



**NATIONAL ASSEMBLY 7<sup>TH</sup> PARLIAMENT**

**PARLIAMENTARY STANDING COMMITTEE ON  
CONSTITUTIONAL AND LEGAL AFFAIRS**

**REPORT ON THE PETITION BY THE ASSOCIATION OF  
DEPENDENTS VETERANS NAMIBIA (AODVD),  
REQUESTING THE AMENDMENT OF THE VETERANS ACT  
2, OF 2008, PART 1, SECTION 1(A); DEFINITION OF A  
CHILD OF A VETERAN**

**REPORT NO. 10**

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## **1. INTRODUCTION**

The AODVN lodged a Petition with the National Assembly requesting the amendment of the Veterans Act 2, of 2008, Part 1, Section 1(a); definition of a child of a veteran. The Petition was referred to the Committee on Constitutional and Legal Affairs to investigate and report back to the National Assembly.

## **2. THE AIM OF THE PETITION.**

The Petitioners want the National Assembly to assist them in amending the Veterans Act 2 of 2008.

According to the Petitioners, the amendment was necessary to end the hardships experienced by dependents of war veterans, especially those who lost a parent or both parents in the war for the liberation of Namibia.

## **3. ON 20 JUNE 2024, THE PARLIAMENTARY STANDING COMMITTEE ON CONSTITUTIONAL AND LEGAL AFFAIRS HAD A PUBLIC CONSULTATIVE MEETING WITH PETITIONERS TO CLARIFY THEIR PLEA IN THEIR PETITION TO THE COMMITTEE.**

The Petitioners raised concern about the definition of a child in the Veterans Act, 2, of 2008; they felt the definition of a child in the current form excludes the children of war veterans who were born in exile during the war.

According to them, at the time of independence, they were below 18 years old, but now they are over 30. Unfortunately for them, the Veterans Act was only enacted in 2008, and the definition of a child of a veteran was stated as a person below the age of 18.

The concern is that the Act automatically excluded those above 18 years. Even so, within the same Act, the definition of a dependent of a war veteran refers to any person of any age. Which would only benefit those with surviving parents when they pass away.

The consequences of the exclusion of children of war veterans above the age of 18 resulted in those affected enduring hardship as they were unable to receive any benefits from the government. A situation that gave birth to what is commonly known as the Struggle Kids of the Liberation Struggle. That was an attempt from their side to get the attention of the government to address their concerns.

The government took too long to come up with a piece of legislation to address the problems of war veterans, and when it was enacted in 2008, the children of living and deceased war veterans above the age of 18 were excluded from the Act. Therefore, they do not qualify as beneficiaries for government programs earmarked for war veterans.

The Petitioners submitted a draft proposal for the amendment of the Veterans Act, No. 2 of 2008, to the Committee for consideration, “hereby attached as Annexure 1”.

#### **4. CONSULTATIVE MEETING WITH THE MINISTRY OF DEFENCE AND VETERANS AFFAIRS**

The Chairperson informed the delegation from the Ministry of Defence and Veterans Affairs that the Committee had a consultation with the petitioners to hear their side of the concerns raised in the petition to have a better understanding of the demands in their petition. In addition, to hear the side of the Department of Veterans Affairs, which is responsible for administering some of the issues raised for the Committee to have a balanced view.

The Committee wanted to know from the Deputy Executive Director how the Department of Veterans Affairs intends to resolve the concerns raised in the petition and what type of benefits they receive through the Ministry. According to the Deputy Executive Director, the definition of a child is defined in the Veterans Act, which was a child under 18 years.

He further stated that there was no provision within the Veterans 2 of 2008 to provide any benefits to the dependents of war veterans over 18 years. He said the Act only made provision for minors under 18 years, hence, it was a challenge for the Ministry to take care of the needs of the dependents of war veterans over the age of 18. The Ministry held several consultations with representatives of AODVN, but they were not able to reach amicable solutions due to the limitations in the Act to accommodate dependents over the age of 18.

Despite that, the Ministry, through a Cabinet decision instituted programs meant to look into the plight of the children of the liberation struggle but that was challenged by the Office of the Ombudsman as unconstitutional in court as it was only looking into a

particular segment of the community excluding other children not falling into that category.

## **5. COMMITTEE OBSERVATION/ FINDINGS**

The Committee noted that the issue of the dependents of the war veterans has been an ongoing concern over an extended period. During the consultation with the officials of the Ministry of Defence and Veterans Affairs, it became apparent that the officials have not made any effort to review and address the exclusion of the children of the liberation struggle in the Act, who were over the age of 18 when the Veterans Act No 2 of 2008 was enacted.

## **6. CONCLUSION**

After considering the concerns raised by the petitioners and the views of the Ministry, the Committee believed that the inclusion of the children born in exile or those who participated in the war as minors was an oversight from the sight of the Ministry. The children were born in exile, and some joined the liberation struggle as minors. There was no reason why they could not be included in the Act and benefit like the rest of the veterans who were in exile.

## **7. RECOMMENDATIONS**

The committee recommends that;

- 7.1 The Ministry of Defence and Veterans Affairs, in consultation with the Ministry of Justice, to review the proposed amendments to the Veterans Act no. 2 of 2008 and or to come up with amendments that will accommodate all the children who were in exile during the liberation struggle.



**Hon. Kletus Karondo**  
**Chairperson**  
**Parliamentary Standing Committee on Constitutional and Legal Affairs**

11.03.25

**Date**