

**DEPARTMENT OF FOREIGN
AFFAIRS**

No. R. 951

20 May 1994

TREATY CONCLUDED BY THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND THE GOVERNMENT OF THE REPUBLIC OF NAMIBIA

It is hereby notified for general information that the Government of the Republic of South Africa and the Government of the Republic of Namibia have on 28 February 1994 entered into the treaty set out in the Schedule hereto.

SCHEDULE

TREATY BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND THE GOVERNMENT OF THE REPUBLIC OF NAMIBIA WITH RESPECT TO WALVIS BAY AND THE OFF-SHORE ISLANDS

The Government of the Republic of south Africa and the Government of the Republic of Namibia (herein-after "the Contracting Parties");

RECOGNIZING the common interests of the people of South Africa and the people of Namibia;

REAFFIRMING their desire to strengthen the friendly relations between the two countries;

BEARING IN MIND the Agreement between them establishing as an interim arrangement from 1 November 1992 a joint administration for Walvis Bay;

HAVE AGREED AS FOLLOWS:

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 of 1884), of the Cape of Good Hope, as "the Port or 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.

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.

Article 4

The Contracting Parties will with all due despatch regulate by way of further Agreements any matter relating to or arising from the incorporation/reintegration referred to in Article 2 which may require to be regulated and any such matter which has not been settled or finalized by the date of incorporation/reintegration shall be settled or finalized by the Contracting Parties as soon as possible thereafter.

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.

Article 6

This Treaty shall enter into force on the date of incorporation/reintegration referred to in Article 2.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed and sealed this Treaty.

DONE at WALVIS BAY, in duplicate, in the English language, this 28th day of February in the year One thousand Nine hundred and Ninety-four.

H. J. COETSEE,
FOR THE GOVERNMENT OF THE
REPUBLIC OF SOUTH AFRICA.

E. N. TJIRIANGE,
FOR THE GOVERNMENT OF THE
REPUBLIC OF NAMIBIA.