

Country/entity	Namibia South Africa
Region	Africa (excl MENA)
Agreement name	Treaty on Walvis Bay
Date	28 Feb 1994
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Interstate/intrastate conflict(s) Post Apartheid South Africa and Namibian Independence (1990 - 1994) <p>South Africa – internal. The roots of the modern South African conflict are found in the British and Dutch colonization of Southern Africa, which resulted in the introduction of a white minority who soon held power in the region. The South African state emerged following a hard-fought pact between the British government and the white Afrikaner minority. ‘Apartheid’ – the Afrikaans word for separateness – became official government policy after 1948. Resistance to this system was widespread and took diverse forms. In 1912, the African National Congress (ANC) was formed to push for reforms in the country. After the 1960 Sharpeville massacre several organisations around the ANC took up arms and began to fight the Apartheid government using violent means. During the 1980s, President P.W. Botha introduced a reform policy that enabled the post-1990 peace agreements, which paved the way for the end of the apartheid system.</p> <p>South Africa- Namibia. One set of agreements relates to the independence of Namibia which followed from the end of apartheid. Close Post Apartheid South Africa and Namibian Independence (1990 - 1994)</p>
Stage	Framework/substantive - partial
Conflict nature	Territory
Peace process	South Africa - Namibia process
Parties	For the Government of the Republic of South Africa; For the Government of the Republic of Namibia;
Third parties	-
Description	Short agreement transferring sovereignty and authority over Walvis Bay from South Africa to Namibia.

Agreement document

[NA_ZA_940228_WalvisBayTreaty.pdf \(opens in new tab\)](#) | [Download PDF](#)

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

**Racial/ethnic/
national group** No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons No specific mention.

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) Article 2
Walvis Bay shall be incorporated/reintegrated into the Republic of Namibia on 1 March 1994.
Article 3
The Joint Administrative Authority, established by the Agreement between the Contracting Parties shall cease to exist from the date of incorporation/reintegration.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification Page 1, Article 2
Walvis Bay shall be incorporated/reintegrated into the Republic of Namibia on 1 March 1994.

Border delimitation Page 1, Article 1
In this Treaty, except where the context indicates otherwise, "Walvis Bay" means the port, settlement and territory described in the Walfish Bay and St. John's River Territories Annexation Act, 1884 (Act No. 35 d 1884), of the Cape of good Hope, as "the Port of Settlement of Walfish Bay situated on the West Coast of South Africa, to the North of the Tropic of Capricorn, together with certain Territory surrounding the same", and includes the Island of Ichaboe and the other islands, islets and rocks mentioned in the Ichaboe and Penguin Islands Act, 1874 (Act No.4 of 1874), of the Cape of Good Hope.

Cross-border provision Page 1, Article 3
The Joint Administrative Authority, established by the Agreement between the Contracting Parties shall cease to exist from the date of incorporation/reintegration.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution No specific mention.

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship	No specific mention.
Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	No specific mention.
State of emergency provisions	No specific mention.
Judiciary and courts	No specific mention.
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees No specific mention.

Ceasefire No specific mention.

Police No specific mention.

Armed forces No specific mention.

DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism Page 1, Article 5
Any dispute arising from the application or interpretation of this Treaty shall be resolved by the Contracting Parties amicably and in good faith through the Diplomatic Channel

Related cases No specific mention.

Source <http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/ZAF-NAM1994OI.PDF>
