



REPUBLIEK VAN SUID-AFRIKA

# STAATSKOERANT

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# GOVERNMENT GAZETTE

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KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 649.

20 Maart 1990

No. 649.

20 March 1990

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 34 van 1990: Wet op die Erkenning van die Onafhanklikheid van Namibië, 1990.

No. 34 of 1990: Recognition of the Independence of Namibia Act, 1990.

# ACT

To recognize the independence of Namibia; and to provide for matters connected therewith.

*(English text signed by the State President.)  
(Assented to 20 March 1990.)*

**W**HEREAS the Council of the League of Nations on 17 December 1920 conferred upon His Britannic Majesty for and on behalf of the Government of the Union of South Africa a mandate over the territory which formerly constituted the German Protectorate of South West Africa;

**W**HEREAS the Government of South Africa administered the said territory in accordance with the mandate until the dissolution of the League of Nations and thereafter in the spirit of the said mandate;

**W**HEREAS it is the declared policy of the Government of South Africa that the people of the said territory should themselves freely decide their own political future;

**W**HEREAS in order to pave the way for the realization of this goal and the independence of the said territory the Republic of South Africa concluded an Agreement in New York on 22 December 1988 with the Peoples' Republic of Angola and the Republic of Cuba which led to the commencement of the staged withdrawal of Cuban troops from Angola and the holding, on the basis of United Nations Security Council resolutions 435 (1978) and 632 (1989), of a free and fair election for a Constituent Assembly for the said territory;

**A**ND WHEREAS the people of the said territory have through the said Constituent Assembly duly expressed their wishes in regard to their political future:

**B**E IT THEREFORE ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

## Recognition of sovereignty and independence of Namibia

1. The Republic of Namibia is hereby recognized as a sovereign and independent state.

## Cessation of authority of Republic in the territory

2. (1) The Republic shall cease to exercise any authority in the territory referred to in the Treaty of Peace and South West Africa Mandate Act, 1919 (Act No. 49 of 1919).

10 (2) Any rule of law of the Republic which was in force in the said territory immediately prior to the commencement of this Act shall as far as the Republic is concerned cease to be of force in the territory.

RECOGNITION OF THE INDEPENDENCE OF NAMIBIA ACT, 1990

Act No. 34, 1990

**No derogation from sovereignty of Republic**

3. The provisions of section 1 shall not be interpreted as recognition of the validity of any provision of the Constitution of Namibia which purports to derogate from the sovereignty of the Republic over its territory.

**5 Short title and commencement**

4. This Act shall be called the Recognition of the Independence of Namibia Act, 1990, and shall come into operation on 21 March 1990.