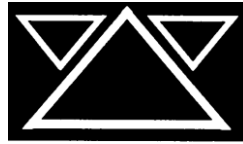


P O Box 604
4 Marien Ngouabi Street
Windhoek
Namibia

Tel: Int +264 61 223356
Fax: Int +264 61 234953
E-mail: info@lac.org.na
Web: www.lac.org.na



Toni Hancox (Director)

Corinna van Wyk
Sharen Zenda
Willem Odendaal

LEGAL ASSISTANCE CENTRE

Recipient of the UNICEF Maurice Pate Human Rights Award – 1997
JP Karuaihe Human Rights Excellence Award – 2008, 2010, 2014 and 2016 and Social Responsibility Award – 2013

29 April 2019

STATEMENT ON UNLAWFUL NDF AND POLICE ASSAULTS

The Legal Assistance Centre notes with extreme concern the reporting in *the Namibian* of today's date titled "Soldiers run amok." The LAC has received reports of the Namibian Defence Force and Namibian Police assaulting civilians and has a number of civil claims arising from these assaults. These civil claims, if successful, will ultimately be for the account of the taxpayer.

While the members of the Namibian Defence Force can be utilized in the preservation of life, health or property or in such other service as may be determined by the President, the emphasis here should be on "preservation" and not "violation" of rights. In addition, these services must be provided in terms of the Police Act, which confirms that "force may only be used as is reasonable in the circumstances in the prevention of crime or in effecting or assisting in the lawful arrest of an offender or suspected offender or persons unlawfully at large" (section 14(10) of the Police Act). These are the only instances when force can be utilized, and then only as is reasonably necessary.

Reports of the indiscriminate assaults by the Namibian Police and the Namibia Defence Force have increased of late and deserve immediate and urgent attention from the Inspector-General of the Namibian Police as well as the Chief of the Defence Force and we call for public feedback as to any disciplinary action taken.

We ask that Government seriously address these issues lest we return to that sordid part of our history where institutionalised violence was the order of the day. There is no place for this lawless behaviour in an independent Namibia.

TONI HANCOX
Director

Trustees of the Legal Assistance Trust:

Clement Daniels (Chairperson) Esi Schimming-Chase Taamba Iithete Dantago Garosas
Tangeni Amupadhi Norman Tjombe Toni Hancox (ex officio)