49 children) said that they had been offered money or gifts in return for sexual images or videos in the past year. This was more common among older children aged 16–17 (7%) than younger 12–13-year-olds (2%).

The contexts provided in the survivor conversations for being asked to share sexual images included offers of 'modelling' opportunities where young people were promised money. For one young survivor, this progressed to sharing nude images and videos: *"So yeah, it went on, there were usual conversations let me say. It was within that time frame when we started to get to know each other, when he requested me to send some photos. So, I sent him some photos, even me trying to look my best and to impress because it's a modelling opportunity you want to look good."* (RA5-NA-07)

Online or offline? Of the 49 children who had been offered money or gifts in return for sexual images or videos in the past year, 69% (34 children) said the request had occurred online – mainly via social media and most commonly through WhatsApp, Facebook (including Messenger) and Instagram. Notably, 35% (17 children) said the request had occurred in person.

Offenders and disclosure: According to the 49 children who had been offered gifts or money for sexual images or videos, the offers were most commonly made by someone they already knew, such as a romantic partner, an adult friend or peer. Only 1 in 5 said that offers were made by people unknown to them. Five children preferred not to share details regarding the person who made such

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80. Ministry of Gender Equality, Poverty Eradication and Social Welfare, Namibia Statistics Agency, International Training and Education Center for Health at the University of Washington. (2020). Violence Against Children and Youth in Namibia: Findings from the Violence Against Children and Youth Survey.
81. UNICEF Namibia, Namibia University of Science and Technology, Centre for Justice and Crime Prevention (2016). Voices of children: An exploratory research study on knowledge, attitudes and practices of information and communication technology (ICT) use and online safety risks by children in Namibia.
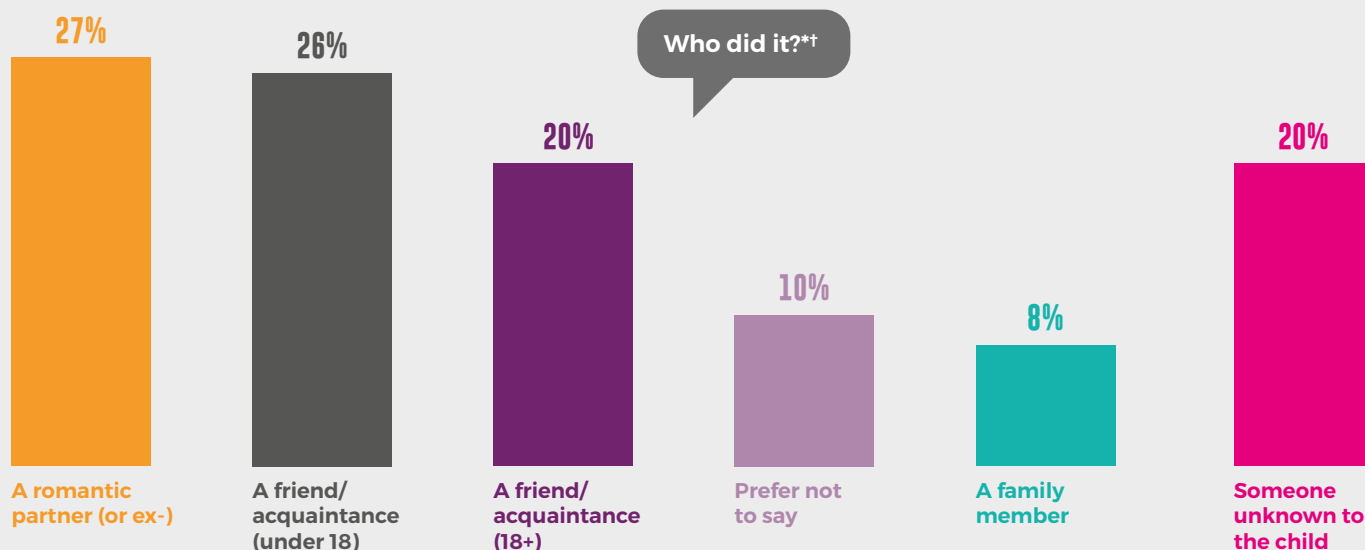
IN THE PAST YEAR
# I WAS OFFERED MONEY OR GIFTS IN RETURN FOR SEXUAL IMAGES OR VIDEOS

YES 5%

Base: Internet using children 12–17
**n = 994 children**

THE LAST TIME THIS HAPPENED...

Who did it?*†

- **27%** A romantic partner (or ex-)
- **26%** A friend/ acquaintance (under 18)
- **20%** A friend/ acquaintance (18+)
- **10%** Prefer not to say
- **8%** A family member
- **20%** Someone unknown to the child

n = 49 internet-using children aged 12–17 who were offered money or gifts for sexual images or videos.

Where did it happen?*†
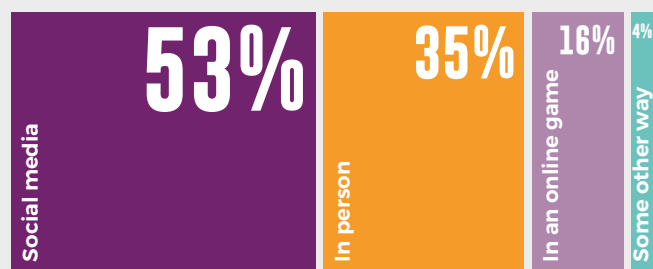
- **53%** Social media
- **35%** In person
- **16%** In an online game
- **4%** Some other way

n = 49 internet-using children aged 12–17 who were offered money or gifts for sexual images or videos.

On which platform did this happen?*†

- **WhatsApp** **58%**
- **Facebook or Facebook Messenger** **50%**
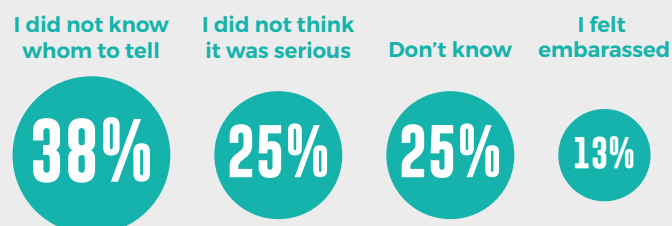- **Instagram** **46%**
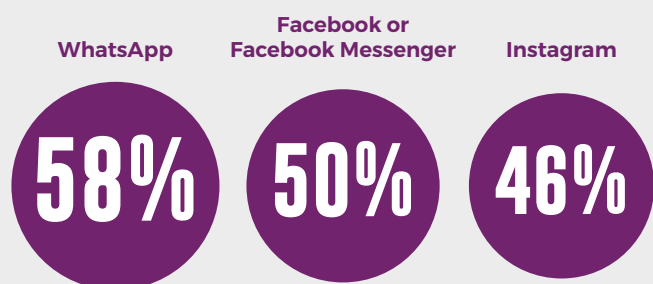
n = 26 internet-using children aged 12–17 who *most recently* were offered money or gifts *via social media* in exchange for sexual images or videos.

Whom did you tell?†**
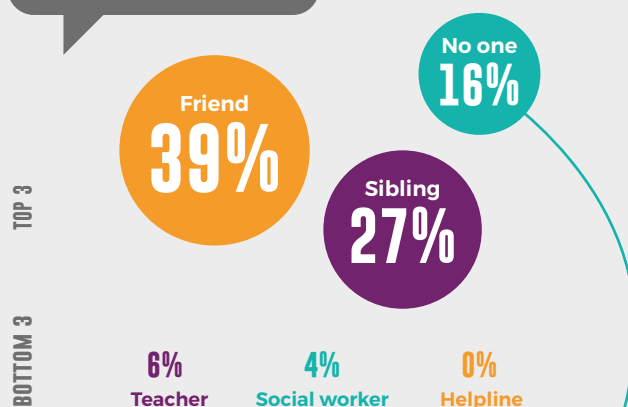
TOP 3
- **Friend** **39%**
- **Sibling** **27%**
- **No one** **16%**

BOTTOM 3
- **6%** Teacher
- **4%** Social worker
- **0%** Helpline

n = 49 internet-using children aged 12–17 who were offered money or gifts for sexual images or videos.

Why did you not tell anyone?*†

- **I did not know whom to tell** **38%**
- **I did not think it was serious** **25%**
- **Don't know** **25%**
- **I felt embarassed** **13%**

n = 8 internet-using children aged 12–17 who *did not tell anyone* the last time they were offered money or gifts for sexual images or videos.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

IN THE PAST YEAR
I WAS OFFERED MONEY OR GIFTS TO MEET IN PERSON TO DO SOMETHING SEXUAL

YES 6%

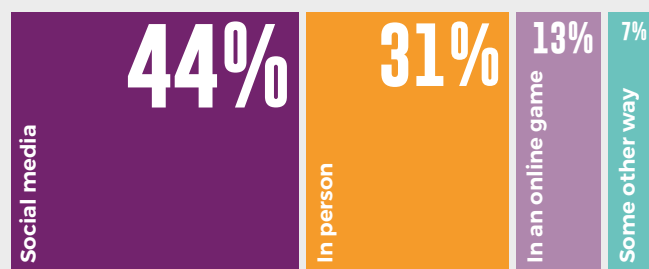Base: Internet using children 12–17
n = 994 children

## THE LAST TIME THIS HAPPENED ONLINE…

Who did it?*†

- **33%** A romantic partner (or ex-)
- **30%** A family member
- **27%** A friend/ acquaintance (18+)
- **23%** A friend/ acquaintance (under 18)
- **3%** Prefer not to say
- **16%** Someone unknown to the child

n = 30 internet-using children aged 12–17 who were offered money or gifts *online* for in-person sexual acts in the past year.

Where did it happen?*†

- **44%** Social media
- **31%** In person
- **13%** In an online game
- **7%** Some other way

n = 55 internet-using children aged 12–17 who were offered money or gifts for in-person sexual acts in the past year.

On which platform did this happen?*†

- Facebook or Facebook Messenger **63%**
- Instagram **42%**
- WhatsApp **29%**
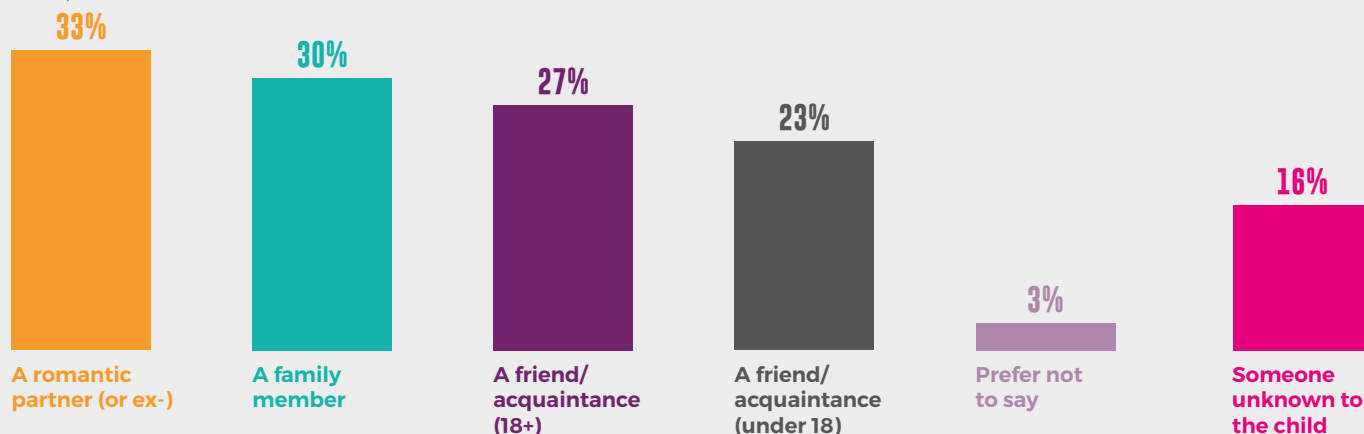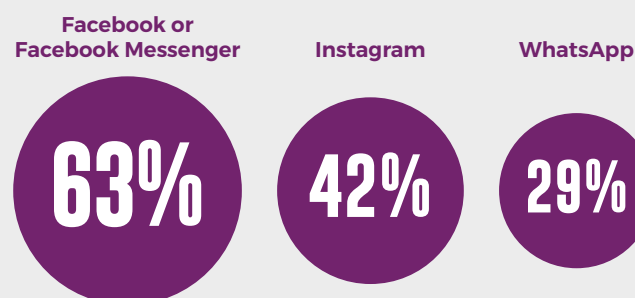
n = 24 internet-using children aged 12–17 who *most recently* received offers of money or gifts for in-person sexual acts *via social media*.

Whom did you tell?†**

TOP 3
- Friend **40%**
- Female caregiver **23%**
- Sibling **23%**
- No one **20%**
- Male caregiver **20%**

BOTTOM 3
- **3%** Other adult I trust
- **3%** Social worker
- **3%** Helpline

n = 30 internet-using children aged 12–17 who were offered money or gifts *online* for in-person sexual acts in the past year.

Why did you not tell anyone?*†

- I was worried I would get into trouble **33%**
- I did not want them to get into trouble **29%**
- I did not know whom to tell **17%**
- Do not know **14%**

n = 6 internet-using children aged 12–17 who *did not tell anyone* the last time they were offered money or gifts *online* for in-person sexual acts.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question
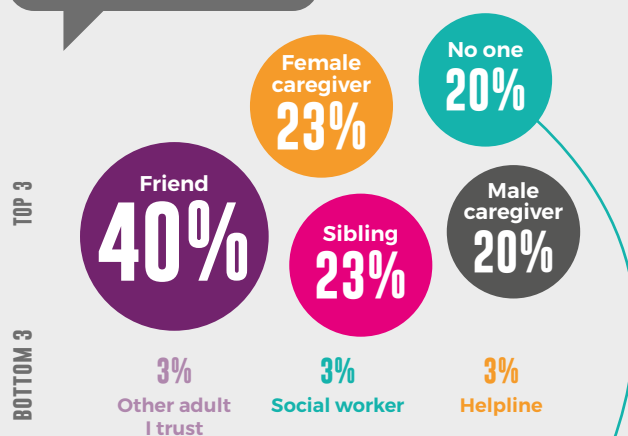
Source: Disrupting Harm data

offers. Again, children were more inclined to disclose their experience with people from their circle of trust rather than using formal reporting mechanisms, such as social workers or a helpline. These were most likely to be a friend or a sibling. Notably, 8 of the 49 children (1 in 6) did not disclose what had happened to anyone, mainly because they did not know where to go or whom to tell.

Offering children money or gifts for sexual acts in person

Conversations with survivors of OCSEA conducted as part of the research for *Disrupting Harm* indicate that grooming of children online for the purpose of meeting in person to engage in sexual activities presents a real threat to children in Namibia. Offering children money or gifts in return for sexual acts either online or offline constitutes child sexual exploitation. From the household survey, 55 (6%) of the 994 children surveyed said they had been offered money or gifts to meet someone in person to do something sexual within the past year. There was no difference according to gender.

Online or offline? Of the 55 children who said they had been offered money or gifts to meet in person and engage in sexual activities in the past year, 57% (30 children) said that the offer was made online, mainly via social media, and mostly through Facebook (including Messenger), Instagram and WhatsApp. Notably, 31% said that they had received the offer of money or gifts once they had met in person. Overall, 3% (30 children) of the 994 surveyed children were offered money or gifts online (via social media and online games) to meet in person and engage in sexual activities. These were included in the subsequent analysis, as they represent OCSEA cases.

Offenders and disclosure: Among the 30 children who had been offered money or gifts online to meet in person to engage in sexual acts, offers were more likely to come from someone already known to them, such as a romantic partner, a family member or a friend, as compared to someone unknown to them. Again, children were more inclined to disclose their experience to people from their circle of trust rather than using formal reporting mechanisms, such as social workers or a helpline. These were most likely to be friends, caregivers or siblings. Notably, 6 of the 30 children (1 in 5) did not disclose what had happened to anyone, mainly because they were worried that they would get into trouble or did not want the person who did it to get into trouble.

Sexual extortion

Sexual extortion is sometimes used in the grooming process. In some instances, the offenders have already obtained sexual images of the children and threatened to publicly publish or share these with their friends or family members as a way of coercing them not to disclose or to engage in other kinds of sexual activities. Such threats can also be used to extort money. At the time of writing this report, sexual extortion committed online is not criminalised in Namibia. One young survivor described the impact of such threats: *"This person had these pictures and videos of me doing things to myself and he could just decide to expose me anytime. He wouldn't feel anything about it. No one else knew that this is what I was doing so, for them to find out or know, it was just… It was hard."* (RA5-NA-05)

In the household survey, 59 (6%) of the 994 internet-using children surveyed in Namibia said that they had been threatened or blackmailed to engage in sexual activities at least once in the past year. These were more often older children aged 16–17 (9%) than younger 12–13-year-olds (3%), with no gender variation. It is not known what kind of threats were used as specific follow-up questions were not asked about the use of sexual images to extort money.

Online or offline? Of the 59 children who had been threatened or blackmailed to engage in sexual activities in the past year, the largest proportion (53%) revealed that it occurred via social media, mostly on Facebook (including Messenger), WhatsApp, and Instagram. Notably, 24% said that they had been threatened or blackmailed in person. Overall, 3% (33 children) of the 994 surveyed children were threatened or blackmailed online (via social media and online games). These were included in the subsequent analysis, as they represent OCSEA cases.

Offenders and disclosure: Among the 33 children who were blackmailed or threatened online to engage in sex, the extortion was more likely to come from someone already known to them, such as a family member, a friend, or a romantic partner, as compared with someone unknown to them. Again, children were more inclined to disclose their experience with people from their circle of trust rather than using formal reporting mechanisms, such as social workers or a helpline. These were most likely to be friends, caregivers or siblings. Notably, 13 of the 33 children (about 2 out of 5) did not disclose what

IN THE PAST YEAR
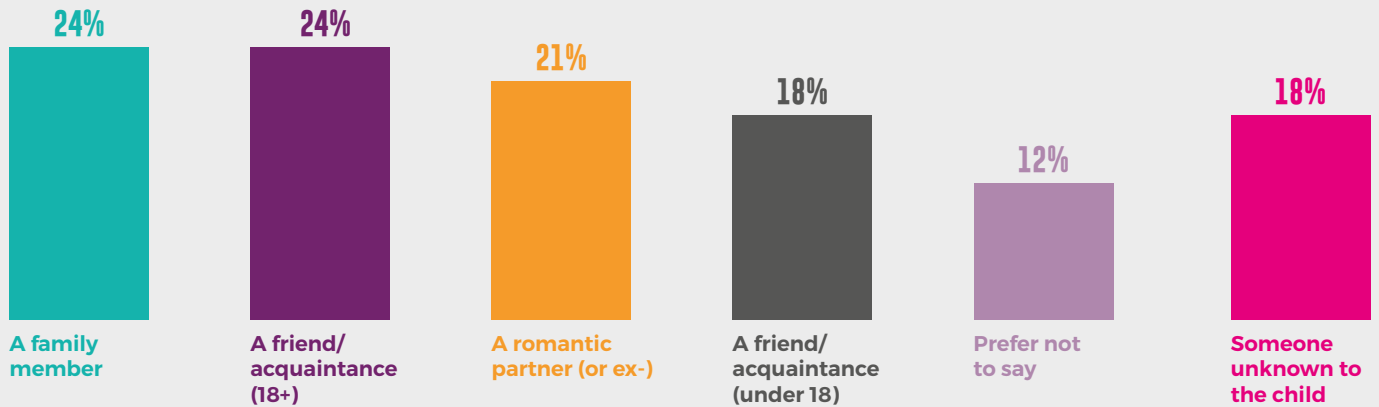# SOMEONE THREATENED OR BLACKMAILED ME TO ENGAGE IN SEXUAL ACTIVITIES

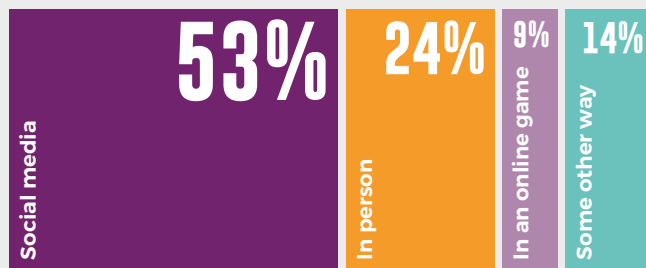**YES 6%**

Base: Internet using children 12–17
**n = 994 children**

THE LAST TIME THIS HAPPENED ONLINE...

Who did it?*†

- **24%** A family member
- **24%** A friend/ acquaintance (18+)
- **21%** A romantic partner (or ex-)
- **18%** A friend/ acquaintance (under 18)
- **12%** Prefer not to say
- **18%** Someone unknown to the child

n = 33 internet-using children aged 12–17 who were threatened or blackmailed *online* to engage in sexual acts in the past year.

Where did it happen?*†

- **53%** Social media
- **24%** In person
- **9%** In an online game
- **14%** Some other way

n = 59 internet-using children aged 12–17 who were threatened or blackmailed to engage in sexual acts in the past year.
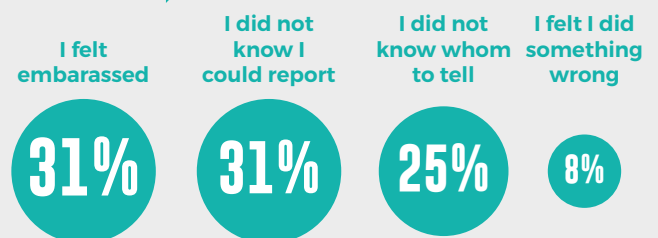
On which platform did this happen?*†

- **Facebook or Facebook Messenger 58%**
- **WhatsApp 32%**
- **Instagram 27%**
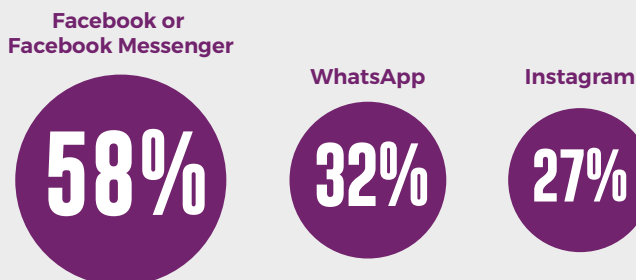
n = 31 internet-using children aged 12–17 who *most recently* received threats or were blackmailed *via social media*.
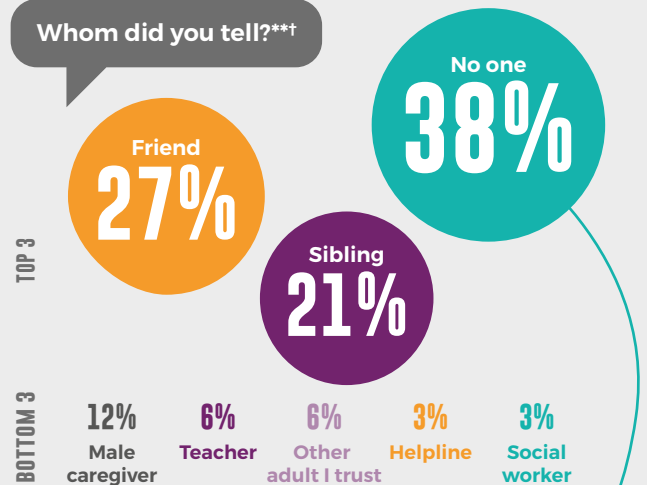
Whom did you tell?†**

TOP 3
- **Friend 27%**
- **No one 38%**
- **Sibling 21%**

BOTTOM 3
- **12%** Male caregiver
- **6%** Teacher
- **6%** Other adult I trust
- **3%** Helpline
- **3%** Social worker

n = 33 internet-using children aged 12–17 who were threatened or blackmailed *online* to engage in sexual acts in the past year.

Why did you not tell anyone?*†

- **31%** I felt embarassed
- **31%** I did not know I could report
- **25%** I did not know whom to tell
- **8%** I felt I did something wrong

n = 13 internet-using children aged 12–17 who *did not tell anyone* the last time they were threatened or blackmailed *online* to engage in sexual activities.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

had happened to anyone, mainly because they were embarrassed, they did not know they could report things or they did not know where to go.

2.2.2 Child sexual abuse material and live-streaming of child sexual abuse

Namibian legislation does not define or comprehensively criminalise child sexual abuse material (CSAM). Although it does not specify which materials constitute CSAM, the Child Care and Protection Act No. 3 of 2015 prohibits its production by prohibiting individuals to 'induce, procure, offer, allow or cause a child to be used for purposes of creating child pornography, whether for reward or not.'[82] Beyond the absence of a definition of CSAM, the Child Care and Protection Act also fails to criminalise associated criminal acts such as viewing, distributing, disseminating, importing, exporting, offering, selling, accessing and possessing (with or without the intent to distribute/gain profit). Furthermore, the provision of the Child Care and Protection Act does not explicitly apply to conduct in the online environment or using information and communication technologies.

In addition, the Publications Act prohibits the production, distribution, importation or possession of certain publications which are 'undesirable'.[83] While the Publications Act defines 'undesirable' as publications that are offensive or harmful to public morals,[84] it does not specify whether these include child sexual abuse material. A few additional references to CSAM are included in the Self-Regulatory Code of Ethics and Conduct for Namibian Print, Broadcast and Online Media adopted by the Editor's Forum of Namibia,[85] and the Broadcasting Code for Broadcasting Licensees.[86]

Both Codes define CSAM as "the fondling or touching of breasts, genitalia or the anus [...]"[87,88] and prohibit print, broadcast and online media to publish and broadcast such content.[89,90] However, violations of these codes do not incur any criminal liabilities.

The Electronic Transactions Act, 4 of 2019 and the Cybercrime Bill proposed to create new provisions on child sexual abuse material to criminalise offering, distributing, procuring, possessing or accessing child sexual abuse material.[91] The Draft Bill also contained a definition of child sexual abuse material.[92] Unfortunately, while consultations on the Electronic Transactions Act commenced in March 2020, the Cybercrime Bill (which would potentially include provisions around CSAM-related content) is still under consultation. Similarly, the Draft Bill on Combating Sexual Exploitation, if adopted, would fill the gaps in the existing legislation by criminalising a comprehensive range of conduct related to CSAM, including possession with no intent to distribute.[93]

The definition of CSAM contained in this draft bill would include any type of material representing children, or people appearing to be children, engaged in sexual acts (real and simulated) even when these are not based on real people, such as digitally-generated CSAM.[94] The definition would further include materials depicting the sexual parts of a child, or a person appearing to be a child, for primarily sexual purposes, and nude or semi-nude children depicted in a sexually suggested manner.[95] Presently, Namibian law does not explicitly criminalise the live-streaming of child sexual abuse.

82. Republic of Namibia. (2015). The Child Care and Protection Act No. 3 of 2015 (as amended in 2018), Section 234(1)(d).
83. Republic of Namibia. (1974). The Publications Act No. 42 of 1974 (as amended in 1998), Section 8.
84. Republic of Namibia. (1974). The Publications Act No. 42 of 1974 (as amended in 1998), Section 47.
85. Editor's Forum of Namibia. (2017). Self-Regulatory Code of Ethics and Conduct for Namibian Print, Broadcast and Online Media, Schedule 1, Rule 11.1.2.
86. Communications Regulatory Authority of Namibia. (2018). Broadcasting Code for Broadcasting Licensees issued in terms of Section 89 of the Communications Act, 2009 (General Notice No. 602), Rule 5.
87. Editor's Forum of Namibia. (2017). Self-Regulatory Code of Ethics and Conduct for Namibian Print, Broadcast and Online Media, Schedule 1, Rule 1(g)(iv).
88. Communications Regulatory Authority of Namibia. (2018). Broadcasting Code for Broadcasting Licensees issued in terms of Section 89 of the Communications Act, 2009 (General Notice No. 602), Rule 1.
89. Editor's Forum of Namibia. (2017). Self-Regulatory Code of Ethics and Conduct for Namibian Print, Broadcast and Online Media, Schedule 1, Rule 11.1.2.
90. Communications Regulatory Authority of Namibia. (2018). Broadcasting Code for Broadcasting Licensees issued in terms of Section 89 of the Communications Act, 2009 (General Notice No. 602), Rule 5.
91. Republic of Namibia. (2016). Draft Electronic Transactions and Cybercrime Bill, Section 66.
92. Republic of Namibia. (2016). Draft Electronic Transactions and Cybercrime Bill, Section 62.
93. Minister of Justice of the Republic of Namibia. (2020, October). Draft Combating of Sexual Exploitation Bill. Article 2.
94. Minister of Justice of the Republic of Namibia. (2020, October). Draft Combating of Sexual Exploitation Bill. Article 2.
95. Minister of Justice of the Republic of Namibia. (2020, October). Draft Combating of Sexual Exploitation Bill. Article 2.

Moreover, in the absence of a definition of CSAM, it is unclear whether child sexual abuse live-streamed online would be covered by the existing generic provisions. The Draft Bill on Combatting Sexual Exploitation would address this lack of legislation by explicitly criminalising those involved in pornographic performances involving children – by coercing the child, profiting or viewing – even when these happen through electronic means and communication technology.[96]

How technological development has influenced online child sexual exploitation and abuse

The availability of faster and cheaper internet access has led to the increasing use of video tools in communications. Video chat and live-streaming have rapidly grown in popularity and are changing the way we engage with each other, and this is especially so for young people. Live-streaming is increasingly used both among small private groups and for 'broadcasts' to large, public, unknown audiences. While this is most often legitimate and beneficial to individuals and communities, the misuse of such tools is creating new ways of committing OCSEA.

Offenders broadcasting child sexual abuse
Live-streaming tools can be used to transmit sexual abuse of children instantaneously to one or more viewers, so they can watch it while it is taking place. Remote viewers may even be able to request and direct the abuse, and financial transactions can occur alongside it or even within the same platforms.

Streaming platforms do not retain any content shared, only metadata concerning access to their services. This means that when the streaming stops, the CSAM vanishes, unless the offender deliberately records it. This creates specific challenges for investigators, prosecutors and courts, especially if the existing legal definitions of CSAM and the methods of investigation and prosecution are not always up to date.

Self-generated sexual content involving children
As noted in chapter 1.3.3., the increase in self-generated sexual content, both coerced and non-coerced, live-streamed or recorded, poses complex challenges. Even if the production is non-coerced, this content may still make its way into circulation through sharing without permission or other nefarious means, such as hacking.

Governments and support services everywhere are grappling with how to address these issues. The experiences of a young survivor in Namibia demonstrate how sharing self-generated content can lead to significant harm: *"I later found out that he was actually recording everything that was happening: all the things that he made me do, all the pictures that he took and that I sent, he kept everything. He was recording the videos."* (RA5-NA-05)

Children's experiences of non-consensual sharing of sexual images

The findings of the household survey demonstrated a reasonable level of awareness of the gravity of sharing sexual images of other persons without their permission. Close to 70% of the children and 74% of their caregivers agreed that it should be illegal for a person to share images or videos of someone else naked. However, 65% of children and 67% of caregivers also attached blame to the victims in cases in which they produced naked images or videos themselves. Although the OCSEA victims are never to be blamed, an inspector from the Namibian Police also noted that victims *"sometimes […] blame themselves for what they have done."* (RA4-NA-04-A-Justice)

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96. Minister of Justice of the Republic of Namibia. (2020, October). Draft Combating of Sexual Exploitation Bill. Article 2.
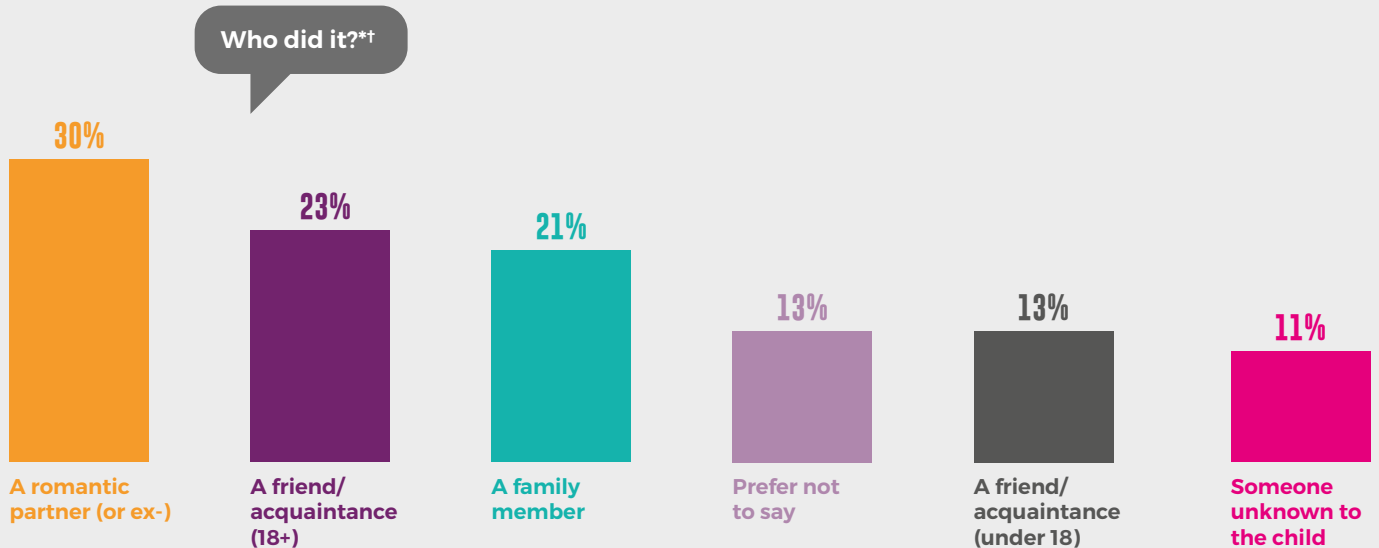
IN THE PAST YEAR
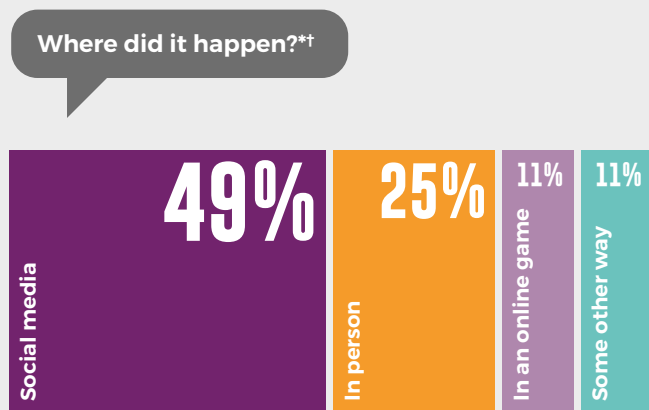# SOMEONE SHARED SEXUAL IMAGES OF ME WITHOUT MY CONSENT

YES 5%

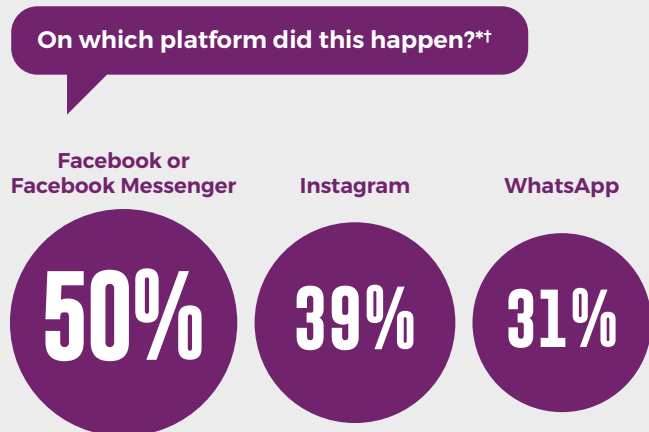Base: Internet using children 12–17
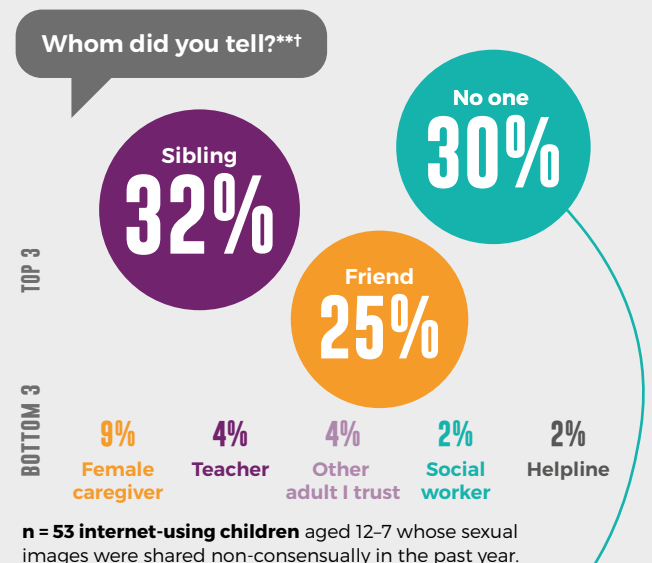**n = 994 children**

THE LAST TIME THIS HAPPENED...

Who did it?*†

- **30%** A romantic partner (or ex-)
- **23%** A friend/acquaintance (18+)
- **21%** A family member
- **13%** Prefer not to say
- **13%** A friend/acquaintance (under 18)
- **11%** Someone unknown to the child

n = 53 internet-using children aged 12–17 whose sexual images were shared non-consensually in the past year.

Where did it happen?*†

- **49%** Social media
- **25%** In person
- **11%** In an online game
- **11%** Some other way

n = 53 internet-using children aged 12–17 whose sexual images were shared non-consensually in the past year.

On which platform did this happen?*†

- Facebook or Facebook Messenger **50%**
- Instagram **39%**
- WhatsApp **31%**

n = 26 internet-using children aged 12–17 whose sexual images were *most recently* shared *via social media*.

Whom did you tell?†**

TOP 3
- Sibling **32%**
- Friend **25%**
- No one **30%**

BOTTOM 3
- **9%** Female caregiver
- **4%** Teacher
- **4%** Other adult I trust
- **2%** Social worker
- **2%** Helpline

n = 53 internet-using children aged 12–7 whose sexual images were shared non-consensually in the past year.

Why did you not tell anyone?*†

- I did not know whom to tell **31%**
- I felt embarrassed **25%**
- I felt I did something wrong **19%**
- I did not think it was serious **19%**

n = 16 internet-using children aged 12–17 who *did not tell anyone* the last time their sexual images were shared non-consensually.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

In the household survey, 53 (5%) of the 994 children declared that someone had shared sexual images of them without their consent. While no gender differences were observed, more older children aged 16–17 (8%) were affected than children aged 12–13 (3%). These images, and particularly those shared online, can be widely circulated and viewed repeatedly all over the world, resulting, for many, in an enduring sense of shame and fear of being recognised.

When these images or videos are recordings of sexual abuse, the trauma associated with those in-person experiences can also be repeatedly reactivated by the sharing of the content. *Disrupting Harm* did not obtain specific data concerning such severe instances from children, largely because the ethical and methodological approach being followed required the children to share on their own terms, rather than specific forms of abuse being identified and delved into. This is not to say that victims of such acts were not part of our samples, but rather that this was not disclosed.

Offenders and disclosure: Non-consensual sharing of sexual images typically occurred online (60%) via social media platforms, particularly on Facebook (including Messenger), Instagram and WhatsApp. Some (25%) revealed that the non-consensual sharing to sexual images occurred in person. Non-consensual sharing of sexual images was more likely to be perpetrated by someone already known to the child, such as a romantic partner, a friend or a family member, as compared with someone unknown to them. Again, children were more inclined to disclose their experience with people from their circle of trust rather than using formal reporting mechanisms, such as social workers or a helpline. These were most likely to be friends, caregivers or siblings. Notably, 16 of the 53 children (approximately 1 in 3) did not disclose what had happened to anyone, mainly because they did not know where to go or were embarrassed. These were mostly younger children aged 12–13 (63%) as compared to older 16–17-year-olds (21%). No gender variations were observed.

Accepting money or gifts in exchange for sexual images or videos

As explored earlier in the context of grooming, children are sometimes offered money or gifts in return for sexual content. Here, the acceptance of money or gifts by children in return for sexual content is considered, regardless of how the process was initiated. When children create sexual content in exchange for something, this constitutes child sexual exploitation, irrespective of whether they are coerced or actively engage in this activity.[97]

While the practice of accepting money or gifts in exchange for sexual activities is not new,[98] the use of digital technologies – including by children and young people themselves – to self-produce and send images or videos of oneself in return for money and/or other material incentives is an increasingly serious concern globally. This practice significantly increases the risk of non-consensual sharing. For instance, 90% of the 'youth-generated' sexual images and videos assessed in a study by the Internet Watch Foundation and Microsoft were 'harvested' from the original upload location and redistributed on third party websites.[99]

Given the sensitivity of this topic, only the 15–17-year-old (560 children) respondents in the household survey were asked whether they had accepted money or gifts in exchange for sexual images or videos of themselves. Among the 560 respondents who were surveyed, 39 (7%) said they had done this in the past year. Some children may have been hesitant to reveal their involvement in such activities – even in an anonymised survey – so the true figure is expected to be higher. In a conversation with one young person who had been offered money to make sexual videos, when asked who she told, she replied: *"No one, that was my own little skeleton... I put it back into the closet until I was ready to deal with it one day."* (RA5-NA-07)

Understanding the intricacies around children's motivations to engage in this practice, their understanding of the risks involved and how they are first introduced to this practice is essential and requires further study.

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97. ECPAT International (2020). Summary Paper on Sexual Exploitation of Children in Prostitution. Bangkok: ECPAT International.
98. Fitzgerald-Husek, A., Martiniuk, A.L., Hinchcliff, R. et al. (2011).»I do what I have to do to survive»: An investigation into the perceptions, experiences and economic considerations of women engaged in sex work in Northern Namibia. *BMC Women's Health* 11, 35 (2011).
99. Internet Watch Foundation & Microsoft. (2015). Emerging Patterns and Trends Report #1 Online-Produced Sexual Content.

2.3 OTHER EXPERIENCES OF CHILDREN THAT MAY BE LINKED TO OCSEA

Additional to the examples of OCSEA already presented, children may be subject to other experiences online that can be harmful, such as sexual harassment or unwanted exposure to sexualised content. Moreover, these experiences could, in some instances, contribute to the desensitisation of children so that they become more likely to engage in sexual talk or sexual acts, for example, during a grooming process.

2.3.1 Sexual harassment

Online sexual harassment of children is currently not criminalised under Namibian legislation. However, the Child Care and Protection Act includes, among the conducts constituting 'abuse', the "exposing or subjecting a child to behaviour that may harm the child psychologically or emotionally, including intimidation or threats",[100] which could potentially cover cases of sexual harassment. The Draft Combating Harassment Bill, although mostly focusing on civil remedies, would ensure further protection to child victims of sexual harassment if adopted.[101] In the household survey, 18% (175 children) of the 994 surveyed internet-using children in Namibia had been the subject of sexual comments that made them feel uncomfortable, including jokes, stories or comments about the child's body, appearance or sexual activities in the past year. These were more commonly girls (20%) and older children aged 16–17 (22%) than boys (16%) and younger 12–13-year-olds (13%), respectively. Majority of the 175 children that were subjected to sexual comments reported negative feelings of being embarrassed, guilty, angry, annoyed or scared. Only 30% indicated that it did not affect them at all.

Online or offline? Of the 175 children that experienced sexual harassment, the majority (63%) revealed that it occurred online, mainly via social media, and mostly on Facebook (including Messenger), WhatsApp and Instagram. Just over a third (35%) said that these comments had been made during a face-to-face encounter.

Offenders and disclosure: Among the 175 children that were sexually harassed, the offender was more likely to be someone already known to them, such as a romantic partner or a friend, as compared with someone unknown to them. Someone unknown to the child was the offender in about a third (30%) of the cases. While many of the 175 children that experienced sexual harassment disclosed it to someone, many (43%) did not disclose to anyone, mostly because they did not think it was serious enough or they did not know where to go or whom to tell. Again, children were more inclined to disclose their experience to people from their circle of trust rather than through formal reporting mechanisms, such as social workers or a helpline. These were most likely to be friends, caregivers or siblings.

2.3.2 Receiving unwanted sexual images

From the household survey, 16% (156) of children had been sent unwanted sexual images in the past year. These were more commonly older children aged 16–17 (19%) than younger 12–13-year-olds (11%), with no substantial gender difference. The majority (73%) of children who had received unwanted sexual images felt annoyed, embarrassed, scared, angry or guilty. Only 27% reported that it did not affect them at all. In comparison, the 2020 Violence Against Children Survey found that 3% of girls and 4% of boys aged 13–17 had seen or received unwanted sexual messages/images/videos in the past 12 months.[102] While this data suggests lower levels of children receiving unwanted sexual images, the Violence Against Children survey sample included all 13–17-year-olds, whereas the *Disrupting Harm* household survey included internet-using children only. On the other hand, a 2016 exploratory study in Namibia found that 31% of 13–17-year-old school-going children had been sent sexually explicit images of people they did not know. In the same study, 20% of the children reported having been sent a message or image that was sexual.[103]

100. Republic of Namibia. (2015). The Child Care and Protection Act No. 3 of 2015 (as amended in 2018), Section 1.
101. Minister of Justice of the Republic of Namibia. (2020, October). Draft Combating of Harassment Bill.
102. Ministry of Gender Equality, Poverty Eradication and Social Welfare, Namibia Statistics Agency, International Training and Education Center for Health at the University of Washington. (2020). Violence Against Children and Youth in Namibia: Findings from the Violence Against Children and Youth Survey.
103. UNICEF Namibia, Namibia University of Science and Technology, Centre for Justice and Crime Prevention (2016). Voices of children: An exploratory research study on knowledge, attitudes and practices of information and communication technology (ICT) use and online safety risks by children in Namibia.

IN THE PAST YEAR
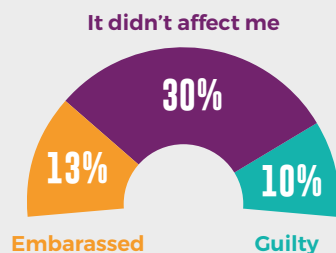## SOMEONE MADE SEXUAL COMMENTS ABOUT ME THAT MADE ME FEEL UNCOMFORTABLE

YES 18%
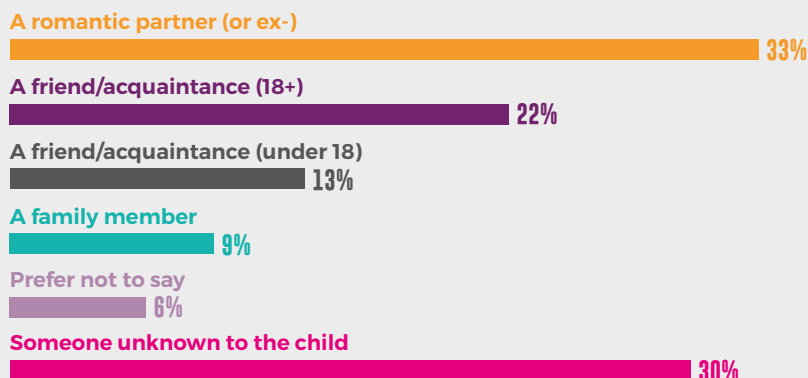
Base: Internet using children 12–17
n = 994 children

## THE LAST TIME THIS HAPPENED...

How did you feel?*

It didn't affect me
30%

13%
Embarassed

10%
Guilty

Who did it?*†

A romantic partner (or ex-) **33%**

A friend/acquaintance (18+) **22%**

A friend/acquaintance (under 18) **13%**

A family member **9%**

Prefer not to say **6%**

Someone unknown to the child **30%**

n = 175 internet-using children aged 12–17 who were subjected to sexual harassment in the past year.

Where did it happen?*†

57% Social media

35% In person

6% In an online game

6% Some other way

n = 175 internet-using children aged 12–17 who were subjected to sexual harassment in the past year.

On which platform did this happen?*†

Facebook or Facebook Messenger
59%

WhatsApp
55%

Instagram
32%
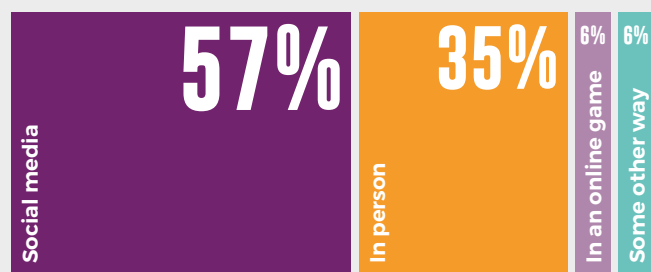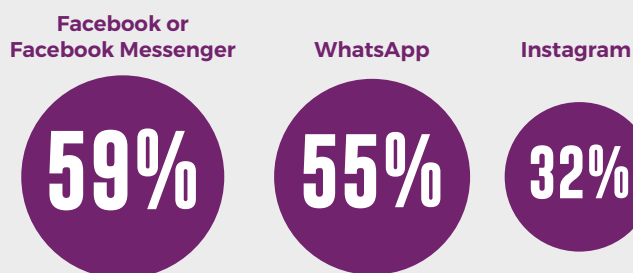
n = 99 internet-using children aged 12–17 who were *most recently* subjected to sexual harassment *via social media.*

Whom did you tell?**†
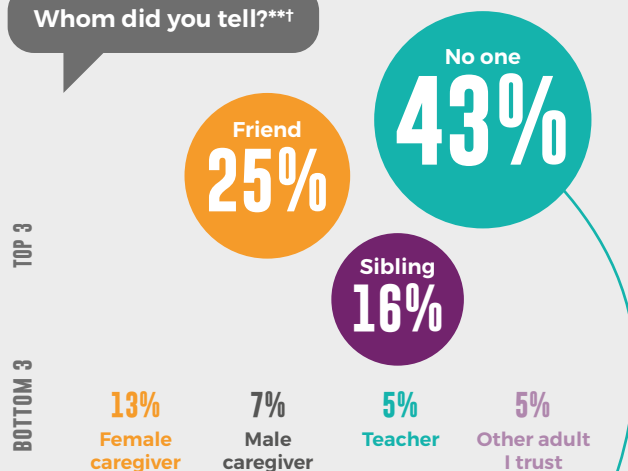
TOP 3

Friend **25%**

No one **43%**

Sibling **16%**

BOTTOM 3

13% Female caregiver

7% Male caregiver

5% Teacher

5% Other adult I trust

n = 175 internet-using children aged 12–17 who were subjected to sexual harassment in the past year.

Why did you not tell anyone?*†

I did not think it was serious
23%

I did not know whom to tell
20%

I did not think anything would be done
17%

n = 75 internet-using children aged 12–17 who *did not tell anyone* the last time they were subjected to sexual harassment.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

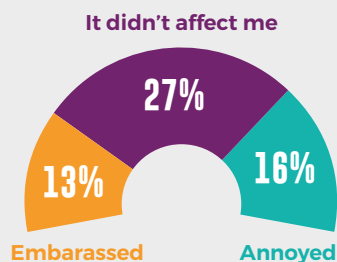# IN THE PAST YEAR
SOMEONE SENT ME SEXUAL IMAGES I DID NOT WANT

YES 16%

Base: Internet using children 12–17
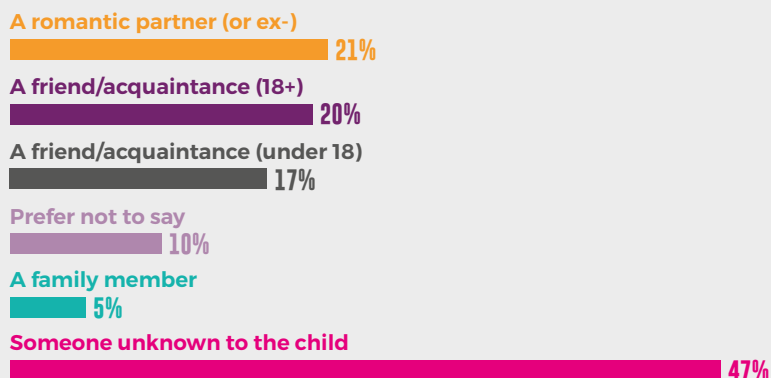**n = 994 children**

THE LAST TIME THIS HAPPENED...
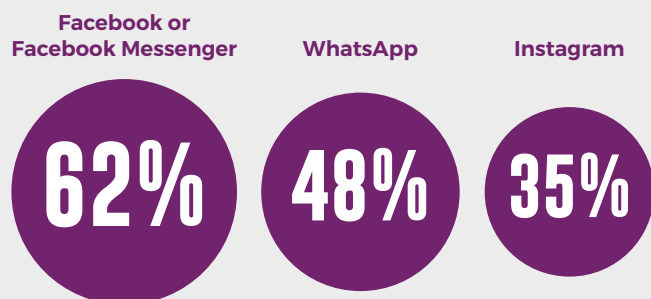
How did you feel?*

It didn't affect me
27%

13%
Embarassed

16%
Annoyed

Who did it?*†

A romantic partner (or ex-) **21%**

A friend/acquaintance (18+) **20%**

A friend/acquaintance (under 18) **17%**

Prefer not to say **10%**

A family member **5%**

Someone unknown to the child **47%**

n = 156 internet-using children aged 12–17 who received unwanted sexual images in the past year.

Where did it happen?*†

60% Social media

21% In person

7% In an online game

8% Some other way

n = 156 internet-using children aged 12–17 who received unwanted sexual images in the past year.

On which platform did this happen?*†

Facebook or Facebook Messenger
62%

WhatsApp
48%

Instagram
35%

n = 94 internet-using children aged 12–17 who *most recently* received unwanted sexual images *via social media*.

Whom did you tell?**†

TOP 3

Sibling **17%**

Friend **29%**

No one **36%**

BOTTOM 3

8% Male caregiver

7% Teacher

3% Other adult I trust

3% Social worker

n = 156 internet-using children aged 12–17 who received unwanted sexual images in the past year.

Why did you not tell anyone?*†

I did not think it was serious
27%

I did not know whom to tell
26%

I did not think anything would be done
26%

n = 55 internet-using children aged 12–17 who *did not tell anyone* the last time they received unwanted sexual images.

*These figures represent the most common responses selected by children.
**These figures represent the most and least common responses selected by children.
†Multiple choice question

Source: Disrupting Harm data

Online or offline? When asked about the last time they had received unwanted sexual images, 67% revealed that this had occurred online, mainly via social media and mostly on Facebook (including Messenger), WhatsApp and Instagram. This is unsurprising as the act of sending images is clearly easier using digital technology as compared to 'offline'. On the other hand, 21% said the images were shared with them in person.

Offenders and disclosure: Among the 156 children who had received unwanted sexual images over the past year, almost half (47%) indicated that the offender was unknown to them. The other half cited the offender as being someone that was already known to them, such as a romantic partner or friend (including adults and peers). Again, children were more inclined to disclose their experience with people they knew rather than through formal reporting mechanisms, such as social workers or

a helpline. These were most likely to be friends, caregivers or siblings. Notably, 36% (approximately 1 out of 3) did not disclose to anyone, mostly because they did not think it was serious enough or they did not know where to go or whom to tell. These were more often younger 12–13-year-olds (46%) and girls (40%) than older 16–17-year-olds (37%) and boys (30%), respectively.

"My online experience was, I had an Instagram account [...] by which I got a DM from a random person. He just said, 'Hi', and I also said, 'Hi'. By replying, he sent me nude pictures... and things like videos and all that. And he forced me to send him some, but immediately when he demanded my nudes, I blocked him. But from another account he DM me again and he was forcing me to send nude pictures and he also said that I can buy you a plane ticket so you can come to my country." (RA5-NA-01)

The Continuum of Online and Offline Child Sexual Exploitation and Abuse

Kaimi's Story*
Kaimi was 15 years old and working part-time as a cleaner. The man who employed her was normally out of the house at work when she was cleaning, but on one afternoon, he was at home and she described how, while cleaning, he grabbed her, tied her up, took off her clothes and took pictures of her with his phone. She was very distressed and did not go back to the house. Later, this man started to threaten her on WhatsApp saying that he would post her pictures on all social media platforms if she did not go and see him at his house. The threats continued for the next six months, and he would send her messages on WhatsApp saying that she had to come to see him, and that if she did not, he would sell her pictures, post them and expose her. He continued to message her for almost 12 months, often using different numbers so she could not anticipate when he was calling. Finally, she found the courage to talk to a community social worker who supported her with regular counselling. Kaimi felt that the man was dangerous. She felt frightened that if people got to know about her situation, this would damage her reputation in the community.

The counsellor asked if they could report the case to the police because what the man was doing was a crime, but she was not ready to make a report because she did not want her parents to find out. She then messaged the man to tell him that she was going to the police with the social worker and, since that time, there has been no further communication on WhatsApp. (RA5-NA-02)

*Name changed to protect the respondent's identity.

The types of sexual exploitation and abuse of children presented throughout this chapter serve to illustrate some of the ways that digital technologies can be used to harm children. This case study demonstrates a key finding of *Disrupting Harm*: that creating a distinction between online and offline violence does not always reflect the reality of children's experiences. The evidence suggests that, while children are being sexually exploited and abused both online and offline, there appears to be an online element to many of the offline encounters.

The findings demonstrate that digital technologies can be used as a *facilitator* of sexual exploitation and abuse, be it committed online or offline. For example, social media or instant messaging can be used to connect with, convince or coerce children to participate in forms of *online child sexual exploitation and abuse* and/or to meeting offenders in person, leading to *in-person child sexual exploitation and abuse*.

"Child abuse is evolving and the vulnerability is widespread. Whether exploited online or face-to-face, sexual exploitation remains sexual exploitation regardless of the platform used." (RA3-NA-22-A)

Furthermore, the evidence gathered indicates that, particularly in instances in which offenders have convinced or coerced children to provide sexual content, ongoing exploitation and abuse can be perpetuated through an offender sharing such content using online digital technologies.

Interviews with several government representatives supported the notion of the fluid boundaries between online and offline child sexual exploitation and abuse, with the UNICEF Online Child Protection Expert stating: *"You can't separate the two [OCSEA and offline crimes against children]."* (RA1-NA-07-A)

Frontline workers interviewed suggested that OCSEA is not yet well understood within Namibia and that, from a policy, legislation and services perspective, the country is not adequately prepared to deal with this challenge.

"In Namibia, OCSEA is kind of a new form of violence; thus, the government is still trying to see how best to address the situation." (RA3-NA-12–A)

"OCSEA is a 'new' trend. I cannot with confidence say that everyone knows about it or that there are best practice principles for professionals who work with victims in terms of support. There are specific practices and guidelines for child abuse, but not specific to OCSEA." (RA3-NA-40-A)

The *Disrupting Harm* data shows that many children in the sample who had been subjected to OCSEA had also been exposed to in-person sexual, physical or emotional abuse in the past year. This could indicate that OCSEA is an extension of existing abuse already experienced by the child, or that there are a common set of vulnerabilities that make children who experience violence 'offline' more likely to also experience violence 'online'.

Responses to OCSEA must be embedded within the broader child protection framework and not handled in isolation. Victims of OCSEA should be able to benefit from the same services that exist for other child victims of violence. However, as the Technical Director from the Office of the First Lady of Namibia noted, there is currently a lack of prioritisation of OCSEA cases. She stated: *"We do not have the capacity to investigate the offline cases, so online cases are left behind when they come to the police docket, unless there is physical harm before any action is taken."* (RA4-NA-03-A-Justice)

The recent establishment of the National Child Online Task Force in Namibia represents a positive step, as it brings together members from ICT, civil society, government, and law enforcement to assess gaps in current national level action plans. Despite this important consensus, there remains a lack of clarity around the responsibilities of various agencies in addressing cases of child exploitation and abuse with an online element. Furthermore, while existing child protection systems should be strengthened and extended to OCSEA, there are cases in which online abuse requires a specialised response, such as the use of digital forensics in law enforcement investigations. In other instances, the lack of clear laws explicitly criminalising live-streaming of child sexual abuse, online grooming or sexual extortion committed in or facilitated through the online environment makes it difficult for law enforcement to act and for children to obtain justice through the courts.

2.3 OTHER EXPERIENCES OF CHILDREN THAT MAY BE LINKED TO OCSEA

Initiatives such as Safer Internet Day[104] and the #Be Free campaign[105], while not exclusively focused on addressing OCSEA, can also play a critical role in addressing some of the risks identified in this research. A key focus of Safer Internet Day is to strengthen children's risk management skills when using the internet, while advocating for parents, caregivers and teachers to play an active role in supporting children with online safety.

While originally celebrated only in Windhoek in February 2020, this initiative was later expanded to Keetmanshoop, in the Karas region of the country. (RA1-NA-04-A, RA1-NA-06-A) The #BeFree campaign seeks to stimulate discussion among parents, other caregivers, media practitioners and social media influencers, and to provide a way for young people to raise issues of concern, and to contribute to exploring ways to address gender-based violence.

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104. Namibia - Safer Internet Day. See www.saferinternetday.org/in-your-country/namibia
105. The Namibian. (2016). Be Free With The First Lady of Namibia.

Disrupting Harm in Namibia – Evidence on online child sexual exploitation and abuse

2.4 INSIGHTS ABOUT VICTIMS AND OFFENDERS FROM KNOWN OCSEA AND CSEA CASES

2.4.1 Victims

While only one OCSEA case was recorded by Namibian law enforcement over the reporting period (2017–2019), the data on CSEA cases for the same period shows that female victims made up 95% of the 1,277 investigated cases (see chapter 2.1). The household survey also provides insight into potential OCSEA victim profiles. The findings suggest that gender may be a factor in some instances of OCSEA but not in others. For instance, more girls than boys received unwanted requests for a photo or video showing their private parts, were subjected to sexual comments about them that made them feel uncomfortable and received unwanted sexual images.

Conversely, no gender differences were observed among children that received unwanted requests to talk about sex or sexual acts, were offered money or gifts for sexual images, were asked to meet someone in person to do something sexual, or were threatened or blackmailed to engage in sexual activities, and children that had their sexual images shared without their consent.

Additionally, the household survey found that older children aged 16–17 were more likely to have experienced OCSEA than younger 12–13-year-olds in the past year. No notable differences among children living in urban and rural areas were observed. Interviews with justice professionals supported these findings, but also highlighted concerns around the often-held assumption that children in rural areas are safer than those living in urban areas stating: *"They [children] are walking behind the cattle with a cell phone. And it's a smartphone!"* (RA4-NA-07-A-Justice)

> **The data shows that close or intimate partners and family members were most likely to commit OCSEA, followed by friends (including adults and peers).**

2.4.2 Offenders

The data from the household survey suggests that people known to the child make up the largest proportion of OCSEA offenders as compared to people unknown to the child. The data shows that close or intimate partners and family members were most likely to commit OCSEA, followed by friends (including adults and peers). This varied slightly according to the type of abuse in question. People unknown to child accounted for about 1 in 4 cases – this also varied slightly by the type of abuse in question.

The frontline workers surveyed also noted that the most common offenders were more likely to be family members, friends (including adults and peers), adult community members and someone unknown. Frontline workers specifically mentioned cases in which parents/caregivers were involved in the abuse, with one saying: *"In the last year, I have only encountered one such case, involving a facilitator, which was the mother"* (RA3-NA-34-A), while another commented: *"The other case, where online activity was involved, the offender was a parent (male)."* (RA3-NA36-A)

The Deputy Executive Director of the Ministry of Education noted that there is a diversity of potential offenders and that *"kids (adolescents) are more harmed by each other […] than by adults."* (RA1-NA-02-A) Triangulation with other data gathered in both interviews with children and their caregivers shows that, while peers are mentioned among offenders of OCSEA, they are not the most common, as compared to adult friends and family members.

According to 30 of 50 frontline workers who had worked OCSEA cases, men were much more commonly identified as offenders and facilitators[106] of OCSEA. Data on CSEA cases recorded between 2017 and 2019, provided by Namibian Law Enforcement to INTERPOL, indicates that 99% of the CSEA offenders were male.

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106. 'Facilitator' was defined for the survey participants as "individuals or entities whose conduct (behaviour) facilitates or aids and abets the commission of sexual offence against the child (sometimes referred to as 'intermediaries')"

2.5 DISCLOSURE OF OCSEA AND BARRIERS

Preference of interpersonal networks

Children in Namibia broadly felt that they could depend on their close personal networks if they were to encounter problems related to their online lives. In the household survey, 87% of internet-using children either *agreed* or *strongly agreed* that people in their families would help them if they had a problem, with only slight variations according to gender and age group. In addition, 82% of children said that there was at least one teacher they can confide in if they had a problem. As earlier noted in chapter 2.2, in practice, children that had experienced OCSEA were more inclined to disclose their experience to people that they knew rather than through formal reporting mechanisms, such as social workers or a helpline. These were most likely to be friends (including adults and peers) (25%–50%), caregivers (18%–23%) or siblings (16%–32%).

A survivor from Namibia noted: *"I was, I don't know what to say, my feelings were all over the place, up until I got home, and I told a cousin of mine that stays very close by to me. I had not told her in the beginning where I was going because I knew she was going to stop me. I told her after the fact. She was there to comfort me and be there for me. She advised that I shouldn't talk to that person again. I then deleted the number that time."* (RA5-NA-04-A)

Limited use of formal reporting mechanisms

In the household survey, whereas about half of the children admitted knowing where to get help if they or a friend experienced sexual assault or harassment, very few (0%–4%) children that experienced any form of OCSEA reported it via formal reporting mechanisms, such as the police, social worker or helplines. None of the children that experienced reported it to the police.

2.5.1 Reasons for not disclosing or reporting

From the household survey, between 16% (1 in 6) and 40% (2 in 5) of children who had experienced OCSEA in the past year did not disclose what had happened to anyone, depending on the experience. The most common reasons for not reporting included not knowing where to go or whom to tell, being worried they would get into trouble and being embarrassed or ashamed to tell. These, in addition to other reporting barriers, are elaborated in the section below.

The data from the household survey, interviews with OCSEA victims who have been through the justice system and their caregivers, the survey of frontline workers and interviews with government representatives build a picture of the key underlying reasons for the low level of disclosure of instances of OCSEA by children in Namibia.

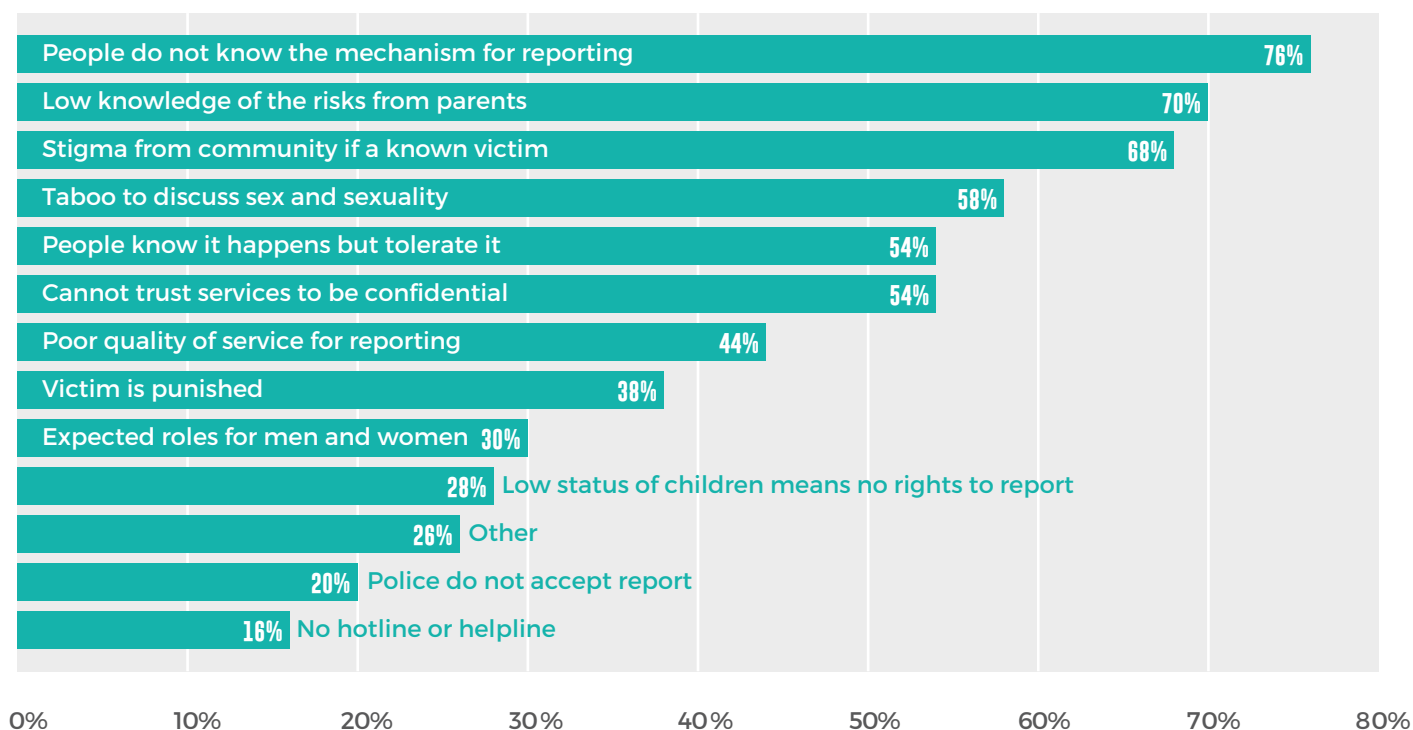**A lack of familiarity with the reporting mechanisms**

From the household survey, children not knowing where to go or whom to tell was among the most common reasons for not reporting OCSEA. This might further confirm a common behaviour identified in the household survey whereby almost no children that experienced OCSEA reported via formal reporting mechanisms such as a social worker and helplines. It was also found that 38% (about 2 in 5) of the internet-using children surveyed in Namibia did not know how to report harmful content on social media. Frontline workers concurred with the findings of the household survey identifying 'not knowing the mechanism for reporting' as the key barrier to reporting OCSEA in Namibia (see Figure 23).

To encourage reporting, popular digital platforms may need to work to provide intuitive and child-friendly options for children to report negative or harmful experiences online. As part of an effective response, children would be informed about what happens after they submit a report. Law enforcement must work to enhance trust among children, and their families, to encourage reporting and reduce the barriers to reporting, including adopting child-centred approaches and developing the capacity of law enforcement officials to understand and respond appropriately to cases of OCSEA.

Shame, fear of stigma, victim-blaming and other repercussions

In the household survey, children reported that feeling embarrassed or ashamed, or that it would be emotionally too difficult for them to share what happened, was among the three most common reason for not disclosing OCSEA when it occurred. Children's fear of getting into trouble suggests a general disapproval of sexual behaviour by children and a likelihood that children subjected to OCSEA may face punishment, stigma and victim-blaming. Among the frontline workers surveyed, perceived stigma from the community (68%) and taboos concerning discussing sex and sexuality (58%) were identified as significant barriers to reporting OCSEA (see Figure 23).

Figure 23. Social and cultural barriers to reporting OCSEA.

Barrier	Percentage
People do not know the mechanism for reporting	76%
Low knowledge of the risks from parents	70%
Stigma from community if a known victim	68%
Taboo to discuss sex and sexuality	58%
People know it happens but tolerate it	54%
Cannot trust services to be confidential	54%
Poor quality of service for reporting	44%
Victim is punished	38%
Expected roles for men and women	30%
Low status of children means no rights to report	28%
Other	26%
Police do not accept report	20%
No hotline or helpline	16%

Base: Frontline welfare workers. n = 50.

In some cases, the seriousness of these psychosocial impacts went as far as children contemplating suicide. A survivor from Namibia shared her story and provided an insight into how difficult it can be for children to disclose their abuse, and particularly to confide in family members: *"I thought the photos were on social media, I felt so embarrassed. I didn't want to go into public because by then I thought everybody already saw my photos and now they are going to laugh at me and try stuff with me. So, then I really felt like I wanted to commit suicide because what was the use of me living? I didn't want to put my family in that position. I didn't want to put myself in that position, so I would rather kill myself."* (RA5-NA-03-A)

In the cases of sexual extortion and non-consensual sharing of sexual images, children felt they had done something wrong and therefore did not want to tell anyone about it. For some young survivors, this left them feeling that they had to manage what had happened on their own. When a survivor from Namibia was asked whether she had disclosed what had happened, she responded: *"No, I did not because I was afraid because my mom had warned me not to communicate with people that I do not know on social media, so I was afraid that she will criticise me for doing that. I had to be my own rock ma'am."* (RA5-NA-06) These findings illustrate that children do not always feel safe to ask for help when they need it.

The Technical Director from the Office of the First lady summarised this by stating there is a lot of *"victim-blaming because of the generational divide. There is a lot of punitive action against young people from their parents, for example, statements like 'You shouldn't be on social media or Facebook.' A lot of blame is directed at the child not the offender."* (RA4-NA-03-A-Justice)

Children who do disclose face significant challenges, as revealed by one OCSEA survivor in Namibia: *"From my family and the community, I feel that you, as a victim who is involved, you are to blame, and it's very wrong because there are a lot of factors that lead one to do such things. It's very wrong as well because then you don't have the support that you need at that time. Even if I am desperate, it means I can't think clearly, I am trying to find a solution and if anyone outside makes me feel comfortable, then it will allow me to feel free from fear of judgement and that will allow me to confess or ask for advice. Whenever you mention such things, you are the*

victim, but they will put it as if you put yourself in that situation. You need to get yourself out." (RA5-NA-07-A) Those who do make a report sometimes do so without the support of their family, or of their own accord. One child survivor described how she decided to make a report to police on her own: *"I decided to get help when I saw that this situation was getting worse [...], it was having a bad influence on me. I was afraid it could destroy my reputation in the future. That is why I decided to go and report without anyone telling me."* (RA4-NA-01-A-Child)

A representative from the prosecutor general's office stated that disclosure by children usually occurs when *"a child would rather face the outside world, to face the punishment from parents or whoever, face the stigmatisation rather than continue the abuse."* (RA4-NA-07-A-Justice) This may suggest that only the most serious cases are being reported by children themselves when it becomes unbearable for the child to endure the victimisation.

The culture of silence was highlighted as a barrier to accessing justice by the duty bearers interviewed. According to the Children's Advocate at the office of the Ombudsman of Namibia: *"It is very rare that a child reports a criminal case."* (RA4-NA-05-A-Justice) Children must overcome a lot of fear and anxiety surrounding their disclosure; this was captured by a survivor: *"It was not easy because I felt frightened and scared. My fear was around what would happen after reporting him. He could hurt me or do something harmful to me. I would fight with my fear inside of me, but then I decided that I should report him, so I can get protection."* (RA4-NA-01-A-Child)

The Deputy Prosecutor reported that fear about the repercussions of reporting can be so significant that children become suicidal. He noted: *"There is one [child] who was suicidal because, even when moving around, she felt like this man [the offender] was here or had people everywhere."* (RA4-NA-06-A-Justice)

Finally, the Children's Advocate from the Ombudsman of Namibia offered the following: *"When children disclose to parents or caregivers, cultural factors can influence whether children are believed, whether their issue is taken seriously, whether they are supported emotionally and whether they are supported to take the issue further, beyond the family. Once abuse is reported, the other challenge is also, I don't know if it is cultural issues, but a lot of parents to whom the abuse is reported don't believe the child or they decide to just deal with it in the family, so then the next obstacle is cultural family belief systems that need to be addressed."* (RA4-NA-05-A-Justice) Or as the Detective Chief Inspector from the Namibian Police Force further stated: *"In African culture and tradition, you see that a victim will shut their mouth and take some cows from the person and the problem is solved. However, the victim is not counselled."* (RA4-NA-10-A-Justice)

Insufficient awareness of online child sexual exploitation and abuse
On the basis of responses from children in the household survey, it is likely that many children do not perceive OCSEA acts as wrong. The number one reason for children not to disclose unwanted requests for their sexual images was they did not think it was serious enough. This may indicate insufficient sex education and a lack of awareness around the concept of consent among children. In the household survey, 37% of children, more often younger children, reported not having received any specific sex education. In the absence of such education and awareness, a child's ability to foresee and perceive the risks associated with OCSEA may be limited.

Relationship to the offender
In some cases, children who went through the justice system described being in relationships with their offenders, and hence, were inherently hesitant to disclose. The household survey confirmed that family members and people already known to the child are among the most common offenders of OCSEA. In other instances, the Access to Justice interviews revealed that children or their families were threatened by the offenders. As an Inspector from the Namibian Police Force noted: *"At the end of the day, they [the children and their families] are trapped by threats. The only time that we find out about the case is when they try to attempt suicide, or it is picked up by INTERPOL. But it is very rare for them to report to the parents because of the threats from the offender."* (RA4-NA-04-A-Justice)

A similar case was also described by the Detective Chief Inspector from the Namibian Police Force: *"The children are being threatened by the offender(s) and it is difficult for the child to go to the parents to tell them what is happening. In most cases, you learn through the third party. In most cases, the children do not know what they are involved in, and later when they realise that it's a criminal activity, they do not know the consequences and do not know how to get out of the situation."* (RA4-NA-10-A-Justice)

A reluctance from children and their caregivers to report exploitation that happened at the hands of those who are economically supporting the family was also noted. As the Deputy Executive Director from the Ministry of Education explained: *"There are many factors that need to be considered. People will easily not say something about the abuse because of the other benefits that go along with it. Parents are afraid if the child should say the uncle did this or that because the uncle supports the household for example."* (RA1-NA-02-A)

Gender Influences on Disclosing and Reporting of Online Child Sexual Exploitation and Abuse in Namibia

Frontline workers offered a range of insights into the likely consequences of the prevailing social and cultural environment in Namibia. A frontline worker noted that gender differences in assistance-seeking were broadly observed in Namibia, and that boys can often fall under the radar when it comes to the provision of support and services. They said: *"Women are open to approach various services compared to men; however, in terms of physical strength, women tend to be victims. More girls than boys report, boys are a little bit shy, needs of girls are more than boys, especially girls on menstruation and they need sanitary pads, so they will approach different services for assistance, and lately attention on boys is lacking behind as most programmes focus on girls."* (RA3-NA-30-A)

However, overall, there were only slight differences observed as regards the gender of the children subjected to OCSEA in the household survey.

It is possible that cases in which boys are abused by males fall under the radar, because in Namibia, homosexuality remains taboo. In Namibia, there exists a common law sodomy prohibition (uncodified), criminalising consensual sex between males.[107]

Insights received through the research conducted by *Disrupting Harm* suggest that, while enforcement of this law is sporadic and uncommon, its constitutionality is unclear as the constitution theoretically guarantees non-discrimination and other protections.

Under-detection and under-reporting of male child sexual exploitation and abuse is a global problem, resulting from a range of social and legal factors.[108,109] A child abused by an offender of the same sex may have difficulty reporting the offence due to the stigma associated with homosexuality.[110] Research also identified that gender norms regarding masculinity can hamper disclosure and help seeking.[111] This situation mostly impacts boys: both heterosexual boys who experience abuse at the hands of a same-sex offender and boys with other sexual orientations or gender identities. Norms about masculinity and fear of being viewed as homosexual may explain why, for example, according to the household survey, more boys failed to tell anyone when they were offered money or gifts for sexual images or videos, as compared with girls. When sampling children who had used the justice system to interview them for *Disrupting Harm*, not a single male child victim was identified, even though the survey data clearly shows that boys experience OCSEA to a similar degree as girls. This seems to suggest that boys do not report.

107. ILGA World. (2019). State-Sponsored Homophobia 2019: Global Legislation Overview Update, P. 49; 170.
108. Josenhans, V., Kavenagh, M., Smith, S., & Wekerle, C. (2019). Gender, rights and responsibilities: The need for a global analysis of the sexual exploitation of boys. *Child Abuse & Neglect. 110*, 4.
109. United Nations Children's Fund (2020). Research on the Sexual Exploitation of Boys: Findings, ethical considerations and methodological challenges, UNICEF, New York.
110. Josenhans, V., Kavenagh, M., Smith, S., & Wekerle, C. (2019). Gender, rights and responsibilities: The need for a global analysis of the sexual exploitation of boys. *Child Abuse & Neglect. 110*, 6.
111. ECPAT International. (2021). Global Boys Initiative: A global review of existing literature on the sexual exploitation of boys. ECPAT International.

3. RESPONDING TO ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE IN NAMIBIA

This chapter presents evidence concerning the current response mechanisms to OCSEA in Namibia. This includes formal reporting options and responses by the police and court system. It considers the contributions that government, civil society and the internet and technology industry make to combating OCSEA in Namibia. Much of the data in this chapter is drawn from qualitative interviews with government and law enforcement court professionals and six children who sought justice through the formal justice system. Responses may not reflect the full range of experiences of those accessing the response mechanisms to OCSEA in Namibia.

3.1 FORMAL REPORTING MECHANISMS

It is challenging for children who are subjected to OCSEA to obtain justice. There are many barriers to disclosing, reporting via a formal channel and then going through the justice system. These barriers include sensitivity surrounding OSCEA and prevailing practices regarding how to deal with such matters, while others are connected with distrust of the formal justice system. Many families are, for instance, not supportive of their child seeking justice through the formal justice system and there is a tradition of family-based dispute settlement. The impact of these traditions can be detrimental to the child.

"The emotional and secondary trauma that children go through from pressure from the family saying to drop the case and this can result in significant emotional strain on the child." (RA4-NA-03-A-Justice, Technical Director, Office of the First Lady)

The pathway to justice in the formal system can also be cumbersome. Even when OCSEA cases are reported, some victims are not comfortable bringing charges against the offender. A technical director in the Office of the First Lady explained: *"For the cases I am dealing with, most have not been comfortable to lay charges on the case. Most are comfortable with psychosocial support."* (RA4-NA-03-A-Justice) However, even if the child persists, success is not guaranteed. One of the interviewed children spoke of being disillusioned by the fact that reporting did not result in the offender being punished and their loss of faith in the police: *"I felt like I was supposed to open a case and then something has to be done to the people that did that to me. But then nothing happened."* (RA4-NA-04-B)

The main channels through which children and adults can report cases of OCSEA in Namibia are the police and social workers (Gender-Based Violence Protection Unit), the NGO-led Lifeline/Childline helpline and the Internet Watch Foundation reporting portal for CSAM on the website of Lifeline/Childline.

3.1.1 Lifeline/ChildLine Namibia
Lifeline/ChildLine Namibia is a registered NGO that offers national counselling services. These services are offered face-to-face, over the telephone, via SMS and online. Lifeline/Childline Namibia currently runs the only national helpline-based counselling service in Namibia and operates the National Crisis Line (061-232221), the 116 Child Helpline and the 106 Gender-Based Violence Helpline.

Additionally, it hosts the Internet Watch Foundation (IWF) online reporting portal, which was launched in 2017 with support from the Ministry of Information and Communication Technology and UNICEF.[112]

Drawing on the findings of the research undertaken by *Disrupting Harm*, it is clear that there is a reasonable level of awareness of the reporting mechanisms provided by civil society (the 116 Child Helpline, the 106 Gender-Based Violence Helpline and the CSAM online reporting portal). Nevertheless, none of the OCSEA victims interviewed who went through the justice system reported their case to a hotline or helpline. One criminal justice professional commented that, as a reporting channel: *"Lifeline is seen as [a reporting platform] for children, not teenagers, they don't think they can call there."* (RA4-NA-02-A-Justice) While hotlines and helplines are an important part of the child protection system, the common perception that they are a first port of call for children subjected to abuse may be somewhat misplaced. The *Disrupting Harm* research in Namibia suggests children would first disclose to a trusted person, so the role of helplines and hotlines could instead be characterised as a support function for those seeking advice in dealing with a disclosure or in accessing support services for affected children.

Lifeline/Childline Namibia reported to Child Helpline International that they received only two contacts that concerned instances of OCSEA in 2018 and no such contacts in 2019 (there was no data submitted for 2017). The two 2018 contacts were related to the online grooming of a girl for sexual purposes.[113]

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112. Internet Watch Foundation. (2017). Namibia Launches IWF Reporting Portal for Online Images and Videos of Child Sexual Abuse.
113. 2017 and 2019 data submissions confirmed by CHI, November 2020.

3.1.2 Internet Watch Foundation online reporting portal

Reports made to this portal are assessed by an expert analyst from the IWF Hotline team, which is based in the United Kingdom. If the image or video is deemed illegal, the analyst will use a global network of partners to have the content taken down. By 31 December 2019, a total of seven reports had been received by the IWF reporting portal in Namibia, none of which were identified as actionable (i.e., as confirmed CSAM).

3.1.3 The Office of the First Lady

Aside from the reporting mechanisms mentioned above, according to a National Child Online Task Force Team Member, the Office of the First Lady now operates as a place to report OCSEA-related crimes as part of the work of the Task Force. (RA1-NA-05-A) Reporting to the Office of the First Lady happens during community outreach activities carried out by this office. Once received, cases are referred to the relevant government agencies for further action. A technical director from the Office of the First Lady, while emphasising the importance of awareness creation in strengthening reporting, commented: *"Most of the cases received are the results of the #BeFree campaign, where we engage with young people in Namibia... Young people come and say, 'What you have described is something that I am going through.'"* (RA4-NA-03-A-Justice)

3.1.4 Police

The police is also an option for those wishing to disclose. However, data from interviews with Namibian law enforcement indicated that there was some confusion regarding which unit receives OCSEA reports, with some suggesting the local police station and others the Gender-Based Violence Protection Unit as the first port of call. Interviews with OCSEA victims, however, suggest that there is, at least to a certain extent, a standard practice in which cases, once disclosed to parents, caregivers or school authorities, are referred to the Unit.

> ❝
> **None of the OCSEA victims interviewed who went through the justice system reported their case to a hotline or helpline.**
> ❞

Interviews with officers from the Gender-Based Violence Protection Unit suggested that, while it receives CSEA-related cases, if there are any OCSEA elements (i.e., technological elements), the case is referred to the Cybercrime Unit. One Officer stated: *"In case of CSAM, such images and videos will be forwarded to the Cyber Unit/Forensics Unit for extraction and analysis."* (RA8-NA) Although this referral between the two units was mentioned, interviews with law enforcement indicated that there seems to be an unclear delineation as to when a case might be referred by the Gender-Based Violence Protection Unit to the Cybercrime Unit, or under what circumstances. Interviews with law enforcement indicated that, in spite of what might appear as a clear understanding of the division of duties between the two units around cases with OCSEA elements – with the Gender-Based Violence Protection Unit investigating the offline elements and the Cybercrime Unit supporting with investigating the online elements – the lack of reported OCSEA cases makes it unclear how, or if, this division of duties and coordination of responsibility will work in practice.

Although the Gender-Based Violence Protection Units have been provided with some specialised training and equipment, it was the Cybercrime Unit that was identified as the key unit that receives international referrals and hotline reports.

As already mentioned in chapter 2.1, data from law enforcement showed that, for the period under review, among the 1,278 cases of CSEA and OCSEA recorded, only one was formally categorised as an OCSEA case. Interviews with law enforcement in Namibia showed that most cases were reported to the police by members of the public, and that a small portion of them were submitted through hotlines, helplines or a local NGO.

Obligation to Report

In Namibia, a policy of mandatory reporting by private citizens applies under certain circumstances. Pursuant to the provisions of the Child Care and Protection Act, 2015, any person who becomes aware of the fact that a child is being employed in any form of exploitative labour, including the creation of CSAM, must immediately report it to the police.[114] The police have the duty to refer the child to a designated social worker for investigation within 24 hours of receiving such a report. However, the act does not appear to impose any punishment on private citizens or the police for failing to comply with their reporting obligations.

Furthermore, the Child Care and Protection Act, 2015, covers voluntary reporting for private citizens in respect to children in need of protective services. The act states that any person – other than a person who performs professional or official duties with respect to children – including another child, who reasonably believes that a child is or may be in need of protective services, may report that belief to any state-employed social worker or a member of the police.[115] Under the Child Care and Protection Act, 2015, a child who is engaged in commercial sex work or has been subjected to any form of sexual exploitation may be considered as a child in need of protective services.[116]

The Child Care and Protection Act sets forth duties for professionals working with children and makes it mandatory to report suspected cases in which a child may need protective services if she/he is, inter alia: (1) a victim of child labour; (2) engaged in commercial sex work or subjected to sexual exploitation of any form; or (3) a victim of any serious crime against his or her person.[117] Those obliged to report are teachers, principals, psychologists, doctors, therapists, legal practitioners, social workers and similar.[118] Furthermore, professionals who report to the police or social workers have the right to remain anonymous.[119]

If approved, the Draft Combatting of Sexual Exploitation Bill will also create a mandatory reporting obligation for any person who is responsible for the care or supervision of a vulnerable[120] or protected[121] person, or a person who has authority or control over a vulnerable or protected person.[122,123] Any knowledge, or a reasonable suspicion of an offence committed:

(a) involving child sexual abuse materials or pornographic performances; or

(b) against a vulnerable person or a protected person, would have to be reported the police. Failure to report will be perceived as an offence punishable on conviction.[124]

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114. Republic of Namibia. (2015). The Child Care and Protection Act No. 3 of 2015 (as amended in 2018), Section 234(6).
115. Republic of Namibia. (2015). The Child Care and Protection Act No. 3 of 2015 (as amended in 2018), Section 131(3).
116. Republic of Namibia. (2015). The Child Care and Protection Act No. 3 of 2015 (as amended in 2018), Section 131(2) (h).
117. Republic of Namibia. (2015). The Child Care and Protection Act No. 3 of 2015 (as amended in 2018), Section 130(2).
118. Republic of Namibia. (2015). The Child Care and Protection Act No. 3 of 2015 (as amended in 2018), Section 132(2).
119. Republic of Namibia. (2015). The Child Care and Protection Act No. 3 of 2015 (as amended in 2018), Section 132(5).
120. Republic of Namibia. (October 2020). In Part 1: Interpretations – defines a vulnerable person to be either a child under the age 16 or a person with a severe mental disability, and includes a person whom an accused believed to be a vulnerable person at the time the offence was committed.
121. A protected person under the bill includes: (a) a child; or (b) a person with a severe mental disability, and includes a person whom an accused believed to be a protected person at the time the offence was committed.
122. This includes a parent, step-parent, foster parent or other caregiver, teacher, principal or sports coach, legal guardian or curator, religious official or spiritual leader who provides religious care or religious instruction, an employer, a person who cares for the vulnerable person or protected person at a children's home, a school hostel or any educational institution attended by that person, or in any institution in which that person resides.
123. Republic of Namibia. (October 2020). Draft Combating of Sexual Exploitation Bill, Section 9 (2).
124. Republic of Namibia. (October 2020). Draft Combating of Sexual Exploitation Bill, section 9 (1).

3.2 LAW ENFORCEMENT RESPONSE

3.2.1 Law enforcement units

The two police units in Namibia that can respond to OCSEA cases are the Gender-Based Violence Protection Units and the Cybercrime Unit.

Gender-Based Violence Protection Unit

The Gender-Based Violence Protection Units sit under the Criminal Investigations Department of the Police Force. In 2020, there were 17 operational Gender-Based Violence Units across all 14 regions of Namibia. Throughout the 14 regions, there were 149 officers dealing with Gender-Based Violence cases involving both children and adults. The unit is responsible for the investigation of Gender-Based Violence crimes including child sexual exploitation and abuse cases, both offline and online. As has been mentioned, Namibia has no dedicated OCSEA unit at the national or regional level, although, as a result of an extended consultation and capacity building program, the National Crime Agency (United Kingdom) proposed that there be dedicated officers, or a sub-unit, within the Gender-Based Violence Protection Units to deal with OCSEA, and approximately six officers have been identified for training in preparation for undertaking these investigations. (RA8-NA)

The Gender-Based Violence Protection Units were mentioned frequently in the interviews with government representatives. They were described as having staff with specialised knowledge, including investigators and social workers. The units are designed to respond to all gender-based violence issues, including OCSEA.

The Gender-Based Violence Protection Units were also described as providing skilful, effective and child-friendly services to deal with the sexual exploitation and abuse of children. All mentions of this unit in the interviews with children who went through the justice system were of a positive nature. This may be linked to the victims receiving support from social workers, who supported the OCSEA victims and their caregivers.

While the focus on victim care appears to be a high priority, the technical ability and effective follow-through to this end may be insufficient. This may indicate an insufficient capacity, a more complex issue involving workflow between the Gender-Based Violence and Cybercrime Units or a lack of case tracking.

Namibian Police Force Cybercrime Unit

According to the Deputy Executive Director of the Ministry of Justice, the Cybercrime Unit has a dedicated team that deals with the issue of sexual violence committed against children. (RA1-NA-09-A) The Cybercrime Unit works with other specialised units to better facilitate working with children and is well positioned to be of great value in addressing OCSEA. It is hoped that the response to OCSEA provided between the Namibian Police Force's Cybercrime Unit, the Gender-Based Violence Protection Units and, to some extent, the High-Profile Investigations Unit, which may occasionally investigate select cases, will be coordinated and not duplicative or competitive. The need for proactive rather than reactive investigations was stated by two government representatives, and it is hoped that the Cyber Crime Unit can assist in this regard. (RA1-NA-02-A, RA1-NA-06-A)

The presence of inter-agency/multi-disciplinary teams within the Gender-Based Violence and Child Abuse Units of the Namibian Police Force was noted as having a positive effect by the Director of Child Welfare from the Ministry of Gender. (RA1-NA-03-A) However, she also mentioned that even within these specialised units, monitoring and evaluation of OCSEA cases is difficult, as they are generally categorised as rape or child abuse. (RA1-NA-03-A)

The Gender-Based Violence Protection Units and Cybercrime Unit work together to remove the CSAM. According to an Online Child Protection Expert from UNICEF, reports of CSAM are *"forwarded to law enforcement's Gender-Based Violence Unit and Cybercrime Unit who will pass instructions to the Internet Service Provider to perform the take-down".* (RA1-NA-07-A) However, interviews with law enforcement did not provide details of the procedures to be followed in requesting the removal of CSAM. (RA8-NA)

Challenges

Several key challenges for Namibian law enforcement in responding to OCSEA were identified and are outlined below.

Lack of legislation

Throughout all research activities, the lack of legislation was repeatedly referenced regarding the broader response to OCSEA. This also poses a significant challenge for law enforcement.

Lack of a dedicated sub-unit or staff

While both the Gender-Based Violence Protection Units and Cybercrime Unit bring relative strengths, the lack of a dedicated sub-unit or formally designated staff in both units to handle OCSEA cases poses a challenge in terms of forming a cohesive national response to the issue, and in coordinating effective training and resource allocation. The Gender-Based Violence Protection Units appear to have a dedicated sub-unit (as noted in 3.2.1) with some capacity and a mandate to handle OCSEA cases; however, in reality, it does not seem to be active.

The lack of a dedicated unit – or the lack of coordination between the two competent units – also appears to contribute to a disparity between the shared experiences of victims of OCSEA and the understanding of law enforcement. The Gender-Based Violence Protection Units would seem to be the obvious reporting channel for any OCSEA related incidents according to the public, but according to law enforcement, any online or technical element related to the incident would prompt a referral to the Cybercrime Unit, and as noted above, the Cybercrime Unit does not deal directly with victims: *"The [Cybercrime] Unit is a support unit; the child-friendly facilities are at the Gender-Based Violence division."* (RA8-NA)

Training

Insufficient law enforcement training was mentioned as a particular concern, with one frontline worker suggesting: *"In my opinion, there is not enough law enforcement specially trained to address the offence in an efficient and timely manner"* (RA3-NA-36-A), which leads to *"local law enforcement [not knowing] how to categorise cybercrimes, therefore being inconsistent in the way they deal with these crimes, and they might not deal with it as an urgent crime."* (RA3-NA-11-A)

The National Child Online Task Force Team member from the Office of the First Lady mentioned that the amount of training focused on OCSEA is limited as compared to more common manifestations of child abuse. (RA1-NA-05-A) While examples were shared of isolated instances of international assistance with training activities, such as the United States sending three Namibian prosecutors and four Namibian police officers to a police training centre in New Mexico and a training session in the United Kingdom supported by the Child Exploitation and Online Protection Command, these tended to be one-off events, and did not include support to integrate the new training into the existing law enforcement response protocols.

Respondents uniformly supported additional training on a wide scale for the police, believing it to be a necessary positive step. However, according to the National Child Online Task Team Member from the Office of the First Lady, these training events need to be contextually specific and applicable in Namibia: *"If someone international is brought in [to conduct training], one must make sure that a local facilitator is also there, or it will be counterproductive as the international person may speak from their country's perspective."* (RA1-NA-05-A)

The Deputy Commissioner from the Ministry of Home Affairs, Immigration, Safety and Security suggested that, while some of the police, particularly those who had attended the limited training events available, were competent, not all were conversant with the technical aspects of OCSEA. (RA1-NA-06-A)

As a result of the limited training, interviews with criminal justice professionals and government representatives highlighted a lack of capacity to investigate OCSEA. A respondent from the Office of the Prosecutor General noted: *"The police are struggling to investigate [OCSEA] and because of that, the cases are not coming to court for them to be tested."* (RA4-NA-06-A-Justice) The lack of training became more apparent in the interviews with children and caregivers, whose experiences regarding the performance of law enforcement was largely negative. At every stage of the justice system (police, lawyers and judges), it is critical that there are highly trained professionals that support OCSEA victims and caregivers.

Investigation equipment

Although the National Crime Agency supported the Gender-Based Violence Protection Units at its headquarters through the provision of equipment and internet access for three years (2019–2021), many challenges remain in terms of building a similar capacity in the regional units, including the tools to detect, triage and analyse CSAM, and reliable internet access. (RA8-NA)

According to a member of the National Child Online Task Team a lack of funding is impacting purchasing and maintenance of technical equipment for the Namibian Police. (RA1-NA-05-A) By contrast, spending on such items was commended by others in relation to particular police units such as the Cybercrime Unit. However, interview responses from the Cybercrime Unit gave a more complete picture: *"Office space is very insufficient as about four officers share a single office. Equipment and software for cyber investigations are also lacking."* (RA8-NA)

Absence of a national databases

Although there exists a criminal records registry referred to as the Namibia Police Criminal Records Centre (NPCRC) which is accessible to investigators upon official request there is no national system to manage information pertaining to sex offenders. It is understood that the Namibian Ministry of Justice is in the process of setting up a convicted sex offender's register. (RA8-NA)

While there is no single national database for images of OCSEA, (RA1-NA-06-A, RA1-NA-07-A) a representative from the Ministry of Safety and Security shared that one is currently under construction. (RA1-NA-06-A) The Namibian Police have engaged with the INTERPOL Crimes against Children Unit regarding connection to the INTERPOL International Child Sexual Exploitation database and are continuing to address the technical and organisational needs required for a connection and formal training.

> ❝
> **The practice of channelling children and caregivers reporting cases of OCSEA through the Gender-Based Violence Protection Units and the commitment to ensuring a social worker is available to support both children and their caregivers throughout the justice process was consistently highlighted as good practice.**
> ❞

Lack of psychological support

A member of the National Child Online Task Team from the Office of the First Lady pointed out that professionals working on OCSEA are not getting the support and care they need, which she indicated has resulted in *"a high staff turnover…You will not have such a high staff turnover if you really take care of your human capital.* (RA1-NA-05-A) It should also be noted that the high turnover within all aspects of tech-based government workers, who migrate due to the higher pay in the private sector, is currently a universal reality.

Limited cooperation with foreign law enforcement

Finally, the potential international component of OCSEA was seen as a challenge insofar as investigating goes, and the need for cooperation and engaging counterparts in other jurisdictions was stressed. (RA1-NA-06-A, RA1-NA-07-A)

Promising practices

The practice of channelling children and caregivers reporting cases of OCSEA through the Gender-Based Violence Protection Units and the commitment to ensuring a social worker is available to support both children and their caregivers throughout the justice process was consistently highlighted as good practice. The encounters with social workers from the Gender-Based Violence Protection Units were generally perceived as positive by all children and their caregivers in the *Access to Justice* interviews.

International Collaboration – Case Study

Since late 2019, the Namibian Police have been conducting an investigation in collaboration with law enforcement from The Netherlands and Australia, and INTERPOL. The case began with a request from Dutch law enforcement regarding the involvement of a Namibian citizen in the distribution of CSAM. This request was made after a Dutch citizen was arrested in the Netherlands and CSAM material and email messages were seized. A forensic review of the seized devices revealed communications and records of money transfers between the arrested Dutch suspect and the Namibian citizen.

The suspect was employed as a 'sports photographer,' allegedly running a website that recruited and took photographs of young male models at sporting events, often in swimwear. This website allowed individuals to purchase images upon registration. Namibian law enforcement was aware of the website and had already identified the suspect as a person of interest. In an unusual twist, the Namibian officer assigned to the case recognised the suspect as living in the same building as him. The suspect also served as a police reservist, and a private investigator, thus necessitating some delicacy around investigations.

At the same time, Australian law enforcement had flagged some videos that had been posted to a Tor [125] darknet forum dedicated to the distribution and sharing of CSAM. The videos depicted various children performing sexual acts in a bathroom, recorded by what appeared to be a covert camera.

Other videos appeared to be from a covert camera placed in a public bathroom. Australian law enforcement was able to connect the videos to the Namibian suspect based on the username that had posted the videos to the darknet forum, in addition to identifying sets of videos that appeared to depict some of the same boys featured on the website run by him.

The case referral and CSAM was provided to Namibia law enforcement via INTERPOL, and the CSAM was analysed and included in INTERPOL's International Child Sexual Exploitation database.

In April 2020, following the issuance of a search warrant, the residence of the suspect was searched, whereupon various items such as computers, hard drives and other evidence were seized. The suspect was arrested the same day on charges ranging from *Crimen Injuria*,[126] indecent assault, contravention of offences under the Child Care Protection Act, contraventions of the Combating of Rape Act and contraventions of the Prevention of the Organized Crime Act.

Namibian police have identified the children depicted in the videos, and those with whom the suspect had been in contact. The children were interviewed in the presence of a social worker. The suspect appeared to have targeted children in difficult circumstances, grooming them and inviting them to his house where he could encourage sexual acts and games.

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125. Tor is short for *The Onion Router*: a free and open-source software enabling anonymous communication.
126. *Crimen injuria* under common law is the unlawful, intentional and serious violation of the dignity or privacy of another person.

3.2.2 What happens when a child goes to the police?

Children's and caregivers' encounters with the police

The interviews with caregivers indicated that they believed in the ability of police to manage OCSEA-related cases. One caregiver stated: *"Going to the police was my first decision because I thought this is the only place where I can get help."* (RA4-NA-05-B-Caregiver)

However, the children interviewed described mixed experiences regarding their interactions with police officers. Some described their interactions as largely positive, while other children reported feeling very uncomfortable with the police. One child noted: *"The police officer kept insisting that I remember all the exact details, or I would be arrested."* (RA4-NA-03-B-Child) Two further children reported negative experiences in their interactions with police. The first indicated that they felt judged and unsupported noting: *"The officer told me that I must avoid spending a lot of time online as it was a bad influence […] I generally felt like she was on the side of my abuser."* (RA4-NA-02-B-Child)

Children also raised other concerns in reference to the way their cases were handled by the police. One victim pointed to a lack of communication concerning the progress of the police investigation and stated: *"The police should give regular feedback on their investigations and actions in a timely manner,"* (RA4-NA-01-A-Child) while another child stated that she was required to go to the police station every day. This victim commented: *"They [police] should just finish the case once off, once he starts, [so I do] not [have] to come back and then go back and then come back again for such matters."* (RA4-NA-03-A- Child)

Perceptions that crimes against children are not taken seriously or that services are not effective may discourage the reporting of OCSEA. One justice professional described the police not taking cases seriously: *"The police thought the cases reported were a joke, then the Office of the First Lady got them in order."* (RA4-NA-02-A-Justice) One caregiver also shared their experience as follows: *"I tried to open a case against the offender, but the police told me it was not possible as my child went on her free will to meet the offender."* (RA4-NA-02-B-Caregiver)

The interview process

Environment

Only two children spoke about the location of their interview with the police, and both reported not being provided with an opportunity to choose where their interview would be conducted. (RA4-NA-02-A-Child and RA4-NA-05-A-Child) Despite this, these children described the interview rooms as adequate: *"The environment was fine,"* (RA4-NA-06-A-Child) and *"The room was good, I had no problem."* (RA4-NA-05-A-Child)

Interviews with law enforcement indicated that specific child-friendly facilities are limited to the Gender-Based Violence Headquarters Unit in Windhoek, and that other regional units do not have such facilities.

The presence of caregivers at interviews

The *Access to Justice* interviews revealed that children and their caregivers were generally separated during the interview process. Two of the interviewed children reported: *"My mother and her friend were asked to leave the interview room,"* (RA4-NA-03-A-Child) and *"I was at the station with my father, but he was not in the room when I spoke to the officer."* (RA4-NA-06-A-Child)

Some caregivers confirmed that they were separated from the child for the interview. This, however, did not happen to all caregivers as one commented: *"We attended daily meetings with her for almost three weeks."* (RA4-NA-04-B-Caregiver) Another one noted that they *"had an opportunity to ask questions."* (RA4-NA-04-B-Caregiver)

Opportunity to select a police officer

Two children were afforded the opportunity to select the officers who would interview them, while the other four OCSEA victims were assigned officers without being consulted. One of the children who had an opportunity to select an officer said: *"I selected a female officer because I felt she would understand me better compared to a male officer."* (RA4-NA-04-A-Child) This was echoed by a second child who said: *"I was given the chance to select an officer. I told them I needed a female police officer because (…) I was not feeling comfortable opening up to a male police officer about everything that the offender did to me."* (RA4-NA-02-A-Child)

However, among the four OCSEA victims who were assigned officers without being consulted, two noted that the lack of choice in terms of a police officer was not an issue for them. (RA4-NA-03-A-Child, RA4-NA-01-A-Child) One child suggested that the ethnic group of an officer could be a factor in her decision.

Child-friendly measures
Children generally reported that, in their interviews with the police, the officer used language that they could understand. (RA4-NA-04-A-Child) Unfortunately, only one child was offered a chance to ask questions by the police. (RA4-NA-03-A-Child)

Procedure
One of the most cited sources of distress, as emphasised by almost all the children interviewed, was the fact that they had to repeatedly narrate their ordeal to different people. This was confirmed by the Children's Advocate of the Ombudsman of Namibia who stated: *"The process is so tedious. After the first disclosure to a trusted adult, the child again has to disclose to the social worker, and then again to the police, and then again to a prosecutor, and again to another prosecutor if it goes to trial."* (RA4-NA-05-A-Justice)

Children interviewed generally described the process of being interviewed by police as incredibly challenging. One child said: *"The hardest thing for me was telling the police officer in detail what had happened to me. All the disgusting things that he did to me. It was hard for me to say through my mouth because I would feel shy, I would feel ashamed, and I would feel disgusted. I would ask for breaks to cry and then continue. It was not easy."* (RA4-NA-01-B-Child)

Passing the case on to the Children's Court
Criminal justice professionals revealed that, to date, there have been relatively few successful investigations and prosecutions of OCSEA in Namibia.

Interviews with OCSEA victims and caregivers confirmed that OCSEA cases rarely proceed to court. None of the six OCSEA victims interviewed had their cases proceed to prosecution after reporting to the police. The reasons for this are unclear. Two victims understood that the police had not opened a case. (RA4-NA-03-A-Child and RA4-NA-04-A-Child)

Another victim reported that she was blamed for the dismissal of the case: *"The police told me that I surprised them by not making an effort for my case and because of this they said they were not able to help me get a sentence for the man to go to prison."* This child recommended that police must *"prosecute and avoid abandoning cases as they did with mine."* (RA4-NA-01-A-Child) In another case, the family pursued other means outside the judicial system. The child involved in this case stated that the decision *"was very difficult for me"*, which suggests that she would have preferred the formal justice process. (RA4-NA-02-A-Child)

Thus, the six interviewed children in the *Access to Justice* interviews failed to obtain justice in the formal justice system. Their cases stalled at an early stage, not even making it to court. The sampling criteria ensured that the victims of OCSEA that were interviewed had to have reported one of the following manifestations of OCSEA to the police: CSAM, live-streaming of child sexual abuse, or online grooming for sexual purposes as per the *Disrupting Harm* definition (see the chapter About OCSEA).

Criminal justice professionals pointed to a lack of a comprehensive law on OCSEA making it challenging to bring charges in OCSEA cases. A Director of Child Welfare from the Ministry of Gender noted: *"The fact that we don't have a comprehensive law to address OCSEA is a hindrance for courts on how to prosecute such cases."* (RA1-NA-03-A) The legal review as part of *Disrupting Harm* shows that Namibian legislation does not currently criminalise live-streaming of sexual abuse material, online grooming, online sexual extortion or bullying of a child through online sexual harassment. In addition, the scope of laws criminalising acts relating to child sexual abuse material is limited in Namibia. The law also fails to define child sexual abuse material, although the term has been used in various laws, bylaws, rules, etc. A UNICEF Online Child Protection Expert strongly recommended that *"OCSEA cases need to be properly defined."* (RA1-NA-07-A)

Another challenge is the constant advancement in the technology used by offenders. A Detective Chief Inspector from the Namibian Police explained that *"technology is advancing daily. When we want to apprehend the culprits, they have already advanced on other things."* (RA4-NA-10-A-Justice)

3.3 OBTAINING JUSTICE AND ACCESS TO REMEDIES

3.3.1 Court proceedings

Regarding practical experience of handling OCSEA cases, a representative from the Office of the Prosecutor General stated that none of the criminal justice professionals in the country *"have a lot of experience with online abuse cases."* (RA4-NA-07-A-Justice) Interviews with government representatives revealed that, in general, while there are some personnel in place to begin to meet the challenges of OCSEA, the number of personnel, and the general level of knowledge and skill are inadequate to meet the current demands. A Deputy Prosecutor General from the Office of the Prosecutor General explained that *"there have been some trainings for prosecutors, magistrates and social workers on understanding child witnesses for one, and also OCSEA."* (RA4-NA-06-A-Justice) A Deputy Commissioner with the Ministry of Home Affairs, Immigration, Safety and Security, however, indicated that only limited training had been delivered. Additionally, the available training was focused on Windhoek, and not the country as a whole. (RA1-NA-06-A)

Child-friendly courts

Child-friendly court procedures are important in cases with child victims. The Criminal Procedure Act provides special arrangements, such as using privacy screens or video links, rearranging courtroom furniture, relocating the trial and examining with the help of a support person[127] for vulnerable witnesses, including child victims of sexual offences.[128] Many of the justice professionals confirmed that these measures have been taken in Namibia. However, the availability of child-friendly facilities is dependent on the resources available in the jurisdiction handling the case. For example, one respondent stated that *"currently there are only eight courtrooms in the country that are equipped with audio-visual equipment."* (RA4-NA-07-A-Justice)

Further to this, the Coordinator of Gender Research and Advocacy with the Legal Assistance Centre stated that, while a particular jurisdiction may have child-friendly facilities available, *"they were not being used or explained to the child."* (RA4-NA-01-A-Justice) It emerged that the ongoing need for maintenance and potential logistical problems can create a barrier to the consistent and equitable use of child-friendly facilities. (RA4-NA-01-A-Justice)

The Coordinator of Gender Research and Advocacy from the Legal Assistance Centre stated: *"We have terrific procedures. We need to make sure the procedures on paper are put into practice. Part of the problem is [that it is] not clear who's responsible [for implementation]."* (RA4-NA-01-A-Justice) This problem was echoed by the Children's Advocate of the Ombudsman of Namibia who noted a lack of the resources required to ensure the theoretical guidelines can be transformed into a practical reality. (RA4-NA-05-A-Justice)

Informing children about the criminal justice process is important. According to the children interviewed, the police did not routinely outline the steps in the criminal justice process. Only half of the children indicated that they were informed of the process. Not a single caregiver interviewed was informed of either the criminal justice process or their rights within the process. This lack of information on the process left many of the caregivers with negative feelings. One caregiver commented that he felt *"very bad because, as a father, knowing my daughter's rights could have assisted me in knowing how best to support her. It would have helped me to know my limits in terms of what I could do and say."* (RA4-NA-06-B-Caregiver)

The Technical Director within the Office of the First Lady recommended that caregivers of victims *"need to have a comprehensive outline of what will happen as they go through the system. This will help the parents to remain firm and focused throughout the justice system."* (RA4-NA-03-A-Justice)

When a case moves to court and the child must testify as a prosecution witness and face cross-examination, the Children's Advocate from the Ombudsman of Namibia explained that the ability of social workers to prepare the child witness for court is not consistent around the country. This, she said, is because *"not all social workers are equally equipped to properly do witness preparation, especially in the [rural] regions."* (RA4-NA-05-A-Justice) More positively, the Deputy Prosecutor General indicated that to address this challenge: *"we now have available in all regions, trained vulnerable witness support persons who can be called upon to come and assist children in court or even prepare them for court."* (RA4-NA-06-A-Justice) Given that none of the six children in the *Access to Justice* interviews had their

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127. Republic of Namibia. (1977). The Criminal Procedure Act No. 51 of 1977 (as amended in 2012), Section 158.
128. Republic of Namibia. (1977). The Criminal Procedure Act No. 51 of 1977 (as amended in 2012), Section 158.

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cases brought to court, it was not possible to verify how accessible these trained vulnerable witness support persons are on the ground.

Criminal justice professionals also indicated that, as part of the criminal justice process, children who testify undergo cross-examination. A Deputy Prosecutor General said: *"cross-examination is very difficult,"* (RA4-NA-06-A-Justice) while another respondent also added that it was entirely possible that *"a few defence lawyers might be hard on the kids for the sake of their clients."* (RA4-NA-07-A-Justice)

A representative from the Office of the Prosecutor General indicated that, in court, one of the hardest experiences for children is the narration of the sexual abuse due to cultural attitudes towards talking about sex: *"It's very awkward to talk about these things [the sexual abuse] because they [children] are being punished or beaten if they talk about sexual matters. Grown-ups do not have the self-confidence to speak about sexual experiences. How do we expect a child to talk about these things in open court, before very important people such as judges and prosecutors? To speak about sex in court – that's the hardest thing."* (RA4-NA-07-A-Justice) As discussed under section 2.5.1, taboos around discussing sex and sexuality was also perceived by 58% of the frontline workers surveyed as a sociocultural barrier to reporting OCSEA.

Regarding logistical support to facilitate court attendance, a representative from the Office of the Prosecutor General said: *"The travelling fees to court… Those are covered by witness fees, which they [the child victims] in any event can claim."* (RA4-NA-07-A-Justice) Though the costs of attending court are covered by witness fees, one caregiver pointed out that the costs incurred during the process of reporting the case are covered by the caregivers themselves: *"I had to fuel my car and go to the police. I also drove my child from the police to school. I met all the travelling costs involved in the case."* (RA4-NA-02-B-Caregiver)

Duration of process and trial

The length of time that a trial takes before concluding was identified as one of the failures of the criminal justice system by multiple respondents. As the Children's Advocate from the Ombudsman of Namibia stated: *"From the time the crime is first reported to the time the case is trial-ready, sometimes years pass."* (RA4-NA-05-A-Justice) An inspector from the Namibian Police indicated that delays are typically caused either by the police at the investigative stage, or by the judge during the trial/pre-trial stage. (RA4-NA-04-A-Justice)

The impact of court closures and/or delays due to the COVID-19 pandemic was raised by the Children's Advocate from the Ombudsman of Namibia, who said: *"The criminal justice system is very slow moving, and now closure of courts and restriction of movements will have the effect that trials could not proceed. This means if there was a backlog before, it is now even bigger. Where [before] it would take four years to finalise a trial where a child was involved, it will now be six years."* (RA4-NA-05-A-Justice)

The Children's Advocate from the Ombudsman of Namibia also noted that individuals, both children and other witnesses, do not always have the capacity to recall critical events in detail once a substantial amount of time has passed, and cited this as one cause of children potentially *"losing trust in the system."* (RA4-NA-05-A-Justice) This respondent and another respondent from the Office of the Prosecutor General (RA4-NA-07-A-Justice) noted that the length of time it takes to finalise a case may also result in the possible turnover of key support persons for the child.

Legal aid

A child is entitled to appoint a legal practitioner of their choice at their own expense. However, in cases in which a child does not have a legal practitioner, the court can appoint one.[129] Under the law, a child is eligible to receive free legal aid if their parents, guardian, or other persons are unable to bear the costs of a legal practitioner.[130] The cost of legal services provided to the child may also be assumed by the other parties in the proceedings.[131]

129. Republic of Namibia. (2015). The Child Care and Protection Act No. 3 of 2015 (as amended in 2018), Section 58.
130. Republic of Namibia. (2015). The Child Care and Protection Act No. 3 of 2015 (as amended in 2018), Section 58(3).
131. Republic of Namibia. (2015). The Child Care and Protection Act No. 3 of 2015 (as amended in 2018), Section 58(3).

Despite these legal provisions, none of the six OCSEA victims interviewed had access to a lawyer. The children were generally unaware of the role a lawyer could have played to support them in taking their cases forward. The limited appreciation and understanding of the role of a lawyer led to most of the victims stating that they did not think they needed a lawyer. However, when the role of a lawyer was explained to them (e.g., that a lawyer would have informed them about and safeguarded their rights during the criminal justice process), half of the children changed their opinion and reported that the services of a lawyer would have been beneficial: *"If a lawyer had been made available, it would have made me feel better and not fear facing my abuser."* (RA4-NA-01-A- Child)

3.3.2 Compensation

According to the provisions of the Criminal Procedure Act, if a person is convicted in any proceedings undertaken by the Children's Advocate, the court may make the award of compensation against such person, notwithstanding that the injured person has not applied for compensation.[132] Therefore, a child who has been subjected to OCSEA does not need to pursue an independent civil suit and can be awarded compensation in conjunction with the judgment of the criminal proceeding. As none of the interviewed OCSEA victims were able to obtain justice through the criminal justice system, they also did not receive any compensation awarded by the criminal court or through other means in the formal justice system.

This is a general issue in Namibia. The Coordinator of Gender Research and Advocacy at the Legal Assistance Centre noted: *"I have never heard of a single victim getting compensated in Namibia."* The respondent further stated that part of the problem was that *"we don't have a Victims' Rights Charter. The victims, in general, are neglected in our criminal justice system. It is not just about compassion, but about the victim's right to be informed and eligible for compensation when needed."* (RA4-NA-01-A-Justice)

Lack of awareness of the right to be compensated is a major issue. Among the six children interviewed, only one had been informed by the police of their right to seek compensation. The majority of the OCSEA victims reported that, if they had been informed about their right to compensation, they

would have wanted to pursue it. Similarly, all but one of the caregivers were unaware of the possibility of compensation as they had not been informed of their right to seek it.

Additional issues revealed by criminal justice professionals were the lack of knowledge about compensation among criminal justice professionals, (RA4-NA-07-A-Justice, RA4-NA-09-A-Justice) the lack of prioritisation of compensation, (RA4-NA-10-A-Justice) the practice of settling on an informal level instead of using formal criminal or civil courts (RA4-NA-04-A-Justice) and limitations within the Criminal Procedure Act regarding compensation of monetary damages or damages that can be easily quantified. (RA4-NA-05-A-Justice) Regarding the latter, a Deputy Prosecutor General stated: *"The challenge is compensation for pain and suffering because the criminal law has no provision for that kind of compensation. They would have to go to a civil court."* (RA4-NA-06-A-Justice)

Regarding seeking compensation via a civil suit, a Legal Practitioner from Tjombe-Elago Incorporated stated: *"It's a very tedious process, very long. It's almost impossible […]. It's as complicated as you can get."* (RA4-NA-08-A-Justice)

3.3.3 Social support services

Interviews with criminal justice professionals suggested that there are no specific services exclusively for OCSEA victims and the services extended to OCSEA victims are the same as those available to child victims of other forms of sexual abuse and exploitation. A Children's Rights Ombudsman explained that *"if the crime is committed on an online platform or offline, it does not matter. The support should be the same."* (RA4-NA-05-A-Justice)

Psychosocial support

There are no legal provisions that ensure that psychological assistance and support are provided to child victims of OCSEA during legal proceedings. The Child Care and Protection Act, however, permits the minister to deploy resources for implementing prevention and early intervention services, facilities and programmes to achieve the objectives of the act.[133] Prevention and early intervention services must be aimed at, among other things, *"providing*

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132. Republic of Namibia. (1977). The Criminal Procedure Act No. 51 of 1977 (as amended in 2012), Section 300(1)(b).
133. Republic of Namibia. (2015). The Child Care and Protection Act No. 3 of 2015 (as amended in 2018), Section 129(1).

psychological, rehabilitation and therapeutic programmes for children".[134]

The Technical Director from the Office of the First Lady indicated that psychosocial counselling for child victims of OCSEA is available. (RA4-NA-03-A-Justice) A respondent from the Office of the Prosecutor General also mentioned that a support person is available to assist the child through the criminal justice system. (RA4-NA-07-A-Justice)

Sixty percent (60%) of frontline workers surveyed ranked the availability of psychological services as either *good* (40%) or *excellent* (20%). Only 10% ranked the availability of these services as *poor,* while 30% ranked them as *fair.* Approximately half ranked the quality of psychological services as *poor* (18%) or *fair* (30%). The remaining half (52%) rated the quality of these services as *good* (34%) or *excellent* (18%). The availability of psychological services was given the most favourable ranking, as compared to the other services such as medical, legal and reintegration services. This high rating may result from the presence of social workers in the Gender-Based Violence Protection Units of the police, who offer support to victims, as was mentioned in section 3.2.1.

Medical services

According to the Deputy Prosecutor General from the Office of the Prosecutor General: *"Medical bills and hospital expenses are taken care of by the state".* (RA4-NA-06-A-Justice) This was confirmed by the respondent from the Office of the Prosecutor General: *"If a child is referred by the police, they go to a district surgeon for examination and treatment if necessary. That is free of charge."* (RA4-NA-07-A-Justice) The frontline workers surveyed rated the availability (78% *fair* or *good*) of medical services as being slightly better than the quality (69% *fair* or *good*) of medical services.

Medical staff are key players in prevention through the diagnosis of abuse or reporting OCSEA cases.[135]

Reintegration services

The Child Care and Protection Act does not expressly guarantee the right to recovery and rehabilitation of child victims of OCSEA; however, while there are no specific programmes for support and reintegration, the act permits the minister to deploy resources to fund programmes *"providing psychological rehabilitation and therapeutic programmes for children".*[136]

From the interviews with criminal justice professionals, it emerged that, once the criminal case has been finalised, it does not necessarily follow that the child will continue to receive psychosocial support. The frontline workers surveyed rated the availability and quality of reintegration services lowest when compared to the ratings received for all the other support services. Sixty-two percent of frontline workers rated both their availability and quality as either *poor* or *fair.*

Limitations in the provision of support services

A Detective Chief Inspector of the Namibian Police Force indicated that providing services and programmes in rural areas was critical but lacking. (RA4-NA-10-A-Justice) Seventy-eight percent of the frontline workers surveyed ranked the concentration of services in urban areas as the factor that most affected the availability of support for children recovering from OCSEA. As one respondent stated: *"Services rarely reach remote and marginalised communities whose members are sometimes ignorant of such existing services and do not know how to access them due to several challenges, such as the distance to travel before reaching the particular services."* (RA3-NA-21-A)

The lack of specialised personnel who are trained to help child victims of abuse, including OCSEA victims, was highlighted by the Director of Child Welfare from the Ministry of Gender (RA1-NA-03-A) and a National Child Online Task Team Member from the Office of the First Lady. (RA1-NA-05-A) A government representative commented that *"not having enough social workers, psychologists or peer supporters to help [children] through a crisis [regarding OCSEA] is one of our biggest issues."* (RA1-NA-01-A)

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134. Republic of Namibia. (2015). The Child Care and Protection Act No. 3 of 2015 (as amended in 2018), Section 130(3)(e).
135. World Health Organization. (2021). WHO Guidelines for the health sector response to child maltreatment.
136. Republic of Namibia. (2015). The Child Care and Protection Act No. 3 of 2015 (as amended in 2018), Section 130(3)(e).

3.4 COORDINATION AND COLLABORATION

3.4.1 Policy and government

The main government agencies with mandates related to combating OCSEA in Namibia include the following:

- The Ministry of Gender Equality, Poverty Eradication and Social Welfare (previously known as the Ministry of Gender Equality and Child Welfare);
- The Ministry of Home Affairs, Immigration, Safety and Security (specifically the Namibian Police Force units on Cybercrime, Gender-Based Violence, Serious Crime and High-Profile Crime);
- The Ministry of Justice (which is in charge of drafting bills for presentation to the parliament; the Ministry is responsible for the Draft Bill on harassment and sexual exploitation);
- The Office of the Prosecutor General;
- The Judiciary;
- The Ministry of Information and Communication Technology (MICT) (which is charged with ensuring the pending bill on cybercrime covers the gaps in the Child Care and Protection Act (CCPA) with regards to OCSEA);
- The Ministry of Health and Social Services (which provides medical and psychosocial services);
- The Ministry of Education;
- The Office of the Ombudsman;
- The Ministry of Youth.

Promising developments and initiatives

Namibian National Child Online Protection Task Force
The Namibian National Child Online Protection Task Force was established in 2017 and includes representatives from the Ministry of Gender Equality, Poverty Eradication and Social Welfare, the Ministry of Information and Communication Technology, the Ministry of Education, Arts and Culture, the Ministry of Home Affairs, Immigration, Safety and Security, the Namibian Police Force, the Office of the Prosecutor General, the National Forensic Science Institute, the Office of the Ombudsman, the Communications Regulatory Authority of Namibia (CRAN), the Internet Society for Namibia, Namibia University of Science and Technology, NGOs/development partners (e.g., Lifeline, the Legal Assistance Centre, the Internet Society Namibia Chapter and UNICEF) and the Office

of the First Lady. The only Internet service provider of the five operating in the country specifically referenced as participating in the task force was Telecom Namibia. (RA1-NA-07-A)

The National Child Online Protection Task force was established to assist in providing a broad national response to online child protection, including OCSEA, and meets quarterly. The roles of the task force were identified as coordinating interventions at the national level, providing feedback to the participating ministries on the activities that each stakeholder has been conducting, identifying gaps and addressing them, influencing policy, advocating/lobbying for legislation, conducting research and connecting frontline workers with training opportunities. (RA1-NA-07-A, RA1-NA-05-A)

An interviewee from UNICEF specialising in online child protection pointed out that *"the task force managed to get the political will from government to really make sure that OCSEA is on their political agenda."* (RA1-NA-07-A)

However, not all government representatives interviewed were aware of the task force, (RA1-NA-02-A) which may indicate that knowledge of the task force and its work was not widespread.

Membership of the WeProtect Global Alliance
As a member of the WeProtect Global Alliance, Namibia is committed to working collaboratively with the WeProtect Global Alliance and its members to tackle online-facilitated child sexual exploitation and abuse and in establishing and/or supporting a response to child sexual exploitation and abuse online, guided by the Alliance Model National Response and Global Strategic Response.[137]

Multi-sector cooperation
Several of the interviewed government representatives noted that there is a good level of cooperation between the government, non-governmental organisations (NGOs) and civil society organisations (CSOs). Cooperation between the Ministry of Gender and UNICEF was specifically noted, as was the cooperation and collaboration that exists through the National Online Protection Task Force. (RA1-NA-04-A, RA1-NA-05-A, RA1-NA-07-A) Furthermore, the Deputy Executive Director from the Ministry of Education made positive references to the cooperation between the police, ministries and

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137. WeProtect Global Alliance (2021) accessed on 8th November 2021.

NGOs. (RA1-NA-02-A) Finally, cooperation between the internet industry, the government and NGOs was also highlighted. (RA1-NA-01-A) These initiatives include CSOs and NGOs such as Lifeline/Childline, which support social workers in assisting children and families that have been referred to the Gender-Based Violence units.

International cooperation
The Namibian Police Force is a member of the Southern Africa Regional Police Cooperation Mechanism (SARCO) and it was stated that *"within SARCO there is cooperation on vast numbers of issues."* (RA1-NA-09-A)

New research
The National Child Online Task Team Member noted that research into OCSEA is critical to guide *"interventions that are informed, and research-/evidence-based. This research and evidence [will] allow us to lobby and advocate for policy and law."* (RA1-NA-05-A) Until recently, very little research has been undertaken on OCSEA or related issues. However, some research that provides data to help support evidence-based policy has been conducted. For example, in 2016, the UNICEF Namibia office together with Namibia University of Science and Technology and the Centre for Justice and Crime Prevention conducted an exploratory research study on the knowledge, attitudes and practices related to information and communication technology use and online safety risks by children in Namibia.[138] In 2020, a qualitative study led by the UNICEF Namibia Country Office on online grooming in Namibia was conducted.[139] (RA1-NA-07-A) Moreover, the Ministry of Gender Equality Poverty Eradication and Social Welfare conducted a violence against children survey focused at young adults in order to retrospectively explore their experiences as children. (RA1-NA-03-A) The survey also included questions about OCSEA within its broader range of enquiry.[140]

Challenges

Budget
There is no existing stand-alone government budget to address OCSEA in Namibia. OCSEA sits within the budget for child protection initiatives generally and no information was available from those interviewed or the documentation reviewed for *Disrupting Harm* regarding the estimated proportion of spending allocated to OCSEA specifically. The only information obtained regarding the budget to address OCSEA specifically was related to regional level training on sexual violence for teachers. This activity was budgeted at approximately N$950,000 (approx. US$65,896 as of May 2021) and was provided by UNICEF. (RA1-NA-02-A) However, it appears that some funding support has been sought from international development organisations (UNICEF) and civil society partnerships with NGOs for OCSEA work, such as training and awareness-raising activities. (RA1-NA-02-A, RA1-NA-06-A)

Respondents repeatedly reported financial resources being a constraint and a key obstacle to providing an optimal response. An online child protection expert from UNICEF noted that, due to limited funding, *"brilliant ideas and good initiatives exist that merit moving forward"*, but the transition from an idea to reality is challenging. (RA1-NA-07-A)

Capacity
While there are some personnel in place to begin to address the challenges of OCSEA in Namibia, the number of personnel is inadequate to meet the current and anticipated demand. As the Head of Committees from the Parliament/National Assembly remarked: *"Financial resources are obviously a constraint, but our biggest constraint is really human capital."* (RA1-NA-01-A) Respondents also noted that the existing human resources with capacity to address OCSEA are largely limited to the capital city, Windhoek. (RA1-NA-06-A) Among those who are currently doing this work, burnout and a high turnover were noted.

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138. UNICEF Namibia, Namibia University of Science and Technology, Centre for Justice and Crime Prevention (2016). Voices of children: An exploratory research study on knowledge, attitudes and practices of information and communication technology (ICT) use and online safety risks by children in Namibia.
139. UNICEF Namibia (2020). The Nature and Dynamics of Online Grooming in Namibia.
140. Ministry of Gender Equality, Poverty Eradication and Social Welfare, Namibia Statistics Agency, International Training and Education Center for Health at the University of Washington. (2020). Violence Against Children and Youth in Namibia: Findings from the Violence Against Children and Youth Survey.

In terms of the existing level of knowledge and skill to address OCSEA, this appears to also be limited and thus negatively impacts the effective implementation of existing policy and legislation. As the Deputy Executive Director from the Ministry of Education explained: *"Namibia is a country that has a lot of rich policy documents, programmatic documents, but our implementation is lagging behind."* (RA1-NA-02-A) The National Child Online Task Team Member from the Office of the First Lady noted: *"We cannot counter something if we do not have sufficient skills."* (RA1-NA-05-A)

The need for training was also noted by another respondent: *"If we look at normal child abuse cases, for example, a child who has been sexually abused, as a social worker, I know my role, the police know their role, any other NGOs knows their role. With OCSEA, it is difficult to know what your role is and what the jurisdiction is. Where it starts and where it ends. I emphasise a lot of training is needed."* (RA1-NA-08-A)

Lack of policies and gaps in legislation

As identified in the Overview of Legislation and Policy, few manifestations of OCSEA are covered under the law in Namibia. Most government representatives interviewed expressed concern that there is currently a lack of a comprehensive legislation on OCSEA. As the Head of Committees from the Parliament/ National Assembly noted: *"We must have a law that speaks to the crime."* (RA1-NA-01-A) A member of the National Child Online Task Team from the Office of the First Lady expressed concern that *"offenders are basically more prepared than our system. We need comprehensive legislation."* (RA1-NA-05-A) These laws, once enacted, must also be implemented at a local level. Government representatives raised concerns about implementation due to a lack of resources, including the availability of trained personnel.

3.4.2 Civil society and international organisations

Civil society organisations and international agencies play a vital role in responding to OCSEA. They are involved in awareness-raising activities and in training the child protection workforce. The organisations working specifically to address OCSEA issues include the UNICEF Country Office and Lifeline/ChildLine.

While the UNICEF Country Office functions as a development partner and facilitates legal reform and training, Lifeline/Childline works on the ground, directly with children, parents and schools. Another organisation undertaking child online protection activities is the Internet Society Namibia Chapter, which supports Safer Internet Day, and the Legal Assistance Centre, which supports legal reform. It was noted that Safer Internet Day[141] has played an important role in creating opportunities for education concerning online safety for children.

When asked to assess the collaboration on OCSEA among NGOs, 38% of frontline workers said it was *good*, 24% suggested it was *fair,* but only 4% rated their collaborative efforts as *excellent*. A total of 15% of those interviewed suggested that there was no collaboration between NGOs on OCSEA. One NGO worker commented: *"Most programmes usually work in silos and there is a lack of effective collaboration or harmonisation."* (RA3-NA-21-A)

3.4.3 Internet service providers and platforms

Collaboration between Internet and mobile service providers and platforms is essential to investigate crimes and prevent the dissemination of CSAM. The legal requirements and practical procedures differ depending on whether the operators are Namibia-based or global.

The Deputy Commissioner from the Ministry of Safety and Security noted that there was a problem with data retention and that currently, service providers maintain that there is no law that requires data to be retained for longer than two weeks, which may negatively impact OCSEA-related investigations. The respondent hoped this would be addressed by the new/pending legislation. (RA1-NA-06-A)

Domestic Internet service providers

The Electronic Transactions Act was enacted in March 2020 and repealed the Computer Evidence Act 32 of 1985, which was previously used in cases involving electronic evidence. It currently provides the legal framework related to the admissibility of such evidence.[142]

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141. Website: Safer Internet Day. Country Namibia.
142. Republic of Namibia. (2020). Electronic Transactions Act 4 of 2019. Section 25.

Section 24 of the Electronic Transactions Act establishes the modalities of data retention when it is prescribed by law that "certain documents, records or information be retained."[143] The Namibian law does not currently determine a retention duty for records/information related to OCSEA.

None of the respondents interviewed for *Disrupting Harm* commented on the efficacy of laws and procedures in gathering evidence from domestic service providers.

The Electronic Transactions Act further includes provisions related to the service providers' liability for 'unlawful activity',[144] which, although not specifically defined in the law, can be interpreted to include any activity against the law, including CSAM. Service providers are not subject to any civil and criminal liability with respect to materials from third parties that they host if they were not aware of the unlawfulness of such materials and acted expeditiously in response to a take-down notice referring to these materials.[145] Indeed, Section 54 of the Electronic Transactions Act provides for the removal of unlawful material upon written notice by any complainant complying with the requirements set up by this provision (full name, address, contact details, info on material to take down and rights being allegedly infringed, etc.).[146] Making false or misleading statements in a request for a take-down notice is an offence penalised with a fine and/or imprisonment up to two years.[147] However, despite the existence of these provisions, the language used in the legislation does not make it clear whether the take-down measure is mandatory or voluntary. Such discretion or lack of clarity should be eliminated and the status of the removal of CSAM made clearly mandatory.

Reportedly, the Draft Cybercrime Bill includes further provisions for searches, seizures, forfeiture, and data preservation and interception.[148]

The Draft Combating Sexual Exploitation Bill, if approved, could make it a duty for service providers to report CSAM, preserve evidence and take all measures to prevent access to such material.[149] The draft bill would further establish and detail the process through which law enforcement request court orders aimed at requesting service providers to share information relevant to an OCSEA investigation.[150]

Regarding the manner in which law enforcement in Namibia works with Internet service providers, one officer said: *"The [Cybercrime] Unit works with ISPs, CSPs and TCs and the procedure for requesting information needs to be followed. Resolving IP address data is still a problem as the companies do not provide information."* (RA8-NA)

Other responses indicated the necessity of court orders, but even so, the requests may not always return the expected results: *"Through the communications regulator for Namibia, we are getting support in terms of ISPs, CSPs and TCs. The absence of the cybercrime law is preventing us from engaging them and there are no laws compelling such companies to keep certain data for law enforcement."* (RA8-NA)

Global platforms

With respect to removing/reporting CSAM, there are rarely any formal agreements between national law enforcement agencies and global platforms. The platforms would prefer to view requests from government partners as notifications of potential violations of their own terms of service. Since CSAM is contrary to the platforms' terms of service and U.S. law, it would be in the companies' interests to remove such content.

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143. Republic of Namibia. (2020). Electronic Transactions Act 4 of 2019. Section 24.
144. Republic of Namibia. (2020). Electronic Transactions Act 4 of 2019. Chapter 6.
145. Republic of Namibia. (2020). Electronic Transactions Act 4 of 2019. Section 52.
146. Republic of Namibia. (2020). Electronic Transactions Act 4 of 2019. Section 54.
147. Republic of Namibia. (2020). Electronic Transactions Act 4 of 2019. Section 5 (8).
148. Council of Europe. (n.d.). Namibia.
149. Minister of Justice of the Republic of Namibia. (2020, October). Draft Combating of Sexual Exploitation Bill. Article 9 (3).
150. Minister of Justice of the Republic of Namibia. (2020, October). Draft Combating of Sexual Exploitation Bill. Article 10.

Transparency Data

In 2017, 2018 and 2019, the transparency reports of major social media platforms show that authorities in Namibia made:

- 0 requests to Facebook for content restriction or user data;

- 0 requests to Google for content removal or user data;

- 0 requests to Apple;

- 0 requests to Twitter;

- 0 requests to Microsoft or any other platform surveyed.

While none of the major platforms publish data specific to OCSEA or fully disaggregated this data by the type of crime, the complete absence of requests from Namibian authorities appears to indicate a lack of familiarity, or perhaps a lack of comfort, with existing procedures for evidence gathering from large global platforms.[151]

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151. Platforms were selected on the bases of high volumes of reports to NCMEC (10,000+), the availability of transparency reporting and known popularity in *Disrupting Harm* focus countries. In addition to U.S.-based companies, transparency reports for Line and TikTok were also reviewed.

4. HOW TO DISRUPT HARM IN NAMIBIA

Disrupting Harm caused by OCSEA requires comprehensive and sustained actions from all stakeholders – families, communities, government representatives, law enforcement agencies, justice and social support service professionals and the national and international technology and communications industry. While children are part of the solution, the harm caused by OCSEA obliges adults to act to protect them; care must be taken not to put the onus on children to protect themselves from harm without support.

Detailed recommendations for action in Namibia are grouped under six key insights from the *Disrupting Harm* research and signposted for different stakeholder groups. However, all these suggested actions are interlinked and would be most effective if implemented together.

4.1 SIX KEY INSIGHTS AND RECOMMENDATIONS FOR ACTIONS

***Disrupting Harm* Alignment with the Model National Response**

Many countries, companies and organisations have joined the WeProtect Global Alliance to prevent and respond to online child sexual exploitation and abuse.

As a member of the Global Alliance, Namibia made a firm commitment to using the Model National Response to Preventing and Tackling Child Sexual Exploitation and Abuse to help organise its response to OCSEA. The Model National Response is a valuable tool for governments to organise and improve the level of their response. Most of the recommendations in this report align with the 21 capabilities articulated in the Model National Response, but *Disrupting Harm* identifies priority areas for interventions based specifically on the data concerning the Namibia situation. The evidence from Namibia shows that, even though many of the capabilities in the Model National Response exist, they are not functioning optimally.

Our recommendations primarily address legislation,[152] dedicated law enforcement,[153] judiciary and prosecutors[154] and education programmes.[155] All recommendations are practical, evidence-based and actionable. The recommendations are organised under six key insights drawn from the *Disrupting Harm* evidence and are signposted for different stakeholder groups.

INSIGHT 1

In the past year alone, 9% of internet users aged 12–17 in Namibia were subjected to clear examples of online child sexual exploitation and abuse that included blackmailing children to engage in sexual activities, sharing their sexual images without permission, or coercing them to engage in sexual activities through promises of money or gifts. Scaled to the national population, this represents an estimated 20,000 children subjected to OCSEA in a single year.

Government

Informed by the rapidly increasing connectivity, especially among children and young people, emphasis should be placed on heightening awareness about child sexual exploitation and abuse, including how digital technology can play a role. This can be done by adapting existing awareness messages to the Namibian context.

Adapting and contextualising existing evidence-based programmes that have proven to be effective should be prioritised and sustained. Where such programmes exist, their proper implementation should be ensured, along with monitoring and evaluation measures.

Campaigns and programmes must focus on child-centred evidence-based messaging. It is crucial that these programmes be adapted and tested through consultations with children and caregivers, to reflect each group's unique perspectives of online risks and the techniques they use to keep themselves/their children safe. This will help to create campaign messages that are relevant to children's lived experiences and, therefore, more likely to resonate with them.

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152. Model National Response #3.
153. Model National Response #4.
154. Model National Response #5.
155. Model National Response #13.

The *Disrupting Harm* findings in Namibia suggest that the key objectives of such programmes should be to:

- **Equip caregivers with knowledge and skills to foster safe and ongoing communication with children about their lives online** (see *Start the Chat*[156] for an example). Although many caregivers of internet-using children in Namibia are regular internet users themselves and are confident of their ability to help their children to cope with negative online experiences, this knowledge can be further deepened. They are likely to acquire information on how to keep their child safe online from the radio or television. As such, disseminating awareness messages for caregivers should target such media. A good starting point would be to build on the existing initiatives of the Internet Society Namibia Chapter, Childline/Lifeline and the parenting programme initiated by the Ministry of Health and Social Services. *The Digital Dance*, a UNICEF designed manual to guide parenting in the digital world, is very useful in this context.[157] In 2020, the UNICEF Namibia Country Office customised this for adaption and implementation in the Namibian context.

- **Support caregivers, especially those who are not current or confident internet users,** in going online and becoming more familiar with the platforms that children are using (see *Be Connected*[158] for an example). Provide evidence-based education and information to caregivers so that they can recognise exploitative or abusive behaviour from members of the community, both online and offline. This will also help them teach children how to recognise such behaviour and keep safe.

- **Help adults who are in contact with children to overcome discomfort when discussing sex and sexuality and encourage open dialogue about sexual abuse and exploitation online or in person.** In the longer term, this will make it easier for caregivers to talk to and support their children and will make children more likely to

come to their caregivers for help when needed. The fact that a majority of caregivers of internet-using children also frequently go online, and that most children go online from home, presents an important opportunity for caregivers to be involved in teaching children how to stay safe online.

- **Inform children, in age-appropriate terms,[159] about the risk of harm in an online environment.** Although it might be uncomfortable to discuss these issues with children, our data suggests that younger children should also be included in these awareness efforts. Special care should be taken to ensure that information is communicated to children whose situation may increase their vulnerability to OCSEA, including children with disabilities, migrant children, children living on the street and out-of-school children. It is also critical that awareness-raising initiatives are held in both urban and rural areas. There is a sense that connectivity places urban children at greater risk of OCSEA than their rural peers, yet the data gathered through *Disrupting Harm* indicates that this is not necessarily the case.

- **Improve education about OCSEA, and how certain crimes against children can be facilitated through digital technology.** This will require strengthening the online safety components that are part of the National Safe School Framework and the Life Skills programme initiated by the Ministry of Education. Schools can play an important part in supporting caregivers and teaching children how to safely navigate online interactions. Information included in sex education – for example, consent, how to say no, personal boundaries, what adults or others around children can and cannot do to them – and information about preventing online CSEA, such as the risks of taking and sending sexual images, are all intertwined. When children do not know about sex, it enables offenders to take advantage. This will help children to identify risky or inappropriate interactions both online and in person. There are existing reports[160] and initiatives[161] that would act as good starting points.

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156. See eSafety Commissioner's programme: 'Start the Chat'.
157. UNICEF (2020). The Digital Dance: Parenting in an Online World.
A workshop manual is the facilitator guide for The Digital Dance: Parenting in an Online World. *The Digital Dance* is a curriculum designed to assist parents in gaining knowledge and skills related to parenting in a digital age.
158. See eSafety Commissioner's programme: 'Be Connected'.
159. NSPCC. (2017). Talk PANTS with Pantosaurus and his PANTS song #TalkPANTS - YouTube. While Pantosauraus does not specifically say offenders can be people you know, he says these are the basic rules that apply every time someone (anyone) crosses these boundaries.
160. UNFPA. (2021). My Body is My Own.
161. UNGEI. (2020). Bodily autonomy and SRHR.

- **Strengthen children's digital literacy to provide them with the skills and understanding needed to avoid or navigate dangerous situations online.** This could include lessons about how to block an individual and report inappropriate content or requests. Furthermore, teach children about the risks inherent in online interactions and the risks inherent in the exchange of personal information, images and videos.

- **Ensure that the continuum between online and offline is recognised and institutionalised.** The *Disrupting Harm* data clearly shows that a proportion of children experience CSEA both online and offline. This indicates that OCSEA may be an extension of the existing abuse already experienced by the child, or that there are a common set of vulnerabilities that make children who experience violence 'offline' more likely to also experience violence 'online'. Responses to OCSEA must, therefore, be embedded within the broader child protection system and not handled in isolation. This also applies to research and different forms of data collection on child exploitation and abuse. Overall, there is currently a lack of prioritisation of OCSEA, not only in terms of response, but also evidence generation.

The National Online Protection Task Force overseen by its chair, the Ministry of Gender, Equality, Poverty Eradication and Social Welfare, would be well-suited to implement the above recommendation. The recommendations for the leading organisations and bodies are based on discussions with over 35 participants – from government, law enforcement, CSOs and NGOS – at the national consultation for the *Disrupting Harm in Namibia* report. Other government bodies mentioned in relation to this recommendation were the Ministry of Health and Social Services, the Ministry of Education, the Ministry of Justice, the Ministry of Home Affairs and the Ministry of Information and Communication Technology.

Caregivers, teachers, medical staff and social support services[162]

- **Improve understanding of digital platforms and technologies.** Given that a majority of caregivers of internet-using children also go online frequently, and that most children go online from home presents an important opportunity for caregivers to be involved in teaching children how to stay safe online. Their digital skills and knowledge need to be regularly strengthened to enable them to be more actively involved in guiding a child's internet use so that they can support their children to safely operate in the digital world. This should include information about what children can do if they are being bothered online, what kind of content is appropriate to share online with others, and basic skills such as how to change their privacy settings and block people from contacting them. This kind of supportive involvement can create open dialogue between children and adults when children face dangers or harm online. More generally, caregivers should learn about what their children are doing online and offline and be vigilant about the people their children interact with. Consider whether these interactions seem appropriate for children. As the Disrupting Harm data shows, only some threats come from someone unknown online, yet programmes often focus on this threat, consequently downplaying the risks from adults known to them.

- **Inform children about their right to be protected from all forms of physical, sexual and emotional abuse**, and on how to stay safe by setting boundaries, recognising appropriate and inappropriate behaviour from adults and those around them and how to say no to inappropriate behaviour.

- **Like schools, caregivers can also teach children about sex, consent and boundaries**, and what adults or others around them can or cannot do to them, and how to say no to others.

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162. Government, inter-governmental agencies, and civil society need to translate and convey these messages to reach caregivers, teachers, medical staff and social support workers.

INSIGHT 2

The majority of OCSEA offenders (about 80%) are someone the child already knows. These crimes can happen while children spend time online, or in person, but they involve technology.

Government

2.1 Education and awareness-raising efforts should not focus disproportionately on 'stranger danger'. The *Disrupting Harm* findings demonstrate that children are more likely to be asked to talk about sex or share sexual material by people they already know, rather than people unknown to the child online. Efforts to raise children's, caregivers' and teachers' awareness about the risks of sharing images online should avoid an excessive focus on the 'dangerous stranger.' Prepare messages and materials with the aid of experts and encompass the various manifestations of OCSEA. Include information on where to go if a child is in danger or needs support, and how caregivers and communities can foster safe and child-appropriate communication channels with children.

2.2 Age-appropriate education and awareness raising approaches need to reach all children. When children do not have all the information, it enables offenders to take advantage. Inclusivity is crucial in disseminating these messages. We must ensure that knowledge reaches all children, and includes information about sex, consent, personal boundaries, what adults or others around children can and cannot do to them.

Special care should also be taken to ensure that information is communicated to children whose situation may increase their vulnerability to OCSEA, including children with disabilities, migrant children, children living on the street, and out of school children. Non-governmental organisations may be ideally positioned to deliver information to these vulnerable populations.

Caregivers, teachers, medical staff and social support services[163]

2.3 Play an active role in teaching children about sex, consent and boundaries and what adults or others around them can or cannot do to them, and how to say no to others. This can encourage open dialogue about sexual abuse and exploitation online or in person. This is especially important since data shows that offenders can be persons close to the child. In the longer term, this will make it easier for caregivers to talk to and support their children and will make children more likely to come to their caregivers for help when needed.

2.4 Help children, caregivers, teachers and those working with children understand the full extent of the risks of sharing sexual content and how to engage in harm minimisation to limit possible negative repercussions.

INSIGHT 3

Most children experienced OCSEA through social media, with Facebook, WhatsApp and Instagram being the most common platforms on which this occurred.

Law enforcement

3.1 Improve law enforcement officers' abilities to flag/refer cases of OCSEA to global online platforms, and to report content hosted outside of the country. Training should be provided to the specialised unit or officers (or in the absence of these, dedicated staff within the Cybercrime Unit) on how to engage with the most commonly reported platforms, and where to make reports, request data and flag suspected instances of OCSEA.

The bodies in the best position to spearhead this recommendation are the Namibian Police Force, the Ministry of Justice, the Ministry of Home Affairs, the Ministry of Information and Communication Technology, the Ministry of Gender Equality, Poverty Eradication and Social Welfare and the Children's Ombudsperson.

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163. Government, inter-governmental agencies, and civil society need to translate and convey these messages to reach caregivers, teachers, medical staff and social support workers.

Government

3.2 Promote awareness of OCSEA among relevant private sector entities including internet, mobile and financial service providers to ensure companies of all sizes have a better understanding of the risks children face and what they can do to combat OCSEA. Promote multi-sectoral initiatives, to develop and/or strengthen internal child protection policies.

Industry

3.3 Make formal reporting mechanisms within social media and instant messaging platforms clear and accessible to children and detail in child-friendly terms what happens after children submit a report. Platforms and Internet service providers must respond rapidly to reports made by children and demonstrate transparency and accountability. **Engage with relevant governmental agencies** to enhance staff training on child online protection and reporting of OCSEA.

3.4 Improve cooperation between Internet service providers and law enforcement agencies by:

- Creating pathways for processing requests and collaborations;
- Training staff to respond to data requests for ongoing cases and minimise processing times;
- Providing the law enforcement authorities with any associated information they have that might help to identify offenders and victims in a timely manner;
- Detecting and removing OCSEA-related content on their servers.

INSIGHT 4

The majority of children are most inclined to disclose their OCSEA experience within their interpersonal networks rather than through formal reporting mechanisms such as helplines or the police. A notable proportion of children (30%) did not tell anyone about their OCSEA experiences.

Government

4.1 Given that children rely heavily on their interpersonal networks for support, especially friends, consider creating programmes which partly rely on empowering children to support their peers and encourage then peers to report their experiences of abuse.

To implement this recommendation, existing initiatives, such as those associated with Lifeline/Childline and DREAMS Safe Spaces, can be leveraged. Furthermore, programmes should be expanded to target schools, education circles, teen clubs, youth groups and youth empowerment programmes from the Ministry of Sport, Youth and National Service.

4.2 Raise awareness that Lifeline/Childline is a source of information concerning how to support young people subjected to OCSEA. The *Disrupting Harm* data shows that children prefer to tell people that they know and trust about OCSEA. Awareness-raising efforts can communicate that peers, siblings, caregivers and teachers are able to access information, support services and help by contacting helplines. An important prerequisite is that helplines are adequately resourced and trained about OCSEA so that they provide good quality information and advice.

4.3 Invest in the quality and efficacy of helplines and hotlines by providing them with adequate resources and developing operating guidelines and referral coordination mechanisms. Even if children are made aware of helplines, if initial responses to disclosure and help-seeking are poor, the child – and others observing the case – will be much less likely to seek help again.

4.4 Invest in improving the capacity of the social service workforce. Improve the capacity of frontline staff in contact with children to better identify children at risk or that have experienced OCSEA. This could be done by strengthening pre- and in-service training and should include teachers and staff in schools, health workers, and those providing psychosocial support, so that when children seek help, they do not face problematic or victim-blaming responses. Mentoring and supervision should be provided to professionals working with children for ongoing professional development and to facilitate self-care.

4.5 Dedicate resources to the child helpline and CSAM hotline to improve record keeping so that they can encode detailed statistics on the OCSEA reported. Increasing the capacity of these organisations to collect and analyse such data will provide a better understanding of children's experiences of OCSEA, including how it changes over time, which will help develop prevention programmes, necessary policies, and legislative amendments.

A Further Consideration from the Data

Children abused by an offender of the same sex may have difficulty disclosing instances of exploitation or abuse or have difficulty seeking help due to the stigma associated with being viewed as homosexual, as it involves strong societal taboos and *"sexual intercourse between male persons "* is a crime under the Namibian Penal Code. These children may fear legal consequences if they report. Although the household survey results show that boys and girls are both subjected to OCSEA, no male victims could be identified for interview during the research for *Disrupting Harm* in country.

Law enforcement

4.6 Commit to and deliver training to all law enforcement officers at the district level on how to handle OCSEA-related crime cases. Training should also be included in the pre-service training of new officers that are entering the police force. Law enforcement should identify strategies to minimise turn-over among staff, so that training is effective and economically sensible.

Caregivers, teachers, medical staff and social support services[164]

4.7 Responses to disclosures of OCSEA should always convey that it is never the child's fault, whatever choices they have made. It is always the fault of the person abusing or exploiting the child. The *Disrupting Harm* research shows that children subjected to OCSEA often blamed themselves and felt that they have let their caregivers and others down, and often felt judged by the police.

Responses should be exempt from judgement or punishment. For example, see the World Health Organisation guidelines on first-line response to child maltreatment.

4.8 Help children, caregivers, teachers and those working with children to understand the full extent of the risks of sharing sexual content and how to engage in harm minimisation to limit possible negative repercussions. Most children who shared sexual content did so because they were in love or trusted the other person, but these actions can lead to serious harm, such as non-consensual sharing of the content with others and sexual extortion.

4.9 Foster safe and ongoing communication between children and trusted adults about their lives online. Normalising communication about online activities will increase the likelihood that children will disclose any concerns, risks and harmful experiences they may face (see *Start the Chat*[165] for an example).

INSIGHT 5

Law enforcement, justice and social support systems lack the awareness, capacity and resources to respond to cases of OCSEA appropriately and in a child-friendly manner.

Government

5.1 Increase coordination across programs focused on online and offline violence and, to the extent that it makes sense, across programs focusing on violence against women and children.

5.2 Urgently invest in the training of police officers, prosecutors, judges/magistrates, lawyers, courtroom staff, child protection officers and frontline workers focused on what OCSEA is and how to address it within their respective professions.

Inform them about the links between online and in-person forms of child sexual exploitation and abuse and the provisions of law that can be used to bring charges in cases of abuse in the online environment.

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164. Government, inter-governmental agencies and civil society need to translate and convey these messages to reach caregivers, teachers, medical staff and social support workers.
165. See eSafety Commissioner's programme: 'Start the Chat'.

Address child protection issues, including OCSEA, in basic training and provide specialist training across various professions. Provide both initial and refresher training. Make sure these training sessions are contextually specific and applicable in Namibia.

5.3 Mandated government agencies should budget for agency-specific interventions related to OCSEA instead of relying on the limited funding of non-government partners.

5.4 The government should provide the necessary resources to make more child-friendly facilities available in courtrooms (for example privacy screens, video links and audio-visual equipment) and to maintain the child-friendly facilities already established.

5.5 The government should make psychosocial support services readily available as there is currently very limited access to long-term psychosocial support services for victims and survivors of OCSEA. It is important to ensure all children and caregivers who make OCSEA reports can access psychosocial support services.

5.6 While the creation of the National Child Online Safety Task Force is an important step toward addressing OCSEA, sufficient resources must be allocated to ensure that the developed strategies are evidence-based, monitored, evaluated and adjusted as needed. Capacity-building initiatives in the different mandated agencies linked to their specific roles in addressing OCSEA also need to be developed.

5.7 Foster enhanced cooperation between different stakeholders. Streamlining processes, sharing collected information and resources, and minimising the duplication of efforts would improve the ability of all parties to respond to OCSEA. Work with designated ministry and administrative units to design targeted approach. Among other tools, signing a memoranda of understanding to foster cooperation and partnership.

Law enforcement

5.8 Train all police officers and prosecutors, especially at the county and sub-county levels, about the links between online and in-person forms of child sexual exploitation and abuse. Inform them about the provisions of law that can be used to bring charges in cases of abuse in the online environment. Ensure that there is a clear process and workflow for how to handle reports of alleged OCSEA from the public.

5.9 Create a dedicated specialised unit, or dedicated specialised officers within a unit, to investigate OCSEA cases. This should be composed of officers with experience of both online and offline crimes against children. Ideally, the specialised unit would have a public-facing reporting desk, child-friendly spaces, internet connectivity and technical tools and capacity on-site. Short of a dedicated specialised unit, a task force of dedicated officers from the Cybercrime Unit and the Gender-Based Violence Protection Units may suffice. Namibian law enforcement agencies may consider utilising INTERPOL's capabilities, especially in connection to the International Child Sexual Exploitation database and other INTERPOL tools.

The Ministry of Justice, the Office of the Prosecutor General, the Ministry of Safety and Security and the Namibian Police Force should work together to address this recommendation.

5.10 Improve data collection and monitoring of OCSEA cases both in the Gender-Based Violence Protection Units and Cybercrime Unit. Systematic recording and classification of cases will help to create evidence-based prevention and response mechanisms to OCSEA. Additionally, indicators of OCSEA must be integrated into the Gender-Based Violence Protection Unit Database and interoperability with the Child Protection Database should be explored.

5.11 Develop guidelines for police officers on how to interview children during the criminal justice process. This will prevent children from being interviewed repeatedly, which can feel like a form of secondary victimisation. Consider using technology to record interviews and share a copy of the interview with the prosecutor and the court instead of arranging multiple interviews. The existing *Child Witness Training Programme* may serve as a model or source for further training.

5.12 Ensure that police officers/prosecutors/courts have a standard information package to provide to all victims and their caregivers related to child sexual exploitation and abuse (including OCSEA), thus ensuring that all the relevant procedures and rights, including their right to compensation, are clearly explained. This will enable children to make informed decisions and familiarise themselves with the upcoming procedures.

5.13 Connect to the INTERPOL International Child Sexual Exploitation Database and **establish a national CSAM image database.**

5.14 Provide an effective mechanism and adequate resources to ensure that international OCSEA referrals, including NCMEC CyberTips, are subject to an appropriate level of investigation, with a view to minimising ongoing harm to children.

5.15 Invest in additional equipment such as computers, laptops, mobile phones, printers, scanners, 'live' forensic tools that perform analyses on active systems, and tools to detect triage and analyse CSAM. Hardware is currently shared among many officers, reducing the capacity to investigate OCSEA. Train officers on how to use the tools already acquired to conduct computer and mobile forensic examinations and equip them with tools for online investigation.

5.16 Provide psychological support to all officers working with CSAM and victims of OCSEA. This may include other professions, such as probation officers, prosecutors, magistrates, lawyers, social workers and mental health professionals.

Justice professionals

5.18 Train all justice actors, including prosecutors and judges, on how to handle OCSEA cases and deliver child-friendly justice. It was indicated that, where possible, a choice of whether children want to speak to a man or a woman should be provided when they meet police, lawyers and other key individuals throughout the process.

5.19 Criminal justice professionals must inform children and their caregivers of their rights (e.g., the right to legal aid and the right to compensation) and the process of the criminal justice system. The average adult is uninformed about the criminal justice system and its processes. Hence, a child has even less hope of understanding the complexities of what constitutes admissible evidence, burdens of proof, hearsay exclusions, etc. Unless children are supported and helped to understand (at an age-appropriate level) both the process and the part they are expected to play in it, the lack of understanding will make it hard for them to participate meaningfully in the process.

5.20 Criminal justice professionals should provide victims of OCSEA and their caregivers information on the right to seek compensation. The interviews showed that the biggest impediment to families seeking compensation is the lack of information about it. The discussions suggest that OCSEA victims and caregivers should be provided with information on compensation at the start of the process to increase the likelihood of them pursuing compensation. In addition, children and caregivers recommended that the process of compensation be integrated. When the courts make a decision, they should also consider the compensation aspect without the families needing to take additional action.

Social welfare support services

5.21 Train all social welfare support service staff (not just specialist services) to recognise the unique risks and harms of OCSEA and provide them with evidence-based best practices for responding. This could be done by incorporating information on OCSEA into the existing formal child protection social services training. When children are brave enough to seek help, those they seek help from must be equipped to provide it.

Industry

5.22 Prioritise responding to data requests in cases involving children to help reduce the duration of the investigation process. This could be done by ISPs appointing a law enforcement liaison officer, who would be responsible for handling any data requests from law enforcement in order to speed up the investigation and prosecution of OCSEA cases.

INSIGHT 6

Important OCSEA-related legislation, policies and standards have not yet enacted in Namibia, which hinders the criminal justice system's ability to address OCSEA and impedes victims' access justice.

Government

6.1 Explicitly criminalise specific OCSEA-related crimes, such as live-streaming of child sexual abuse, online grooming and sexual extortion, and amend the legislation on CSAM to explicitly cover depictions of a child's body for sexual purposes and materials that depict a person appearing to be a child engaged in sexually explicit conduct. This could be done by adopting the Draft Cybercrime Law and the Draft Combating Sexual Exploitation Bill, which will more comprehensively define CSAM and criminalise various CSAM-related crimes, online grooming of children for sexual purposes and live-streaming of child sexual abuse.

6.2 Accede to the Convention on Cyber Security and Personal Data Protection adopted by the African Union in 2014. With respect to OCSEA, the convention specifically includes CSAM.

6.3 Adopt the Draft Combating Sexual Exploitation Bill in order to bring national legislation fully in line with the standards set by the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. This protocol is relevant to combating CSAM and other crimes related to the sexual exploitation of children.

6.4 Consider amending legislation to conform to other international conventions that offer good guidance for addressing OCSEA, such as the Council of Europe's Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) and the Convention on Cybercrime (Budapest Convention). These conventions provide useful measures for national legal frameworks related to OCSEA and are open for accession by states that are not members of the Council of Europe. These conventions should be considered in the National Electronic Transactions Act and its drafts.

6.5 Establish a duty for service providers to report, block and take down CSAM. This could be done by enacting the Combating Sexual Exploitation Bill which, if approved, would obligate service providers to report CSAM, preserve evidence and take all measures to prevent access to such material. Additionally, it would standardise the process for law enforcement to request court orders aimed at requesting service providers to share information relevant to an OCSEA investigation.

ACKNOWLEDGEMENTS