

# INTERNATIONAL LAW

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## ***Treaty of Peace and South West Africa Mandate Act 49 of 1919.***

**Summary:** This Act gave effect to the Mandate for South West Africa established pursuant to the Treaty of Versailles by delegating authority for the administration of South West Africa to the Governor-General of South Africa. It was to cease to have effect on 1 July 1920 by its own terms (section 5), but it was extended by section 2 of the *Treaties of Peace Act 32 of 1921* until such time as it is repealed. It was repealed in South Africa by section 36 of *General Law Amendment Act 108 of 1993*.

**Applicability to SWA:** The Act applied to SWA by virtue of its subject matter.

***Diplomatic Privileges Act 71 of 1951***, as amended in South Africa prior to Namibian independence.

**Summary:** This Act confers diplomatic immunity on diplomats.

**Applicability to SWA:** The Act was made applicable to South West Act by State President Proclamation 63 of 5 May 1989 (RSA GG 11681).

### **Related international agreements:**

*Vienna Convention on Diplomatic Relations, 1961*  
accession: 14 September 1992.

Namibia has NOT joined the following related agreements:  
\* *Optional Protocol to the Vienna Convention on Diplomatic Relations concerning Acquisition of Nationality, 1961*  
\* *Optional Protocol to the Vienna Convention on Diplomatic Relations concerning the Compulsory Settlement of Disputes, 1961.*

*Vienna Convention on Consular Relations, 1963*  
accession: 14 September 1992.

Namibia has NOT joined the following related agreement:  
\* *Optional Protocol to the Vienna Convention on Consular Relations concerning Acquisition of Nationality, 1963* or the *Vienna Convention on Consular Relations concerning the Compulsory Settlement of Disputes, 1963.*

*SADC Protocol on Immunities and Privileges, 1992*  
signature: 17 August 1992  
ratification: 14 December 1992 (source: Ministry of Foreign Affairs)

## **Geneva Conventions Act 15 of 2003 ,**

**Summary:** This Act gives effect to certain conventions done at Geneva on 12 August 1949 and to the protocols to those conventions. It came into operation 1 October 2004 (GN 207/2004, GG 3290). The conventions are

Amelioration of Condition of Wounded and Sick in Armed Forces in the Field, 1949

Amelioration of Condition of Wounded, Sick and Shipwrecked Members of  
Armed Forces at Sea, 1949  
Geneva Convention relative to the Treatment of Prisoners of War, 1949  
Geneva Convention relative to Protection of Civilian Persons in Time of War,  
1949.

### **RELATED MATTERS**

- Proc. 7/1997 (GG 1605) announces the signing and ratification of the Fourth ACP-EU Convention of Lomé.
- Proc. 24/1997 (GG 1723) announces the signing and ratification of the SADC Protocol on Transport, Communications and Meteorology.
- Proc. 7/1997 (GG 1605) announces the consent and ratification of the Protocol on the accession of three additional members of the European Union to the Fourth ACP-EU Convention of Lomé.
- Proc. 6/1998 (GG 1803) announces the accession to the memorandum of understanding on road transportation in the Southern African Customs Union.
- Proc. 10/1998 (GG 1862) announces the signing and ratification of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.
- Agreements relating to double taxation and fiscal evasion are announced in Proc. 1/1999 (GG 2032)(Germany), Proc. 4/1999 (GG 2033)(France), Proc. 3/1999 (GG 2034)(Sweden), Proc. 6/1999 (GG 2035)(India), Proc. 5/1999 (GG 2036)(Mauritius), Proc. 10/1999 (GG 2037)(South Africa), Proc. 7/1999 (GG 2038)(Romania) and Proc. 8/1999 (GG 2039)(Russian Federation). (Note: There are two Proclamations numbered "Proc. 1/1999" in the 1999 government gazettes – one in GG 2022 and one in GG 2032. The Proclamation pertaining to double taxation and fiscal evasion with respect to Germany appears in GG 2032 and is listed as "Proc. 9/1999" in the Quarterly Return for January-March 1999.)
- Proclamation 7 of 2000 (GG 2359) publishes a bilateral transport agreement between Zimbabwe and Namibia, and regulations relating to this agreement are contained in GN 156/2000 (GG 2359).
- GN 59/2001 (GG 2509) publishes for information the United Nations Security Council Resolutions relating to Sanctions against UNITA.
- GN 116/2001 (GG 2548) deals with the SADC Protocol on Trade, in connection with Schedule 1 of the Customs and Excise Act 20 of 1998.

## **INTERNATIONAL AGREEMENTS**

### **BACKGROUND**

International agreements are referred to by various names – such as “treaties”, “conventions”, “covenants” and “accords”. Such terminology is not used consistently, and the title given to the agreement generally has no particular legal effect. The term “treaty” is the generic term which is used for all such international instruments. The term “international agreements” is also used in this way.

Generally, the first step in the creation of an international agreement is the negotiation of a text, which can be a long and difficult process. This usually takes place in an international forum, such as the United Nations. Usually a draft text is discussed, amended and modified through a process of consultation, bargaining and compromise, until a sufficient degree of consensus is reached. The text is then adopted by the negotiating states. (“Adoption” does not make the agreement binding, but indicates acceptance of the text for consideration by states.) Written records of the formal negotiations are kept. These records are called the *travaux préparatoires* [French for preparatory works], and they can be very helpful in interpreting the final text.

The Constitutions of some countries set forth the processes which are required to bring treaties into force in that state. The treaty itself will sometimes state what procedure is required to bring it into force in individual states.

In some cases, signature by the head of state is sufficient to bind the state to the treaty. If so, this is referred to as a “definitive signature”. More commonly, “signature” by a state expresses an intent to become bound by the treaty at a later stage – once appropriate domestic procedures, such as approval by the legislature, have been carried out.

“Ratification” is the international act whereby a state formally indicates its consent to be bound to a treaty, where the treaty itself is not yet in force. In the case of bilateral treaties, ratification is usually accomplished by exchanging the requisite instruments, while in the case of multilateral treaties the usual procedure is for the depository to collect the ratifications of all states, keeping all parties informed of the situation. The treaty itself will often provide that it will come into force once a specified number of ratifications have been deposited. The institution of ratification grants states the necessary time-frame to seek the required approval for the treaty at the domestic level and to enact the necessary legislation to give domestic effect to that treaty.

“Accession” is the act whereby a state accepts the offer or the opportunity to become a party to a treaty already negotiated and signed by other states. Accession normally occurs after the treaty has entered into force. It has the same legal effect as ratification.

Sometimes a state will enter “reservations” to a treaty. This means that the state accepts the multilateral treaty in general, but refuses to bind itself to compliance with particular provisions. Reservations must not be incompatible with the overall object and purpose of the treaty.

States may also make “declarations” which clarify their understanding of particular provisions. Unlike reservations, declarations do not exclude the legal effect of such provisions but simply explain the state’s interpretation of them.

In terms of international law, a state is not bound by a treaty until the instrument of ratification or accession has been deposited with the appropriate institution. For example, the Secretary-General is the depository of many multilateral treaties. Other examples of depositories are international organizations or the government of the state where the treaty was signed.

Some international agreement have such widespread acceptance that they are regarded as international customary law. This means that their standards are applied universally, even where there has been no specific acceptance by a particular state. For example, the Universal Declaration of Human Rights is widely considered to have become part of international customary law.

The customary rules relating to international agreements have been codified in two treaties, the 1969 Vienna Convention on the Law of Treaties, which contains rule for treaties concluded between states, and the 1986 Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations (which has not yet come into force). (Namibia has not yet agreed to either of these treaties, but they are still relevant to Namibia as statements of international customary law.)

### **THE NAMIBIAN CONSTITUTION**

Article 32(3)(e) gives the President of Namibia to “negotiate and sign international agreements, and to delegate such power”.

Article 63(2)(e) of the Namibian Constitution gives the National Assembly the power “to agree to the ratification of or accession to international agreements which have been negotiated and signed in terms of Article 32(3)(e) hereof”.

Article 144 states: “Unless otherwise provided by this Constitution or Act of Parliament, the general rules of public international law and international agreements binding on Namibia under this Constitution shall form part of the law of Namibia.”

Article 143 provides that “All existing international agreements binding upon Namibia shall remain in force unless and until the National Assembly acting under Article 63(2)(d) hereof otherwise decides.”

### **MULTILATERAL TREATIES IN FORCE IN NAMIBIA**

*This list includes some of the major multilateral treaties to which Namibia is a party, organised by subject matter. It is not a comprehensive list, and it does not list bilateral treaties. Non-binding declarations have not been included.*

*Unless otherwise indicated, the information in this list comes from the UN Treaty Data Base, which is updated weekly, as of 15 November 2001. This data base is accessible at the official United Nations Internet site. The Internet address is <http://untreaty.un.org>.*

*The dates for accession or ratification given by the Ministry of Foreign Affairs and Parliament do not always agree with those published by the United Nations and other international sources. The dates from the Ministry of Foreign Affairs and Parliament appear to reflect the dates on which accession/ratification was approved by Parliament. The ratification dates from international sources normally reflect the dates on which the instrument of accession/ratification was deposited with the appropriate international authority because, in the eyes of international law, accession/ratification is not technically complete until this deposit takes place. Because of the potential confusion concerning dates, the following list indicates instances where sources other than the official UN database have been used.*

The treaties which Namibia has signed or acceded to/ratified are listed below under the following topics. An alphabetical list of the treaties appears at the front of this volume, below the alphabetical list of statutes.

UNITED NATIONS (founding documents and internal matters)  
AFRICAN UNION (founding documents and internal matters)  
SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC)  
(founding documents and internal matters)

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AGRICULTURE  
ARMED CONFLICT  
ARMS AND AMMUNITION  
COMMUNICATIONS  
CRIME  
CULTURE  
DIPLOMATIC AND CONSULAR RELATIONS  
DISARMAMENT  
DRUGS  
EDUCATION  
ENERGY  
ENVIRONMENT

FINANCE AND DEVELOPMENT  
HEALTH  
HUMAN RIGHTS  
INTELLECTUAL PROPERTY  
LABOUR  
LAW  
MARINE AND FRESHWATER RESOURCES  
METEOROLOGY  
MINING  
POSTS AND TELECOMMUNICATIONS  
REFUGEES AND STATELESS PERSONS  
SANCTIONS  
TOURISM  
TRADE  
TRANSPORT  
    *Aviation*  
    *Roads and road transportation*  
    *Shipping*  
WEIGHTS, MEASURES AND STANDARDS

## UNITED NATIONS

date of admission to United Nations – 23 April 1990

- includes acceptance of the *Charter of the United Nations*
- includes adoption of the *Statute of the International Court of Justice* annexed to the Charter of the United Nations
- also generally understood to include endorsement of the *Universal Declaration of Human Rights*

## AFRICAN UNION

*Unless otherwise indicated, information in this subsection comes from “Report of the Interim Chairperson of the Commission on the Status of AU Treaties (as at 10 February 2003)” (available at [www.iss.co.za/AF/RegOrg/unity\\_to\\_union/sadc.html](http://www.iss.co.za/AF/RegOrg/unity_to_union/sadc.html)).*

### ***Constitutive Act of the African Union, 2000***

(replacing the OAU and the AEC with one unified institution)

signature: 27 October 2000

ratification: 28 February 2001

deposited: 31 March 2001

(source: South African Department of Foreign Affairs, [www.dfa.gov.za/events/oau-au.htm](http://www.dfa.gov.za/events/oau-au.htm))

### ***African Charter for Human and People’s Rights, 1981***

accession: 30 July 1992

deposit: 16 August 1992

(source: African and International Instruments Online,

[www.oneworld.org/afonet/links/banjul\\_ratifl.htm](http://www.oneworld.org/afonet/links/banjul_ratifl.htm); Ministry of Foreign Affairs)

### ***Protocol to the African Charter for Human and People’s Rights on the establishment of the of the African Court on Human and People’s Rights, 1998***

(came into force within the AU on 15 January 2004)

signature: 9 June 1998

ratification approved by Parliament: 7 November 2000 (source: Parliament)

### ***Protocol to the African Charter for Human and People’s Rights on the Rights of Women in Africa, 2003***

(not yet in force within the AU)  
signature: 9 December 2003 (<http://www.africa-union.org>)  
ratification approved by Parliament: 15 June 2004 (source: Parliament)  
ratification: 26 August 2004 (source: <http://www.africa-union.org>)  
*Reservation:* Namibia will not be bound by Article 6(d) until it has enacted legislation regarding the recording and registration of customary marriages.  
(source: Ministry of Foreign Affairs)

***Agreement for the Establishment of the African Rehabilitation Institute, 1981***

accession: 22 August 1996 (source: Ministry of Foreign Affairs)  
deposit: 25 September 1996 (source: Ministry of Foreign Affairs)

***Treaty Establishing the African Economic Community, 1991***

signature: 3 June 1991 (source: Ministry of Foreign Affairs)  
ratification: 28 June 1992 (source: Ministry of Foreign Affairs)  
deposit: 1 July 1992 (source: Ministry of Foreign Affairs)

***Protocol to the Treaty Establishing the African Economic Community relating to the Pan-African Parliament, 2001***

(came into force within the AU on 14 December 2003) (source: <http://www.africa-union.org>)  
signature: 7 May 2001  
ratification approved by Parliament: 9 July 2002 (source: Parliament)  
deposit: 13 August 2002 (source: <http://www.africa-union.org>)

***African Union Convention on Preventing and Combating Corruption, 2003***

(not yet in force within the AU)  
signature: 9 December 2003  
ratification approved by Parliament: 27 April 2004 (source: Parliament)  
deposit: 5 August 2004 (source: <http://www.africa-union.org>)

***African Civil Aviation Commission Constitution, 1969***

signature: 21 February 2002  
ratification approved by Parliament: 12 March 2002  
deposit: 10 May 2002 (source: <http://www.africa-union.org>)

***African Charter on the Rights and Welfare of the Child, 1990***

signature: 13 July 1999  
ratification approved by Parliament: 23 July 2004  
deposit: 26 August 2004 (source: <http://www.africa-union.org>)

***Protocol relating to the Establishment of the Peace and Security Council of the African Union, 2002***

(came into force within the AU as of 26 December 2003)  
signature: 9 July 2002  
ratification approved by Parliament: 19 November 2003  
deposit: 9 December 2003. (source: <http://www.africa-union.org>)

The following treaties, conventions and protocols of the African Union have NOT been ratified by Namibia:

*General Convention on the Privileges and Immunities of the OAU, 1965*  
*Additional Protocol to the OAU General Convention on Privileges and Immunities, 1980*  
*Phyto-Sanitary Convention for Africa, 1967* (not yet in force within the AU)  
*African Convention on the Conservation of Nature and Natural Resources, 1968*

*OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, 1969*  
*Constitution of the Association of African Trade Promotion Organisations, 1974*  
(came into force within the AU on 14 December 2003)  
*Inter-African Convention Establishing an African Technical Co-operation Programme, 1975* (not yet in force within the AU)  
*OAU Convention for the Elimination of Mercenarism in Africa, 1977*  
*Cultural Charter for Africa, 1976*  
*Convention for the Establishment of the African Centre for Fertilizer Development, 1985* (not yet in force within the AU)  
*Bamako Convention on the Ban of the Import into Africa and the Control of Trans-Boundary Movement and Management of Hazardous Waste within Africa, 1991*  
*African Nuclear-Weapon-Free-Zone Treaty (Treaty of Pelindaba), 1996* (signature: 11 April 1996; not yet in force within the AU)  
*African Maritime Transport Charter, 1994* (signature: 13 July 1999; came into force within the AU on 6 January 2004)  
*OAU Convention on the Prevention and Combating of Terrorism, 1999* (signature: 14 July 1999)  
*Convention of the African Energy Commission, 2001* (not yet in force within the AU)

## **SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC)**

***Accession of Namibia to Southern African Development Co-ordination Conference (SADCC), 1979***

accession: 1 April 1990 (source: Ministry of Foreign Affairs)

***Declaration and Treaty establishing the Southern African Development Community (SADC), 1992***

signature: 17 August 1992

ratification: 14 December 1992 (source: Ministry of Foreign Affairs)

***Agreement Amending the Treaty of the Southern African Development Community, 2001***

signature: 14 August 2001 (source: Ministry of Foreign Affairs)

not yet ratified as of June 2003

### **SADC Protocols**

*SADC Protocols require ratification by two-thirds of the member states to come into force.*

***SADC Protocol on Immunities and Privileges, 1992***

signature: 17 August 1992

ratification: 14 December 1992 (source: Ministry of Foreign Affairs)

***SADC Protocol on Shared Watercourse Systems in the Southern African Region, 1995***

signature: 28 August 1995

ratification: 5 June 1998 (source: Ministry of Foreign Affairs)

***SADC Revised Protocol on Shared Watercourses, 2000***

(came into force within SADC on 22 September 2003) (source: <http://www.sadc.int>)

signature: 7 August 2000

ratification: 11 September 2001 (source: Ministry of Foreign Affairs)

***SADC Protocol on Combating Illicit Drug Trafficking in the Southern African Region, 1996***

signature: 24 August 1996  
ratification: 18 August 1998 (source: Ministry of Foreign Affairs)

***SADC Protocol on Energy, 1996***

signature: 24 August 1996  
ratification: 17 January 1998 (source: Ministry of Foreign Affairs)

***SADC Protocol on Trade, 1996***

signature: 24 August 1996;  
ratification: 22 December 1998 (source: Ministry of Foreign Affairs)

***SADC Amendment Protocol on Trade in the Southern African Development Community, 2000***

(not yet in force within SADC as of 12 October 2004)  
signature: 7 August 2000  
ratification: 4 April 2001  
date of implementation: 4 June 2001 (source: Ministry of Foreign Affairs)

***SADC Protocol on Transport, Communications and Meteorology, 1996***

signature: 24 August 1996  
ratification: 19 September 1997 (source: Ministry of Foreign Affairs)  
See Proc. 24/1997 (GG 1723).

***SADC Charter of the Regional Tourism Organisation of Southern Africa (RETOSA), 1997***

signature: 8 September 1997 (source: Ministry of Foreign Affairs)  
not yet ratified as of 12 October 2004

***SADC Protocol on Education and Training, 1997***

signed: 8 September 1997  
ratification: 18 August 1998 (source: Ministry of Foreign Affairs)

***SADC Protocol on Mining, 1997***

signature: 8 September 1997  
ratification: 22 December 1998 (source: Ministry of Foreign Affairs)

***SADC Protocol on the Development of Tourism, 1998***

(came in force within SADC on 26 November 2002) (source: <http://www.sadc.int>)  
signature: 14 September 1998  
ratification: 13 June 2000 (source: Ministry of Foreign Affairs)

***Memorandum of Understanding on Co-operation in Standardization, Quality Assurance, Accreditation and Metrology in SADC, 1999***

signed: 9 November 1999 (source: Ministry of Foreign Affairs)  
not yet ratified as of 12 October 2004

***SADC Protocol on Wildlife Conservation and Law Enforcement, 1999***

(came in force within SADC on 30 November 2003) (source: <http://www.sadc.int>)  
signature: 18 August 1999  
ratification: 14 January 2000 (source: <http://www.satradehub.org/reports/>; Ministry of Foreign Affairs)

***SADC Protocol on Health, 1999***

(came into force within SADC on 14 August 2004) (source: <http://www.sadc.int>)  
signature: 18 August 1999  
ratification: 10 July 2000 (source: Ministry of Foreign Affairs)

***SADC Protocol on the Tribunal and the Rules of Procedure thereof, 2000***

signature: 7 August 2000

ratification: 2 October 2001 (source: Ministry of Foreign Affairs)

***SADC Agreement Amending the Protocol on the Tribunal, 2002***

(not yet in force within SADC as of 12 October 2004)

signature: 3 October 2002

not ratified as of 12 October 2004

***SADC Protocol on Legal Affairs, 2000***

(not yet in force within SADC as of 12 October 2004)

signature: 7 August 2000 (source: SADC)

ratification: 2 October 2001 (source: Ministry of Foreign Affairs)

***SADC Protocol on Fisheries, 2001***

(came into force within SADC on 8 August 2003) (source: <http://www.sadc.int> )

signature: 14 August 2001

ratification: 21 June 2002 (source: Ministry of Foreign Affairs)

***SADC Protocol Against Corruption, 2001***

(not yet in force within SADC as of 12 October 2004)

signature: 14 August 2001

ratification approved by Parliament: 27 April 2004 (source: Parliament)

***SADC Protocol on Politics, Defence and Security Co-operation, 2001***

(came into force within SADC on 2 March 2004) (source: <http://www.sadc.int> )

signature: 14 August 2001

ratification approved by Parliament: 1 October 2002 (source: Parliament)

ratification: 8 November 2002 (source: Ministry of Foreign Affairs)

***SADC Protocol on the Control of Firearms. Ammunition and other Related Materials in the Southern African Development Community (SADC) Region, 2001***

(came into force within SADC as of 8 November 2004) (source: <http://www.sadc.int> )

signature: 14 August 2001

ratification approved by Parliament: 3 July 2002 (source: Parliament)

ratification: 8 October 2004 (source: <http://www.sadc.int> )

***SADC Protocol on Culture, Information and Sport, 2001***

(not yet in force within SADC as of 12 October 2004)

signature: 14 August 2001

ratification approved by Parliament: 29 October 2002 (source: Parliament)

ratification: 2 December 2002 (source: Ministry of Foreign Affairs)

***SADC Protocol on Extradition, 2002***

(not yet in force within SADC as of 12 October 2004)

signature: 3 October 2002

not yet ratified as of 12 October 2004

***SADC Protocol on Mutual Legal Assistance in Criminal Matters, 2002***

(not yet in force within SADC as of 12 October 2004)

signature: 3 October 2002

not yet ratified as of 12 October 2004

***SADC Protocol on Forestry, 2002***

(not yet in force within SADC on 12 October 2004)  
signature: 3 October 2002  
not yet ratified as of 12 October 2004 (source: <http://www.sadc.int> )

***SADC Mutual Defence Pact, 2003***

(not yet in force within SADC on 12 October 2004)  
signature: 26 August 2004  
ratification: 11 October 2004 (source: <http://www.sadc.int> )

## AGRICULTURE

***International Agreement for the Creation of an International Office for dealing with Contagious Diseases of Animals, Paris, 1925***

effective date of accession: 10 December 1990  
(source: Environmental Treaties and Resource Indicators Service, <http://sedac.ciesin.org/entri>)

***Constitution of the Food and Agriculture Organization of the United Nations, 1945***

effective date in respect of Namibia: 1 December 1977  
(source: Environmental Treaties and Resource Indicators Service, <http://sedac.ciesin.org/entri>.)

***International Treaty on Plant Genetic Resources for Food and Agriculture, 2001***

signature: 9 November 2001  
ratification approved by Parliament: 23 June 2004. (source: Parliament)  
deposit: 7 October 2004 (source: <http://www.fao.org/Legal/TREATIES/033s-e.htm>)

## ARMED CONFLICT

*The first four conventions are often referred to as the "Geneva Conventions".*

***Amelioration of Condition of Wounded and Sick in Armed Forces in the Field, 1949***

accession: 21 March 1990 (instrument of succession by United Nations Council for Namibia on behalf of Namibia, 18 October 1983 , with effect from 18 April 1984)

***Amelioration of Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 1949***

accession: 21 March 1990 (instrument of succession by United Nations Council for Namibia on behalf of Namibia, 18 October 1983 , with effect from 18 April 1984)

***Geneva Convention relative to the Treatment of Prisoners of War, 1949***

accession: 21 March 1990 (instrument of succession by United Nations Council for Namibia on behalf of Namibia, 18 October 1983 , with effect from 18 April 1984)

***Geneva Convention relative to Protection of Civilian Persons in Time of War, 1949***

accession: 21 March 1990 (instrument of succession by United Nations Council for Namibia on behalf of Namibia, 18 October 1983 , with effect from 18 April 1984)

***Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977***

accession: 21 March 1990 (instrument of succession by United Nations Council for Namibia on behalf of Namibia, 18 October 1983 , with effect from 18 April 1984)

***Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1977***

accession: 21 March 1990 (instrument of succession by United Nations Council for Namibia on behalf of Namibia, 18 October 1983 , with effect from 18 April 1984)

***Rome Statute of the International Criminal Court, 1998***

(came into force internationally on 1 July 2002)

signature: 27 October 1998

ratification: 25 June 2002 (source: <http://www.un.org/law/icc/>)

***Agreement on the Privileges and Immunities of the International Criminal Court, 2002***

(came into force internationally on 22 July 2004)

signature: 10 September 2002

ratification: 24 January 2004 (source: <http://www.un.org/law/icc/>)

***Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict***

(entered into force internationally on 12 February 2002)

signature: 8 September 2000 (source: Ministry of Foreign Affairs)

ratification: 16 April 2002 (source: UNICEF)

Note: Namibia's ratification of this Optional Protocol was accompanied by a declaration on the minimum recruitment age (age 18) for the Namibia Defence Force (source: Ministry of Foreign Affairs).

***SADC Protocol on Politics, Defence and Security Co-operation, 2001***

(came into force within SADC on 2 March 2004) (source: <http://www.sadc.int> )

signature: 14 August 2001

ratification approved by Parliament: 1 October 2002 (source: Parliament)

ratification: 8 November 2002 (source: Ministry of Foreign Affairs)

**ARMS AND AMMUNITION**

***SADC Protocol on the Control of Firearms. Ammunition and other Related Materials in the Southern African Development Community (SADC) Region, 2001***

(came into force within SADC on 8 November 2004) (source: <http://www.sadc.int> )

signature: 14 August 2001

ratification approved by Parliament: 3 July 2002 (source: Parliament)

ratification: 8 October 2004 (source: <http://www.sadc.int> )

SEE ALSO DISARMAMENT.

**COMMUNICATIONS**

***SADC Protocol on Transport, Communications and Meteorology, 1996***

signature: 24 August 1996

ratification: 19 September 1997 (source: Ministry of Foreign Affairs)

See Proc. 24/1997 (GG 1723).

**CRIME**

***Rome Statute of the International Criminal Court, 1998***

(came into force internationally on 1 July 2002)

signature: 27 October 1998

ratification: 25 June 2002 (source: <http://www.un.org/law/icc/>)

***Agreement on the Privileges and Immunities of the International Criminal Court, 2002***

(came into force internationally as of 22 July 2004)

signature: 10 September 2002

ratification: 24 January 2004 (source: <http://www.un.org/law/icc/>)

***International Convention for the Suppression of the Financing of Terrorism, 1999***

(came into force internationally on 10 April 2002)

signature: 10 November 2001; not yet ratified by Namibia

(source: [http://untreaty.un.org/ENGLISH/Status/Chapter\\_xviii/treaty11.asp](http://untreaty.un.org/ENGLISH/Status/Chapter_xviii/treaty11.asp) )

***Convention Against Transnational Organised Crime, 2000***

(came into force internationally on 29 September 2003)

signature: 13 December 2000 (source: Ministry of Foreign Affairs; Parliament)

ratification: 16 August 2002

(source: [http://www.unodc.org/unodc/crime\\_cicp\\_signatures.html](http://www.unodc.org/unodc/crime_cicp_signatures.html) )

***Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000***

(came in force internationally on 25 December 2003)

signature: 13 December 2000 (source: Ministry of Foreign Affairs)

ratification: 16 August 2002

(source: [http://www.unodc.org/unodc/crime\\_cicp\\_signatures.html](http://www.unodc.org/unodc/crime_cicp_signatures.html))

***Protocol against the Smuggling of Migrants by Land, Sea and Air, 2000***

(came into force internationally on 28 January 2004)

signed: 13 December 2000 (source: Ministry of Foreign Affairs)

ratification: 16 August 2002

(source: [http://www.unodc.org/unodc/crime\\_cicp\\_signatures.html](http://www.unodc.org/unodc/crime_cicp_signatures.html))

*Note: Namibia has not yet signed the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, 2001.*

## CULTURE

***Constitution of the United Nations Educational, Scientific and Cultural Organization (UNESCO), 1945***

Namibia has been a member state of this organisation since 2 November 1978.

(source: Environmental Treaties and Resource Indicators Service, <http://sedac.ciesin.org/entri/>.)

***Convention Concerning the Protection of the World Cultural and Natural Heritage, 1972***

accession: 6 April 2000 (source: [www.epi.freedom.org/whtrty.htm](http://www.epi.freedom.org/whtrty.htm))

***World Heritage Convention, 1975***

accession: 6 April 2000 (source: [www.unesco.org/whc](http://www.unesco.org/whc))

***SADC Protocol on Culture, Information and Sport, 2001***

(not yet in force within SADC as of 12 October 2004)

signature: 14 August 2001

ratification approved by Parliament: 29 October 2002 (source: Parliament)

ratification: 2 December 2002 (source: Ministry of Foreign Affairs)

## DIPLOMATIC AND CONSULAR RELATIONS

***Vienna Convention on Diplomatic Relations, 1961***

accession: 14 September 1992

Namibia has NOT joined the following related agreements:

- \* *Optional Protocol to the Vienna Convention on Diplomatic Relations concerning Acquisition of Nationality, 1961*
- \* *Optional Protocol to the Vienna Convention on Diplomatic Relations concerning the Compulsory Settlement of Disputes, 1961.*

***Vienna Convention on Consular Relations, 1963***

accession: 14 September 1992

Namibia has NOT joined the following related agreement:

- \* *Optional Protocol to the Vienna Convention on Consular Relations concerning Acquisition of Nationality, 1963* or the *Vienna Convention on Consular Relations concerning the Compulsory Settlement of Disputes, 1963.*

***SADC Protocol on Immunities and Privileges, 1992***

signature: 17 August 1992

ratification: 14 December 1992 (source: Ministry of Foreign Affairs)

**DISARMAMENT**

***Treaty on the Non-Proliferation of Nuclear Weapons, 1968***

accession: 2 October 1992; effective date: 7 October 1992

(sources: US State Department, [www.state.gov/www/global/arms/treaties/afrinwfs.html](http://www.state.gov/www/global/arms/treaties/afrinwfs.html)

Consortium for International Earth Science Information Network: <http://sedac.ciesin.org/>)

***Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993***

signature: 13 January 1993

ratification: 24 November 1995

***Comprehensive Nuclear-Test-Ban Treaty, 1996***

(not yet in force internationally as of 20 January 2005)

signature: 24 September 1996

ratification: 29 June 2001

***African Nuclear Weapon Free Zone Treaty, 1996 (Treaty of Pelindaba)***

signature: 4 November 1996

(source: <http://www.africa-union.org>)

***Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, 1997***

signature: 3 December 1997

ratification: 21 September 1998

SEE ALSO ARMS AND AMMUNITION.

**DRUGS**

***Convention on Psychotropic Substances, 1971***

accession: 31 March 1998

***Single Convention on Narcotic Drugs, 1961, as amended by the Protocol of 25 March 1972***

accession: 31 March 1998

**Note:** The UN Treaty Data Base lists two other drug-related treaties to which “South West Africa (Namibia)” is party by means of territorial application. However, this may no longer apply to independent Namibia.

\* *Final Act of the United Nations Opium Conference held at United Nations Headquarters, New York, from 11 May to 18 June 1953; Protocol for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of Opium, 1953* (territorial application as of 9 March 1960, with effect from 8 March 1963)

\* *Protocol bringing under international control drugs outside the scope of the Convention of 13 July 1931 for limiting the manufacturing and regulating the distribution of narcotic drugs, as amended by the Protocol signed at Lake Success on 11 December 1946. Signed at Paris on 19 November 1948* (territorial application as of 5 October 1954, with effect from 4 November 1954)

***SADC Protocol on Combating Illicit Drug Trafficking in the Southern African Region, 1996***

signature: 24 August 1996

ratification: 18 August 1998 (source: Ministry of Foreign Affairs)

**EDUCATION**

***Constitution of the United Nations Educational, Scientific and Cultural Organization (UNESCO), 1945***

effective date in respect of Namibia: 2 November 1978.

(source: Environmental treaties and Resource Indicators Service, <http://sedac.ciesin.org/entri>.)

***SADC Protocol on Education and Training, 1997***

signed: 8 September 1997

ratification: 18 August 1998 (source: Ministry of Foreign Affairs)

**ENERGY**

***Statute of the International Atomic Energy Agency, 1956***

effective date in respect of Namibia: 17 February 1983.

(source: Environmental Treaties and Resource Indicators Service, <http://sedac.ciesin.org/entri>.)

***SADC Protocol on Energy, 1996***

signature: 24 August 1996

ratification: 17 January 1998 (source: Ministry of Foreign Affairs)

**ENVIRONMENT**

***International Convention on Civil Liability for Oil Pollution Damage, 1969***

accession: 9 October 2001 (source: Parliament)

***International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971, as replaced by the 1992 Protocol***

accession: 9 October 2001

(source: Parliament; International Maritime Organisation, <http://www.imo.org/home.asp>)

***Convention Concerning the Protection of the World Cultural and Natural Heritage, 1972***

accession: 6 April 2000 (source: [www.epi.freedom.org/whtrty.htm](http://www.epi.freedom.org/whtrty.htm))

***World Heritage Convention, 1975***

accession: 6 April 2000 (source: [www.unesco.org/whc](http://www.unesco.org/whc))

***International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto***

accession: 9 October 2001 (source: Parliament)

***Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), 1973***

accession: 18 December 1990; effective: 18 March 1991

(source: <http://www.cites.org/eng/parties/alphabet.shtml>; <http://sedac.ciesin.org/>)

***Amendment to Article XI of the Convention, Bonn (Germany), 22 June 1979***

(entered into force on 13 April 1987)

accession: 18 December 1990, effective 18 March 1991

(source: <http://www.cites.org/eng/parties/bonn.shtml>)

Namibia has NOT agreed to the following amendment:

\* *Amendment to Article XXI of the Convention, Gaborone (Botswana), on 30 April 1983* (not yet in force internationally).

***Vienna Convention for the Protection of the Ozone Layer, 1985***

accession: 20 September 1993; effective date: 20 December 1993

(source: <http://sedac.ciesin.org/>)

***Montreal Protocol on Substances that Deplete the Ozone Layer, 1987***

accession: 20 September 1993; effective date: 20 December 1993

(source: <http://sedac.ciesin.org/>)

***Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, Adopted at the Second Meeting of the Parties at London on 29 June 1990***

ratification: 6 November 1997

***Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, Adopted at the Fourth Meeting of the Parties at Copenhagen on 25 November 1992***

ratification: 20 May 2003

Namibia has NOT agreed to the following amendments:

\* *Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, Adopted by the Ninth Meeting of the Parties at Montreal on 17 September 1997* (came into force internationally on 10 November 1999)

\* *Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, Beijing, 3 December 1999* (came into force internationally on 25 February 2002)

***Convention on Wetlands of International Importance, especially as Waterfowl Habitat, 1971 (Ramsar Convention)***

effective date in respect of Namibia: 23 December 1995

(source: Environmental Treaties and Resource Indicators Service, <http://sedac.ciesin.org/entri>.)

***Protocol to amend the Convention on Wetlands of International Importance especially Waterfowl Habitat, 1982*** (came into force 1 October 1986)

accession: 23 December 1995

(sources: Environmental Treaties and Resource Indicators Service,

<http://sedac.ciesin.org/entri>;

International Environmental Policy Reference Guide

<http://environment.harvard.edu/guides/intenvpol/indexes/treaties/RAMSAR.html#prot>)

***Amendments to Article 6 and 7, 1987***

accession: 23 December 1995

(source: Environmental Treaties and Resource Indicators Service, <http://sedac.ciesin.org/entry>  
International Environmental Policy Reference Guide  
<http://environment.harvard.edu/guides/intenvpol/indexes/treaties/RAMSAR.html#prot>)

***Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, 1989***

accession: 15 May 1995; effective date: 13 August 1995 (source: <http://sedac.ciesin.org/>)

On 31 January 1995, the Government of Egypt informed the Secretary-General that its instrument of accession should have been accompanied by three declarations, one of which concerns Namibia. These declarations, were not transmitted to the Secretary-General at the time the instrument of accession. In keeping with the depositary practice followed in similar cases, the Secretary-General proposed to receive the declarations in question for deposit in the absence of any objection on the part of any of the Contracting States, either to the deposit itself or to the procedure envisaged, within a period of 90 days from the date of their circulation (i.e. 17 July 1995). However, the Secretary-General received several objections, meaning that the declarations were not accepted for deposit. Namibia itself did not make any declarations at the time of accession.

*Third Declaration*

*The Governments of Bahrain, Belgium, Benin, Côte d'Ivoire, Denmark, Egypt, the Federal Republic of Germany, Finland, France, the German Democratic Republic, Ghana, Greece, Hungary, Italy, Jordan, Kenya, Kuwait, Lebanon, Luxembourg, Malaysia, Malta, Namibia, Netherlands, Niger, Norway, the Philippines, Portugal, Saudi Arabia, Senegal, Sweden, Switzerland, Turkey, the United Arab Emirates and the United Kingdom of Great Britain and Northern Ireland. Sweden, Switzerland and Turkey, the United Arab Emirates and the United Kingdom of Great Britain and Northern Ireland, as well as the Commission of the European Union, which will sign the Convention and/or the final document referring to the Control of Transboundary Movements of Hazardous Wastes and their Disposal, (referred to hereinafter as "the Convention"),*

*Concerned that the transboundary movement of hazardous wastes constitutes a great danger to the health of both humans and the environment,*

*Considering that the developing countries have a limited ability to manage wastes, especially hazardous wastes, in an environmentally sound manner,*

*Believing that a reduction in the production of hazardous wastes and their disposal in environmentally sound conditions in the country which exports them must be the goal of waste management policy,*

*Convinced that the gradual cessation of transboundary movements of hazardous wastes will undoubtedly be a major incentive to the development of appropriate national facilities for the disposal of wastes,*

*Recognizing the right of every State to ban the import to or export from its territory of hazardous wastes,*

*Welcoming the signature of the Convention,*

*Believing it necessary, before applying the provisions of the Convention to impose immediate and effective control on transboundary movement operations, especially to developing countries, and to reduce them,*

Declare the following:

1. The signatories to this Convention affirm their strong determination that wastes should be disposed of in the country of production.
2. The signatories to this Convention request States which accede to the Convention to do so by making every possible effort to effect a gradual cessation of the import and export of wastes for reasons other than their disposal in facilities which will be set up within the framework of regional cooperation.
3. The signatories to this Convention will not permit wastes to be imported to or exported from countries deficient in the technical, administrative and legal expertise in administering wastes and disposing of them in an environmentally sound manner.
4. The signatories to this Convention affirm the importance of assistance to develop appropriate facilities intended for the final disposal of wastes produced by countries referred to in paragraph 3 above.
5. The signatories to this Convention stress the need to take effective measures within the framework of the Convention to enable wastes to be reduced to the lowest possible level and to be recycled.

Namibia has NOT agreed to the following amendment:

\* *Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 1995* (not yet in force internationally).

***Agreement for the Establishment of Southern African Centre for Ivory Marketing (SACIM), 1991***

in force in Namibia: 20 June 1991

(source: Environmental Treaties and Resource Indicators Service, <http://sedac.ciesin.org/entri>.)

*Note: The name SACIM was changed to the Southern African Convention for Wildlife Management (SACWM) in 1996. (source: [www.art.org.uk/newsletter/1996\\_09\\_expands.html](http://www.art.org.uk/newsletter/1996_09_expands.html))*

***Framework Convention on Climate Change, 1992***

signature: 12 June 1992

ratification: 16 May 1995; effective date: 14 August 1995 (source: <http://sedac.ciesin.org/>)

***Kyoto Protocol, 1997***

ratification approved by Parliament: 12 November 2002

ratified: 4 September 2003 (source: <http://untreaty.un.org> )

***Convention on Biological Diversity, 1992***

signature: 12 June 1992

ratification: 16 May 1997

***Cartegena Protocol on Biosafety, to the Convention on Biological Diversity, Montreal, 2000***

(came into force internationally on 11 September 2003) (source: <http://untreaty.un.org> )

signature: 24 May 2000 (source: <http://untreaty.un.org> )

ratification approved by Parliament: 29 September 2004 (source: Parliament)

***United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, 1994***

signature: 24 October 1994

ratification: 16 May 1997

***Convention on the Law of the Non-Navigational Uses of International Watercourses, 1997***

signature: 19 May 2000  
ratification: 29 August 2001

***Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, 1998***

(came into force internationally on 24 February 2004)  
signature: 11 September 1998; not yet ratified

***SADC Protocol on Shared Watercourse Systems in the Southern African Region, 1995***

signature: 28 August 1995  
ratification: 5 June 1998 (source: Ministry of Foreign Affairs)

***SADC Revised Protocol on Shared Watercourses, 2000***

(came into force within SADC on 22 September 2003) (source: <http://www.sadc.int>)  
signature: 7 August 2000  
ratification: 11 September 2001 (source: Ministry of Foreign Affairs)

***SADC Protocol on Wildlife Conservation and Law Enforcement, 1999***

(came in force within SADC on 30 November 2003) (source: <http://www.sadc.int>)  
signature: 18 August 1999  
ratification: 14 January 2000  
(source: <http://www.satradehub.org/reports/>; Ministry of Foreign Affairs)

***SADC Protocol on Forestry, 2002***

(not yet in force within SADC as of 12 October 2004)  
signature: 3 October 2002  
not yet ratified as of June 2003

***Agreement between the governments of the Republic of Angola, the Republic of Botswana, and the Republic of Namibia on the establishment of a permanent Okavango river basin water commission (OKACOM, Windhoek, 16 September 1994***

effective date: 15 September 1994

***Agreement between the Governments of the Republic of Botswana, the Kingdom of Lesotho, the Republic of Namibia and the Republic of South Africa on the Establishment of the Orange-Sengou River Commission***

ratification approved by Parliament: 19 June 2001 (source: Ministry of Foreign Affairs)  
letter of notification: 2 August 2001 (source: Ministry of Foreign Affairs)

SEE ALSO MARINE AND FRESHWATER RESOURCES.

## **FINANCE AND DEVELOPMENT**

***Articles of Agreement of the International Monetary Fund, 1944***

accession: 25 September 1990 (source: [www.imf.org](http://www.imf.org))

***Agreement establishing the African Development Bank, 1963, as amended by resolution 05-79 adopted by the Board of Governors on 17 May 1979 (concluded at Lusaka on 7 May 1982)***

accession: 10 April 1994

***Agreement establishing the International Fund for Agricultural Development, 1976***

accession: 16 October 1992

***Articles of Agreement of the International Bank for Reconstruction and Development, 1978***

accession: 25 September 1990

***Constitution of the United Nations Industrial Development Organization, 1979***

accession: 21 February 1986

***Agreement to Establish the South Centre, 1994***

signature: 30 September 1994

ratification: 24 October 2000 (source: Parliament)

***Treaty Establishing the African Economic Community, 1991***

ratification: 20 December 1991

***Agreement establishing the NORSAD Fund and the NORSAD Agency***

(Nordic-Southern African Development Community)

accession: 15 April 1992 (source: Ministry of Foreign Affairs)

***Agreement for the Establishment of the African Export-Import Bank***

accession: 2003 (source: Ministry of Foreign Affairs)

**Note:** The UN Treaty Date Base lists Namibia as a party to the following agreement by virtue of territorial application prior to independence. This may no longer have effect in independent Namibia.  
\* *Agreement on German external debts, 1953* (territorial application as of 1 January 1954, with effect from 1 January 1954).

## HEALTH

### ***International Sanitary Regulations, 1951***

territorial application: *International Health Regulations Act 28 of 1974 (HEALTH)*

According to the UN Treaty Data Base, this includes adoption of the following amendments:

- \* *Additional regulations amending the International Sanitary Regulations, 1951 with respect to the sanitary control of pilgrim traffic, 1956*
- \* *Additional regulations amending the International Sanitary Regulations, 1951 in particular with respect to the Health Part of the Aircraft General Declaration, 1960*
- \* *Additional regulations amending the International Sanitary Regulations, 1951 in particular with respect to notifications, 1963*
- \* *Additional regulations amending the International Sanitary Regulations, 1951 in particular with respect to disinfecting of ships and aircraft, 1965*

### ***Constitution of the World Health Organization, 1946***

definitive signature/acceptance: 23 April 1990

#### ***Amendment to article 7 of the Constitution of the World Health Organization, 1965***

(not yet in force internationally)

acceptance: 21 September 2004

#### ***Amendment to article 74 of the Constitution of the World Health Organization, 1978***

(not yet in force internationally).

acceptance: 21 September 2004

#### ***Amendments to articles 24 and 25 of the Constitution of the World Health Organization, 1986***

acceptance: 11 November 1991

#### ***Amendments to articles 24 and 25 of the Constitution of the World Health Organization, 1998***

(not yet in force internationally)

acceptance: 26 March 1999

Namibia has NOT accepted the following amendments:

- \* Amendments to articles 24 and 25 of the Constitution of the World Health Organization, 1959
- \* Amendments to articles 24 and 25 of the Constitution of the World Health Organization, 1967
- \* Amendments to articles 34 and 55 of the Constitution of the World Health Organization, 1973
- \* Amendments to articles 24 and 25 of the Constitution of the World Health Organization, 1976

### ***Commonwealth Regional Health Community for East, Central and Southern Africa***

accession: 19 December 1991 (source: Ministry of Foreign Affairs)

### ***Agreement for the Establishment of the African Rehabilitation Institute, 1981***

accession: 22 August 1996 (source: Ministry of Foreign Affairs)

deposit: 25 September 1996 (source: Ministry of Foreign Affairs)

### ***SADC Protocol on Health, 1999***

(came into force within SADC on 14 August 2004) (source: <http://www.sadc.int> )

signature: 18 August 1999

ratification: 10 July 2000 (source: Ministry of Foreign Affairs)

## **HUMAN RIGHTS**

### ***Convention on the Prevention and Punishment of the Crime of Genocide, 1948***

accession: 28 November 1994

### ***International Convention on the Elimination of All Forms of Racial Discrimination, 1966***

accession: 11 November 1982

Namibia has NOT agreed to the following amendment, which is not yet in force internationally:

\* *Amendment to article 8 of the International Convention on the Elimination of all Forms of Racial Discrimination, 1992.*

### ***International Covenant on Economic, Social and Cultural Rights, 1966***

accession: 28 November 1994; ; effective date: 28 February 1995

### ***International Covenant on Civil and Political Rights, 1966***

accession: 28 November 1994; effective date: 28 February 1995

### ***Optional Protocol to the International Covenant on Civil and Political Rights, 1966***

accession: 28 November 1994

### ***Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the Abolition of the Death Penalty, 1989***

accession: 28 November 1994

Cases: *Namunjepo & Others v Commanding Officer, Windhoek Prison & Another* 1999 NR 271 (SC) at 284H-ff.

### ***International Convention on the Suppression and Punishment of the Crime of Apartheid, 1973***

accession: 11 November 1982

### ***Convention on the Elimination of All Forms of Discrimination against Women, 1979***

accession: 23 November 1992

### ***Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women***

effective date: 22 December 2000 (This is the date on which the Optional Protocol came into force internationally after being ratified by the first 10 countries, one of which is Namibia. The Namibian Parliament approved the Optional Protocol on 17 May 2000.)

Namibia has NOT agreed to the following amendment, which is not yet in force internationally:

\* *Amendment to article 20, paragraph 1 of the Convention on the Elimination of All Forms of Discrimination Against Women, 1995.*

Cases: *Müller v President of the Republic of Namibia & Another* 1999 NR 190 (SC) at 205E-F.

### ***African Charter for Human and People's Rights, 1981***

accession: 30 July 1992

deposit: 16 August 1992

(source: African and International Instruments Online,  
[www.oneworld.org/afronet/links/banjul\\_ratifl.htm](http://www.oneworld.org/afronet/links/banjul_ratifl.htm); Ministry of Foreign Affairs)

***Protocol to the African Charter for Human and People's Rights on the establishment of the African Court on Human and People's Rights, 1998***

(came in force within the AU on 15 January 2004)

signature: 9 June 1998

ratification approved by Parliament: 7 November 2000 (source: Parliament)

***Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984***

accession: 28 November 1994

Namibia has NOT agreed to the following amendments, which are not yet in force internationally:

\* *Amendments to articles 17 (7) and 18 (5) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1992.*

Cases: *Namunjepo & Others v Commanding Officer, Windhoek Prison & Another* 1999 NR 271 (SC) at 284H-ff.

***Convention on the Rights of the Child, 1989***

signature: 26 September 1990

ratification: 30 September 1990

***Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict***

(entered into force internationally on 12 February 2002)

signature: 8 September 2000 (source: Ministry of Foreign Affairs)

ratification: 16 April 2002 (source: UNICEF)

Note: Namibia's ratification of this Optional Protocol was accompanied by a declaration on the minimum recruitment age (age 18) for the Namibia Defence Force (source: Ministry of Foreign Affairs).

***Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography***

(entered into force internationally on 18 January 2002)

signature: 8 September 2000 (source: Ministry of Foreign Affairs)

ratification: 16 April 2002 (sources: Ministry of Foreign Affairs; UNICEF)

***Amendment to Article 43(2) of the Convention on the Rights of the Child adopted by the Conference of the States Parties on 12 December 1995***

(came into force internationally as of 18 November 2002)

(source: [http://www.ohchr.org/english/countries/ratification/11\\_a.htm](http://www.ohchr.org/english/countries/ratification/11_a.htm))

ratification: 11 December 2001 (source: Ministry of Foreign Affairs)

***African Charter on the Rights and Welfare of the Child, 1990***

(which entered into force internationally on 29 November 1999)

signed: 13 July 1999

ratification approved by Parliament: 23 July 2004 (source: Parliament)

deposit: 26 August 2004 (source: <http://www.africa-union.org>)

**INTELLECTUAL PROPERTY**

Unless otherwise indicated, the source for the information in this section is the website of the World Intellectual Property Organization (<http://www.wipo.org/treaties/ip/berne/>).

***Convention Establishing the World Intellectual Property Organization 1967, amended in 1979 (WIPO Convention)***

accession: 23 December 1991  
(source: <http://www.wipo.org/treaties/>)

Namibia has NOT yet agreed to the following amendment (as of 24 April 2003):

\* *Amendment to Article 9(3) of the WIPO Convention, 2000 (not yet in force internationally as of 24 April 2003)*

***Berne Convention for the Protection of Literary and Artistic Works, 1971***

Berne Convention (1886), completed at Paris (1896), revised at Berlin (1908), completed at Berne (1914), revised at Rome (1928), at Brussels (1948), at Stockholm (1967) and at Paris (1971)  
accession: 21 March 1990  
effective date in respect of 1971 revisions (Paris): 24 December 1993

***Declaration of Continuity of Berne Convention for Protection of Literary and Artistic Works***

accession: 16 September 1993 (source: Ministry of Foreign Affairs)

**Note:** Certain provisions of Namibia's Copyright and Neighbouring Rights Protection Act 6 of 1994 are made applicable to the countries of the Berne Copyright Union by GN 127/2001 (GG 2562).

***WIPO Copyright Treaty, 1996***

signature: 20 December 1996  
not yet ratified by Namibia as of 20 January 2005  
(source: <http://www.wipo.org/treaties/ip/wct/>)

***WIPO Performances and Phonograms Treaty, 1996***

signature: 20 December 1996  
not yet ratified by Namibia as of 20 January 2005  
(source: <http://www.wipo.org/treaties/>)

***Madrid Agreement concerning the International Registration of Marks, 1891***

accession: 31 March 2004  
(source: <http://www.wipo.org/treaties/> )

***Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, 1989***

accession: 31 March 2004  
(source: <http://www.wipo.org/treaties/> )

***Hague Agreement concerning the International Deposits of Industrial Designs of 1925, as governed by the 1960 Act and the Geneva Act***

accession: 31 March 2004  
(source: <http://www.wipo.org/treaties/> )

***Paris Convention for the Protection of Industrial Property (Stockholm Act 1967)***

accession: 31 March 2004  
(source: <http://www.wipo.org/treaties/>)

***Patent Cooperation Treaty, 1970***

accession: 1 October 2003

(source: <http://www.wipo.org/treaties/> )

*Reservation:* Namibia does not consider itself bound by Article 59 of the Treaty.

(source: Ministry of Foreign Affairs)

***Harare Protocol on Patents and Industrial Designs within the Framework of the African Regional Industrial Property Organization, 1982***

accession approved by Parliament: 28 March 2003

(source: Ministry of Foreign Affairs)

***Banjul Protocol on Marks within the Framework of the African Regional Industrial Property Organization, 1993***

accession approved by Parliament: 28 March 2003

(source: Ministry of Foreign Affairs)

**LABOUR**

*Except where otherwise indicated, this data comes from the database of the Washington (USA) office of the International Labour Organisation, which is available at <http://usa.ilo.org/aboutilo/convent.html>.*

***African Regional Protocol Concerning Distribution of Seats in the Governing Body of the ILO***

accession: 17 October 1997 (source: Ministry of Foreign Affairs)

***Instrument of Amendment of ILO, 1986***

accession: 17 October 1997 (source: Ministry of Foreign Affairs)

***Instrument of Amendment of ILO, 1997***

(not yet in force internationally as of 27 February 2003)

ratification: 27 January 1999

***ILO Convention 29 concerning Forced Labour, 1930***

accession: 15 November 2000 (source: ILOLEX, <http://ilolex.ilo.ch:1567/cgi-lex/>)

***ILO Convention 87: Freedom of Association and the Right to Organise, 1948***

accession: 3 January 1995

***ILO Convention 98: Right to Organise and Collective Bargaining, 1949***

accession: 3 January 1995

***ILO Convention 105 on the Abolition of Forced Labour, 1957***

accession: 15 November 2000 (source: ILOLEX, <http://ilolex.ilo.ch:1567/cgi-lex/>)

***ILO Convention 111: Convention concerning Discrimination (Employment and Occupation), 1958***

accession (without protocol): 3 November 2000 (with proviso relating to “national extraction”); 23 October 2001 (with no proviso) (source: Parliament)

***ILO Convention 138 concerning Minimum Age, 1973***

accession: 15 November 2000 (source: ILOLEX, <http://ilolex.ilo.ch:1567/cgi-lex/>)

***ILO Convention 144: Tripartite Consultation (International Labour Standards), 1976***

accession: 3 January 1995

***ILO Convention 150: Labour Administration, 1978***

accession: 28 June 1996

***ILO Convention 158: Termination of Employment, 1982***

accession: 28 June 1996

***ILO Convention 182 on the Prohibition and Immediate Elimination of the Worst Forms of Child Labour, 1999***

ratification: 15 November 2000 (source: Ministry of Foreign Affairs)

***ILO Convention 184 and Recommendation 192 on Safety and Health in Agriculture, 2001***

ratification: 8 November 2001 (source: Parliament)

Cases: *Namibia Development Corporation v Visagie* (LCA 8/96; 1996.12.13)  
(Article 13).

**LAW**

***Hague Convention on Abolishing the Requirement of Legalisation of Foreign Public Documents, 1961***

accession: 25 April 2000

entry into force in respect of Namibia: 30 January 2001

(source: Hague Conference: <http://www.hcch.net/>)

Note: This is the only Hague Convention under the Hague Conference on Private International Law to which Namibia is a party. Namibia is not a member of the Hague Conference.

(source: Hague Conference: <http://www.hcch.net/>)

***Convention Against Corruption, 2003***

(not yet in force internationally)

signature: 9 December 2003

ratification approved by Parliament: 27 April 2004 (source: Parliament)

deposit: 3 August 2004 (source: <http://untreaty.un.org> )

***African Union Convention on Preventing and Combating Corruption, 2003***

(not yet in force within the AU)

signature: 9 December 2003

ratification approved by Parliament: 27 April 2004 (source: Parliament)

deposit: 5 August 2004 (source: <http://www.africa-union.org>)

***SADC Protocol on Legal Affairs, 2000***

(not yet in force within SADC as of 12 October 2004)

signature: 7 August 2000 (source: SADC)

ratification: 2 October 2001 (source: Ministry of Foreign Affairs)

***SADC Protocol Against Corruption, 2001***

(not yet in force within SADC as of 12 October 2004)

signature: 14 August 2001

ratification approved by Parliament: 27 April 2004 (source: Parliament)

***SADC Protocol on Extradition, 2002***

(not yet in force within SADC as of 12 October 2004)

signature: 3 October 2002

not yet ratified as of 12 October 2004

***SADC Protocol on Mutual Legal Assistance in Criminal Matters, 2002***

(not yet in force within SADC as of 12 October 2004)  
signature: 3 October 2002  
not yet ratified as of 12 October 2004

## MARINE AND FRESHWATER RESOURCES

### ***United Nations Convention on the Law of the Sea, 1982***

signature: 10 December 1982  
ratification: 18 April 1983; effective date: 16 November 1994  
(represented by the United Nations Council for Namibia as stipulated in Article 305, paragraph 1 (b), of the Convention) (source: <http://sedac.ciesin.org/>)

### ***Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, 1994***

signature: 29 July 1994  
accession by means of the simplified procedure set out in articles 4 (3)(c) and 5: 16 Nov 1994  
effective date: 28 July 1996 (source: <http://sedac.ciesin.org/>)

### ***Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, 1995*** (came into force internationally on 11 December 2003)

signature: 19 April 1996  
ratification: 8 April 1998 (Proc. 10/1998, GG 1862)

### ***Protocol on the Privileges and Immunities of the International Seabed Authority, 1998***

(came into force internationally on 31 May 2003)  
signature: 24 September 1999  
(not ratified by Namibia as of 20 January 2005, according to the International Seabed Authority)

### ***Convention on the Conservation and Management of Fishery Resources in the South East Atlantic Ocean, 2001***

(not yet in force internationally as of 20 January 2005)  
ratification: 15 November 2001

### ***Convention on the Conservation of Antarctic Marine Living Resources, 1980***

accession: 29 January 2000  
(source: Environmental Treaties and Resource Indicators Service, <http://sedac.ciesin.org/entri/>)

### ***SADC Protocol on Fisheries, 2001***

(came into force within SADC on 8 August 2003) (source: <http://www.sadc.int>)  
signature: 14 August 2001  
ratification: 21 June 2002 (source: Ministry of Foreign Affairs)

## METEOROLOGY

### ***Convention of the World Meteorological Organisation, 1947***

accession: 16 November 1993 (source: Ministry of Foreign Affairs)  
effective date in respect of Namibia: 8 March 1991 (source: <http://sedac.ciesin.org/>)

### ***SADC Protocol on Transport, Communications and Meteorology, 1996***

signature: 24 August 1996

ratification: 19 September 1997 (source: Ministry of Foreign Affairs)  
See Proc. 24/1997 (GG 1723).

## MINING

### *SADC Protocol on Mining, 1997*

signature: 8 September 1997

ratification: 22 December 1998 (source: Ministry of Foreign Affairs)

## POSTS AND TELECOMMUNICATIONS

### *Universal Postal Union, 1964*

accession: 20 February 1992 (source: Ministry of Foreign Affairs)

### *International Telecommunications Satellite Organisation (INTELSAT)*

accession: 11 October 1993 (source: Ministry of Foreign Affairs)

#### *Amendments to the Agreement Relating to the International Telecommunications Satellite Organisation (INTELSAT/ITSO), 2000* (effective 18 July 2001)

signature: 18 November 2000

letter of approval: 8 July 2002 (source: Ministry of Foreign Affairs)

### *Constitution and Convention of the International Telecommunication Union, 1992*

accession: 2 August 1994 (source: Ministry of Foreign Affairs)

## REFUGEES AND STATELESS PERSONS

### *Convention relating to the Status of Refugees, 1951*

accession: 17 February 1995

*Reservation:* "The Government of the Republic of Namibia reserves the right to designate a place or places for principal reception and residence for refugees or to restrict their freedom of movement in consideration of national security so required or make it advisable."

#### *Protocol relating to the Status of Refugees, 1967.*

There was some technical confusion concerning the deposit of Namibia's instrument of accession to this Protocol. The situation was clarified in an official communication from the United Nations dated on 11 June 2004, when Namibia's instrument of accession was accepted in deposit with effect from 17 February 1995 (the date when it was originally tendered). (United Nations Reference LA41TR/1/V-5/1)

### *OAU Convention Governing Specific Aspects of Refugee Problems in Africa, 1969*

accession: 2 September 1994 (source: Ministry of Foreign Affairs)

## SANCTIONS

### *United Nations Security Council Resolutions relating to Sanctions against UNITA* (see GN 59/2001, GG 2509)

National publication for information purposes of various UN Security Council Resolutions providing for sanctions against UNITA, binding on Namibia "by virtue

of its membership of the United Nations". Topics covered by the sanctions include the sale of arms, ammunition and other military equipment, as well as petroleum and petroleum products; immigration and transit by senior UNITA officials; aircraft, aircraft components and related matters; freezing of funds of UNITA and its senior officials; import of uncontrolled diamonds from Angola; mining equipment and services; vehicles, vehicle spare parts and transportation services.

## **TOURISM**

### ***SADC Charter of the Regional Tourism Organisation of Southern Africa (RETOSA), 1997***

signature: 8 September 1997 (source: Ministry of Foreign Affairs)

not yet ratified as of 12 October 2004

### ***SADC Protocol on the Development of Tourism, 1998***

(came in force within SADC on 26 November 2002) (source: <http://www.sadc.int>)

signature: 14 September 1998

ratification: 13 June 2000 (source: Ministry of Foreign Affairs)

## **TRADE**

### ***Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), 1973***

accession: 18 December 1990; effective: 18 March 1991

(source: <http://www.cites.org/eng/parties/alphabet.shtml>.)

#### ***Amendment to Article XI of the Convention, Bonn (Germany), 22 June 1979***

(entered into force on 13 April 1987)

accession: 18 December 1990, effective 18 March 1991

(source: <http://www.cites.org/eng/parties/bonn.shtml>)

Namibia has NOT agreed to the following amendment:

\* *Amendment to Article XXI of the Convention, Gaborone (Botswana), on 30 April 1983* (not yet in force internationally as of 20 January 2005).

### ***Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, 1998***

(came into force internationally on 24 February 2004)

signature: 11 September 1998

### ***General Agreement on Tariffs and Trade, 1947 and GATT instruments Nos. 1, 4, 5, 6, 8, 9, 11, 13, 17 and 18***

date of succession: 21 March 1990

Namibia became a party to the General Agreement on Tariffs and Trade and the following GATT instruments by means of succession, effective as of the date of independence. Multilateral instruments relating to the General Agreement on Tariffs and Trade (protocols, declarations, etc.) which were concluded after 1 February 1955 are deposited with the Director-General of the Contracting Parties to the General Agreement on Tariffs and Trade rather than with the Secretary-General of the United Nations and are not reflected in this list.

1. Protocol of Provisional Application of the General Agreement on Tariffs and Trade, signed at Geneva on 30 October 1947
4. Protocol modifying certain provisions of the General Agreement on Tariffs and Trade, signed at Havana on 24 March 1948

5. Special Protocol modifying article XIV of the General Agreement on Tariffs and Trade, signed at Havana on 24 March 1948
6. Special Protocol relating to article XXIV of the General Agreement on Tariffs and Trade, signed at Havana on 24 March 1948
8. Protocol modifying part I and article XXIX of the General Agreement on Tariffs and Trade, signed at Geneva on 14 September 1948
9. Protocol modifying part II and article XXVI of the General Agreement on Tariffs and Trade, signed at Geneva on 14 September 1948
11. Third Protocol of Rectifications to the General Agreement on Tariffs and Trade, signed at Annecy on 13 August 1949
13. Protocol modifying article XXVI of the General Agreement on Tariffs and Trade, signed at Annecy on 13 August 1949
17. Fourth Protocol of Rectifications to the General Agreement on Tariffs and Trade, signed at Geneva on 3 April 1950
18. Fifth Protocol of Rectifications to the General Agreement on Tariffs and Trade, signed at Torquay on 16 December 1950

***Convention establishing a Customs Co-operation Council, 1950***

accession: 1 July 1992 (source: Ministry of Foreign Affairs)

***Fourth ACP-EU Convention of Lomé***

ratification: 15 October 1996 (Proc. 7/1997, GG 1605)

***Protocol on the accession of three additional members of the European Union to the Fourth ACP-EU Convention of Lomé***

ratification: 24 June 1997 (Proc. 7/1997, GG 1605)

***African, Caribbean and Pacific (ACP) - European Union (EU) Partnership Agreement, Cotonou, 2000 ("COTONOU Agreement")***

(came into force internationally on 1 April 2003; to eventually replace all trade arrangements made under the Fourth ACP-EU Convention of Lomé)

signature: 23 June 2000

ratification approved by Parliament: 14 May 2002 (source: Parliament)

ratification: 7 June 2002 (source: ACP Secretariat, <http://www.acpsec.org/>)

***Treaty Establishing the African Economic Community, 1991***

signature: 3 June 1991 (source: Ministry of Foreign Affairs)

ratification: 28 June 1992 (source: Ministry of Foreign Affairs)

deposit: 1 July 1992 (source: Ministry of Foreign Affairs)

***Protocol to the Treaty Establishing the African Economic Community relating to the Pan-African Parliament, 2001***

(came into force within the AU on 14 December 2003) (source: <http://www.africa-union.org>)

signature: 7 May 2001

ratification approved by Parliament: 9 July 2002 (source: Parliament)

deposit: 13 August 2002 (source: <http://www.africa-union.org>)

***Common Market in East and Southern Africa (COMESA) Treaty, 1994***

signature: 5 November 1993 (never ratified) (source: Ministry of Trade and Industry)

Note: Cabinet has announced that Namibia is to pull out of COMESA with effect from May 2004. (See *The Namibian*, 16 May 2003.)

***Customs Union Agreement between South African Government, Botswana, Lesotho and Swaziland***

accession: 6 July 1990 (source: Ministry of Foreign Affairs)

***Agreement for the Establishment of Southern African Centre for Ivory Marketing (SACIM), 1991***

in force in Namibia: 20 June 1991

(source: Environmental Treaties and Resource Indicators Service, <http://sedac.ciesin.org/entri>.)

*Note: The name SACIM was changed to the Southern African Convention for Wildlife Management (SACWM) in 1996. (source: [www.art.org.uk/newsletter/1996\\_09\\_expands.html](http://www.art.org.uk/newsletter/1996_09_expands.html))*

***SADC Protocol on Trade, 1996***

signature: 24 August 1996;

ratification: 22 December 1998 (source: Ministry of Foreign Affairs)

***SADC Amendment Protocol on Trade in the Southern African Development Community, 2000***

(came into force within SADC on 7 August 2000)

signature: 7 August 2000

ratification: 4 April 2001

date of implementation: 4 June 2001 (source: Ministry of Foreign Affairs)

*Note: See GN 116/2001 (GG 2548), which relates to the implementation of the SADC Protocol on trade in Namibia.*

***International Convention on the Simplification and Harmonization of Customs Procedures, 1973***

accession approved by Parliament: 9 October 2003

accession: 2004 (source: Ministry of Foreign Affairs)

***International Convention on the Harmonized Commodity Description and Coding System, 1983***

accession approved by Parliament: 9 October 2003

accession: 2004 (source: Ministry of Foreign Affairs)

**TRANSPORT**

***Convention on the Physical Protection of Nuclear Material, 1980***

accession approved by Parliament: 26 June 2002 (source: Parliament)

accession: 2 October 2002; effective date: 1 November 2002

(sources: Ministry of Foreign Affairs; [www.iaea.or.at/worldatom/Documents/Legal/cppn\\_status.pdf](http://www.iaea.or.at/worldatom/Documents/Legal/cppn_status.pdf))

***SADC Protocol on Transport, Communications and Meteorology, 1996***

signature: 24 August 1996

ratification: 19 September 1997 (source: Ministry of Foreign Affairs)

See Proc. 24/1997 (GG 1723).

*Aviation*

***Convention on International Civil Aviation of 7 December 1944***

accession: 30 April 1991, effective 30 May 1991

(source: International Civil Aviation Organization)

***Protocol on the Authentic Trilingual Text of the Convention, Buenos Aires, 1968***

acceptance: 30 May 1991 (source: International Civil Aviation Organization)

***Protocol on the Authentic Quadrilingual Text of the Convention, Montreal 1977***

acceptance: 2 November 2000 (source: Parliament); effective: 19 October 2001  
(source: International Civil Aviation Organization)

***Protocol relating to an Amendment to the Convention (Final Clause, Russian Text), Montreal, 1977***

ratification: 2 November 2000, deposited 27 September 2001  
(source: International Civil Aviation Organization)

***Protocol relating to an Amendment to the Convention (Article 56), Montreal, 1989***

(not yet in force internationally as of 20 January 2005)  
ratification: 2 November 2000, deposited 27 September 2001  
(source: International Civil Aviation Organization)

***Protocol relating to an Amendment to the Convention (Article 50(a)), Montreal, 1990***

ratification: 2 November 2000, deposited 27 September 2001  
(source: International Civil Aviation Organization)

***Protocol on the Authentic Quinquilingual Text of the Convention, Montreal, 1995***

acceptance: 2 November 2000 (source: Parliament)  
effective: 19 October 2001 (source: International Civil Aviation Organization)

***Protocol relating to an Amendment to the Convention (Final Clause, Arabic Text), Montreal, 1995***

(not yet in force internationally as of 20 January 2005)  
ratification: 2 November 2000, deposited 27 September 2001  
(source: International Civil Aviation Organization)

***Protocol on the Authentic Six-Language Text of the Convention, Montreal, 1998***

(not yet in force internationally as of 20 January 2005)  
acceptance: 2 November 2000 (source: Parliament)  
effective: 19 October 2001 (source: International Civil Aviation Organization)

***Protocol relating to an Amendment to the Convention (Final Clause, Chinese Text), Montreal, 1998***

(not yet in force internationally as of 20 January 2005)  
ratification: 2 November 2000 (source: Parliament)  
deposited: 5 November 2001 (source: International Civil Aviation Organization)

***Annex 16 to the Convention on International Civil Aviation, Environmental Protection, Volume I — Aircraft Noise, Chicago, 1944***

effective date in respect of Namibia: 30 May 1991  
(source: ENTRI – Environmental Treaties and Resource Indicators -  
<http://sedac.ciesin.columbia.edu:9080/>)

***Convention for the Unification of Certain Rules relating to International Carriage by Air, 1999***

(came into force internationally on 4 November 2003)  
ratification: 7 March 2001, deposited 27 September 2001  
(sources: Parliament; International Civil Aviation Organization)

***Constitution of African Civil Aviation Commission (AFAC)***

ratification: 6 March 2001 (source: Parliament)

*Roads and road transportation*

***Convention on Road Traffic, 1949***

accession: 13 October 1993

***SACU Memorandum of Understanding on Road Transportation***

accession: 2 February 1998 (Proc. 6/1998, GG 1803)

*Shipping*

***Convention on the International Maritime Organization, 1948***

accession: 27 October 1994

(source: UN Treaty Database, <http://untreaty.un.org>)

On 27 October 1994, the UN also received instruments of acceptance in respect of Namibia for the following

- \* 1964 amendments to articles 17 and 18
- \* 1965 amendment to article 28 of the Convention
- \* 1974 amendments to articles 10, 16, 17, 18, 20, 28, 31 and 32 of the Convention
- \* 1975 amendments to the title and substantive provisions of the Convention
- \* 1977 amendments to the Convention relating to the institutionalisation of the Committee on technical co-operation in the Convention
- \* 1979 amendments to articles 17, 18, 20 and 51 of the Convention

Namibia subsequently accepted the following:

- \* 1991 amendments to the IMO Convention relating to the institutionalisation of the Facilitation Committee in the Convention (not yet in force internationally as of 31 March 2003) (acceptance: 28 November 2000)
- \* 1993 amendments to articles 16, 17 and 19 (b) of the Convention on the International Maritime Organization (which entered into force internationally on 7 November 2002) (acceptance: 10 September 2001).

***International Convention for the Unification of Certain Rules relating to the arrest of Sea-Going Ships, 1952***

accession: 13 June 2001 (source: Parliament)

***International Convention on Load Lines, 1966***

accession: 13 June 2001 (source: Parliament)

***1988 Protocol (adoption of tacit amendment procedure)***

accession: reported by IMO but without date

effective internationally: 3 February 2000

(source: International Maritime Organisation, <http://www.imo.org/home.asp>)

***International Convention on Tonnage Measurement of Ships, 1969***

accession: 27 November 2000; effective date: 27 February 2001

(source: International Maritime Organization, <http://www.imo.org/Conventions/>)

***International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969, as amended by the 1973 Protocol***

accession approved by Parliament: 6 March 2002 (source: Parliament)

accession: 2004 (source: Ministry of Foreign Affairs)

***International Convention on Civil Liability for Oil Pollution Damage, 1969, as replaced by the 1992 Protocol, as amended in 2000***

(the 2000 amendments will come into force on 1 November 2003 by tacit acceptance)

accession: 9 October 2001

(source: Parliament; International Maritime Organisation, <http://www.imo.org/home.asp>)

***International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971, as replaced by the 1992 Protocol***

accession: 9 October 2001

(source: Parliament; International Maritime Organisation, <http://www.imo.org/home.asp>)

***Convention on the International Regulations for Preventing Collisions at Sea, 1972 (as amended)***

accession: 27 November 2000

(source: International Maritime Organization, <http://www.imo.org/Conventions/>)

***International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto***

accession: 9 October 2001

(source: Parliament; International Maritime Organisation, <http://www.imo.org/home.asp>)

*Note: Namibia has also acceded to Annexes I/II (Prevention of Pollution by Oil/Control of Pollution by Noxious Liquid Substances), III (Prevention of Pollution by Harmful Substances in Packaged Form), IV (Prevention of Pollution by Sewage from Ships) and V (Prevention of Pollution by Garbage from Ships), but has NOT acceded to the 1997 Protocol adding Annex VI (Prevention of Air Pollution from Ships), which was not yet in force internationally as of 28 February 2003 (source: International Maritime Organisation).*

***International Convention for the Safety of Life at Sea, 1974 (as amended)***

accession: 27 November 2000; effective date: 27 February 2001

(source: International Maritime Organization, <http://www.imo.org/Conventions/>)

***Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974, as amended***

accession: 27 November 2000; effective date: 27 February 2001

(source: International Maritime Organization, <http://www.imo.org/Conventions/>)

Namibia is NOT a party to the following protocol:

\* *Protocol of 1988 relating to the Harmonized System of Surveys and Certification*

***International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978***

accession approved by Parliament: 28 February 2002 (source: Parliament)

***International Convention on Maritime Search and Rescue, 1979***

ratification approved by Parliament: 23 October 2002 (source: Parliament)

ratification: 2004 (source: Ministry of Foreign Affairs)

***International Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988***

accession approved by Parliament: 22 April 2003

accession: 2004 (source: Ministry of Foreign Affairs)

**WEIGHTS, MEASURES AND STANDARDS**

*Memorandum of Understanding on Co-operation in Standardization, Quality Assurance,  
Accreditation and Metrology in SADC, 1999*

signed: 9 November 1999 (source: Ministry of Foreign Affairs)

not yet ratified as of June 2003