

National Firearm Stockpiles

State-owned firearms

According to the 2004/5 Namibian budget, there are 12 438 members of the police force and the 15 934 military personnel. Information about the number and type of state-owned firearms, such as those in the possession of the military and police, is kept in the databases of these institutions and is classified. As a result the researcher was unable to determine the size of the weapon stockpiles maintained by the security forces.

Civilian firearms

Firearm legislation has been in place in Namibia since 1938.² Presently the Arms and Ammunition Act of 1996 regulates civilian firearm ownership and use. This Act lays out the rules for licensing firearms to individuals, dealers, exporters and manufacturers and regulates explosives, ammunition and the destruction of arms.

According to Section 3 of the Act, in order to own a firearm one must be at least 18 years old and not be declared unfit by the Namibian Police Force. The criteria for fitness are outlined in Sections 10-13. For example, a licence application can be rejected if the applicant has committed a violent crime, such as murder or rape; or has expressed the intention to injure someone; or has an inclination to violence or a dependency on alcohol or drugs; or has been declared mentally unfit; or handled a firearm in a reckless manner.

The application procedure

Namibian firearm licence applications are eight pages in length, and include questions about the applicant's motivation for seeking to acquire a firearm. Applicants are not required to stipulate their gender.

Applicants fill out the application form at a police station, after which their fingerprints are taken. The form is then sent to national police headquarters in Windhoek, where its details are recorded on the National Database. Due to limited time and resources, the police enter very little of the information provided into the National Database.³ The original applications are stored near the computers, making it easy for police officers to consult an

application if required. After the applicant's criminal record is checked, a decision is made on whether to approve or reject the application. About 10% of all firearm licence applications are rejected for one of the reasons mentioned above.⁴

The processing of the application can take up to three weeks, but this can be reduced to three days if the applicant's details are already on the database. Once approved the licence does not have to be renewed,⁵ and is valid until the death of the licence-holder, unless the police have a specific reason to declare the licence-holder unfit to possess a firearm.

According to Section 7 of the 1996 Arms and Ammunition Act, no person may possess more than four arms unless 'good cause' can be shown. Willie H Brisley, the Namibian Police's Legal Officer and author of the Act, explained at the 2002 National Conference on Small Arms in Windhoek why Namibians are allowed to own four firearms each: "Namibia is a hunting destination. This was done to make provision for a firearm to hunt small game, one to hunt bigger game, one to hunt (sic) and one hand weapon."⁶ But the reality is that many people may own more than four firearms, because firearm licences that were issued before the 1996 Act were automatically renewed after 1996, and the police experience difficulty in checking the number of firearm licences owned by individuals as a result of shortcomings in the record-keeping system.

There is an active community of collectors who specialise in military collectibles. Colonel Des Radmore, President of the Militaria, Firearms & Ammunition Collectors Society of Namibia, says that the firearm collections of some of the members include hundreds of firearms.⁷ Collectors must be registered as such with the police, and by law are prohibited from discharging any of the weapons from their collections.

Section 29 of the Arms and Ammunition Act states that it is illegal to possess any automatic weapons. It is also illegal to own a cannon, recoilless gun or mortar, rocket launcher gun or machine rifles, projectile, rocket, grenade, bomb or missile unless a permit is issued by the Ministry of Home Affairs.

In terms of Section 8, all applicants must prove to the police that they have a safe or strong room where the firearm can be stored. According to Section

36, firearms can only be transported in public if they are completely covered by clothing or carried in a handbag. No loaded firearm is allowed in public.

Section 38 sets out the penalties for contravention of the firearms law. Persons convicted of offences under the Act can face imprisonment of up to 25 years and fines of up to N\$40 000 (US\$60 008)⁸ depending upon the offence.⁹ Illegal possession of an automatic firearm, for example, will result in a prison sentence of 10 to 25 years.

According to a statement by the Namibian Police at the National Conference on Small Arms there were 95 280 firearms in the country, held by 38 407 licence holders. This meant that each licenced owner possessed an average of 2.49 firearms.¹⁰

On 1 January 2004, the police national database contained entries for 97 262 firearm licences, divided into the following categories: Business, Embassy, Government, Private, Security Companies, Gunsmiths and Dealers (see Table 5.1). The police estimate that 70% of all private firearm owners are male, and 70% of owners are 30 years or older.¹¹

Table 5.1: Firearm licences 1998 - 2003

	1998	1999	2000	2001	2002	2003	Total
Business	217	458	646	326	437	229	2 313
Embassy	24	14	13	7	6	4	68
Government	13	44					57
Private	8 405	21 405	26 696	17 905	12 030	6 191	92 632
Security companies	206	277	467	466	428	322	2 166
Gunsmiths			5	2			7
Dealers			15	1	3		19
Total	8 865	22 198	27 842	18 707	12 904	6 746	97 262

Source: Namibian Police

There are two databases in which information about firearm licences are captured, one which was in existence prior to 1998 and one which was established in 1998. The pre-1998 database recorded a total of 128 207 firearms. The Namibian Police Force estimates that about 80% to 85% of these old database records have been re-registered on the new database.

It is probable that the actual number of licenced firearms in Namibia is less than indicated because the database includes the double counting of firearm licences that occur when a firearm changes hands legitimately. That is, the licence of the previous owner remains on the database while the new licence for the same firearm is added. In addition, temporary firearm licences, which are issued to foreigners residing temporarily in Namibia, mainly visiting hunters, are not removed from the database when the person leaves the country, or when the licence becomes invalid.

Loss and theft

When a licenced firearm is lost, stolen or destroyed, this must be reported to the police within seven days. The Namibian Police Force estimates that 184 firearms were stolen in 2001, 163 in 2002 and 193 in 2003, averaging 15 firearms per month (and an average of 180 per annum over the three years).¹² The police claim a recovery rate of around 30% of lost or stolen firearms.¹³

The police estimate that approximately one-fifth of the illegal firearms in civilian possession were originally registered firearms that were lost or stolen.¹⁴ They believe that the remaining four-fifths of the illegal firearms (i.e. unlicensed firearms) originate from neighbouring countries, particularly Angola. According to the police, pistols and revolvers can be bought in Namibia's northern border regions for as little as N\$250 (US\$ 37.50), compared to approximately N\$1 500 to N\$1 900 (US\$ 225 to US\$ 285) on the legal market. Most of the firearms used in the secessionist Caprivi uprising of August 1999 were illegal.¹⁵ Other sources, who were unwilling to speak on the record, claim that the number of illegal firearms far exceeds the number of legal ones, especially in the northern regions, but they provide no evidence to substantiate these claims.¹⁶

The police have, therefore, focused their resources on collecting illegal firearms and preventing firearms from entering the country, especially from Angola, by increasing border controls. Police legal advisor Willie Brisley states “We can’t physically control every inch of the border, but there is a border patrol and we do it as practically as we can.”¹⁷

Assessing the Demand for Firearms

In November 2003, a research team from the Institute for Public Policy Research spent a week at the Namibian Police Firearms Unit analysing applications for firearm licences that were approved in the 10 months between 1 January 2003 and 31 October 2003. A sample of 4 389 licence applications was analysed, representing 65% of the total number (6 746) of applications in that period (see Table 5.2).

Table 5.2: Sample of firearm licences by category of ownership

	Owners	No. of Firearms
Private	3 341	3 967
Business	111	144
Security	4	4
Embassy	30	274
Total	3 486	4 389

Source: Namibian Police

While representing only a snapshot of the profile of licenced firearms and their owners, the sample offers useful insights into current firearm ownership patterns in Namibia. Not all the information provided by applicants was verified by the police, and in some cases it is possible that applicants may not have been entirely honest about their reasons for applying for a licence.

The 3 341 private firearm owners in the sample registered 3 967 firearms in the January-October 2003 period. Of these, 503 individuals stated that they possessed one or more additional registered firearms, with one of these individuals claiming to own 52 registered firearms.

As firearm licences are initially filed at local police stations (and this information is indicated on the application form), it was possible to determine the regional distribution of firearms ownership.

Table 5.3: Private firearms by region: January – October 2003

	No of Firearms	Percentage of total
Khomas	1 447	43.3%
Erongo	523	15.7%
Otjozondjupa	295	8.8%
Oshana	250	7.5%
Karas	166	5.0%
Hardap	119	3.6%
Caprivi	115	3.4%
Omaheke	87	2.6%
Omusati	85	2.5%
Kunene	83	2.5%
Ohangwena	70	2.1%
Kavango	59	1.8%
Oshikoto	41	1.2%
N/a	1	0.0%
Total	3 341	

Source: Namibian Police

Compared to other regions there was a disproportionate number of firearms licenced in the Khomas region (which includes the city of Windhoek). Forty three per cent of the firearms under review were licenced in this region. If one adds the firearms from businesses and security companies then 2 060 (or 46.9%), of a total of 4 389 firearms are licenced in the Khomas region.

There are two possible explanations for this. First, there is a perception that violent crime is rife in the Khomas region, so people acquire firearms to protect themselves. Second, people working in Windhoek but living

elsewhere may have registered their firearms in Windhoek in the belief that the process would be quicker in the capital city.

Fifty-two per cent of applicants indicated that they had bought their firearms from arms and ammunition dealers, while 34.9% stated that they had obtained their firearm from a private owner. The remainder acquired them through partnerships, associations or clubs (See Table 5.4).

Table 5.4: Owners of registered firearms

	Total owners	Percent
Private	1 179	35.2%
Company (Firearm Shops)	1 364	40.8%
Closed Corporation	374	11.2%
Partnership	7	0.2%
Association	8	0.2%
Club	4	0.1%
Other	405	12.1%
Total	3 341	

Source: Namibian Police

According to local firearm shop owners, new pistols, revolvers, rifles and shotguns mainly originate from China, the Czech Republic, Germany, Russia, South Africa and the USA. Inexpensive rifles from the Philippines and high-quality Italian shotguns are also available in firearm shops. Second hand firearms tend to originate from Germany, South Africa or the USA.

There is a common perception both inside and outside Namibia that it is a country of hunters and farmers. Many Namibians live in rural areas, and many of them use rifles and shotguns to shoot game and protect livestock from predators and thieves. According to Col. Radmore, a military, security and explosives consultant in Windhoek, "Namibia is a gun country. A

farmer will have at least two rifles or a shotgun and a rifle. He needs them to hunt, he needs them to feed his people."¹⁸

However, as this study reveals, current trends in firearms demand suggest that self-protection may be a stronger motivation for acquiring a firearm than hunting and protection of livestock and property. Table 5.5 reflects the reasons for requiring a firearm as stated by the applicants.

Table 5.5: Stated purpose for which a firearm is required

Purpose	Overall	%	Rural	%	Urban	%
Self Defence	2 282	68.3%	675	63.0%	1 600	70.8%
Hunting Professional	154	4.6%	76	7.1%	77	3.4%
Collector	77	2.3%	22	2.1%	55	2.4%
Heirloom	232	6.9%	70	6.5%	162	7.2%
Sports	110	3.3%	32	3.0%	78	3.5%
Replacement	10	0.3%	5	0.5%	5	0.2%
Securing Business	336	10.1%	170	15.9%	165	7.3%
Security Firm	6	0.2%	3	0.3%	3	0.1%
Hunting Non-Professional	211	6.3%	77	7.2%	133	5.9%
Other	161	4.8%	50	4.7%	109	4.8%
Total	3 579		1180		2 387	

Source: Namibian Police.

Note: The application form makes provision for the purpose for which the arm is required: "self-defence", "hunting professional", "collector", "heirloom", "sports", "replacement of a disservice arm", or "security firm". The categories of "hunting non-professional" and "other" were added by the research team. Applicants are allowed to enter more than one reason for wanting a weapon.

More than 68% of the overall sample population indicated that they required a firearm for reasons of “self-defence” (70.8% urban and 63.0% rural). Many firearms acquired in the categories of “heirloom”, “replacement of a disservice arm”, “securing business”, “security firm” and “other” may in reality have been acquired for self-defence purposes. In addition, 57.9% of the registered firearms are pistols or revolvers, rather than the shotguns and rifles more commonly used for hunting, farming or protection of livestock. Since 58% of firearms in the sample are handguns and 68% of applicants stated that they wished to own a firearm for purposes of self-protection, it can be concluded that rifles and shotguns are also sought for self-protection.

Firearm Crime

Since independence, there has been an increase in crime in Namibia. John Grobler, a freelance journalist specialising in crime, writes “...the newly acquired freedom of movement in the country and high, but unmet, expectations of the poor contributed to this increase.”¹⁹

Although crime statistics are not published regularly in Namibia, the Namibian Police was willing to make national crime statistics available to this project for the years 1995-2002. This data shows that the murder rate generally fluctuates between 327 to 407 murders per year, with firearms used in a relatively small percentage of the crimes.

Table 5.6: Firearms used in murders: 1995-2002

	No of murders with firearm	Total number of murders	Murders involving firearms as % of total
1995	12	373	3.2%
1996	6	353	1.7%
1997	5	327	1.5%
1998	14	407	3.4%
1999	25	379	6.6%
2000	27	380	7.1%
2001	7	353	2.0%
2002	6	346	1.7%

Source: Namibian Police

According to the Namibian Police, the “vast majority” of firearm-related crimes are committed with illegal weapons or with firearms that are registered, but in the hands of unlawful users.²⁰ Mr Brisley says that “...in only a few instances” has a licenced firearm been used by its owner in a crime.²¹

The Namibian Police Force does patrol Namibia’s borders. However, according to Grobler, Namibia has a well-developed road and communications infrastructure, which makes it easier for organised criminal groups to operate. In addition, “...good relations between South Africa and Namibia facilitate easy cross-border movement for citizens, including criminals, some of whom also use Namibia to access Angola and other north western areas of southern Africa.”²² Another problem, according to Clement Daniels, Director of the Legal Assistance Centre, is the lack of formal crime prevention initiatives in Namibia. “There is a bit of crime awareness but I do not see a national strategy.”²³

In the past, the Namibian government has been criticised for the manner in which it distributes and employs its resources. For example, in the 2003/04 budget, combating of crime received an 11% increase to N\$284 million (US\$ 42 600 000). However, Robin Sherbourne of the Institute for Public Policy Research points out that this allocation is similar to the combined allocation for VIP Security (N\$88 million, US\$ 13 200 000) and the Special Field Force (N\$194 million US\$ 29 100 000). He adds “remarkably, more constables are employed protecting VIPs (2 084) than combating crime (1 679).”²⁴

These figures changed in the additional 2003/04 budget, released in October 2003, when the police received a further appropriation of N\$132 million (US\$19 800 000) and the VIP Security Division saw a suspension of N\$52 million (US\$ 7 800 000) of its budget, which suggests a budget re-prioritisation within the Department of Home Affairs.²⁵

Assessing Firearm Controls

Namibia is signatory to the following international and regional agreements on small arms and light weapons:

- The United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons (UNPoA), signed on July 2001 in New York.
- The Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons, signed December 2000 in Bamako, Mali.
- The Southern African Development Community Protocol on the Control of Firearms, Ammunition, signed August 2001 in Blantyre, Malawi.
- The Southern African Regional Police Chiefs Coordinating Organisation, Regional Plan of Action for implementing the SADC Protocol, signed September, 2002 in Victoria Falls, Zimbabwe.

A National Conference²⁶ was held in Windhoek from 7-9 October 2002 to lay the foundations for implementing these agreements, to raise public awareness about firearms, and to improve the international profile of Namibia as a country serious about reducing the traffic of illicit firearms.

One of the main decisions from this National Conference was to create a National Focal Point on Arms Management and Disarmament in order to prevent, combat and eradicate the spread of small arms and light weapons. The Focal Point was established in October 2003, and is headed by Commissioner V. H. Hifindaka of the Namibian Police Force. Two officials are represented from each of the following:

- The Namibian Police Force
- The Ministry of Defence, Namibian Defence Force
- The Ministry of Foreign Affairs
- The Ministry of Finance, Customs Department
- The Ministry of Home Affairs, Immigration Department
- The Ministry of Environment, Tourism and Wildlife
- The Attorney General's Office

- The Office of the President
- The Namibia Non-Governmental Organisation Forum (NANGOF), representing civil society groups.

The Focal Point is in the process of compiling a five-year National Plan of Action. During 2004 it will begin hosting mapping workshops (these workshops aim to establish a shared understanding among the affected parties on what actions to take), planning meetings, law enforcement and civil society workshops, and a population survey. Regional Task Forces are being established in Namibia's 13 regions, each of which will be asked to implement the National Plan of Action at the regional level, conduct research and report back to the national Focal Point group. The South African-based non-governmental organisation, SaferAfrica will provide assistance in this regard.

According to Clement Daniels, who participates in the Civil Society meetings, "...civil society can play a serious role, create community awareness and do research but government needs to take the lead role." The Namibian Police have made it clear that they want civil society involvement in this important issue. However, he says, "...the test will be how this Focal Point will operate in terms of levels of trust and information sharing."²⁷

Namibia is striving to meet the commitments stipulated in the agreements it has signed, but faces two major challenges, namely a lack of resources to implement these agreements, and a porous border with Angola.²⁸ To date, Angola has not signed the SADC Protocol on Firearms and has, therefore not committed itself to implementing stricter firearm controls. This is a problem for Namibia as it is believed that firearms from the Angolan civil war are finding their way into Namibia.

National Controls

The Arms and Ammunition Act (1996) is thorough but was recently criticised by the Geneva-based Small Arms Survey in its 2003 Yearbook for not requiring applicants to undertake firearm competency tests.²⁹

Civilian firearm owners are required by law to register their firearms with the Namibian Police Force. However, the total number of licenced firearms

cannot be accurately determined, as an electronic database was created only in 1998, and was not reconciled with the manual database. This problem has largely been resolved through the Arms and Ammunition Act of 1996, which required all legal firearm owners to re-register their firearms with the Namibian Police.

Weapons Collection and Destruction Programmes

Many of the unregistered small arms in Namibia are the residue of the liberation struggle (1966-1989) and the civil war in neighbouring Angola. Since 1992, the police, through a variety of campaigns, have sought to encourage members of the public to surrender unlicensed firearms. Generally, if an individual surrenders a firearm, then they will not be charged for the possession of an illegal firearm. However, these individuals are not provided with financial compensation.

The Namibian Defence Force destroys illegal weapons and ammunition. Ammunition is destroyed at the military's ammunition destruction facility near Walvis Bay which has been in operation since June 2003. Firearms are destroyed by being cut up.

Conclusion

This report is a preliminary study as much information and analysis concerning firearms demand, supply and transfer in Namibia is currently not available. Consequently, realistic and implementable policy recommendations cannot be formulated, however it is clear that:

- The nature and extent of illegal firearms transfers from neighbouring countries, such as Angola need to be determined, so that appropriate policing and border control strategies can be devised.
- The full extent of firearm-related crime needs to be known. The Namibian Police should seriously consider collecting and publishing reliable crime statistics on a regular basis, and in a more transparent manner. There is a possibility that negative perceptions of crime and policing among the general public would be reduced if such statistics were available for closer inspection.

- The data set of successful applications for firearm licences should be scrutinised, and records in the pre-1996 database reconciled with the current electronic National Database to allow the police easier access to information required to approve or reject firearm licence applications.

Endnotes

- 1 *The World Fact Book: Namibia*, Central Intelligence Agency, 2004. www.cia.gov/publications/factbook.
- 2 SaferAfrica and Saferworld, Conference Report, "First National Conference on Small Arms and Light Weapons in Support of the Implementation of the SADC Protocol on Firearms and Ammunition Conference on Small Arms", South Africa, 2002. p78.
- 3 The database includes the name of the owner, contact details, the type, action, calibre and serial number of the gun.
- 4 Martin Boer, interview with Inspector Ignatius Nangombe, Fire Arms Division, Namibian Police, Windhoek, 15 October 2003.
- 5 According to Section 5 of the Arms and Ammunition Act.
- 6 SaferAfrica and Saferworld, op cit.
- 7 Martin Boer, interview with Colonel DW J Radmore, Military, Security and Explosives Consultant, Institute for Public Policy Research, Windhoek, 20 October 2003.
- 8 The exchange rate was NAD1 = US\$ 0.15 on 19 March 2004.
- 9 The Namibian dollar is pegged 1-to-1 against the South African rand.
- 10 SaferAfrica and Saferworld, op cit.
- 11 Martin Boer, interview with Inspector Ignatius Nangombe, 15 October 2003.
- 12 Electronic communication from Willie H Brisley, Police Legal Advisor, Namibian Police, March 2004.
- 13 Martin Boer, interview with Inspector Ignatius Nangombe, 15 October 2003.
- 14 Ibid.
- 15 Ibid.
- 16 Two independent sources said they believed the amount of illegal weapons to far exceed the amount of legal ones.
- 17 Martin Boer, interview with Willie H Brisley, Police Legal Advisor, Namibian Police, Windhoek, 29 September 2003.
- 18 Martin Boer, interview with Colonel DW J Radmore, Military, Security and Explosives Consultant, Institute for Public Policy Research, Windhoek, 20 October 2003.
- 19 Grobler, J. "Namibia," in Gastrow, P. (ed.) *Penetrating State and Business Organised Crime in Southern Africa, Vol. 1*, Institute for Security Studies, South Africa, 2003. p21.
- 20 Martin Boer, interview with Inspector Ignatius Nangombe, 15 October 2003.
- 21 "SaferAfrica and Saferworld, op cit, p80.
- 22 Grobler, J. 2003. p 19.
- 23 Martin Boer, interview with Clement Daniels, Director, Legal Assistance Centre, Windhoek, 27 January 2004.
- 24 Sherbourne, R. "National Budget 2003/04: Mr Mbumba's Low Maintenance Garden" Opinion No. 8, Institute for Public Policy Research, Windhoek, Namibia, April 2003. p5.

25 Ibid., p4.

26 Organised by SaferAfrica and SaferWorld.

27 Martin Boer, interview with Clement Daniels, Director, Legal Assistance Centre, Windhoek, 27 January 2004.

28 Martin Boer, interview with Willie H Brisley, Police Legal Advisor, Namibian Police, Windhoek, 29 September 2003.

29 Small Arms Survey, *Small Arms Survey 2003 - Development Denied*, Oxford University Press, Oxford, 5 June 2003. p241.