NAMIBIA

REPORT

On the
IMPLEMENTATION OF THE UN PROGRAM OF ACTION (UNPOA) – "to
prevent, combat and eradicate the illicit trade in small arms and light
weapons in all its aspects"

PREPARED FOR THE SECOND UN BIENNIAL MEETING ON SMALL
ARMS TO BE HELD IN NEW YORK, USA, 11-15TH JULY 2005

Namibia / Windhoek
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1. **Introduction**

The proliferation and illicit trade in small arms and light weapons pose many and serious challenges to governments and people in the world in new and daunting ways. Small arms are involved in well over thousand deaths every single day across the world. It is a multifaceted scourge that negatively affects all aspects of human society, security and civilization. It also presents a grave threat to international peace and security and sustainable development. Africa is a region mostly afflicted by problems associated with this illicit trade that threatens social progress.

It is against this background that Namibia accepted the United Nations Program of Action that aims at preventing, combating and eradicating illicit trade in small arms and light weapons in all its aspects. Namibia’s report gives highlights on progress made towards the implementation of the United Nations Program of Action.

2. **NATIONAL EFFORTS**

Since the adoption of the United Nations Program of Action (UNPOA) to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects in July 2001, Namibia has been involved in a number of activities aimed at the implementation of the UNPOA.

2.1 **Conference on Small Arms and Light Weapons**

One of the major activities was the hosting of Namibia’s First Conference on Small Arms and Light Weapons in Support of the Implementation of the SADC Protocol on Firearms, Ammunition and Other Related Materials in 2002. Through these efforts, the Namibian Government demonstrated its unwavering commitment honouring its obligation in combating the illicit trade in small arms and use of firearms and light weapons.

2.2 **Ratification of SADC Protocol on the Control of Firearms, Ammunition and Other Related Materials**

Namibia has ratified the SADC Protocol on the Control of Firearms, Ammunition and Other Related Materials, which entered into force in July 2004. Namibia is currently concerned itself with the full implementation of the provisions of the SADC Protocol.

2.3 **Namibia National Action Plan**

Another progress that Namibia reports is that a National Action Plan has been developed and adopted. The Namibia National Action Plan has been developed to ensure a proper implementation of these regional and international instruments. Enhanced capacity for law enforcement and conformity to global norms is a prerequisite to capacity building. Countries, especially in the SADC region, must be provided with concrete assistance and training in areas such as weapons collection, disposal and stockpile management.
detailed assessment of needs and required funds, as an immediate goal, is set out in the Namibia National Action Plan 2005.

The Namibia National Plan focuses on the following:

- Institutional framework
- National Legislation
- Stockpile Management
- National Stocktaking
- Border Control
- International Cross-Border Cooperation and Information Exchange
- Public Education and Awareness Raising
- Training and Capacity Building
- Research
- Critical Areas Support and Resources

A copy of the Namibia National Action Plan is enclosed for information.

2.4 National Contact Point

The national contact in Namibia is the Namibian Police Force in the Ministry of Safety and Security. A National Focal Point on small arms and light weapons within the Namibian Police has been appointed. In addition to this focal point, a National Management Committee, which oversees the work of the National Focal Point, has been put in place. This institutional framework has been adopted in line with Part II paragraph 5 of the UN Program of Action.

2.5 Legislation

Namibia has put in place legislation or law known as the Arms and Ammunition Act, 1996. This law provides for the operational control of all firearms in Namibia. It further makes provision for the re-licensing of firearms, licensing of firearms, limitation of the number of firearms, numbering of firearms, manufacturing of firearms, import and export of firearms and dealing in firearms. The law also makes provision for the declaration of certain persons as being unfit to possess firearms. It has taken into consideration crimes of a violent nature to declare a person to be unfit to posses a firearm.

The Namibian Police Force, as one of the law enforcement agencies, is responsible for the administration of the Arms and Ammunition Act, 1996.

2.6 Namibia’s Experience regulating firearms

License to possess a firearm
This is regulated through the Arms and Ammunition Act that prohibits the possession of a firearm without a license. Records of all firearms issues are kept in a computerized central register. No firearms without unique identification marks are licensed. We also
put a limitation on the number of firearms a person may possess, except bona fide hunters, sport persons, collectors and security companies.

**Dealers in Arms and Ammunition**
Strict control measures are put in place over arms and ammunition dealers. Proper registers are always kept, certain documents must be kept for a certain period and returns are to be rendered. The registers and premises must be inspected from time to time. Provisions are also made for the safe-keeping of arms and ammunition on the premises of dealers and gunsmiths.

**Importation and Exportation of Arms and Ammunition**
The import or export of arms and ammunition without a valid permit is prohibited in Namibia. No firearm is imported if it is not marked with a unique number.

**Manufacture of Arms and Ammunition**
The manufacturing of arms and ammunition without a valid permit is prohibited in Namibia.

**Safekeeping of firearms**
Safekeeping of firearms is essential to ensure that access to firearms is limited to those who are fit and may possess a firearm lawfully. A set of general standards for safes, strong rooms and safety devices has been put in place. A person must be in possession of a safe or a proper safety device before a license to possess a firearm is issued.

**Brokering**
Brokering is not allowed by law in Namibia; however, provision will be made for the control over the brokering of firearms, possibly through an amendment to the Act.

**End-user certificate**
The UN Program of Action requires that all states have systems to ensure effective control over the export and transit of small arms, which includes the use of the authenticated end-user certificate. In reviewing our national legislation we are considering introducing a requirement that end-user certificates take the form of a legally binding commitment.

3. **Conclusion**

Namibia is committed to the implementation of the following agreements:

- The SADC Protocol on the Control of Firearms, Ammunition and other related materials;
- The Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons;
- United Nations Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;
- Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts, Components and Ammunition, supplementing the United Nations Convention Against Transnational Organized Crime