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**RUMOURS OF RAIN:  
NAMIBIA'S  
POST-INDEPENDENCE  
EXPERIENCE**

**André du Pisani**

THE  
SOUTH AFRICAN  
INSTITUTE OF  
INTERNATIONAL  
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SUID AFRIKAANSE  
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**André du Pisani**

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## INTRODUCTION

Namibia's accession to independence on 21 March 1990 was an uplifting event, not only for the people of that country, but for the Southern African region as a whole. Independence brought to an end one of the most intractable and wasteful conflicts in the region. With independence, the people of Namibia not only gained political freedom, but set out on the challenging task of building a nation and defining their relations with the world.

*From the perspective of mediation, the role of the international community in bringing about Namibia's independence in general, and that of the United Nations in particular, was of a deep structural nature. Success in Namibia not only enhanced the role of the United Nations in conflict settlement, but also opened up diplomatic space for South Africa – the decolonising power – itself.*

This cursory monograph describes the first year of Namibia's post-independence experience. It focuses on three dominant themes: politics and labour; the socio-economic realm and foreign relations. It is not intended to be a definitive treatise on Africa's newest state. Rather, to serve as a brief and (one hopes) readable introduction to Namibian society and its attempts to forge a new nation. Clearly, a fuller and more fundamental understanding of Namibia may only be possible after a few more years of independence.

As far as the political equation is concerned, this monograph highlights the ruling party's reconciliation politics and its nation building project as well as the relationship between organised labour and the state. Emphasizing that Namibia inherited a neo-colonial state, this paper shows to what extent the new political leadership is being constrained by this reality in its attempts to recast political and socio-economic life.

The socio-economic realm is analysed against the backdrop of an unequal inheritance and a pressing need for additional social investment in housing, education, manpower development and rural upliftment programmes. The different sectors of the economy – mining, fisheries, agriculture and construction – are each surveyed, especially with reference to their performance since independence. Socio-economic policy, in so far as it has crystallized, is discussed.

Namibia's foreign relations are briefly discussed with special emphasis on the country's bilateral relations with South Africa. The unresolved issues of Walvis Bay, as well as of the Orange River border in the south, are also covered.

Finally, the monograph is intended to stimulate interest in Namibian affairs – among area specialists and general readers alike. It is hoped that it will make a modest contribution towards commemorating the first anniversary of Africa's newest state's hard-fought independence.

Jan Smuts House

## \* RUMOURS OF RAIN

Namibia's accession to independence on March 21, 1990 – amidst the unravelling of the Cold War – was indeed a grand and joyous affair. With the smell of history, excitement and liberation about it – it was one of those rare, adventurous and dignified occasions when a country and its people entered a new dawn.... In the words of Dr Perez de Cuellar, UN Secretary-General, "... The whole world, especially Africa, rejoices with Namibia. What is a triumph for Namibia is a triumph for Africa and indeed for the principles that are enshrined in the Charter of the United Nations."<sup>1</sup>

Newly elected President Sam Nujoma, spoke of "...the arrival of a new epoch in our country...the long suffering of the people of his country being replaced with happiness and joy...the chance to shape their own future."<sup>2</sup>

### POLITICS IN AFRICA'S NEWEST STATE

#### **National Reconciliation**

Since independence the politics of national reconciliation have provided the guiding light for the nascent state and nation. Under a profoundly democratic constitution the new political leadership proclaimed a desire to "... achieve a balanced restructuring of the economy, the public service and to democratize society".<sup>3</sup> Feverishly patriotic, the bright sun on Namibia's blue, white, red and green flag rivalled the radiance of an English garden . At least initially ....

Now almost a year later the real sun beats down mercilessly on a parched earth. For Namibia, like most of southern Africa, faces in its first year of independence, the spectre of a crippling drought and a decline in its agricultural output.

In Africa's fledgling state, the bitter taste of independence already gave rise to doubt over the government's policy of 'national reconciliation'. For a growing number of Namibians – the rural peasantry, trade unionists, millenarian ideologues, the students in the Namibian National Students Organization (NANSO) and the growing army of unemployed – it now seems highly opportunistic – amounting to little more than a harmonization of dominant interests. What has been 'reconciled' to date, is the interests of the new political elites and nomenklatura with those of local and foreign capital and those of the predominantly white commercial farming sector.

Elements within the ruling party, the SWAPO Youth League, as well as pockets of the former military leadership, criticize the party for abandoning socialism and 'selling out' to white foreign capital.

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\* An earlier draft of this paper was prepared for 'Namibia-Workshop', organised by Stiftung Wissenschaft und Politik (SWP), Ebenhausen, 7 December 1990.

SWAPO has also been remarkably insensitive on the issue of former detainees. An issue that was not only damaging to it in the November 1989 elections, but one that has become a touchstone of the ruling party's reconciliation policy.

Much recent resentment has focused on the extravagance of the new government – the fact that the presidential bullet-proof Mercedes reportedly cost more than two million rand (400,000 Pounds), as well as the handsome salaries that the new political elites voted for themselves.<sup>4</sup> These developments have not universally endeared the new governing elite. But the furore generated by the opulence of the government garage (not forgetting the presidential motorcade, complete with wild out-riders), hides a deeper disillusionment.

SWAPO's commitment (and capacity) to bring about social justice and populist democracy, twin-strands in the party's programme, is being questioned. Critics of the new leadership point to the fact that as recently as 1989, SWAPO committed itself in its Election Manifesto to:

"A SWAPO-led government will ensure that in independent Namibia social justice and equality for all is the fundamental principle governing the decision-making process. In order to bring about social justice and to heal the wounds of colonial oppression, a SWAPO-led government will not only restore the Namibian people's lost political and legal rights, but will also effect a fundamental social, industrial and economic change" (SWAPO Election Manifesto, 1989:2).

While there were – and still are – powerful and persuasive reasons for embarking upon the politics of national reconciliation – as a central plank of the national building project, however, it is increasingly being questioned. There are 'simmering disputes' between SWAPO and supporters of other political formations – notably the DTA – in Caprivi and Kavango, marked by hut burnings and court actions. There is a growing perception that President Nujoma should spend more time in rural areas promoting reconciliation. (*The Weekly Mail*: 16 – 22/11/1990).

In an interview with *City Press* (Johannesburg), Prime Minister Hage Geingob, emphasized that pragmatism and realism informed SWAPO's policies in Namibia. Echoing the transformation in East/Central Europe, he added:

"It seems as if the whole world is pragmatic. Why shouldn't we also be? We don't approve of the exploitation of our people or of racism. About these we are immovable...

But we are pragmatic in the sense that we have adapted ourselves to the reality, especially as far as economic affairs are concerned. We accepted the idea of a mixed economy. We don't use words like socialism and nationalisation at all. They do not appear in our constitution." (*City Press*: 2 December 1990)

He emphasized that in a society with such a glaring gap between rich and poor, socialism may appear to be the most operative policy "but even the most hardened ideologue must be pragmatic".

## **Nation Building**

In Namibia, State and Nation do not coincide, consequently the historical and socio-economic conditions under which state formation takes place – and the new nation has to be moulded – are especially significant.

The new political elites inherited a neo-colonial state, therefore, it came as no surprise when the SWAPO government saw as one of its first priorities the restructuring of the previously ethnically-based civil service departments. A government committee was formed under the chairmanship of Dr. Mose Tjitendero (Speaker of Parliament), with Mr. Fanie Gous (Secretary of the Central Personnel Institute) and British experts advising on an 'affirmative action' programme for the bureaucracy. Under the independence constitution, 'affirmative action' is one of the principles that should inform state policy. Since independence the new government appointed and promoted many black Namibians to positions in the civil service, not all of them on merit. Thus, the growth in the public sector, and its indigenization, is one of the salient features of the new socio-political landscape.

The Namibian Citizenship Act, 1990 (No.14 of 1990), promulgated in August, regulates the acquisition or loss of Namibian citizenship in pursuance of the provisions of Article 4 of the Namibian Constitution. Under this Act, Namibian citizenship may be obtained (subject to certain provisions) by descent; by marriage; by registration; by naturalisation and by the granting of honorary citizenship by the President. The Act also provides for the loss, as well as the restoration, of citizenship.

This important Act repealed or amended various previous South African Acts, including: the Aliens Act, 1937 (Act 1 of 1937); the South African Citizenship Act, 1949 (Act 44 of 1949); the South African Citizenship Amendment Act, 1961 (Act 64 of 1961); the Commonwealth Relations Act, 1961 (Act 69 of 1962); the Residence in the Republic Regulation Act, 1964 (Act 23 of 1964), and the Admission of Persons to the Territory Regulation Act, 1972 (Act 59 of 1972). The Namibian Citizen Act, 1990 (Act 14 of 1990) came into operation on 15 September 1990 (Proclamation No.13 of 1990, issued by Prime Minister, Hage G. Geingob, then Acting President).

Under Article 32 of the Constitution of the Republic of Namibia, President Sam Nujoma appointed Ministers and Deputy Ministers to serve in the new government. Proclamation No.2, Announcement of appointments under Article 32 of the Constitution of the Republic of Namibia, Windhoek, 4 April 1990 published in Government Gazette of the Republic of Namibia No.8, listed these.

Another dimension of the nation-building project relates to the formation of a new national army and police force. The Defence Amendment Act, 1990 (No.20 of 1990), promulgated early in December, amended the original Defence Act of 1957 (Act 44 of 1957) as to establish the Namibia Defence Force (NDF). Various sections of former South African acts in the period 1961–1977 were either repealed or amended by this Act.

In terms of Proclamation No.7 published on 11 July 1990, the President appointed D. Hamaambo, former Commander in Chief of PLAN, as the first Chief of the Defence Force. In terms of Proclamation No.8 published on the same date, the President appointed Lieutenant-General P.A.

Fouche as the first Inspector-General of Police.

The Police Act, 1990 (Act No.19) provided for the establishment, organization and administration of the Namibian Police Force. Under this Act, the Inspector-General is the head of the Force. Members of the South West African Police (SWAPOL) 'immediately before the commencement of this Act, shall, with due recognition of his or her previous period of service, be deemed to have been appointed under this Act as a member of the Namibian Police' (Paragraph 2(2)).

The Police Act, 1990 repealed or amended various other previous South African acts in so far as these applied to Namibia. Among these: the Police (South West Africa) Act, No.19 of 1939; the Police Act, No.7 of 1958; as well as various Police Amendment Proclamation and Acts of 1981, 1983 and 1987.

The national army is being formed under the aegis of Brigadier Tony Ling, head of the 57-strong British Military Advisory and Training Team (BMATT) (initially with Kenyan assistance). To date some 4,500 Namibian army graduates have completed a seven-week training course. By agreement, military integration takes place on the basis of parity (50-50), with recruitment on an equal basis from among former members of the demobilised People's Liberation Army of Namibia (PLAN) and the South West Africa Territory Force (SWATF).

Another 400 new recruits - former members of PLAN and SWATF - began training in July 1990 at Okahandja military school and nearby Osona base, bringing the strength of Namibia's new army to 2,700. They form the core of Namibia's Second Infantry Battalion which is based in the populous northern region of Ovambo.

The First Infantry Battalion which completed training earlier has replaced the Kenyan Battalion at the border town of Rundu in the Kavango region. A Logistic Support Battalion is being stationed further south at Grootfontein.

The Third Infantry Battalion was in place by the end of 1990, with more specialised forces, including reconnaissance, engineering, air defence and artillery divisions, planned for another battalion. Total strength reached some 5,000 by the end of 1990.

BMATT's contract with the government runs out in March 1991 but it has been asked to stay on longer as was the case in Zimbabwe and elsewhere in the region. Most recently, Namibia entered into an agreement with the United States for the training of its military officers corps.

Clearly, SWAPO still needs to master one of the most perplexed arts - that of governing. The composition of cabinet is heartening - close on half the Ministers come from ethnic groups other than the dominant Ovambo. To his credit, President Nujoma has made various efforts to counter the perception that SWAPO is principally an Ovambo party. Since independence he has shown himself to be an astute tactician, aptly illustrated with the threatening irridentism of the Rehoboth 'Basters' and their farcical referendum.<sup>5</sup>

The appointment in late October 1990 of Major-General Solomon Hawala, as commander of the new Namibian Defence Force, however strained the process of military integration, a process that had gone positively well since its inception in early April of that year. Solomon Dumeni Howala



(Jesus') – notorious for supervising the liquidation of hundreds of alleged SWAPO dissidents in the uncharted immensity of the Angolan bush – is now third in line in the defence force hierarchy, after Defence Force Chief Dimo Hamaambo and Chief of Staff, Ho Chi Minh Namholo. Hawala became SWAPO security chief in 1976, and was later appointed deputy commander in charge of both intelligence and counter-intelligence.

The reasons for Major-General Hawala's controversial appointment are important in themselves – they point to a different transformation that still has to take place – that of the ruling party itself. As a liberation movement imbued with the liturgy of exile politics, SWAPO was thrust into the role of governing party, following a remarkably short transition. Frankly, it has less to do with an alleged conspiratorial 'Kwanyama cabal', as Africa Confidential wants one to believe, and more with the doctrinal diversity, eclecticism, organizational weakness, patron-client relationships and low level of political institutionalization that characterize SWAPO as a social movement.

Finally from a social-psychological perspective, his appointment reflected a growing frustration in the ranks of some social formations with the inability of the SWAPO leadership to make good its election promise.

Thus, in a very real sense, the success of the nation-building project would depend in no small measure on SWAPO's capacity to transform itself from a liberation movement to a government. Failure to do so, could (conceivably) undermine its efforts to consolidate power at local and central level. The other pillar of this project – the capacity to deliver and empower in a socio-economic sense – is of course of central importance. Before reflecting on the latter, let us briefly examine two other important dimensions of the nation-building project – the relationship between the new state and organized labour, and the issue of a new language and education policy.

### **Labour In Namibia**

Under its profoundly democratic Constitution, specific provision is made for the "active encouragement of the formation of independent trade unions to protect workers' rights and interests". [Constitution of the Republic of Namibia, Chapter 11, Principles of State Policy (c)]. The right to strike is guaranteed, except in a State of Emergency [Chapter 4, Article 26(1)-(7)]. Moreover, the Constitution sets out "to promote sound labour relations and fair employment practices". Namibia could also seek membership of the International Labour Organization (ILO) and, where possible, "adherence to and action in accordance with the international Conventions and Recommendations of the ILO" (Constitution of the Republic of Namibia, Chapter 11, Principles of State Policy (d))

Under Chapter 3 of the Constitution that embodies 'Fundamental Human Rights and Freedoms', Article 21 i(e) guarantees freedom of association, "which shall include freedom to form and join associations or unions, including trade unions and political parties".

When asked by the National Union of Namibian Workers (NUNW) paper *The Namibian Worker* (January 1990) what he thought Namibian independence could bring to the working class, Ben Ulenga, General Secretary of the Mineworkers Union of Namibia (MUN) and member of the

National Assembly, said "We will have the opportunity through the elected representatives to decide on our own future and help in the making of laws which will make the national produce of our labour benefit us". However, he added that the role of the labour movement is likely to remain more or less the same while major capitalist companies remain strong.

The NUNW's commitment to achieving a SWAPO victory was deep and genuine. The NUNW virtually suspended trade union activity during the electoral period and channelled its energy and resources into ensuring a SWAPO victory. Now the NUNW has to painstakingly rebuild.

SWAPO got the majority of the organized working class vote and so, workers have very high expectations, expectations that were fuelled when newly elected President, Sam Nujoma, met Mr. Carl List, of South West Breweries, and discussed the sacking on 4 September of 335 workers. They had walked out in solidarity with a Namibia Food and Allied Workers Union (NAFAU) shop steward who claimed unfair dismissal. List promised their re-instatement but failed to deliver. NAFAU stepped up the pressure but to date 100 still remain sacked and NAFAU is appealing for support.

Another hope is that independence will aid the improvement of wages and working conditions. The Constitution obliges the state to pursue policies in favour of "a living wage adequate for the maintenance of a decent standard of living and the enjoyment of social and cultural opportunities". [Chapter 11, *Principles of State Policy*, Article 95 (i)]

The unions themselves, however, are agreed that the only meaningful strategy is the strengthening of the unions themselves. Building up that strength must include a massive literacy and general education campaign as well as structures for union education and organization. With meagre resources, the NUNW is embarking on a formidable task in a context where many employers remain hostile and, as yet, almost unconstrained by labour legislation.

The Unions also face a number of other pressing issues, among these: unsafe working conditions in the mines, fisheries and elsewhere; securing the access of women to employment; improving health and general safety conditions; bargaining for a living wage and unionizing and improving the appalling conditions of farmworkers.

As far as government policy is concerned, a new national policy on labour and manpower development was approved by the cabinet and made public on 1 August 1990. Focusing on the army of unemployed - 30% of the total population workforce of 470,000-500,000 - the new policy advocates vocational training programmes, the use of labour intensive production methods, easing regulations on economic activity, and the reservation of jobs for Namibian citizens. Special provision is made for the protection of agricultural and domestic workers. Discrimination against women is to be combatted. It will be illegal to fire on grounds of pregnancy and a minimum period of maternity leave would be provided for.

An occupational health and safety division of the Labour Ministry will be established, while other units will research manpower development and in-service training schemes.

Labour Minister, Hendrik Witbooi, also indicated that provision would be made for a Labour Code, the contents of which would include a nationwide minimum wage, workers' insurance scheme, collective bargaining, basic rights, anti-discrimination and dispute settlement procedures.

Finally, legislation to establish an independent Labour Court to adjudicate in labour disputes is planned (*Action in Namibia*, September 1990, 15).

While these developments are heartening, and SWAPO's maxim of 'Namibia first' seems to blunt party-political as well as ideological passions, for the unions the struggle for freedom has barely begun. The National Union of Namibian Workers (NUNW)<sup>6</sup>, a labour federation comprising seven constituent 'progressive unions' in Namibia, is painfully aware of this, and is currently attempting to organize farm – as well as domestic – workers. NUNW is also attempting to bargain with South African and other foreign multinationals (notably LONRHO), in an attempt to improve the working conditions of its members and to enhance public accountability on the part of the latter.

## **Education**

Coming to the realm of education policy – another strand of the nation building project – the Constitution stipulates English as the country's official language (Constitution of the Republic of Namibia, Chapter 1, Article 3). The Constitution however, also allows the use of any other language as a medium of instruction in private schools or in schools financed or subsidized by the State, subject to certain legal and pedagogic provisions.

Since independence, Education Minister Nahas Angula has introduced British O- and A-levels, established one education department (replacing the previous ethnically-based departments), as well as a National Institute for Education Development. Mother tongue education would be provided for the first three years of formal schooling, thereafter English would be the medium of instruction.

Clearly, education is important for the success or otherwise of the nation building project. While the cold statistics of pupil/teacher ratios are fairly impressive by African standards – 380,000 (pupils in 1990) with a pupil/teacher ratio of 32/5 – these hide important questions such as the quality of the education, the qualifications of the teachers, as well as the legacy of marked inequality in infrastructure and social spending on the different ethnic groups. Namibia's overall illiteracy rate is calculated to be between 60% and 65%

Since independence, the new government has made significant progress in education. New secondary school curricula have been approved and introduced in standard 6. Mother tongue education is being provided for at primary school level, with English the medium of instruction at secondary and tertiary levels. However, Afrikaans and German-speaking pupils would be allowed to study both these languages (in addition to English) up to standard 10 (matric). The Cape Senior Certificate examination would be phased out over two to three years, and will be replaced by the International Certificate of General Secondary Education (ICGSE).

## **The Local State**

Namibia took the first step toward regional council elections with the appointment of a delimitation commission in August 1990. Headed by Mr. Justice Johan Strydom, the three-person commission includes academic Prof. Gerhard Töttemeyer and businessman Mr. Martin Shipanga.

In terms of the Namibian Constitution (Chapter 12, Articles 102–111), regional elections, which will also elect representatives for the Regional Council, the second house of Parliament, have to be conducted within 24 months of independence.

The work of the delimitation commission would be to determine the borders of the regions and, further, to define different constituencies within the boundaries by the end of June 1991.

### **The Judiciary**

Under the Constitution, an independent Judiciary is provided for. The Supreme Court Act, 1990 (No.15 of 1990), promulgated by the National Assembly in October, provided for the sole jurisdiction of the Supreme Court of Namibia in pursuance of the provisions of Article 79 of the Namibian Constitution.

In terms of the provisions of this Act, The Supreme Court "shall have jurisdiction to hear and to determine appeals of any such other matters which may be conferred or imposed upon it by this Act or the Namibian Constitution or any other law" (Paragraph 2)

The Supreme Court comprises of the Chief Justice and such additional judges appointed in a permanent capacity as determined in accordance with the provisions of Article 79(1) of the Namibian Constitution. Under paragraph 16(1–4), the Supreme Court has the jurisdiction to review the proceedings of the High Court or any other lower court, or any administrative tribunal or authority established or instituted by or under any lower court, or any administration established or instituted by or under any law. The Act provides for no appeal from, or review of, any judgement or order made by the Supreme Court (Paragraph 17(1))

The Supreme Court hears and adjudicates upon appeals emanating from the High Court, including appeals which involve the interpretation, implementation and upholding of the Constitution and the fundamental rights and freedoms guaranteed thereunder.

The rules of the Supreme Court of Namibia were determined by the Chief Justice (under section 37 of the Supreme Court Act, 1990 (Act 15 of 1990) – with the approval of the President. These rules were published under Government Notice No.56, Rules of the Supreme Court of Namibia, Ministry of Justice 1990, published in Government Gazette of the Republic of Namibia, No.86, (Windhoek, 8 October 1990).

Under the provisions of Article 80 of the Namibian Constitution, a High Court was established. The High Court Act, 1990 (No.16 of 1990), promulgated in October 1990, instituted the High Court. The High Court consists of a Judge–President and such additional Judges as the President, acting on the recommendation of the Judicial Commission, may determine.

The High Court has original jurisdiction to hear and adjudicate upon all civil disputes and criminal prosecutions, including cases which involve the interpretation, implementation and upholding of the Constitution and the fundamental rights and freedoms guaranteed thereunder. The High Court also has jurisdiction to hear and adjudicate upon appeals from Lower Courts.

The Rules of the High Court of Namibia were published in Government Notices No.59 Rules of

the High Court of Namibia and No.60 Sittings of the Court and Vacations. Both were published on 10 October 1990.

Earlier in terms of Proclamation No.1 Appointment of members of the Judicial Service Commission, President Nujoma appointed the following members of the Judicial Service Commission:

Mr. Justice H.J. Berker, Mr. Justice C.J.C. Strydom, Mr. H.F.E. Ruppel (Attorney-General), Adv. T.J. Frank (Advocate nominated by the Bar Council of Namibia) and Mr. W.H. Dicks (Attorney nominated by the Law Society of Namibia) (Government Gazette of the Republic of Namibia No.1, Appointment of members of the Judicial Service Commission, Windhoek, 21 March 1990.)

The Ombudsman Act No.7 of 1990, promulgated in June of that year, defined the powers, duties and functions of the Ombudsman. The Ombudsman was appointed in pursuance of the provisions of Article 98 of the Namibian Constitution, with the President acting on the recommendation of the Judicial Service Commission.

The powers and duties of the Ombudsman cover a wide field, and include among others: investigation into alleged, apparent or threatened infringements of fundamental rights and freedoms, abuse of power, unfair or insensitive treatment of an inhabitant of Namibia by an official in the employ of any organ of Government; the functioning of the Public Service Commission, administrative organs of the State, the defence force, the police force and the prison service; the over-utilization of living natural resources, the irrational exploitation of non-renewable resources, the degradation and destruction of ecosystems and failure to protect the beauty and character of Namibia; practices and actions of persons, enterprises and other private institutions violating fundamental rights and freedoms, and all instances and matters of alleged or suspected corruption and the misappropriation of public moneys or other public property by officials (Paragraph 3(1-6)).

Advocate Pio Marapi Teek, was subsequently appointed Acting Ombudsman in July 1990 (Proclamation No.10, Appointment of Acting Ombudsman 1990)

The Magistrates' Court Amendment Act, No.9 of 1990, promulgated in July, provided for the appointment of judicial-officers who have passed examinations in law or who hold diplomas or degrees in law attained outside Namibia and the Republic of South Africa.

### **Broadcasting**

In terms of Section 4(5) of the Broadcasting Act, 1976 (Act 73 of 1976), the President appointed the following persons as members of the board of the Namibian Broadcasting Corporation (NBC) for the period ending on 11 April 1995:

Chairman : Dr. Zedekia Ngavirue  
Vice-chairman : Mr. C.V. Kauraisa

**Members**

**: Miss P.H. Coetzee  
Rev. A.F. Joseph  
Mrs. M.M.C. Koep  
Mr. K.W.R. List  
Miss G. Lister  
Mrs. E.P. Muundjua  
Mr. H.G. Namuhuya**

## THE SOCIO-ECONOMIC REALM - AN UNBALANCED INHERITANCE

Namibia inherited a sectorally unbalanced economy, with small real GDP growth over the last decade and with heavy dependence on energy and capital imports. In short it was 'an economy which produced what it did not consume and consumed what it did not produce', to paraphrase a well-known British academic, writing on Namibia.

With independence, Namibia inherited a foreign debt of some R700m, deepened by an initial R210m. budget deficit. The new Government indicated that it intended to raise loans to finance the deficit and to arrange an overdraft facility with the Bank of Namibia for the rest.

Namibia's inflation rate fell from 16,4% in July 1989 to 12,7% in May 1990, while the South African Reserve Bank's strictly induced monetary policy of high real interest rates resulted in reduced price increases.

Real GDP growth in 1990 was 0,2%. This was some 23% lower than in 1980, largely as a consequence of the low growth rate in real gross domestic fixed investment - a mere 4,3% in 1989. Fixed investment as a ratio of GDP was 18,6% in 1989.

The low GDP growth in 1989 originated principally in the mining and construction sectors, which experienced negative growth rates of 6,4% and 6,2% respectively. Since mining contributed 31,6% of total GDP in 1989, this sector's poor performance had a big overall effect on the economy. (Reported in *Business Day* (Johannesburg): 29 November 1990).

Independence has brought with it improved prospects for Namibia's economy. International recognition increased prospects for foreign capital inflows and for opening up new markets for Namibia's exports - especially under the Lomé IV Convention. Secondly, the fact that pre-independence trade sanctions had now been lifted has re-opened markets that were closed for some time in sectors that had been adversely affected by this. Finally, now that the Namibian government has control of the fishing industry, there is room for expansion in this sector. Provided that this sector could be properly monitored and integrated into the rest of the economy, new jobs are likely to be created.

Since independence, however, the economy has not moved into a 'boom situation', as much of the foreign aid and capital investment are being channelled into public services and regions that had been neglected for so long in an effort to uplift specific rural communities and redress the profound regional imbalances of the past. Nevertheless, the productive economy possesses some inherent strength and also has spare production capacity to expand output, so that it is possible to look forward to a more conducive climate for economic growth and employment. Balance of payments constraints, as well as public debt, however, would require considerable local and foreign fixed investment (*Statistical/Economic Review*, Namibia 1990:2).

The social needs of the new state are considerable: Unemployment is nearly 40%, and has been compounded by the demobilisation of former members of the PLAN and of SWATF. With an estimated urban population of 450,000 (1989), Namibia currently experiences a housing backlog of 25,000 units. The country has a 28% annual urbanization rate - up from 22% in the period 1970-1980, with a projected annual rate of 33% by the year 2000 (du Pisani, 1989: 15-26).

The 41,000 returnees that came home under the United Nations' independence plan, with the assistance of the Council of Churches in Namibia (CCN) and its 40 Repatriation, Resettlement and Reconstruction (RRR) centres, are making additional demands on the torn social fabric, especially in northern Namibia.

In a recent report published in *The Star* (Johannesburg), Richard Dowden of *The Independent* in London wrote that Ovamboland, Namibia's "most populous region, is becoming a disaster area". He added:

"...Eight months of independence have brought a sort of peace to Ovamboland but so far, not a glimmer of prosperity. Now Namibia is independent, democracy has brought SWAPO to power and the masses of Ovamboland, more than half the population, are claiming their share of wealth." (*The Star*, 29 December 1990)

Invoking the powerful and graphic image of a veterinary boundary, a fence which runs nearly 1,600km. across the country to prevent the movement of animals from north to south, Dowden sees this as "the boundary between the First World and the Third World". This fence extends all over southern Africa... He then posed the following haunting questions:

"If Namibia, a new country with a small population and plenty of international goodwill, cannot overcome the rift between First and Third Worlds, what hope is there for South Africa and for the rest of the continent?"

The termination of the war also inflicted social costs, especially on Ovambo and the former Bushmen (San) - many of whom served in the former SWATF. In a controversial move, the SADF relocated some 500 former Bushmen soldiers and their families to Schmidtsdrift, near Kimberley in the northern Cape. The majority of Bushmen, however, chose to remain at the abandoned Omega military base in Western Caprivi. Early in May 1990, some 4,500 of them were starving. The South African Government (SAG) responded by sending 7 tonnes of food. The Bushmen are now included in the UN World Food Programme.

Health is a further social problem. The World Health Organisation (WHO) estimates that 176 out of every 1,000 new Namibian children born, would not reach the age of five (Reported in *Business Day* (Johannesburg): 3 September 1990).

Understandably, Namibia's immediate economic fortunes hinged in no small measure on the outcome of the UN-sponsored Donors Conference, held in New York on 21-22 June, 1990. Constrained by a small domestic market, high inflation rate, public debt, infrastructural isolation from the rest of southern Africa, a limited manpower base, and the position of Walvis Bay - the new government approached the international donor community with a mixture of hope and caution. The international community pledged some R780-million to Namibia during the two-day conference. Firm pledges came from the following countries: India - R31,2m; Sweden - R41,6m (as well as R130 million in long-term grants); Denmark - R25m; South Africa - R26,6m; Egypt - R2,6m; United Kingdom - R45m; Italy - R2,6m; Germany - R161m<sup>2</sup>; USA - R26,6m; Nigeria - R2,6m. Total grants from the Nordic countries amounted to R156 million.

Director-General of Namibia's National Planning Commission, Zedekia Ngavirue, pointed out that the donor conference documents had the backing of the World Bank. They were also



prepared with the help of experts from the UN Development Programme (UNDP).

Donor funding would be project related, with time-scales for projects determined by the specific donor country. In most cases, funding would be forthcoming over a 2-3 year period, to enable the new government time to develop appropriate development strategies.<sup>1</sup>

Early in December 1990, SAPA reported that Germany and Namibia signed an agreement for R170-million in German aid. Some R128-million will be in the form of grants for socially-oriented projects. These include the extension of the Ogongo-Oshakati water supply system in northern Namibia and the first phase of a low-cost housing project in Katutura in Windhoek.

As far as other policy aspects are concerned, the following happened since independence. The Bank of Namibia Act, (No.8 of 1990), promulgated in July, provided for the establishment of a central bank for the Republic of Namibia, as well as for the issue of Bank notes and coins and the application of monetary policy. Under Proclamation No.9, published in Windhoek on 16 July 1990, the Bank of Namibia Act, 1990 (Act 8 of 1990) came into operation on that date. Earlier in July, the government established a Central Bank, with Dr. Wouter Bernard, a Dutch citizen with 23 years central bank experience, as its first Governor (Dr. Bernard's salary is paid by the International Monetary Fund). The former governor of Lesotho's Central Bank, Mr. Erik Karlsson of Sweden, was appointed deputy governor, and Mr. Emmanuel Lula of Uganda, general manager. Mr. Esko Aurikko is heading the economic research department. Members of the board include: permanent secretary in the office of the Prime Minister, Mr. Petrus Damaseb; legal adviser Ms. Bience Gawanas; Mr. Paul Hartman, an economist, and the former chairman of Standard Bank in Namibia, Mr. John Kirkpatrick. (All of the above were appointed under Proclamation No.11 Amendment under Article 32(8) of the Namibian Constitution of Certain Appointments, 1990, published on 31 July 1990). Namibia hopes to introduce its own currency - the Namibian Dollar - in eighteen months to two years' time.

Secondly, Trade and Industry Minister, Ben Amathila, announced late in July that a new Investment Centre was being planned, together with an international investment conference. The latter took place early in February 1991, and coincided with the Southern African Development Coordination Conference's (SADCC) 11th consultative conference meeting in Windhoek. A technical committee has been established to advise the Minister on the future of the First National Development Corporation (FNDC) - a legacy of the previous order.

Thirdly, a draft Investment Code was released in late June 1990. Essentially liberal, the Code does not envisage restrictions, with minor exceptions, on business activities in which foreign investors may engage. It reads, inter alia:

"Although joint ventures with local investors will be encouraged, the code itself will not require foreign investors to offer an equity stake either to the state or the Namibian private sector" (Quoted in *Business Day* (Johannesburg): 21 June 1990).

Natural resources, however, presented a special case and there might be requirements that the government or government agency should have a participating share of the equity of a company. In some areas, such as electricity generation, the government still has a statutory monopoly. Mining, energy and fishing laws are presently under review.

A special category of 'Approved Investments' would be introduced, for amounts over \$200,000, where the investor is taking an active management part, and is in accord with the government's development aims. This status would guarantee ownership, protection against nationalisation unless proper compensation is paid, and provide assurances about foreign exchange earnings. In return, investors should employ local people and provide them with training.

There would be 'reasonable' income tax, but no special tax concession (although there are a few exceptions, such as mining). An Investment Centre would be established to deal with all applications (*Action on Namibia*, September 1990: 9, as well as private interviews conducted by the author). A Business Council of Namibia was established in November 1990 to promote co-operation between the government and the private sector.

Significantly, the new government made an Investment Code one of its first economic priorities – in no small measure a function of the confining socio-economic conditions under which the new government has to function: conditions, potentially serious enough to raise doubts as to the government's ability to – in the words of one observer – "tick over on a good neo-colonial course" – not whether it could produce radical changes (Quoted by Colin Leys *Namibia: Five Months After*, 1990: 16-19).

The broader international context too has to be considered. The new government could hardly escape the profound significance of transformation in world society – hence its socialist policy programme of 1976 now seems but a distant memory – as well as the growing influence of the new orthodoxy of market-related economics and of the World Bank and the International Monetary Fund (IMF).

Finance Minister Otto Herrigel's budget speech in July 1990 contained the same brutal realism and caution. The 1990/91 Budget outlined the following public sector investment priorities: agricultural and rural development, education and training (Republic of Namibia, Budget Speech 1990: 2 mimeo).

Three main economic challenges were outlined: reactivating the economy; reducing income disparities and restraining and redirecting public expenditure.

Total expected revenue for 1990/91 was estimated at R2,36 billion. Included in this estimate were R542 million from customs and excise; R160 million from foreign budgetary aid contributions; R78 million from the Amortization Fund; R88 million from estimated balances of former second-tier authorities and an estimated surplus on the State Revenue Fund as at 31 March 1990 of R20 million (Republic of Namibia, Budget Speech 1990: 8 mimeo).

Total expenditure for 1990/91 was estimated at R2,5 billion, which was only R128 million or 5% more than the total amount of R2,44 billion provided for in the previous financial year. Included in the total expenditure of R2,5 billion, is a statutory obligation of R316 million. This amount included: R96 million for interest payments on government debt; R37 million for loan costs, and R163 million for capital repayments on loans.

The obligation in respect of Government debt alone amounted to R296 million, or 11,5% of total expenditure (Republic of Namibia, Budget Speech 1990: 9 mimeo).

At independence, Namibia inherited debts of R758.300.532 on the Central Revenue Fund. Government Notice No.21 published in Government Gazette No.19 of 15 May 1990, gave the following breakdown (subject to auditing):

Nature of Debt	Debt on 1989/09/30	Debt on 1989/12/31
Foreign loans	126 814 212	70 957 180
Term bonds	Nil	19 062 863
Stock loans	549 515 400*	549 506 400*
Other loans	81 700 000	86 700 000
Development bonds	270 920	226 360
<b>TOTAL</b>	<b>R 758 300 532</b>	<b>R 726 452 803</b>

\* Estimates.

Since that date, government debt had been reduced to more manageable proportions, as the following table shows:

Nature of Debt	Debt on 1990/06/30
Foreign loans	51 287 447
Term bonds	9 538 767
Stock loans	527 506 400
Other loans	74 600 000
Development bonds	250 210
<b>TOTAL</b>	<b>R 663 182 824</b>

(Published in Government Gazette No.98, 1 November 1990)

At the time, the Finance Minister projected a deficit of R210 million, which has since been reduced to R160 million – with the prospect of further reductions in fiscal year 1991/92. In terms of projected expenditure, the Appropriation Act, 1990 (Act No.11 of 1990) provided for the following appropriation of expenditure:

VOTE		AMOUNT APPROPRIATED
No.	Title	R
1	PRESIDENT	27 434 000
2	AUDITOR-GENERAL	3 150 000
3	PRIME MINISTER	52 733 000
4	CIVIC AFFAIRS	8 675 000
5	POLICE AND PRISONS	132 000 000
6	FOREIGN AFFAIRS	45 882 000
7	DEFENCE	122 682 000
8	FINANCE	63 906 000
9	EDUCATION, CULTURE, YOUTH AND SPORT	468 972 000
10	INFORMATION AND BROADCASTING	54 728 000
11	HEALTH AND SOCIAL SERVICES	351 659 000
12	LABOUR AND MANPOWER DEVELOP- MENT	12 000 000
13	MINES AND ENERGY	10 103 000
14	JUSTICE	17 420 000
15	LOCAL GOVERNMENT AND HOUSING	106 050 000
16	WILDLIFE, CONSERVATION AND TOURISM	28 821 000
17	TRADE AND INDUSTRY	9 108 000
18	AGRICULTURE AND RURAL DEVELOPMENT	76 293 000
19	FISHERIES AND WATER	102 145 000
20	WORKS	277 602 000
21	TRANSPORT	161 455 000
22	COMMUNICATION	110 808 000
23	LANDS, RESETTLEMENT AND REHABILITATION	15 869 000
TOTAL		2 259 495 000

At the beginning of March 1991, Finance Minister, Dr. Otto Herrigel, introduced an additional mini-budget for 1990-91 of R164,7 million.

Against this socio-economic backdrop and given the policy directives of the new government, what has actually happened in the different sectors of the economy since independence? It is to this aspect that we turn in the following part of this cursory paper.

## Mining

Given the overall economic and strategic importance of mining, it came as no surprise, when Minister of Mines and Energy, Andimba Toivo ya Toivo, announced in late May 1990, that a revised comprehensive tax regime for the mining industry was being planned. Such a new tax regime would cover fiscal provisions such as licence fees, royalties to the state, company tax, dividend remittance tax and capital recovery and export tax (Reported in *The Namibian*: 25/05/1990). Mining in Namibia is highly capital intensive, critical for generating foreign exchange, and far less labour intensive than say agriculture.

Earlier, in April 1990, Minister of Mines, Andimba Toivo ya Toivo, outlined the new government's three principal objectives for this sector as follows:

"... to avert economic collapse; to consolidate our fiercely won independence and to establish a solid foundation for the development of future policies" (*The Sowetan*, (Johannesburg): 2/04/1990).

A further short-term objective was "to reduce dependence on South Africa – especially in the area of processing of minerals". He added a warning: "... neither will Namibia tolerate the same degree of repatriation of profits to foreign countries."

Navachab gold mine, near Karibib, opened in June 1990. An opencast mine, it is projected that the mine would treat 840,000 tons of ore a year and produce 1,900kg. of gold. At the current average gold price of R32,000 per kilogram, this will earn Namibia R60 million a year in foreign exchange (*The Star* (Johannesburg): 12/06/1990).

The main orebody, occurring in a marble formation, has an average grade of 2,6 grams per ton. Mining of known ore reserves, estimated to be 11 million tons, will take approximately 13 years. Lower-grade ore is being stock-piled and will be processed towards the end of the 13-year period. The mine may eventually reach a depth of 160 metres.

Navachab provides employment for 300 people, most of them locals. The mine is a joint venture between Erongo Mining and Exploration, Metall Mining of Canada and Rand Mines Windhoek Exploration. Erongo has a 70% interest, Metall Mining 20%, and Rand Mines 10%. ANGLO and its associates hold a 70% interest in Erongo. CDM, another Anglo subsidiary holds 33.33%

Rössing Uranium secured a major contract to supply uranium to France. The contract was signed – subject to approval by the state-controlled Euratom Supply Agency – between Rössing and its 10% shareholder Total Compagnie Minière for onward sale to Electricite de France. The contract, for the supply of 5200 short tons of uranium oxide, will start in 1995 and will run into the next century (Reported in *Business Day* (Johannesburg): 3/09/1990).

It was reported early in February this year, that De Beers Consolidated Mines' Consolidated Diamond Mines (CDM) started to mine "pocket beaches" in Southern Namibia for diamonds. The new mine is near Chameis, 120km. north of Oranjemund. Infrastructure at the site was installed at a cost of R16m. and it was estimated that diamond production would total 75,000 carats a year for three years.

## Energy

Panama Incorporated Overseas Petroleum and Investment Corporation (OPIC) has been granted the concession to prospect for oil in a 250,000 sq. kilometre region extending from the coast in the west, to the Botswana border in the east, but excluding the Caprivi strip, and from the 20th parallel to the Angolan border in the north.

In an interview with the South African press, OPIC's Taiwanese general manager in Namibia, David Chen, said that his company recently completed re-analysis of old samples and reprocessing of old data taken by a former US company, Etosha Petroleum, in the late 1960s. OPIC embarked on its Namibian operation in November 1989.

A French geophysical survey company, CGG, is undertaking the survey. The 'vibroseis' survey would be based on the Okankolo region east of Ondangwa in Ovambo. Part of the survey (some 30 kilometres) falls inside the Etosha National Park. The US-based Carson Services is currently undertaking a gravity and magnetic survey over Kavango and Bushmanland. First drilling could start in September 1991 (Reported in *Daily Mail* (Johannesburg): 7/08/1990).

Namibia's Atlantic Ocean Kudu gasfield, west of Lüderitzbucht, is being developed by the Namibian Oil Exploration Corporation (NOEC), a parastatal established in 1967 to search for oil. Little has been made public about the concession, other than that gas was found in the first hole, KUDU-9A1, 125 kms. due west of Oranjemund. A second hole, KUDU-9A2, was drilled about 7 km. north-northwest of the first hole in 1987. There was gas in the hole but, because the rock was not sufficiently porous, it did not have a commercial yield.

A third hole, KUDU-9AB, drilled some 4km. south of the discovery well in 1988, yielded 47mft<sup>3</sup>/day of methane gas. This exceeds the 12mft<sup>3</sup>/day needed for commercial viability (*Financial Mail* (Johannesburg): 10/02/1989: 69-71; see also *EJU Country Report*, No.1, 1989: 26, and du Pisani, 1989: 19).

At the time of writing, the Namibian government was exploring international funding to develop this potentially valuable energy resource. Discussions are currently taking place between the government and foreign multinationals, notably British Petroleum (BP) and Royal Dutch Shell.

Under the provisions of the Petroleum Products and Energy Act, 1990 (No.13 of 1990), promulgated in August, measures for the saving, cost and distribution of petroleum products, as well as for the establishment of a National Energy Fund and a National Energy Council and the imposition of levies on fuel were provided for.

Among its object and functions, the National Energy Council, advises the Minister on all matters concerning the supply of energy in Namibia, as well as on the exploitation and utilization of existing and potential energy resources.

## Construction

The local construction industry was one of the sectors that benefited most from independence. To date, in the capital city, Windhoek, construction worth more than R250 million took place.

South African life insurance companies – SANLAM, Old Mutual, and Southern Life – being responsible for the bulk of this. Local company, Olthaver & List's R56 million Wenhil Park shopping complex, was followed by other big construction projects: the R48 million Sanlam Centre and Old Mutual's R40 million shopping centre. South African supermarket chain, Pick 'n Pay, will open in Windhoek early in 1991.

The State itself has also embarked on various projects to build low-cost housing schemes, as well as site and service schemes in Katutura and elsewhere.

## **Fisheries**

Under Government Notice No.3 of 1990, Amendment of Regulations made under the Fisheries Act, 1973 (Act 58 of 1973), published on 11 April 1990, the quantity of pilchards allocated to the different operating companies was determined. Further amendments to the original Sea Fisheries Act, 1973 came into force following the promulgation of the Sea Fisheries Amendment Act, 1990 (Act 10 of 1990) in July.

Newly independent Namibia decided in April 1990 to reduce that year's pilchard catch by a further 20% – from 50,000 tons to 40,000 tons (*The Star* (Johannesburg): 3/4/1990). At the same time, foreign fishing fleets were asked to quit the country's coastal waters until scientific research determined what types of species of fish have been depleted. Since this call, the Namibian authorities had to take action against Spanish trawlers fishing illegally in the country's territorial waters.

The cold Benguela current in the Atlantic Ocean provides Namibia with one of the world's most fertile fishing grounds. Most sought after are the pilchard and anchovy in shallow water, and hake and horse mackerel offshore. But a history of considerable over-fishing by South African and other foreign fishing fleets has decimated stocks.

The 1968 pilchard catch, the most valuable, for example was 1,4 million tons; it now averages 60,000 tons. Until 1977, Namibia was the world's leading supplier of pilchards and about 60% of South Africa's total fish landings were from Namibian waters (*Business Day* (Johannesburg): 30/03/1990). Anchovy catches have fluctuated from a peak of 376,000 tons in 1978 to just 14,000 tons in 1984. There has been a mild recovery since.

Offshore, hake catches by mainly Spanish, Japanese and other West European trawlers and factory ships have shown similar decline and the average is now about half the 1972 peak of 800,000 tons.

Horse mackerel, favoured by East European fleets, is the only species to have increased in number. Recent annual catches average 400,000 to 500,000 tons. Experts believe it has filled the ecological niche left by the decline of other fish species.

The legacy is fishing's small contribution to the Namibian economy. It remains an 'enclave' based at Walvis Bay and Lüderitz. Until most recently, of the six operating companies, only one is Namibian owned.

Shortly after independence, the new government passed an Act proclaiming a 200-mile Exclusive Economic Zone (EEZ) for Namibia under the Law of the Sea Convention.

The Territorial Sea and Exclusive Economic Zone of Namibia Act, No.3 of 1990, published in Government Gazette of the Republic of Namibia, No.28 of 11 June 1990, determines and defines the territorial sea, internal waters, exclusive economic zone and continental shelf of Namibia.

Under this Act, the sea within a distance of 12 nautical miles measured from the low water line shall constitute the 'territorial sea' of Namibia. The sea outside the territorial sea of Namibia, 'but within a distance of two hundred nautical miles from the low water line or any other base line from which the territorial sea was measured shall constitute the exclusive economic zone of Namibia' (Paragraph 4(1)).

The Continental shelf of Namibia as defined in the United Nations Convention on the Law of the Sea of 1982, 'or as it may from time to time be defined by international convention and binding on Namibia, shall be the continental shelf of Namibia'. (Paragraph 6(1))

The continental shelf referred to in the above, shall be regarded as part of Namibia and shall for the purposes of - '(a) the exploitation of the natural resources of the sea; and (b) any provision of any law relating to mining, precious stones, metals or minerals, including natural oil, which applies to that part of Namibia which adjoins the continental shelf, be deemed to be State land' (Paragraph 6(2))

This Act repealed or amended the Sea Fisheries Act, (No.58 of 1973), as well as Territorial Waters of South West Africa Proclamation AG. (No.32 of 1979). The latter was repealed in its entirety.

In terms of Proclamation No.6 by the President of the Republic of Namibia, Commencement of the Territorial Sea, and Exclusive Economic Zone of Namibia Act, 1990 (Act 3 of 1990), the said Act came into operation on 10 July 1990.

In the absence of internationally recognised controls (prior to independence), South African-regulated inshore fishing and catches offshore were regulated by the Madrid-based International Commission for South East Atlantic Fisheries (ICSEAF). Since independence, Namibia has control of this strategic resource. Agriculture Minister, Gert Hanekom, whose portfolio includes fisheries, estimates that with an effective management programme over five to seven years, marine resources could earn Namibia about R3bn - 10 times cattle industry earnings.

The government has formulated a fishing policy, but details are unlikely to be made public before complex bilateral negotiations begin with foreign fleets on quotas and royalty payments. Some experts believe the government plans a state-run fishing corporation.

The localisation of the fishing industry, resulted in some shares in South African companies being sold to Namibian interests, so that there are no major South African subsidiaries operating in Namibia.

Three South African companies have disinvested from Namibia recently. These companies were



involved in the pelagic fishing industry, notably anchovies and pilchards. Fedford sold its holding in Namib Visserye to Namib Fisheries Holdings of Windhoek, and WB Holding sold its investment in Namibian Fishing Industries to Peter Clark Kuttel. Oceana Fishing recently sold for R13,7-million its entire shareholding in Namibia Sea Products to Arun Holdings, a UK-registered company in which a Norwegian company has a major shareholding.

The total allowable catch (TAC), initially determined at 40,000 tons for 1990 has since been increased by an addition 22,500 tons. South African participation in the Namibian deep-sea fishing industry is small. According to I & J director, Charles Atkins, South Africa caught between 10-12% of the fish off the Namibian coast. The Soviets and the Spanish caught most. I & J's Namibian-registered company Kuiseb has quotas for both pilchards and hake. Kuiseb has also been granted a joint quota for deep-sea fishing of horse mackerel (maasbanker) with a Soviet company.

No new concessions were granted for hake. These quotas have been granted on a temporary basis since the new government has not yet formulated its own fishing policy (Reported in *Weekly Mail*: 7 December 1990).

As in other sectors of the economy, fisheries pose a big challenge to the Namibian government. It must police the 200-mile EEZ - to exercise some control over a \$200 million catch by foreign offshore fleets - and negotiate complex agreements with powerful foreign interests - above all the future of Walvis Bay (*Financial Mail* (Johannesburg): 20/06/1990: 24-25).

### **Agriculture and Land**

Approximately 70% of the Namibian population derives its subsistence from the land either as commercial or subsistence farmers, or as workers employed in agriculture. Moreover, the unequal distribution of land formed the basis for the development of Namibia as a settler colony (Werner, 1989).

On account of the system of economic exploitation to which the distribution of land gave rise, the land issue loomed large in the minds of SWAPO specifically and Namibian peasants generally. Surprisingly, however, it was rarely clearly articulated or publicly debated.

While a detailed historical account of the process of land alienation in Namibia falls outside the scope of this paper, it needs to be remembered that the impact of dispossession in different regions and on different communities was uneven. Moreover, the harshness of land dispossession in Namibia was directly related to particular modes of production.

The present pattern of land distribution in Namibia is the outcome of the recommendations of the Odendaal Commission of 1964.<sup>9</sup> Some 43,7% of the total area suitable for commercial agriculture is controlled by whites, while the communal areas cover only 40,84%. Some 15,3% is deemed unsuitable for any commercial farming.

The bulk of commercial farm land is owned by individual farmers. In 1989 the Directorate of Agriculture and Forestry gave the total number of commercial farms in Namibia as 6350, owned by 4045 farmers. Of these farms 230 (or 3,6%) are owned by black Namibians, while 352 or

5,6% are owned by foreigners (Adams, Werner and Vale, 1990: 67-75).

The state owns various farms for experimental and production purposes. In addition, the state owns land that is used for non-agricultural purposes – game and nature reserves and diamond areas. This latter category of land amounts to some 15% of the total land surface. Churches in Namibia also own land in the commercial sector. The Catholic Church for example, owns a total of 136,693 ha. of commercial farm land.

It is estimated that 48% of the land in Namibia is predominantly cattle farming area, with 39% more suitable for small stock farming. Only 13,500 ha. or a mere 0.02% of the total land area is suitable for dryland cultivation, and a mere 2,600ha. or .003% suitable for irrigation (Department of Statistics, unpublished raw data, Windhoek, 1988-1989).

While the ruling party has committed itself to land reform and redistribution in order to redress the unequal distribution of land – detailed policy proposals for future land reform do not exist as yet. In SWAPO's election manifesto the party promised to transfer 'some of the land from the few with too much of it to the landless majority' (*SWAPO Election Manifesto*, 1989: 9).

The manifesto, however, did not indicate how such land would be acquired except to mention that 'full-scale nationalisation of land' is excluded as a method of acquiring land for redistribution. Earlier studies undertaken under the auspices of the United Nations Institute for Namibia in Lusaka, however, suggested that SWAPO may follow a more gradualist policy principally similar to that of Zimbabwe, whereby the state may decide to buy land at market prices (*Namibia: Perspectives for National Reconstruction and Development*, 1986: 128)

Some of the land held by absentee landlords – (considerably less than the 48% foreign absentee ownership cited in the literature) – may be nationalised. In terms of ownership patterns, SWAPO stated that it 'will be desirable to promote state farms, cooperatives, peasant farming and to a certain extent private commercial farming' (*Namibia: Perspectives for National Reconstruction*,: 128).

Provisionally, it seems that in the absence of detailed policy proposals on land, the non-availability of economic resources to acquire additional land – at least for the immediate future – as well as bureaucratic inertia<sup>10</sup>, Namibia may well mirror the Zimbabwean experience in some respects.

Finally, under the provisions of the Stock Theft Act, 1990 (No.12 of 1990), promulgated in August, laws relating to the theft of stock and produce were amended and consolidated.

## Foreign Exchange

With effect from 1 May 1990, the following four dealers were authorised to deal in foreign exchange: Bank Windhoek Limited; First National Bank of SWA/Namibia Limited; Standard Bank Namibia Limited and The Bank of Namibia Limited. ("Government Notices No.4, Department of Finance, Amendment of Orders and Rules Issued Under The Exchange Control Regulations, 1961: Appointment of Authorised Dealers", Government Gazette of the Republic of Namibia, No.24 (1 June 1990).

## FOREIGN RELATIONS

The study of the foreign relations of small and of new states is a relatively new and under-researched aspect of the discipline of international relations. Traditionally, the focus of academic literature has generally been upon the foreign relations of Great Powers. Annette Baker Fox's *The Power of Small States* (1959) marked an original contribution to understanding the limitations and possibilities of small states during the Second World War. More recently, the general study of David Vital, *The Inequality of States* (1967), was published at a time when a number of small states, Israel, the former Rhodesia, North Vietnam captured attention by their remarkable resilience in situations of conflict.

Since the pioneering scholarship of Fox and Vital, a number of scholars both within and outside the field of International Relations, reflected on the peculiar vulnerabilities and opportunities open to small states in the international system. Romonot for example, considered "micro-states" in the United Nations. Percy Selwyn edited a useful collection on *Development Policy in Small Countries*. Michael Handel suggested criteria to differentiate 'mini-states' from mere 'small states'. His *Weak States in the International System*, published in 1981, offers an advance on previous literature on the topic.

Robert Rothstein's *The Weak in the World of the Strong*, explored the role of small states in the context of the Cold War. The collection of papers edited by Sheila Handen, provocatively titled, *Small is Dangerous: Micro States in a Macro World*, examined the security and geo-strategic risks associated with micro-states, especially in the context of the militarisation of the Third World.

Ronald P. Barton's admirable essay titled *The External Relations of Small States*, considered the 'relative capabilities and influence' of small as distinguished from 'middle range' and 'Great Powers'. Small states are distinguished from 'middle range' and 'Great Powers' by criteria such as resources (natural and human), levels of economic development, military capability, range of external involvement and the success of their foreign policies (Barton:41)

On Barton's analysis, most small states face a common problem – defining an appropriate relationship between capability and policy. Many small states have only a limited machinery for conducting external relations. While the foreign ministry is usually relatively small, "evidence of the significance of economic considerations" – and one should add of national development – can be seen in the important role of other ministries such as Commerce, Trade and Industry. Moreover, small states normally pursue a more limited range of policies (compared to 'middle range' and 'Great Powers') which are usually distinguished by their high commercial content or regional nature. Conversely, some of the comparatively economically advanced small states pursue active intra- as well as extra-regional foreign relations.

Writing on the foreign relations of the West African micro-state, the Republic of Cape Verde, Peter Meyns, comments:

The two basic issues most small (islands) states in the Third World face in their political and economic development have been described with the terms 'viability' and 'vulnerability' (P. Meyns, 1990:147)

Meyns' work shows that small states often enhance their security by entering into bilateral and multi-lateral agreements with regional neighbours. In many cases, geographical location and economic dependence determine the pattern and scope of their foreign relations.

Closer to home, Deon Geldenhuys' admirable M.A. dissertation titled *Lesotho's Foreign Policy: The Role of a Small Power in World Politics*, examined that country's role in Southern Africa and further afield. Within the context of small power status, Geldenhuys showed the value of drawing a distinction between a 'developed' and an 'underdeveloped' small power. The latter is even more limited by internal weakness and meagre national capabilities.

Some of these findings are also pertinent to Namibia, whose foreign policy and relations are based on a sober and realistic assessment of the country's capabilities and economic needs. Coming from a potentially radicalising tradition of armed struggle against South African neo-colonialism, it is understandable that the new Government shows sympathy with other oppressed people in South Africa and further afield. Therefore, the fraternal relations between the new Government and the African National Congress (ANC) of South Africa, constitute an important dimension of relations between the two countries.

Given Namibia's considerable dependence on foreign aid and investment its foreign policy is intimately linked to its overall development efforts. Moreover, the country's unequal socio-economic inheritance, instils a healthy dose of sobriety and pragmatism in its foreign relations.

As a new state Namibia had to develop its own trade and foreign relations with international society. Its nascent foreign policy and relations bear the hallmarks of that of a new, as well as of a small, state. Consequently, there is an almost organic link between the domestic and the foreign policy arenas. The same dose of brutal realism and pragmatism characterizes the country's foreign relations.

Understandably, bilateral relations between Namibia and South Africa - especially in trade, communication, fisheries and on Walvis Bay are of special importance. Namibia will maintain vital trade links with its more powerful southern neighbour, but also promote efforts aimed at greater economic self-reliance. As a newly admitted member of the United Nations (the 160th) of the Organisation of African Unity (OAU) and of the Commonwealth, Namibia can hardly afford to embrace apartheid. In the words of President Sam Nujoma:

... Therefore, much as we would like to have normal diplomatic relations with South Africa as a neighbour, we cannot as a matter of principle do so, until South Africa rids itself of apartheid. (Opening of the First Parliament Speech, 15 May 1990).

Outlining Namibia's wider foreign interaction, the President added:

..... Namibia, in foreign policy, would play a constructive role to reduce tensions in the conflict zones of the world and to promote international co-operation and dialogue. Namibia, through its membership of the UN, the Non-Aligned Movement, the Organisation of African Unity and Commonwealth would contribute its quota however insignificant to the promotion of world peace and security. (Opening of Parliament Speech, 15 May 1990).

Under the section that deals with 'Principles of State Policy', Article 96 of the Constitution of the Republic of Namibia, outlines the following objectives of the new state's foreign relations:

- (a) adopts and maintains a policy of non-alignment;
- (b) promotes international co-operation, peace and security;
- (c) creates and maintains just and mutually beneficial relations among nations;
- (d) fosters respect for international law and treaty obligations;
- (e) encourages the settlement of international disputes by peaceful means.

Namibia's accession to the United Nations as its 160th member on 23 April 1990, was indeed a high point in the new state's foreign relations. President Nujoma's letter to UN Secretary-General, Dr. Javier Perez de Cuellar, was indicative of the importance the new state attaches to UN-membership. It read, inter alia:

Namibia would be most grateful if your Excellency could ensure that the application is given consideration on a priority basis, so as to enable the Namibian delegation to participate in the work of the special session to be held from April 23 to 28.

The letter added:

..... Convinced of the acceptance of the application. The Republic of Namibia undertakes to make a solemn pledge to accept and carry out the obligations contained in the present UN Charter.

In an informative interview with *The Herald* (Harare), Foreign Minister, Theo Ben Gurirab, underlined that his government would adopt a 'pragmatic approach' to bilateral relations with South Africa.<sup>11</sup> South Africa remained a 'special question' in view of its 'former status as the colonial power of Namibia.' In the same interview, the Foreign Minister, projected a staff complement of 250-300 for the new foreign service (*The Herald* (Harare): 12/04/1990).

The Foreign Minister believes that foreign policy will be increasingly dominated and determined by economic questions. At the time of writing, Namibia already has a diplomatic complement of over 167 people, and are preparing for their second intake of cadets. Training takes place under the eye of a seasoned Ghanaian diplomat - he was also involved in training Zimbabwe's diplomats in 1980 - with assistance from Zimbabwe and the UN. The country's foreign missions will be located in nine cities - New York (at the UN); Washington DC; London; Brussels; Moscow; Stockholm; Addis Ababa (at the OAU); Lagos and Lusaka. Further missions are

planned in Pretoria, Bonn, Luanda and Harare, among others.

Regional relations of a bilateral and multilateral nature, have taken precedence since independence. Namibia became the tenth member of the Southern African Development Co-ordination Conference [SADCC] on 1 April 1990 in Lusaka, joined the 23-member Preferential Trade Area for Eastern and Southern Africa (PTA), and entered into various bilateral agreements with its neighbours.

Namibia became a full member of the Joint Monitoring Commission (JMC) in September 1990. With South Africa, Angola and Cuba, Namibia now plays its full part in the workings of the

JMC, and provides South Africa with important diplomatic access to Angola and Cuba. In a more general sense, Namibia has since independence been acting as something of a conduit for South Africa into Africa (Vale,1990).

It is in the area of bilateral and multilateral regional relations, however, that most of the developments have centred since the country's accession to independence. SADCC gave the green light to Angola and Namibia to establish the feasibility of reviving and developing the transport network that would eventually link the two countries across their common border.

The Namibian corridor begins on Angola's west coast at the port of Namibe with port, air, rail and road facilities. From there, the road and rail go east to Lubango, southern Angola's major city and agricultural production centre, whereafter the road runs south, across the Kunene river, to meet up with Namibia's road network at Oshikango in Ovambo. It is calculated that reconstruction and rehabilitation of the road network would cost between \$50 million and \$100 million.

Integral to this corridor project, is the commercial port of Namibe itself. This port has a maximum draft of 10,5m - Walvis Bay's equivalent. Across the bay on the northern side, is Sacomar, a port constructed to handle exports from the iron ore mined to the east of Cassinga. Sacomar has a 19m draft, and Angola and Namibia are exploring its adaptation to an oil port for the delivery of Angola's energy products to northern Namibia (*The Star* (Johannesburg): 26/7/90).

Apart from bilateral agreements with Angola on border security, transport and energy, Namibia supplies electricity to Angola and buys power from Zambia in terms of a multilateral agreement between the ten SADCC countries. Plans are underway to extend the powerline from Ruacana, on Namibia's northern border, to Xangongo, some 80 km inside southern Angola.

Technicians are also working on a transmission line to bring electricity from the Zambezi in Zambia to the Caprivi in northern Namibia. The eventual closure of the diesel power station at Katima Mulilo in the Caprivi is envisaged. This agreement was entered into with the SADCC's electricity sub-committee in Harare, where member states agreed that voltage frequencies and operating codes should be standardised. The SADCC electricity sub-committee met in October 1990 in Windhoek, under the chairmanship of Mr. Polla Brand of the Namibian Electricity Corporation (NEC) (*Business Day* (Johannesburg):4/5/90).

Angola will become Namibia's main oil supplier under an accord signed on 27 November 1990 between representatives of the two governments. Namibian Minister of Mining, Andimba Toivo ya Toivo, who signed the oil accord in Luanda, indicated that further talks with the Angolan authorities would be held on cross-border hydroelectric projects.

This bilateral agreement follows a general economic co-operation agreement signed in September 1990 by Angola's President Jose Eduardo dos Santos and his Namibian counterpart, Sam Nujoma.

While this accord with Angola may reduce Namibia's dependence on energy imports from South Africa, the country's oil storage tanks are primarily located in Walvis Bay. Moreover, Namibia's only oil refinery is based in the South African enclave of Walvis Bay, and the entire distribution network for petroleum products is owned and controlled by South African companies or the South African subsidiaries of transnational corporations.

Namibia and Botswana have reached agreement in principle to construct two new highways which would link the two countries to the east and north-east. Both highways would link Botswana and Zambia and the port of Walvis Bay along the Namibian coast.

Already some 30,000 tons of Zambian copper is being trucked to the port on the gravel road running along the Caprivi Strip and linking with the tarred road that ends just east of Rundu in the Kavango. In the construction of the Trans-Caprivi Highway, this road would be tarred eastward to Katima Mulilo. It would then turn south to enter Botswana at Ngoma, and then east again to link up with the tarred road now running from Kazangula south into Botswana and north into Zambia. At present, traffic crosses the Zambezi River at Kazangula on a ferry.

The Trans-Kalahari Highway would come into being by tarring most of the dirt road that now runs from Jwaneng to Ghanzi. It is expected that the road would turn west before Ghanzi and cut across to the existing border post, which is Mamuno on the Botswana side and Buitepos on the Namibian side. To complete the highway, the existing dirt road from Buitepos to Gobabis would have to be tarred (Reported in *The Star* (Johannesburg):2/10/90).

Earlier, in April 1990, an ambitious plan to link a new port in northern Namibia with the railway networks of Zambia, Zimbabwe and Botswana was put before the new Government in Windhoek.

The 1 950km line would run from Cape Frio, which could be developed as Port Nujoma, through the Caprivi Strip to join the Zambian railway network north of Livingstone.

The report was prepared by German transport consultants Kindinger International, and a copy has been submitted to the SADCC secretariat in Gaborone. The report estimates the cost of the Cape Frio project at \$800-million, provided it is built within five years.

Johannesburg-based transport consultant Joe King, who worked on the Kindinger proposal, says that the proposed line could reactivate mineral prospecting in the Kaokoveld, where US steel company, Bethlehem Steel Corporation, did extensive prospecting for deposits of iron, manganese, copper and soda ash in the late 1950s.

Namibia formally joined the Southern African Customs Union (SACU) late in June 1990 - much to the delight of Pretoria. Namibia's accession to SACU was one of the first fruits of Pretoria's 'new diplomacy'. When Namibia became the fifth member of SACU in 1979, it was arbitrarily allocated a 12% share of customs receipts. Following the country's independence on 21 March 1990, South Africa passed the Amended Import and Export Control Act of 1990, thereby legally binding importers and exporters to obtain permits for trading between the two countries. The amended Act, gazetted on May 23, 1990 repealed South West Africa's exemption from the Act following Namibia's independence.

Critics of the Act assert that it is in conflict with the General Agreement on Tariffs and Trade (GATT). Namibia was setting up a Customs and Excise Department, not to restrict the flow of goods, but to collect reliable statistics (*Business Day* (Johannesburg): 5/07/1990).

South Africa established an Interest Office in Windhoek. Former diplomat, Riaan Eksteen (of SABC notoriety) serves as Pretoria's representative there. Namibia has yet to reciprocate with a similar arrangement in South Africa, however, Namibian Foreign Minister, Theo Ben Gurirab, and Prime Minister, Hage Geingob, have visited South Africa for private discussions with

Foreign Minister, Pik Botha, and officials from his Department. It is widely expected that some form of diplomatic representation will follow this year.

Arguably, Namibia's relations with South Africa are the most critical of all its relations with the outside world. Above all, two unresolved issues in the post-independence period present themselves: the Walvis Bay and Penguin Island dispute, and the matter of the Orange River border.

The former, that of Walvis Bay and the Penguin Islands<sup>12</sup>, is of more than symbolic importance to Namibia – it impinges on the new State's domestic sovereignty – as well as on its maritime and trade politics. Detailed bilateral discussions between the two governments on the issue of Walvis Bay and the Penguin Islands, took place in Cape Town on March 14, 1991.

According to a joint statement issued by the two governments, the South African delegation comprised: Minister Pik Botha (Foreign Affairs); Mr. Barend du Plessis (Finance); Dr. Dawie de Villiers (Mineral and Energy Affairs and Public Enterprises); Mr. Gert Kotze (Water Affairs and Forestry); Mr. Kent Durr (Trade and Industry); Mr. Hernus Kriel (Planning Provincial Affairs and Housing) and Mr. Louis Pienaar (National Education and Environment Affairs).

The South African Ministers were assisted by the Administrator of the Cape, Mr. Kobus Meiring. Mr. C.J. de Jager, MP for Walvis Bay and Mr. Riaan Eksteen, South African representative in Namibia as well as senior officials.

Namibian delegation was headed by the Minister of Foreign Affairs, Mr. Theo-Ben Gurirab; Dr. Ernest Tjirange (Minister of Justice); Dr. Otto F.C. Herrigel (Minister of Finance); Attorney-General Mr. Hartmut Ruppel and senior officials.

Notwithstanding UN Security Council Resolution 432 of 1978, calling for the re-integration of Walvis Bay into Namibia, (as well as SWAPO's own position on the Port and Off-shore Penguin Islands), the negotiations which paved the way for South Africa's withdrawal from Namibia, made no mention of the Penguin Islands off the Namibian coast. That the re-integration of Walvis Bay and of the Islands into Namibia is demanded by Namibia is emphasized by Article 1 of the Namibian Constitution which states that:

The national territory of Namibia shall consist of the whole of the territory recognized by the international community through the organs of the United Nations as Namibia, including the enclave, harbour and port of Walvis Bay, as well as of the off-shore islands of Namibia, and its southern boundary shall extend to the middle of the Orange River.

Dugard (1990: 2-3) comments:

Namibia clearly wishes to consolidate its independence before it embarks on the difficult path of negotiations with South Africa over the incorporation of Walvis Bay and the Penguin Islands into its territory.

Moreover, there are indications of flexibility on both sides, especially as South Africa now enjoys cordial relations with its newly independent neighbour. The present good relations between the



two countries should not, however, be allowed to detract from the urgency of this matter. For unless this issue is amicably settled relations between the two states will deteriorate.

The Government of South Africa – with the support of the United States, the United Kingdom and Germany – views the issue of Walvis Bay and of the Penguin Islands as bilateral. As such it is an issue to be resolved by Namibia and South Africa to their mutual economic advantage.

Namibia recently extended its exclusive economic fishing zone from 12 to 200 nautical miles. This in turn raised the importance of surveillance in the area, and further necessitated the control of Walvis Bay as the country's centre of commercial maritime activity.

Considering that Zimbabwe too wants to export coal from Wankie via Walvis Bay, as made public by that country's Minister of Mines, Chris Andersen, on a visit to Namibia in October 1990, this only serves to underline the economic importance of the port – not only to Namibia, but to other states in the region as well. To operate at full capacity however, additional modern container vessels, replacing UNICORN lines from Durban's two ageing container vessels servicing Walvis Bay – the Berg and Breede – would have to be considered. An announcement to this effect was made in January of this year.

South Africa claims 'legal title' to a number of uninhabited, rocky islands along the Namibian coast between 24°58' south latitude. These are: Hollandsbird; Mercury; Ichaboe; Long; Seal; Penguin (with Luderitz harbour); Halifax; Possession (the largest); Albatross Rock; Pomona; Plum Pudding and Roast Beef or Sinclair's Island (du Pisani, 1990: 1–17). These deserted islands are scattered over more than 180 nautical miles along the southern part of the Namibian coast. Under the Sea Fisheries Act and the Territorial Waters Amendment Act of 1977 (which amended the original Act of 1963), a 200 mile maritime economic zone and a twelve mile territorial limit apply to these South African islands. Namibia itself holds legal title to a number of islands: Shark; Eighty Four; Steeple Rock; Black Rock; Reef and Dumbfudgeon.

The relationship between Namibia and South Africa over the disputed port of Walvis Bay became somewhat acrimonious when South Africa's Minister of Home Affairs, Gene Louw, announced the imposition of entry requirements on Namibian visitors to the enclave: From 1 January 1991 Namibians wishing to visit Walvis Bay would need valid passports, he said.

Louw's response came following an earlier announcement by the Namibian authorities that South Africans in Walvis Bay could visit other parts of Namibia only if they had valid passports. He was reported to have said: "The Namibian announcement leaves me no choice but to impose a reciprocal arrangement in respect of visits to Walvis Bay" (Reported in *Business Day* (Johannesburg): 21 December 1990).

My view is that it would serve the interests of both countries if Walvis Bay and the Penguin Islands were incorporated into Namibia. An ongoing dispute between South Africa and Namibia, may well "obstruct South Africa's full acceptance by the international community" (Dugard, 1990: 3). Moreover, Pretoria would be well advised to heed prevailing 'trade winds' in international law that may well sweep aside colonial claims.

Reports have it that the South African Government proposed a joint port authority with free-port status for Walvis Bay. Namibia on its part, favours incorporation of the Port of Walvis Bay and

its environs as well as of the off-shore Penguin Islands. Windhoek bases its arguments for incorporation on economic as well as on legal grounds – especially the traditional legal norm of estoppel.

South Africa's withdrawal from Namibia – coinciding as it did with profound transformation in East/Central Europe – has enhanced Pretoria's regional diplomatic and strategic position. South Africa has been able to revive earlier visions of a 'constellation of states' and in this regional design, the Walvis Bay issue may yet come to play an important role.

Presently, the country's southern border with South Africa runs along the north bank of the Orange River, and not in the middle of the river as defined by the Namibian Constitution. The new government in Windhoek is keen to rectify this anomaly, and has indicated that this matter would be taken up with the South African government.

Finally, two other significant developments in the foreign relations field, need to be discussed: Namibia's accession to the Lomé IV Convention, and the country's relations with some select countries such as the USA, Cuba and the Soviet Union.

Namibia was granted Least Developed Country (LDC) Status by the European Community Commission in November 1990. With this announcement, Namibia's accession to the Lomé IV Convention was finalised. Namibia became a member state of the Lomé IV Convention. Minister of Trade and Industry, Ben Amathila, made this announcement on 27 November 1990. The Minister said that a Namibian delegation led by him visited Brussels on November 19 and 20 where they held talks with the Vice-President of the European Community, Manuel Warin. The Africa, Caribbean and Pacific countries (ACP) and European Community (EC) met on November 23 at ambassador-level and finalised a document of accession of Namibia to the Lomé IV Convention. (Reported in *The Herald* (Zimbabwe): 28/11/90). LDC status has been accorded to Namibia for a period of five years, after which it will be reviewed. All the benefits, support mechanisms, and concessions usually granted LDCs will apply to Namibia, but it will not be added to the list of LDCs under the Lomé Convention.

Namibia was also granted a two-year 10,500 metric-ton boneless beef quota under the Lomé beef protocol. The quota will increase to 13,000 for the following three years (60,000 tonnes short of the amount hoped for by the government) whereafter the quota will be reviewed. Agreed, too, was that Namibia's membership of the Southern African Customs Union be recognized by its inclusion in the joint declaration of trade between the European Community (EC) and Botswana, Lesotho and Swaziland. At present, an estimated 80% of Namibia's beef exports go to South Africa. The EC agreement should help lessen Namibia's independence in this respect, and provide an important boost to the local industry.

At the time of writing, 34 foreign missions have been established in Windhoek, more (as many as 70) are expected. To date, the new government has entered into various agreements, among these, four are with the United States in June 1990 on US technical and economic assistance to Namibia. The first of these, provided for preferential duty free status to Namibia which allows for the duty free entry into the US market of up to 4,100 Namibian products.

Secondly, under the investment incentive agreement, US private companies would be encouraged to invest in Namibia – it provides for investment insurances, loans and guarantees.

The third agreement provides for American peace corps volunteers, as requested by Namibia, to offer their technical skills and assistance in areas such as rural development, electrification of rural areas, health and education.

Finally, a special assistance development agreement provides for financial assistance from the US government for small scale development in which self-help is the primary element (Reported in *Daily Mail* (Johannesburg): 21/06/1990).

The US Export-Import Bank (EXIMBANK) – an independent US Government agency – has established a programme aimed at encouraging US exports to Namibia. In terms of its Namibian Loan and Guarantee Programme, EXIMBANK would assist export transactions with a financed portion of up to R26,6 million and an amortisation period of up to five years (Reported in *Business Day* (Johannesburg): 22/05/1990).

The SWAPO-government's careful, incremental planning also found favour with the World Bank in Washington D.C. Namibia joined the World Bank, and asked it to undertake two detailed reports of its social structure and of its macro-economy. These reports will be released in June 1991.

Namibia has also entered into a Co-operation Agreement with the USSR. The Soviet Charge d'Affairs at the Soviet Mission in Windhoek, Mr. Pavel Pavlov, indicated that the agreement covers joint development projects in irrigation, mineral processing and oil exploration. A delegation of Namibian businessmen visited the Soviet Union in October 1990.

At the beginning of March 1991, Namibian President Sam Nujoma, led a high-powered delegation to Cuba. Accompanying him, were: Mr. Theo-Ben Gurirab (Minister of Foreign Affairs); Mr. Peter Muesihange (Minister of Defence) and Dr. Nickey Iyambo (Minister of Health and Social Services).

Various bilateral agreements on health, defence and fisheries resulted from this visit. President Nujoma reiterated his invitation to President Fidel Castro to be the guest of honour at Namibia's first independence birthday celebrations.

On June 1, 1990 the OAU's observer mission became a permanent diplomatic mission. Head of mission, Ulujimi Jolaoso, liaises between the OAU Secretariat and the Namibian government. His office also represents African governments without representation in Namibia, as well as observing the South African political scene. The OAU office in Windhoek is the first of its kind in the world, as it was not normal practice for the OAU to establish diplomatic missions (Reported in *The Herald* (Harare): 24/05/1990).

Namibia's accession to the Southern African Development Co-ordination Conference (SADCC) on 1 April 1990, not only underscores the value that the country's political leadership attaches to bilateral and multi-lateral regional relations, but also serves to enhance the status of the new state and that of its President. Since the country's accession to SADCC, it hosted the SADCC Eleventh Consultative Conference in Windhoek on 31 January 1991.

At this particular occasion, Mr. Nelson Mandela, the Deputy President of the African National Congress (ANC), delivered a measured address on behalf of South Africa's two liberation movements – the ANC and the PAC. In his address on behalf of 'the leadership collectives of the ANC and the PAC as well as the millions of people whom we represent', Mr. Mandela expressed his appreciation of the SADCC Secretariat's decision in 1990 at the organisation's Summit meeting in Gaborone to grant observer status to the liberation movements and to draw them into 'the process of discussing the future of the SADCC when South Africa has been liberated'.

On the future of a 'liberated South Africa' in the region, Mr. Mandela spoke of South Africa coming into SADCC 'on the basis of an agreed regional plan that would ensure balanced regional development and mutually beneficial co-operation among our various countries'. He ended by expressing the view that South Africa 'will soon take up its membership of SADCC as an equal partner in a common effort to transform this region into a zone of prosperity'.

On this occasion, Namibian President, Sam Nujoma, presented ANC Deputy-President, Mr. Nelson Mandela, with a cheque for R1 million from the government of Namibia.

This act of goodwill was not without symbolic import, for it served to underline the fraternal relations that exist between the two political formations, as well as an attempt on the part of the Namibian Government to continue such relations after the demise of apartheid in South Africa.

In a considered opening address, President Sam Nujoma, made play of the special importance of the presence of "representatives of the Liberation Movements", in particular that of "my brother, Comrade Nelson Mandela". In his view, their presence further:

demonstrates that we of this sub-region, including a post-apartheid, democratic, united and non-racial South Africa, are fully committed to pooling our resources for the common good of our countries and peoples. It is also a further demonstration that the people of this region, even when the obnoxious apartheid system is removed, will still have the need to reach out to one another for regional growth and prosperity and SADCC will, no doubt, provide the right framework for the community of nations of Southern Africa (Statement by His Excellency, Dr. Sam Nujoma, President of the Republic of Namibia, on the occasion of the official opening of the SADCC Consultative Conference, Windhoek, 31 January 1991, mimeo: pp.2-3)

Observing that there was a global trend towards integrated production and the formation of trade regimes, President Nujoma noted 'substantial progress' within SADCC and indicated that the time has come 'to examine more closely the modalities of a truly integrated SADCC economy'.

The President indicated that his Government was anxiously awaiting the report on the 'formalisation' of SADCC – especially on improved export credit facilities and cross border investment – and expressed the hope that a practical and realistic time-table for increased trade and business for the region will be agreed upon.

Echoing the theme of the SADCC Consultative Conference, the President spoke of the need for human resource development. He added that in Namibia, education and human resource

development was one of the four sectors which his Government has singled out as a priority sector, the others being agriculture, health and the provision of affordable housing.

Finally, President Nujoma noted with gratification the mediation attempts in neighbouring Angola and in Mozambique. On South Africa, he welcomed efforts to strengthen and unify anti-apartheid forces, supported the recent meetings and a peace accord between the ANC and the Inkatha Freedom Party and indicated that negotiations on the integration of the port of Walvis Bay as well as of the offshore islands would take place in the near future. He concluded by saying that Namibia's independence was 'incomplete' without their integration.

In his address, the Hon. Mr. P.S. Mmusi, Chairman of the SADCC Council of Ministers and Vice-President of the Republic of Botswana, spoke of Namibia's 'special place' in SADCC. In this regard, he said that it had always been SADCC's conviction that:

Independent Namibia would bring nearer the SADCC dream of a region united from the Indian Ocean in the east to the Atlantic in the west, working harmoniously to bring a better life for all its peoples; independent Namibia would see the end of South Africa's destabilisation and aggression in Angola, and bring nearer the day of reconciliation in that country; and, an independent Namibia would make it possible for SADCC to develop transport and communications, trade, travel and other exchanges in ties that will bind the people of the region toward a common future and destiny. (Statement by the Hon. P.S. Mmusi at the 1991 SADCC Annual Consultative Conference, Windhoek, January 31, 1991: 1-2)

## CONCLUSIONS

Namibia mastered its transition to independence well. Political empowerment and participation under a profoundly democratic constitution were extended to a much larger electorate. The country established wide international and regional links: aid agencies, some 34 accredited diplomatic missions, various international sports contacts, entry to SADCC, the OAU, the PTA, the Commonwealth, the International Monetary Fund and air links with Zambia, Botswana, Zimbabwe, South Africa and Germany. The officially-encouraged air of "national reconciliation" has enhanced social interaction and strengthened confidence, especially of the local business sector.

In Windhoek black Namibians are more in evidence in managerial and responsible positions - as officials, hotel management, shop and office staff. Change has been much slower in reaching the rural areas - peasants and farm labourers no doubt see little or no difference. The direction of the economy has not changed much, nor is it likely to. A crime wave feeds on raised expectations amidst Third World poverty, especially in most of the larger towns and cities.

Unruly border guards - former PLAN guerrillas and ex-SWATF members - were withdrawn on September 3, 1990, following reports of undisciplined conduct by border guards and special constables. Yet, in the words of Tony Heard, the former editor of the Cape Times:

... it was equally forcefully noted that the decades-long dirty bush war produced no angels; that there are similarly notorious people, from other sides, still active in public life. Throwing the first stone is not easy. (Heard, 1990: 42)

The press is as lively as ever, with half a dozen daily newspapers, mostly tabloid, battling it out in various languages. The debate in the press, often personal, downgrading and acrimonious, is remarkably free. The independence of the Judiciary has been proudly upheld.

Increasingly, the internal cohesion of the Democratic Turnhalle Alliance (DTA) is suspect, with defections from it and the Namibia Patriotic Front (NPF). For the Namibian National Front (NNF) the era of alliance politics is over. It faces an uncertain future.

While the governing party's careful, incremental planning finds favour with international and local investors, its own constituency is less patient and more critical. Social and economic empowerment would be much harder to effect - it would also take longer than political empowerment. The limitations on the SWAPO government's freedom of action are recognised. People also accept that it takes time for the incoming political elites to initiate changes; and they have been told that revenue is in short supply and that many needed expenditures must wait, pending further aid negotiations. "But they also wonder how far the new government really envisages radical change of the kind that most Namibians dreamed of during the long years of the independence struggle - a profound redistribution of education, health and housing resources, and of personal incomes, for example, between the races" (Leys, 1990: 17).

The political leadership has understandably been absorbed by endless cabinet meetings and ministerial duties in Windhoek. Only recently have many of them moved out of their offices, but

even then they have not given the impression of being keen to meet and listen to ordinary people. The fruits of power seem to have been rather seductive....

In the realm of regional and foreign relations, Namibia has made considerable progress. The new Government entered into bilateral agreements on energy, transport, security and trade with neighbouring Angola, Botswana and with Zambia. Namibia's accession to the Lomé IV Convention late in 1990 gave exporters access to the lucrative European market. By and large, the country experienced considerable international goodwill and attracted donor funding for a variety of socio-economic projects - projects that could benefit people living in the underdeveloped rural parts of the vast country.

Bilateral relations with South Africa - the most critical of all foreign relations - have been characterised by pragmatism and considerable realism. Detailed and constructive negotiations on the future of Walvis Bay and of the Penguin Islands have started. There is every indication that a mutually acceptable arrangement may be reached on this important unresolved question. Negotiations with the South African Government on the Orange River border are likely to see this matter settled as well.

With considerable progress in the localisation of the State bureaucracy, there is every expectation that Namibia will improve and professionalise its fledgling civil service, although there are problems in this area. Executive patronage has not always served the bureaucracy equally well. There remains an understandable need for human resource development in this critical area.

The nation building project has gone well in key respects - the integration of a national defence force and in establishing an own police force - but has not found universal favour with all social formations in the country. To thousands of peasants in the rural areas, the politics of national reconciliation has meant very little in the form of either improved living conditions or social change.

Social problems - housing, rapid urbanisation and health - are likely to persist well into this decade. To its credit, the new government has started with low cost housing schemes - especially in the urban centres - but considerably more resources will have to be directed towards social investment. For example, with regard to the nutritional level of black Namibians, on average only 80% of the caloric supply as a percentage of requirements is available to them. This is the second worst calory intake level in the SADCC region, only Mozambique has a worse intake. The illiteracy rate for black Namibians is estimated at over 30%.

In terms of its farming potential, Namibia is a marginal, semi-arid area, prone to prolonged devastating droughts. Such droughts have a crippling effect on the economy, for whilst the mining sector contributes some 28,1% to the gross domestic product (GDP) and 72,6% to export earnings, it contributes little to employment, which is largely derived from agriculture and agriculturally related activities. Agriculture is therefore of critical importance to the country.

For many of its exports Namibia faces volatile export commodity prices. The South African demand for Namibian beef and mutton tends to be cyclical, with Namibian supplies being the first to be affected once a down turn in the market sets in. The same situation prevails in the case of Karakul.

Since the early 1970s base mineral prices have suffered both from a long term decline on world markets, as well as from sudden short term shifts. This trend is set to continue.

Namibia's manufacturing sector remains underdeveloped, accounting for a mere 4.7% of GDP. Scope for expansion, especially with regard to the further processing of agricultural products exists, but additional investment will be needed.

Finally, Namibia is a very new state - it has only been independent a mere twelve months - policy with regard to two key arenas - mining and land - still has to be formulated. Given the political and economic importance of these two policy arenas, what the government does will in no small measure determine its future prospects.



## REFERENCES

1. Statement by the UN Secretary-General, Dr Perez de Cuellar, at Namibia Independence celebrations, Windhoek, 20 March 1990 (mimeo).
2. Address to the Nation on Namibia's Independence Day by President Sam Nujoma, Windhoek, 21 March 1990 (mimeo).
3. Ibid.
4. President Nujoma receives a salary of R20,000/month: R15,000 salary, plus a house, car, petrol and telephone allowance of R5,000.  
Prime Minister, Hage Geingob, receives R14,000/month.  
The Speaker of Parliament, Dr Mose Tjitendero, gets R12,500/month.  
The 16 Ministers receive R12,000/month each.  
Deputy Ministers earn R10,000/month ; Heads of Departments – R8,500, and the other 72 members of Parliament – R5,000/month each. Collectively, this salary bill comes to R10m per year.
5. The outcome of the fraudulent referendum in Rehoboth was as follows: 7,895 of the 9,280 registered voters participated, with 84,1% voting to "have a say over the future of our land"; a mere 17 voted against, 71 papers were spoilt. SWAPO, the DTA and the NNF opposed the referendum.
6. The *The National Union of Namibian Workers* (NUNW), comprises the following constituent unions:  
  
Namibia Food & Allied Workers Union (NAFAU); Mineworkers Union of Namibia (MUN); Metal and Allied Namibian Workers Union (MANWU); Namibia Public Workers Union (NAPWU); Namibia Transport and Allied Union (NATU); Namibia National teachers Union (NASNTU) and the Namibia Domestic & Allied Workers Union (NDAWU).
7. Following a visit to Namibia in July 1990 by Juergen Warnke (Minister of Cooperation and Development), it was announced that German aid would principally assist with rural development and the return of refugees. R45m would be in grants for environmental protection and projects to fight poverty. A further R100m would consist mainly of loans.
8. R186m of a total of R718m in aid was dedicated to relieve the budget deficit (R560m before borrowing). The new government, with the assistance of the UN Development Programme (UNDP) office in Windhoek, planned projects for the next three years at a total projected value of R532 million. (*The Star*: 2/7/90).
9. Republic of South Africa, Report of the Commission of Enquiry into South West Africa Affairs 1962-1963, R.P. 12/1964.

10. Two Ministries are involved: Agriculture, Fisheries, Water and Rural Development, and Land and Lands Resettlement and Rehabilitation.
11. Heribert Weiland & Rainer Hampel, *Namibia before Independence: Socio-political attitudes and opinions*. Freiburg: 1990. In the survey only 11% of the SWAPO supporters favoured a complete break with South Africa.
12. For an admirable analysis of the legal ambiguities relating to Walvis Bay and the Penguin Islands, see L. Berat, *Walvis Bay: The Last Frontier*. Wynberg: Radix, 1990 (in association with Yale University Press).

## BIBLIOGRAPHY

*Action on Namibia*, September 1990. Namibia Support Committee, London.

Adams, Fiona, Wolfgang Werner & Peter Vale: *The Land Issue in Namibia: An Inquiry*. University of Namibia: Namibia Institute for Social and Economic Research, Research Report 7, July 1990.

Barston, Ronald P: 'The External Relations of Small States', *Reprint from Nobel Symposium 17*, Stockholm: Almqvist & Wiksell, n.d. (Edited by August Schou & Arne Olav Brundtland).

Benedict, B. (ed): *Problems of Smaller Territories*. London: University of London Press, 1967.

*Business Day* (Johannesburg): 30/03/90; 4/05/90; 22/05/90; 21/06/90; 3/09/90.

Butwell, R. (ed): *Foreign Policy and the Developing nations*. Kentucky, Lexington: Lexington Books, 1969.

*Daily Mail* (Johannesburg): 21/06/90; 7/08/90.

Dugard, John: Smuts House Notes "What's to be done with Walvis Bay?", *International Affairs Bulletin*, Vol.14, No.2/1990: 2-3.

du Pisani, André: 'Whither Namibia?' in *The Southern Africa Policy Forum*, Second Conference, August 14-17, 1989. Queenstown, MD: The Aspen Institute, 1989: 15-26.

du Pisani, André: 'Namibia: A Nation in the Making', *South Africa International*, Vol.20, April 1990, No.4: 195-204.

The Economist Intelligence Unit, *Namibia, Botswana, Lesotho, Swaziland, No.1*. 1989. London: Business International, 1989.

Evans, Graham: 'Walvis Bay: South Africa, Namibia and the Question of sovereignty', *International Affairs*, Vol.66, No.3, July 1990: 559-568.

*Financial Mail* (Johannesburg): 10/02/90; 20/06/90.

Fox, Annette Baker: *The Power of Small States*. London: Macmillan, 1959.

Geldenhuys, D.J.: *Lesotho se Buitelandse Beleid: Die Rol van 'n Kleinmoondheid in die Wereldpolitiek*. M.A. Dissertation, University of Pretoria, 1973.

Handel, Michael: *Weak States in the International System*. London: Frank Cass, 1981.

Handen, Sheila (ed): *Small is Dangerous: Micro States in a Macro World*. London: Frances Pinter, 1985.

Heard, Tony: "Visit Namibia. It may bring back your hopes", *The Weekly Mail*, Vol.6, No.44, November 16-22, p.42.

Leys, Colin: "Namibia: Five Months After", *Southern Africa Report*, November 1990: 16–29.

Meyns, Peter: *Blockfreie Aussenpolitik eines afrikanischen Kleinstaates – Das Beispiel Kap Verde*. Hamburg: Institut für Afrika-Kunde, 1990.

Nujoma, Sam: *Address to the Nation on Namibia's Independence Day*, Windhoek, 21 March 1990 (mimeo).

Nujoma, Sam: *Opening of First Parliament Speech*, Windhoek, 15 May 1990 (mimeo).

Ramonat, Wolfgang: "Microstates in the United Nations", *Aussenpolitik*, Vol.32, No.3, 1981.

Rothstein, Robert: *The Weak in the World of the Strong*. New York: Columbia University Press, 1976.

Rothstein, R.L.: *Alliances and Small Powers*. New York: Columbia University Press.

Republic of Namibia, *Namibia Challenging the Future – The Namibia Donors Conference*, New York: 1990.

Republic of Namibia, *The Constitution of the Republic of Namibia*, 1990.

Republic of Namibia, *Budget Speech 1990*, by the Hon. Otto Herrigel, Minister of Finance, delivered to the Parliament on 6 July 1990 (mimeo).

Republic of Namibia, *Statistical/Economic Review 1990*. The Ministry of Finance, Windhoek, 1990.

Selwyn, Percy (ed.): *Development Policy in Small Countries*. London: Croom Helm, 1975.

Sievers-Harnett, Axel: *Namibia: Wahlen zur Verfassungsgebenden Versammlung 1989 – Analyse und Dokumentation*. Hamburg: Institut für Afrika-Kunde, 1990.

*SWAPO Election Manifesto – Towards an independent and democratic namibia: SWAPO's policy positions*. SWAPO Directorate of Elections, 1989.

*The Herald* (Harare): 12/04/90; 24/05/90

*The Namibian* (Windhoek): 25/05/90

*The Sowetan* (Johannesburg): 2/04/90

*The Star* (Johannesburg): 3/04/90; 12/06/90; 26/07/90; 2/10/90.

*The Weekly Mail* (Johannesburg): 16/11/90–22/11/90.

UN: Namibia, *Perspectives for National Reconstruction and Development* (Abridged version). Lusaka: 1986.

Vale, Peter: "Namibia: How is the newest country faring?", *The Natal Witness*, 24/09/90.

Vital, David: *The Inequality of States*. Oxford: Oxford University Press, 1967.

Weiland, Heribert: "Namibia: A Fresh Deal", *International Affairs Bulletin*, Vol.14, No.1, 1990: 22-32.

Weiland, Heribert & Rainer Hampel: *Namibia before Independence: Socio-Political Attitudes and Opinions*. Freiburg: 1990.

Werner, W.: *An Economic and Social History of the Herero of Namibia, 1915-1946*, *Unpublished Ph.D.*, University of Cape Town, 1989.

Zartman, I.W.: *International Relations in the New Africa*. Englewood-Cliffs: Prentice-Hall, 1966.

Republic of Namibia: Official Publications:

Act No.2 of 1990: Public Service Commission Act, 1990: Gazette No.27.

Act No.3 of 1990: Territorial Sea and Exclusive Economic Zone of Namibia Act, 1990: Gazette No.28.

Act No.4 of 1990: Assignment of Powers Act, 1990: Gazette No.29.

Act No.5 of 1990: Pension Matters of Government Institutions Amendment Act, 1990: Gazette No.30.

Act No.6 of 1990: Special Advisers and Regional Representatives Appointment Act, 1990: Gazette No.31.

Act No.7 of 1990: Ombudsman Act, 1990: Gazette No.32.

Act No.8 of 1990: Bank of Namibia Act, 1990: Gazette No.42.

Act No.9 of 1990: Magistrates' Courts Amendment Act, 1990: Gazette No.43.

Act No.10 of 1990: Sea Fisheries Amendment Act, 1990: Gazette No.51.

Act No.11 of 1990: Appropriation Act, 1990: Gazette No.55.

Act No.12 of 1990: Stock Theft Act, 1990: Gazette No.63.

Act No.13 of 1990: Petroleum Products and Energy Act, 1990: Gazette No.64.

Act No.14 of 1990: Namibian Citizenship Act, 1990: Gazette No.65.

Proclamation No.3: Amendment of regulations made under the Fisheries Act, 1973 (Act 58 of 1973): Gazette No.10.

- Proclamation No.7:** Promulgation of Territorial Sea and Exclusive Economic Zone of Namibia Act, 1990 (Act 3 of 1990), of the National Assembly: Gazette No.28.
- Proclamation No.6:** Commencement of the Territorial Sea and Exclusive Economic Zone of Namibia Act, 1990 Act 3 of 1990); Gazette No.44.
- Proclamation No.7:** Appointment of first Chief of the Defence Force under Article 142 of the Namibian Constitution: Gazette No.45.
- Proclamation No.8:** Appointment of first Inspector-General of Police and first Commissioner of Prisons under Article 142 of the Namibian Constitution: Gazette No.46.
- Proclamation No.9:** Bank of Namibia Act, 1990: Determination of Date of Commencement: Gazette No.48.
- Proclamation No.10:** Appointment of Acting Ombudsman: Gazette No.52.
- Proclamation No.11:** Announcement under Article 32(8) of the Namibian Constitution of certain appointments: Gazette No.54.
- Proclamation No.12:** Establishment of the first Delimitation Commission and the duties thereof: Gazette No.69.
- Proclamation No.13:** Commencement of the Namibian Citizenship Act, 1990 (Act 14 of 1990): Gazette No.72.
- Govmnt Notice No.3:** Amendment of regulations made under the Fisheries Act, 1973 (Act 58 of 1973): Gazette No.10.
- Govmnt Notice No.7:** Promulgation of Territorial Sea and Exclusive Economic Zone of Namibia Act, 1990 (Act 3 of 1990), of the National Assembly: Gazette No.28.
- Govmt Notice No.18:** Promulgation of Bank of Namibia Act, 1990 (Act 8 of 1990), of the National Assembly: Gazette No.42.
- Govmt Notice No.22:** Promulgation of Sea Fisheries Amendment Act, 1990 (Act 10 of 1990), of the National Assembly: Gazette No.51.
- Govmt Notice No.23:** Promulgation of Appropriation Act, 1990 (Act 11 of 1990), of the National Assembly: Gazette No.55.

## ANNEXURE A:

### **PARTIES AND ALLIANCES REPRESENTED IN THE NATIONAL ASSEMBLY** (Parties are printed in bold type)

#### **Parties**

1. **Christian Democratic Action for Social Justice (CDA) (defunct)**
2. **Namibian National Democratic Party (NNDP)**
3. **Swapo-Democrats (SWAPO-D)**
4. **South West Africa People's Organization (SWAPO)**

#### **Alliances**

5. **Action Christian National (ACN)\***
  5. 1. **National Party (NP)**
  5. 2. **Action Christian National (ACN)**
6. **Democratic Turnhalle Alliance (DTA)**
  6. 1. **Bushmen Alliance (BA)**
  6. 2. **Christian Democratic Party - DTA (CDP-DTA)**
  6. 3. **Democratic Turnhalle Party of Namibia (DTPN)**
  6. 4. **National Democratic Party (NDP)**
  6. 5. **National Democratic Unity Party (NDUP)**
  6. 6. **Nation Unity Democratic Union (NUDO)**
  6. 7. **Rehoboth Democratic Turnhalle Alliance Party (RDTAP)**
  6. 8. **Republican Party (RP)**
  6. 9. **Seoponsengive Party (SP)**
  6. 9. **SWA People's Democratic United Front (SWAPDUF)**
  - 6.10. **United Democratic Party (UDP)**
  - 6.11. **United Party of Namibia (UP)**
  - 6.12. **National Unity Democratic Organization (NUDO)**
7. **Federal Convention of Namibia (FCN)**
  7. 1. **Rehoboth Free Democratic Party (RFDP)**
  7. 2. **Nudo-Progressive Party (NUDO-PP)**

\* Controversy surrounds the membership of ACN. It is not clear whether the name ACN was adopted by the National Party merely as an election ploy or whether a second party (known as Aksie Christelik National) under the leadership of Mr. Jan de Wet was part of the alliance.

- 7. 3. **National Progressive Party (NPP)**
- 7. 4. **Democratic Action for Namas (DAN)**
- 7. 5. **National People's Liberation Front (NPLF)**
  
- 7. 6. **Damara Executive Council (DEC)**
- 7. 7. **Voice of the People (VP)**
- 7. 8. **Bondelswarts Council (BC)**
- 7. 9. **Namibia Christian Democratic Party (NCDF)**
  
- 7.10. **Riemvasmaak United Party (RUP)**
- 7.11. **Namibia People's Party (NPP)**
- 7.12. **United Liberation Movement (ULM)**
- 7.13. **Democratic Party (DP)**
- 7.14. **Damara Christian Party (DCP)**
- 7.15. **Students for Democratic Society (SDS)**
- 7.16. **Liberal Party (LP)**
  
- 8. **Namibia National Front (NNF)**
  
- 8. 1. **Swanu-Progressives (SWANU-P)**
- 8. 2. **Namibian Independence Party (NIP)**
- 8. 3. **Rehoboth Volksparty (RVP)**
- 8. 4. **United People's Party (UNPP)**
- 8. 5. **Mmabatho People's Party (MPP)**
  
- 9. **National Patriotic Front (NPF)**
  
- 9. 1. **Action National Settlement (ANS)**
- 9. 2. **Caprivi African National Union (CANU)**
- 9. 3. **South West African National Union (SWANU)**
  
- 10. **United Democratic Front (UDF)**
  
- 10. 1. **Damara Council (DC)**
- 10. 2. **Labour Party (LP)**
- 10. 3. **Original People's Party of Namibia (OPPN)**
- 10. 4. **Patriotic Unity Movement (PUM)**
- 10. 5. **Workers' Revolutionary Party (WRP)**

(Source: *Coming of age: choices for Namibian Voters*. Foundation for Democracy in Namibia. 1989: 10-11.)



## ANNEXURE B:

RESULTS OF THE NOVEMBER 1989 ELECTIONS TO THE CONSTITUENT ASSEMBLY (%)<sup>1</sup>

DISTRICT	SWAPO	DTA	UDF	ACN	OTHERS
Bethanie	20.00	57.90	03.50	12.96	05.64
Damaraland	26.80	16.00	54.60	01.10	01.50
Gobabis	13.40	66.60	02.40	11.38	06.22
Grootfontein	33.80	45.70	06.90	08.98	04.62
Hereroland	14.40	66.40	00.50	00.35	18.35
Kaokoland	10.00	65.60	00.40	00.32	23.68
Karasburg	12.70	55.80	04.50	24.98	02.02
Karibib	35.30	29.90	23.60	06.29	04.91
Kavango	51.70	41.80	02.30	00.77	03.43
Kcetmanshoop	28.50	49.10	07.80	07.83	06.77
Lüderitz	64.00	22.30	04.00	05.35	04.35
Maltahöhe	34.40	26.30	15.20	16.11	06.99
Mariental	20.50	56.00	07.50	11.23	04.77
Okahandja	36.30	41.00	11.10	06.82	04.78
Omaruru	21.40	53.10	10.40	04.14	10.96
East Caprivi	38.80	53.00	02.10	00.36	05.74
Otjiwarongo	32.20	43.00	15.50	06.30	03.00
Outjo	17.20	46.40	20.70	12.56	03.14
Owambo	92.30	04.20	02.20	00.12	01.18
Rehoboth	16.80	45.20	02.20	00.66	35.14
Swakopmund	58.50	25.50	07.10	05.20	03.70
Tsumeb	53.50	28.50	09.00	07.00	02.00
Windhoek	46.10	36.00	07.30	04.90	05.70
<b>TOTAL<sup>1</sup></b>	<b>57.30</b>	<b>28.55</b>	<b>05.65</b>	<b>03.54</b>	<b>04.96</b>

Total valid votes: 670 830

\* The Constituent Assembly has since been converted into the country's first Parliament - The National Assembly

1 Including 96 281 tendered votes.

## **ANNEXURE C: THE CONSTITUTION**

The Constitution of the Republic of Namibia took effect at independence on 21 March 1990. Its principal provisions are summarized below:

### **The Republic**

The Republic of Namibia is a sovereign, secular, democratic and unitary State and the Constitution is the supreme law.

### **Fundamental Human Rights and Freedoms**

The fundamental rights and freedoms of the individual are guaranteed regardless of sex, race, colour, ethnic origin, religion, creed or social or economic status. All citizens shall have the right to form and join political parties. The practice of racial discrimination shall be prohibited.

### **The President**

Executive power shall be vested in the President and the Cabinet. The President shall be the Head of State and of the Government and the Commander-in-Chief of the Defence Force. The President shall be elected by direct, universal and equal suffrage, and must receive more than 50% of the votes cast. The term of office shall be five years; one person may not hold the office of President for more than two terms.

### **The Cabinet**

The Cabinet shall consist of the President, the Prime Minister and such other Ministers as the President may appoint from members of the National Assembly. The President may also appoint a Deputy Prime Minister. The functions of the members of the Cabinet shall include directing the activities of Ministries and government departments; initiating bills for submission to the National Assembly; formulating, explaining and assessing for the National Assembly the budget of the State and its economic development plans; formulating, explaining and analysing for the National Assembly Namibia's foreign policy and foreign trade policy and advising the President on the state of national defence.

### **The National Assembly**

Legislative power shall be vested in the National Assembly, which shall be composed of 72 members elected by general, direct and secret ballots and not more than six non-voting members appointed by the President by virtue of their special expertise, status, skill or experience. Every National Assembly shall continue for a maximum period of five years, but it may be dissolved by the President before the expiry of its term.

## **The National Council**

The National Council shall consist of two members from each region (elected by Regional Councils from among their members) and shall have a life of six years. The functions of the National Council shall include considering all bills passed by the National Assembly, investigating any subordinate legislation referred to it by the National Assembly for advice, and recommending legislation to the National Assembly on matters of regional concern.

## **Other Provisions**

Other provisions relate to the administration of justice (see under Judicial System), regional and local government, the public service commission, the security commission, the police, defence forces and prison services, finance, and the central bank and national planning commission. The repeal of, or amendments to, the Constitution require the approval of two-thirds of the members of the National Council; if the proposed repeal or amendment secures a majority of two-thirds of the members of the National Assembly, but not a majority of two-thirds of the members of the National Council, the President may make the proposals the subject of a national referendum, in which a two-thirds majority is needed for approval of the legislation.

## ANNEXURE D: THE GOVERNMENT

### The Head of State

**President and Commander-in-Chief of the Defence Force: Sam Nujoma (took office 21 March 1990.)**

### Cabinet

<b>President</b>	: Sam Nujoma
<b>Prime Minister</b>	: Hage Geingob
<b>Minister of Home Affairs</b>	: Hifikepunye Pohamba
<b>Minister of Foreign Affairs</b>	: Theo-Ben Gurirab
<b>Minister of Education, Culture and Sport</b>	: Nahas Angula
<b>Minister of Information and Broadcasting</b>	: Hidipo Hamutema
<b>Minister of Mines and Energy</b>	: Andimba Toivo ja Toiva
<b>Minister of Justice</b>	: Ngarikutuke Tjiriange
<b>Minister of Trade and Industry</b>	: Ben Amathila
<b>Minister of Agriculture, Fisheries, Water and Rural Development</b>	: Gerhard Hanekom
<b>Minister of Defence</b>	: Peter Mueshahange
<b>Minister of Finance</b>	: Otto Herrigel
<b>Minister of Health and Social Services</b>	: Nicky Iyambo
<b>Minister of Labour, Public Service and Manpower Development</b>	: Hendrik Witbooi
<b>Minister of Local Government and Housing</b>	: Libertine Amathila
<b>Minister of Wildlife, Conservation and Tourism</b>	: Nico Bessinger
<b>Minister of Works, Transport and Communication</b>	: Richard Kapelwa
<b>Minister of Lands, Resettlement and Rehabilitation</b>	: Marco Hausiku
<b>Minister of Security</b>	: Peter Tsheehama

## LEGISLATURE

### National Assembly

Election, 7-11 November 1989\*

Party	Votes	%	Seats
South West Africa People's Organisation of Namibia	384,567	57.33	43
Democratic Turnhalle Alliance	191,532	28.55	21
United Democratic Front	37,874	5.65	4
Action Christian National	23,728	3.54	3
National Patriotic Front	10,693	1.59	1
Federal Convention/Namibia	4,344	0.80	1
Namibia National Front	5,344	0.80	1
SWAPO-Democrats	3,161	0.47	0
Christian Democratic Action for Social Justice	2,495	0.37	0
Namibia National Democratic Party	984	0.15	0
Total	670,830	100.00	72*

\* A Constituent Assembly was elected in November 1989; it became the National Assembly when Namibia achieved independence on 21 March 1990.

+ In addition to the 72 directly-elected members, up to six non-voting members were to be nominated by the President.

## ANNEXURE E: DIPLOMATIC MISSIONS IN NAMIBIA

Algeria; Angola; Bangladesh; Botswana; Brazil; Canada; China; Cuba; Denmark; Egypt; Finland; France; Germany; Ghana; India; Iran; Italy; Japan; Kenya; Korea; Malawi; Nigeria; Norway; Palestine Liberation Organisation; Portugal; South Africa; South Korea; Spain; Sweden; Switzerland; Tanzania; Union of Soviet Socialist Republics; United Kingdom of Great Britain and Northern Ireland; United States of America; Yugoslavia; Zambia; Zimbabwe.

## INTERNATIONAL ORGANISATIONS

European Economic Community; United Nations Agencies; Food and Agriculture Organisation; United Nations Children's Fund; United Nations Development Programme; World Food Programme; Organisation of African Unity; Commonwealth Representatives.

