

PRESS STATEMENT ISSUED BY THE SOCIETY OF ADVOCATES OF NAMIBIA  
ON MEDIA RELEASES BY THE NAMIBIAN DEFENCE FORCE CONCERNING  
ALLEGED “THREATS MADE BY INDIVIDUALS AGAINST THE STATE” AND “THE  
SECURITY SITUATION IN THE COUNTRY AFTER ELECTIONS”

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The Society of Advocates of Namibia (“the Society of Advocates”) has taken note of two media releases issued by the Namibian Defence Force respectively dated 26 November 2019 and 02 December 2019 (jointly, “the media releases”).

Constitutionally, the Namibian Defence Force is established by Act of Parliament, in order to defend the territory and national interests of Namibia. The Namibian Police Force is similarly established by Act of Parliament, in order to secure the internal security of Namibia and to maintain law and order.

These important and distinguishable constitutional mandates must not become blurred. It is not the ordinary function of the Namibian Defence Force to secure the internal security of Namibia or to maintain law and order. The use of the Namibian Defence Force (including any portion or member thereof) for police functions such as the preservation of the internal security of Namibia; the maintenance of law and order; the investigation of any offence or alleged offence; the prevention of crime; and the protection of life and property, can and may only occur as prescribed in terms of the applicable provisions of the Defence Act 1 of 2002 and is, and should not be, the norm.

The November 2019 media release describes the Namibian Defence Force as **“the guarantor of national security, sovereignty, peace and stability”**. The December 2019 media release contains a similar statement and intimates **“an appropriate response from the Namibian Defence Force”** in respect of **“any unlawful acts of violence which causes loss of or threatens the lives of the Namibian people; destroys government and individuals’ properties, restricts**

**the movements of the Namibian people, and renders government ineffective in the provision of goods and services; threatens the integrity of the State”.**

The media releases do not auger well for the maintenance of the distinct mandates of the Namibian Defence Force and the Namibian Police Force. Quite apart from whether or not such press releases are appropriate in the first place, the Namibian Defence Force should remain cognizant of the fact that the Namibian Police Force (which issued no similar press releases at the time) is and remains responsible for securing the internal security of Namibia and maintaining law and order.

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