

<b>Country/entity</b>	Namibia South Africa
<b>Region</b>	Africa (excl MENA)
<b>Agreement name</b>	Agreement on the Joint Administration of Walvis Bay and the Off-Shore Islands
<b>Date</b>	9 Nov 1992
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	Interstate/intrastate conflict(s)  <b>Post Apartheid South Africa and Namibian Independence (1990 - 1994)</b>  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.  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)
<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Territory
<b>Peace process</b>	South Africa - Namibia process
<b>Parties</b>	FOR AND ON BEHALF OF THE GOVERNMENT OF THE REPUBLIC OF NAMIBIA; FOR AND ON BEHALF OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA;
<b>Third parties</b>	-
<b>Description</b>	The agreement contains the establishment of a Joint Administrative Authority of Walvis Bay and the Off-Shore Islands.

---

<b>Agreement document</b>	<a href="#">NA_ZA_921109_AgreementJointAdministrationWalvisBay.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
---------------------------	--

---

## Groups

<b>Children/youth</b>	No specific mention.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/ national group</b>	No specific mention.
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.
<b>Refugees/displaced persons</b>	No specific mention.
<b>Social class</b>	No specific mention.

---

## Gender

<b>Women, girls and gender</b>	No specific mention.
<b>Men and boys</b>	No specific mention.
<b>LGBTI</b>	No specific mention.
<b>Family</b>	No specific mention.

---

**State definition**

**Nature of state (general)** No specific mention.

**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** No specific mention.

**Border delimitation** No specific mention.

**Cross-border provision** [Summary]  
The entire agreement deals with the establishment of a e Joint Administration of Walvis Bay and the Off-Shore Islands. It outlines the body's functions, procedures and the role of the chief executive officers. Furthermore, a management committee in equal representation of the contracting parties shall be established. The agreement shall enter into force upon signature. For detailed provisions on rights and citizenship, please see categories 'human rights' and 'citizenship'.

---

**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.

<b>Traditional/ religious leaders</b>	No specific mention.
<b>Public administration</b>	No specific mention.
<b>Constitution</b>	No specific mention.

---



## Political power sharing

Power sharing→Political power sharing→General  
State level

Summary: The entire agreement provides for the establishment of a joint administrative authority in this interstate agreement. For details please see 'cross-border provisions'.

Power sharing→Political power sharing→Executive coalition  
State level

ARTICLE 1 Establishment of Joint Administration The Contracting Parties hereby establish the Joint Administration of Walvis Bay and the Off-Shore Islands (hereinafter referred to as "Walvis Bay"), as an interim arrangement pending an eventual settlement of the aforesaid question.

ARTICLE 2 Establishment of the Joint Administrative Authority 1) There is hereby established a Joint Administrative Authority comprising two Chief Executives and the Management Committee, members of which shall be appointed by the Contracting Parties. 2) The Joint Administrative Authority shall commence on 1st November 1992 and shall cease upon a date to be agreed upon between the Contracting Parties.

ARTICLE 3 Functions of the Joint Administrative Authority 1) The Joint Administrative Authority shall administer Walvis Bay in the best interests of its inhabitants within the mandate provided by the Contracting Parties in accordance with the Agreed Minutes of the Second Meeting of the Joint Technical Committee on Walvis Bay and the Off-Shore Islands held in Windhoek on 26 March 1992 and approved by the Contracting Parties on 21 August 1992. 2) The Joint Administrative Authority shall commence with all those functions identified by it and agreed upon by the Contracting Parties. 3) Those functions that the Joint Administrative Authority may not currently consider susceptible to joint administration be continuously reviewed with a view to possible inclusion within its ambit. 4) The Joint Administrative Authority shall have consultative competence in respect of those functions which are currently not considered susceptible to joint administration. 5) The Joint Administrative Authority shall adopt and recommend budgets for approval by the Contracting Parties. 6) The Joint Administrative Authority shall approve plans, programmes, its administrative regulations and the like. 7) The Joint Administrative Authority shall submit periodic reports to the Contracting Parties. 8) The Joint Administrative Authority shall suggest necessary measures to the Contracting Parties to give effect to this Agreement. 9) The Joint Administrative Authority shall perform any other function that may be assigned to it by the Contracting Parties.

ARTICLE 4 Procedures of the Joint Administrative Authority 1) The Joint Administrative Authority shall establish its Rules of Procedure. 2) The Rules of Procedure of the Joint Administrative Authority shall be governed by the principle of consensus.

ARTICLE 5 Chief Executive Officers 1) Each Contracting Party shall appoint a Chief Executive Officer (hereinafter referred to as the "CEO"). 2) The CEO's shall be accountable to the respective Contracting Parties. 3) The CEO's shall have the following functions: a) subject to the principle of accountability to the Contracting Parties, to develop overall policies and to oversee the implementation thereof. b) to suggest necessary measures to the Contracting Parties to give effect to this Agreement; c) to jointly be the heads of the Joint Administrative Authority; d) to prepare and submit responses to the Contracting Parties; e) to convene and co-chair the meetings of the Management Committee; f) to perform any other function that may be assigned to them by the Contracting Parties.

ARTICLE 6 Management Committee 1) The Management Committee shall be established in equal representation of the Contracting Parties and shall be co-chaired by the CEO's. 2) The Management Committee shall consist of four (4) persons on each side appointed by the Contracting Parties. 3) The Management Committee shall perform such functions as may be assigned to it by the CEO's.

<b>Territorial power sharing</b>	No specific mention.
<b>Economic power sharing</b>	Power sharing→Economic power sharing→Sharing of resources ARTICLE 7 Budgetary and Administrative Provisions 1) Each of the Contracting Parties shall be responsible for the remuneration and other terms and conditions of service of its officials appointed to perform functions for the Joint Administrative Authority. 2) The Contracting Parties shall share revenue accruing from and expenditure incurred in respect of activities related to joint administration.
<b>Military power sharing</b>	No specific mention.

---

## Human rights and equality

<b>Human rights/RoL general</b>	Page 3, Article 8, Individual Rights and Freedoms, The principle of individual rights and freedoms of all persons in Walvis Bay shall be adhered to in the joint administration of Walvis Bay.
---------------------------------	---

**Bill of rights/similar** No specific mention.

**Treaty incorporation** No specific mention.

**Civil and political rights** No specific mention.

**Socio-economic rights** Human rights and equality→Socio-economic rights→Property  
Page 3, Article 10, Private Property Rights,  
The rights concerning the ownership of property, including those relating to acquisition, use, disposal, inheritance and compensation for lawful expropriation shall be protected.

---

## Rights related issues

**Citizenship** Rights related issues→Citizenship→Citizens, specific rights  
Page 3, Article 9, Citizenship,  
The residents of Walvis Bay shall have the right, within the limits of the law, to retain or change citizenship of the country that has officially granted them such citizenship.  
Rights related issues→Citizenship→Citizen delimitation  
Page 3, Article 9, Citizenship,  
The residents of Walvis Bay shall have the right, within the limits of the law, to retain or change citizenship of the country that has officially granted them such citizenship.

**Democracy** No specific mention.

**Detention procedures** No specific mention.

<b>Media and communication</b>	No specific mention.
<b>Mobility/access</b>	No specific mention.
<b>Protection measures</b>	No specific mention.
<b>Other</b>	No specific mention.

---

## **Rights institutions**

<b>NHRI</b>	No specific mention.
<b>Regional or international human rights institutions</b>	No specific mention.

---

## **Justice sector reform**

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

---

## **Socio-economic reconstruction**

<b>Development or socio-economic reconstruction</b>	No specific mention.
<b>National economic plan</b>	No specific mention.
<b>Natural resources</b>	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.

<b>Withdrawal of foreign forces</b>	No specific mention.
-------------------------------------	----------------------

<b>Corruption</b>	No specific mention.
-------------------	----------------------

<b>Crime/organised crime</b>	No specific mention.
------------------------------	----------------------

<b>Drugs</b>	No specific mention.
--------------	----------------------

<b>Terrorism</b>	No specific mention.
------------------	----------------------

---

## **Transitional justice**

<b>Transitional justice general</b>	No specific mention.
-------------------------------------	----------------------

<b>Amnesty/pardon</b>	No specific mention.
-----------------------	----------------------

<b>Courts</b>	No specific mention.
---------------	----------------------

<b>Mechanism</b>	No specific mention.
------------------	----------------------

<b>Prisoner release</b>	No specific mention.
-------------------------	----------------------

<b>Vetting</b>	No specific mention.
----------------	----------------------

<b>Victims</b>	No specific mention.
----------------	----------------------

<b>Missing persons</b>	No specific mention.
------------------------	----------------------

<b>Reparations</b>	No specific mention.
--------------------	----------------------

<b>Reconciliation</b>	No specific mention.
-----------------------	----------------------

---

## **Implementation**

<b>UN signatory</b>	No specific mention.
---------------------	----------------------

<b>Other international signatory</b>	No specific mention.
--------------------------------------	----------------------

<b>Referendum for agreement</b>	No specific mention.
<b>International mission/force/similar</b>	No specific mention.
<b>Enforcement mechanism</b>	No specific mention.
<b>Related cases</b>	No specific mention.
<b>Source</b>	International Legal Materials Vol. 32, No. 4 (JULY 1993), pp. 1152-1158

---