REPUBLIC OF NAMIBIA

PROGRESS REPORT

Namibia's responds to the Implementation of the United Nations Programme of Action to Prevent, Combat And Eradicate the Illicit Trade in Small Arms and Light Weapons in all its aspects

26 June – 7 July 2006
1. INTRODUCTION

The Government of the Republic of Namibia has recognized that, 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. That 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 in small arms and light weapons that threatens social progress.

No government alone can however fight this global scourge. It requires a concentrated effort from all segments of the society to ensure success and root out this threat and menace to the society. We all in the region and worldwide share a common goal to save lives; protect human and natural resources from armed gangsters; promote cross-border cooperation; increase information sharing and train law enforcement operators.

It is against the above negative consequences of proliferation an illicit trade in small arms and light weapons, that the Government of the Republic of Namibia accepted the United Nations Program of Action to prevent, combat and eradicates illicit trade in small arms and light weapons in all its aspects.

To this effect, Namibia has made so far good progress towards the implementation of the United Nations Program of Action as highlighted in this report.
2. Namibia’s response to the implementation of UNPoA

In a bid to comply with the provisions of the regional and international agreements on the control of firearms, ammunition and other related materials, Namibia created a number of structures and programmes to ensure effective and co-ordinated activities in the combating of the proliferation of small arms and light weapons. The structures in place will allow for a total eradication of illicit arms and provide for a verifiable database for licit arms.

The most important agreements to which Namibia is a signatory include:

- 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 Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (referred to as the UNPoA); and the

- Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts, Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime

Namibia remains convinced that the above instruments continue to be the most important international, regional and sub-regional framework to prevent, combat, and eradicate the illicit trade and prevalence of proliferation of firearms in the world.
2.1 First National Conference on Small Arms and Light Weapons

In 2002, Namibia hosted the First National Conference on Small Arms and Light Weapons in support of the Implementation of the SADC Protocol on Firearms, Ammunition and Other Related Materials. This First National Conference was called upon by the Namibian Police, in association with the civil society, represented by the Namibia Non-Government Organization Forum (NANGOF). We thank the international non-governmental organizations in the name of SaferAfrica and Saferworld who provided both technical and financial supports to the success of the Conference.

The conference set itself the following objectives:

• Raise public awareness among civil society;
• Raise the international profile of Namibia as a country implementing the UNPoA and the Bamako Declaration through the dissemination of its recommendations; and
• Inform about the nature of national, regional and international commitments of the Namibian Government in the area of the illicit trade in small arms.

It is reported that the above objectives were achieved. The Conference came out with a good number of recommendations of which some have already been successfully implemented by the Namibian Government, while others are still in the process of implementation.

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. This Protocol entered into force in July 2004. Currently Namibia concerns itself with the implementation of the provisions of the
Protocol.

2.3 Namibia National Action Plan (NAP) on Arms Management and Disarmament, 2005

Namibia developed a National Action Plan 2005 in order to ensure a proper implementation of the regional and international instruments such as the United Nations Program of Action. The Namibia National Action Plan focuses on the following critical areas:

- 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 Area Support and Resources

Institutional framework

In order to operationalise the National Action Plan, the following institutions were put in place:

- National Management Committee (NMC), which keeps the political leadership of Namibia informed about the implementation of National Action Plan and provide guidance and directions to the National Focal Point.
- National Focal Point (NFP). This is a National Co-ordination agency on small arms and light weapons in Namibia.
- Regional Focal Points. These structures are established in the thirteen regions in Namibia.

**Policy and Legislation**

Namibia does not have in place a national policy on small arms and light weapons. Therefore a clear and comprehensive national policy on small arms and light weapons, ammunition and explosives was identified as a priority required governing the National Action Plan and providing the guidelines to prevent, control and manage the proliferation, illicit possession and abuse of small arms and light weapons. The policy will be required to address the full spectrum of issues related to small arms and light weapons and provide the basis for the review of national legislation, regulations and administrative procedure governing small arms and light weapons. Namibia is therefore in the process of formulating such a policy. To this effect, a National Policy and Legislation Drafting Committee is established. This Committee is charged with the responsibility to formulate a National Policy on firearms, ammunition, explosives, and related materials in accordance with International, Regional, Sub-regional Agreements, Protocol and National objectives. It is also tasked to study and review all current National Legislation, Regulations and Administrative Procedures in Namibia that deal with firearms, ammunition, explosives and related materials.

Namibia has however put in place a law that deals with Arms and Ammunition (Arms and Ammunition Act, 1996). This law provides for the operational control of all firearms in Namibia. It 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 further 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 possess a firearm. The law however requires some revisions in order to address some aspects of international
entrustments that Namibia has entered into.

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

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. Provision is also made for the safe-keeping of arms and ammunition on the premises of dealers and gunsmiths.

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. The manufacturing of arms and ammunition without a valid permit is prohibited in Namibia.

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 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.
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.

Stockpile Management

Namibia currently does not have proper procedures and systems for weapons management. Therefore one of the objectives of the stockpile management program is to ensure accurate National Record Keeping of civilian and state owned stocks and to facilitate information exchange on the Regional and National level, review and improve an organizational structure, regulations and procedures for the CFR, and state firearm registers.

Another objective of stockpile management is to conduct a National Stock taking operation of all Small Arms and Light Weapons on the National Registers to establish a verifiable and accurate National data base. This should include all civilians and State owned firearms as well as seized and captured stock. In addition, the program aims at identifying, collecting, pooling, administering and destroying all surplus, seized, captured and voluntary surrendered stock.

International and cross-border cooperation and Information Exchange

The objective of this program is to facilitate efficient and effective cooperation and information exchange, nationally, regionally and internationally, develop and implement the required policy, regulations and administrative procedures.
Border Control

The objective of this program is to enhance existing border controls, to analyze the impact of existing controls on the population, and to inform affected communities and law enforcement agencies of existing structures and procedures.

Namibia has introduced computerized movement control systems at all entry points. However these entry points are yet to be fully equip with detection equipments.

On bilateral cooperation Namibia has entered into permanent joint commissions on Defence and Security with all its neighboring countries where all issues of cross border crime and SALW issues are discussed. These commissions are held once a year with each neighboring country. Progress in this regard has been made in the combating of motor vehicle theft, stock theft, drug/firearms trafficking and armed robbery through these permanent Joint Commissions.

Public Education and Awareness

The objective of this program is to curb proliferation, reduce demand, promote responsible management of firearms, and enhance awareness of the dangers of UXOs. Another objective is to develop and implement a national awareness raising and education program.

This program is being carried out by the Namibia National Focal Point, which is a National Co-ordinating body (Government Civil Society) in collaboration with the Public Education and Awareness Raising Committee. Namibia plans to embark upon a massive public awareness and education program on small arms and light weapon through its integration into schools curriculums.
Training and Capacity Building

The objective of this program is to establish the capacity needed for the sustainable implementation of international and regional agreements, declarations, protocols and the NAP, develop and implement comprehensive training and capacity building programs.

The capacity building for the Secretariat that serve both the National management Committee and National Focal Point took place in August 2005. While, that of the NFP co-coordinator was undertaken in March 2006, in Pretoria, South Africa. The orientation workshop for the National Management Committee (NMC) took place on the 28 March 2006 in Windhoek, Namibia. The aforementioned training and capacity building was provided by Safer Africa.

Training and capacity building has also been identified in the following priority areas.

- Arms management and disarmament skills for middle and senior management personnel.
- Specialized investigation skills on national level such as ballistic experts, forensic investigation, record keeping and stockpile management.
- Basic investigation skills such as firearm identification, management of a crime scene, firearm crime related investigation, etc.
- Specific skills such as computer literacy.

Research

Namibia has put in place a Research Committee whose members are drawn from government and the civil society. The objective of the research program is to establish the extent to which illicit and proliferation of firearms is a problem to the Namibian society and to facilitate good co-operation between the Namibian
Government and civil society on activities related to small arms and light weapons; build confidence between government agencies and civil society; develop and fund action orientated programs.

**Critical Area Support and Resources**

Namibia has not officially engaged any country or donor for financial assistance. However, financial and technical resources have been one of the main constraints that hampered full implementation of its national action plan and that of the UNPoA commitments in Namibia.

Namibia has however, received commendable supports from its government national budget, Safer Africa and Safer World. These resources, however, require significant supplements from international organizations and donors in order to implement and undertake the necessary actions to combat, reduce and eradicate the trafficking in illicit small arms and light weapons and assist improving detection, seizure and destruction of these weapons in Namibia.

### 2.4 Other activities

Other activities relating to small arms and light weapons include the following:

- Namibia hosted the Regional Consultative Workshop of Governmental Experts of the Southern African Region on the Implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in All its Aspects.

- Namibia hosted a Second Continental of African Governmental Experts Conference on the Illicit Trade in Small Arms and Light Weapons held on the 14th – 16th December 2005. The recommendations of this conference resulted
in the African Common Position which was endorsed in Khartoum, Sudan early this year (2006) by the AU Council of Ministers.

3. CONCLUSION

In conclusion it is thus; suffice to say that, all programs highlighted in this report are well covered in the Namibia National Action Plan, 2005. These programs are cardinal importance vis-à-vis a sustainable implementation of Namibia National Action Plan which strives to prevent, combat, reduce, eradicate and manage the wide availability, accumulation and proliferation of illicit trade of small arms and light weapons.

Namibia is determined and continues to reduce the human suffering of her people that caused by the illicit trade in small arms and light weapons in all its aspects and to enhance the respect for life and dignity of the human person through the promotion of a culture of peace and stability.

Namibia continues to commit herself to the implementation of the following agreements:

- 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 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.

- Support all (regional and international) initiatives against the proliferation and illicit trade in small arms and light weapons

Namibia, however requires financial and technical assistance to effectively and efficiently effect full the implementation, particularly of its National Action Plan on Small Arms and Light Weapons.

Namibia, therefore calls upon the international organizations to render their financial and technical supports to meet its financial gap needs.