

Honourable Speaker

Honourable Members

1. I regard myself honoured to rise to reply to the questions posed by Hon Van den Heever from the opposition party, on the ratification of treaties process and the recent cutting of water of the Rehoboth residents.
2. Firstly, I feel it necessary to make a few general remarks whilst answering the questions posed.
3. We have to bear in mind that there are two provisions in the Namibian Constitution, which confer powers in relation to the processes involved in concluding international agreements, namely: Article 32 (3) (e) which empowers the President (or his delegate) to "negotiate and sign international agreements" and Article 63 (2) (e) which makes it the function of the National Assembly to "agree to the ratification of (...) international agreements which have been negotiated and signed in terms of Article 32 (3) (e)" (by the President or his delegate).
4. In circumstances where an international agreement requires that it be ratified in order for it to come into force, the consideration whether Namibia should ratify such an agreement becomes the function of the National Assembly by virtue of Article 63 (2) (e) of the Namibian Constitution.
5. After the ratification process is complete, and the document has been deposited with the entity responsible for receiving instruments of ratification through the Ministry of International Relations and Cooperation, a confirmation will be received from the depository to Namibia through the Ministry of International Relations and Cooperation, it is then that Namibia would be considered to have ratified the agreement. Thereafter, it is the responsibility of the relevant line Ministry to ensure that measures are put in place to enable the Republic of Namibia to implement the ratified instrument.
6. Honourable Speaker, Honourable Members, the measures to be put in place to enable Namibia to implement the ratified instrument includes domesticating, internalising and

incorporating this international document into our own laws and policies, and the process is a lengthy and arduous one. Making laws or amending already existing laws does not happen overnight. . So, yes measures have been taken to amend our local laws and policies to comply with international treaties that Namibia has ratified, but it remains a process.

7. In response to question 4 and the International Covenant on Economic, Social and Cultural Rights, which Namibia ratified and which came into force on 28 February 1995, it is ~~important to note that in most constitutions these rights only exist on paper and this underlines the fundamental principle that human rights are inalienable.~~ Unlike some countries, Namibia does not have a Human Rights Commission, whose aim is to monitor the protection and promotion of human rights on behalf of the government. . Thus, in Namibia's jurisdiction, the Ministry of Justice has the final responsibility for the promotion and protection of human rights on behalf of the government. . To this end, the Ministry ensures that existing laws and Bills are in accordance with the rights and freedoms enshrined in the Constitution. ~~in the Constitution.~~
8. When it comes to implementing and realising specific human rights contained in various human rights instruments ratified or acceded to by Namibia, the ministry and/or the government agency responsible for the specific items under the instrument are responsible for the implementation of the recognised rights. In realising human rights recognised by the Constitution and other human rights instruments, the various Ministries and governmental agencies are assisted by both governmental organisations and NGO's engaged in various socio-economic activities and in the field of human rights promotion, protection and education.
9. Question 5, relating specifically to the cutting of water in Rehoboth, would best be answered by the Ministry of Urban and Rural Development. . I can add however, that the Namibian government, like any other state party to the Covenant on Economic, Social and Cultural Rights, is obliged to take steps (to the maximum of its resources), to progressively achieve the full realisation of all the Economic, Social and Cultural rights recognised and protected in the Covenant. .

Hon Speaker, Hon members

I thank you