



REPUBLIC OF NAMIBIA

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23 February 2021

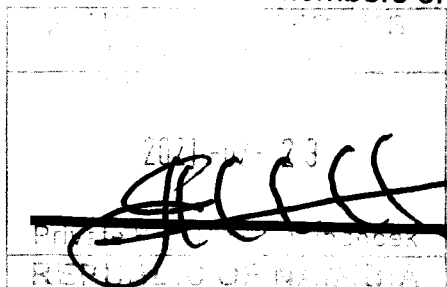
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**RETABLING OF THE RATIFICATION OF THE AGREEMENT ON THE
ESTABLISHMENT OF THE WALVIS BAY- NDOLA - LUBUMBASHI
DEVELOPMENT CORRIDOR: MOTIVATION STATEMENT BY JOHN MUTORWA,
MP AND MINISTER OF WORKS AND TRANSPORT (MWT): NATIONAL
ASSEMBLY, WINDHOEK, 23 FEBRUARY 2021.**

1.1. BACKGROUND AND DISCUSSION:

- (a) On the 5th of March 2010, in that beautiful touristic city of Livingstone, in the Republic of Zambia, the three respective Ministers of Transport, for: the Democratic Republic of Congo (DRC), the Republic of Zambia and the Republic of Namibia; adopted and signed the Agreement on the Establishment of the Walvis Bay - Ndola- Lubumbashi Development Corridor.
- (b) This NINETEEN (19) pages document, containing FIFTY EIGHT (58) Articles was tabled, in this honourable and respectable House, on Thursday, 18 February 2021; and copies were also distributed to the Honourable Members of the National Assembly, on that same day, 18 February 2021.



"Effective and Efficient Delivery of Services"

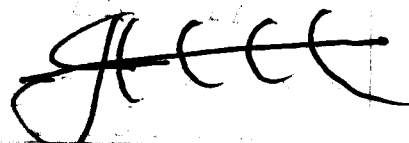
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- (c) The Cabinet of the Republic of the Republic of Namibia, at its 7th Meeting, held on 6 July 2010, by its DECISION NUMBER: 7th /06.07.10/009, approved the said Agreement and authorized the Minister of Transport, to table the Agreement in the National Assembly for ratification, in accordance with the provisions of ARTICLE 63 (2) (e), of the Namibian Constitution: "to agree to the ratification of or accession to international agreements, which have been negotiated and signed in terms of Article 32 (3) (e), hereof"
- (d) Minutes of the Proceedings of the National Assembly; dated 6 July 2011, 7 July 2011 and 12 July 2011, respectively, bear clear and irrefutable evidence and testimony, that: the subject matter, that I am re-motivating, today, featured on the National Assembly's ORDER PAPER or AGENDA, on the mentioned dates.
- (e) It appears, though, that: for certainly specific legitimate and valid reasons and compelling prevailing practical circumstances, then, the item was never discussed; nor procedurally disposed off, since then! That situation, Honourable Speaker, is deeply regretted; I am sure by both the Executive, through the MWT's Minister, and Legislative Organs of the Namibian State. The saying: "Better late, than Never;" Honourable Speaker, Honourable Members of the National Assembly, I believe, is more applicable and acceptable here! So also, the expression: "to err, is human; but to give is divine!"

1.2. CONTENT OF THE AGREEMENT

- (a) The Agreement, under discussion, contains FIFTY EIGHT (58) Articles; commencing with ARTICLE 1, dealing with definitions of terms; and ending with ARTICLE 58, entitled: DURATION and DENUNCIATION.

- 1.3. Furthermore, I wish to specifically draw the attention of the Honourable Members, to the following Articles:



- (a) Article 2: Scope;
- (b) Article 2: Objectives;
- (c) Article 4: Obligations of the Contracting Parties;
- (d) Article 7: Composition and Functions of the Organs
- (e) Article 7 (d) (i)-(vii): Permanent Secretariat.
- (f) Article 27: Transport by Rail.

1.4. Honourable Speaker, Honourable Members of the National Assembly; having said all the aforementioned, many many words, it now remains my pleasant public duty; which I am executing on behalf of the Executive Organ of the Namibian State, that: this National Assembly, debates and discuss the content of the said tabled Agreement, approves it unanimously (without any voting) and ratify it, accordingly, again, in accordance with the provisions of Article 63 (2) (e) of the Supreme Law of Namibia.

1.5. Thank you very much, Honourable Speaker, and I accordingly so move; in accordance with the explicit provisions of ARTICLE 40 (i) of the Namibian Constitution: "the Members of the Cabinet shall have the following functions: to assist the President, in determining what international agreements are to be concluded, acceded to or succeeded to and to report to the National Assembly, thereon."


John MUTORWA, MP
MINISTER

