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Pro **Bono**

INFORMATION ABOUT NAMIBIA'S LAW ON ...

LEARNER PREGNANCY POLICY: PART 1- PREVENTION

ProBono is a monthly column by the Legal Assistance Centre designed to inform the public about Namibian law on various topics. You can request information on a specific legal topic by sending an SMS to 081-600-0098. Note that we will not be able to give advice on specific cases in this column, only general legal information.

Pregnancy amongst school girls is a major concern for Namibia. Every year, hundreds of learners, the vast majority of them girls, drop out of school because of pregnancy.

The high number of learner pregnancies is not only caused by risky sexual behaviour. Many pregnancies may be the result of forced sex. Recent police statistics indicate that over one-third of all victims of rape and attempted rape are under age 18, with the vast majority of juvenile rape victims being female. Even where there is no overt coercion, gender inequality in Namibia often means that girls feel powerless to negotiate sexual behaviour or contraceptive use. A 2006 survey of 265 girls aged 15-24 in Kavango, Omaheke and Oshana Regions found that 19% of them had already been pregnant – with a shocking 40% of these pregnancies resulting from forced sex.

Dropping out of school, for any reason, is not good for learners or for the country. When women are educated, the social benefits are immense. They include improved agricultural productivity, improved health and reductions in infant and child mortality rates. Children born to educated mothers also have a higher chance of completing school themselves. Improving the educational rights of girls who become pregnant will not only improve their lives, but also the lives of their children and future generations.

Although sexuality is a “taboo” subject in some cultures, these facts show just how important it is to address the issue of learner pregnancy. Responding to this concern, the Ministry of Education has created a revised “Education Sector Policy for the Prevention and

Management of Learner Pregnancy”. This policy applies to all primary and secondary schools in Namibia, including both government and government-subsidised private schools.

The ultimate goal of the policy is to decrease the number of learner pregnancies and increase the number of learner-parents who complete their education. However, it is an important guiding principle of the policy that different family and cultural values be allowed to determine the timing and manner in which learners take advantage of the opportunities offered. This column will focus on the policy’s provisions on prevention.

There are five key pillars on prevention of learner pregnancy. The first pillar is the provision of information on sexual and reproductive health. The policy states that schools must strive to ensure that boys and girls are educated about the benefits of abstinence, the risks of engaging in sexual activity at a young age, appropriate use of contraception and the right of both male and female learners to free and informed choice in respect of sexual matters.

The second pillar is the promotion of Life Skills programmes. The policy states that Life Skills periods must be included in the school timetable and taught by trained Life Skills teachers. The lessons should include information about gender equality, mutual respect in relationships, self-esteem, communications skills, the right to sexual autonomy and alcohol-related issues. Girls should be taught how to avoid placing themselves in situations of sexual vulnerability and boys should be taught about girls’ right to refuse sexual activities.

The third pillar is gender-specific support and mentoring for learners. The policy requires school principals to designate one or more female teachers to act as mentors for female learners and one or more male teachers to act as mentors for male learners. Those teachers will monitor the progress of female or male learners, act as support persons for gender issues and encourage men’s and women’s organisations, churches and other civil society groups to arrange mentors or appropriate motivational activities. The policy also states that counselling must be available for both female and male learners.

The fourth pillar is family and community involvement. Teachers are required to adopt strategies to encourage the involvement of families and community members in prevention programs. These strategies include soliciting input on ways to prevent learner pregnancy, providing opportunities for the exchange of information, inviting families and community members to workshops on pertinent issues, forming partnerships to expand healthy leisure activities in the community and encouraging families and community members to discuss sexual relationships and to support healthy lifestyles through positive role modelling.

The fifth and final pillar of the prevention policy is ensuring that the school is a safe environment for learners, free from sexual harassment or sexual abuse by learners, teachers or other staff. The policy emphasises that any non-professional relationship or sexual involvement between any education sector employee and a learner, whether or not it results in pregnancy, will be considered misconduct and will result in a disciplinary hearing and criminal charges where the actions constitute a crime.

Together, these five pillars – if meaningfully implemented – could ultimately decrease the number of learner pregnancies in Namibia.