

CONSCIENCE AND PEACE TAX INTERNATIONAL (CPTI)

Submission to the 140th Session of the Human Rights Committee

NAMIBIA

(Military service, conscientious objection and related issues)

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CPTI aims to supply information on all States with armed forces which report under the International Covenant on Civil and Political Rights (ICCPR) with regard to their military recruitment legislation and their recognition of the right of conscientious objection, even when there appear to be no urgent questions arising.

In association with the Child Rights International Network, CPTI also reports to the Committee on the Rights of the Child on States where there appear to be issues under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and although these issues do not necessarily have implications for the ICCPR, such concerns are also summarised in these submissions.

Summary

Since independence, all military service in Namibia has been voluntary. Although there are no specific provisions guaranteeing the right of conscientious objection to military service, the question is liable to arise, if at all, only in the context of a person who had initially volunteered, but subsequently developed conscientious objections.

NAMIBIA: Basic Information

HISTORY: As South-West Africa, present day Namibia was a German colony from 1884 until 1915, when it was conquered by South Africa, which from 1919 ruled it under a mandate first from the League of Nations, subsequently from the United Nations. The mandate was cancelled in 1966, but South Africa initially refused to grant independence, fighting a war against the SWAPO (South-West African People's Organization) liberation movement until 1989. Namibia finally gained independence and was admitted to the United Nations in 1990; the small South African enclave around the naval base of Walvis Bay was ceded in 1994.

POPULATION (November 2022, estimated ¹)	2,727,000
proportion of males aged 15-19²	5.3%
thus annually reaching recruitment age (approx):	28,906

MILITARY RECRUITMENT has been entirely voluntary since independence.

MINIMUM AGE³: 18

CONSCIENTIOUS OBJECTION: Limited recognition under Apartheid South Africa (see text)

ARMED FORCES: Active strength, 2022	64,050⁴
compared to the male population reaching recruitment age	34.2%⁵

MILITARY EXPENDITURE: US \$ equivalent, estimated 2022 ⁶	\$369m
Per capita	\$140
As % of GDP	3.0%

¹ Source: The Military Balance 2023 (International Institute of Strategic Studies, London), which bases its estimate on “demographic statistics taken from the US Census Bureau”.

² Ibid

³ Source: Child Soldiers International (formerly Coalition to Stop the Use of Child Soldiers), Louder than words: an agenda for action to end state use of child soldiers London, September 2012.

⁴ The Military Balance 2023.

⁵ The population (less than 200,000) of the area outside Government control does not significantly affect this proportion.

⁶ Stockholm International Peace Research Institute – SIPRI, April 2023.

Background

Until 1989, Namibia was effectively treated as part of South Africa, and the South African system of conscription of white males applied, with very restricted provisions for the exemption of pacifist conscientious objectors. As in South Africa itself, a large number of potential conscripts declared themselves as conscientious objectors to service in a force which was used to enforce the system of *apartheid*; many were imprisoned; many more sought asylum in other countries to avoid conscription. An additional element in the then South-West Africa was objection to service in the army of the occupying power, particularly when it was largely engaged against the SWAPO national liberation movement; the issue was tried on a number of occasions in the South African courts, not surprisingly without success.⁷

Since independence, all military service has been voluntary.

Namibia ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC) on 16th April 2002, declaring firmly that no military recruitment was permitted under the age of 18. It has however yet to deliver its Initial Report under the Protocol.

Questions might be asked about the hypothetical situation were a member of the armed forces to develop conscientious objections after enlisting, and also about the delay in reporting

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⁷ Horeman, B. & Stolwijk, M., Refusing to Bear Arms , War Resisters International, London, 1998