

LXXVII. NAMIBIA⁴⁴

SUMMARY OF LEGISLATION OF NAMIBIA RELATED TO TERRORISM

Namibia has completed drafting an Anti-Terrorism Activities Bill, and it is set to go through the necessary legislative process for adoption by the National Assembly. The Bill, *inter alia*, prohibits any person from providing material, logistical or organizational support or other resources when he or she knows or ought to have known that such assistance, support or resources are calculated or intended to be used in the commission of terrorist acts. Any person who in preparation for the commission or attempted commission of terrorism provides or receives instructions or training in the making or use of firearms, explosives, or chemical, biological or nuclear weapons commits an offence punishable by imprisonment, without the option of a fine, for a period not exceeding 10 years. Until the Act becomes law, Namibia will deal with perpetrators of terrorist acts according to the ordinary criminal law.

The Government of Namibia through the Ministry of Finance has instructed all banking institutions in Namibia to investigate as to whether terrorists or terrorist organizations make use of their banking institutions, and has strongly advised the banking institutions to tighten their existing financial regulations.

Act 75 of 1969 on Arms and Ammunitions, has regulatory mechanisms regarding import and export of weapons and possession and handling of arms and ammunitions in Namibia. Law enforcement agencies are empowered by the said Act to make sure that weapons destined for terrorist groups or for terrorist use are not smuggled via Namibia and that in general the territory of Namibia is not used as a transit of weapons for terrorists.

A new Defence Bill, which was passed by the National Assembly in November 2001, prohibits acts of terrorism and gives additional powers to the Defence Force to assist the police and other State law enforcement agencies, in their ongoing efforts to prevent and suppress terrorism in all respects.

⁴⁴ Transmitted to the Secretariat by that Government on 10 January 2002 (S/2001/1305, annex) and 25 April 2003 (S/2003/494, enclosure). Information was also provided in respect of the Banking Institutions Act of 1998, the Criminal Procedure Act of 1977, the Defence Act of 1957 and the Immigration Control Act of 1993.