



REPUBLIC OF NAMIBIA

MINISTERIAL STATEMENT

BY

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ON

THE MATTER OF RELIGIOUS PILGRIMS WHO SOUGHT TO ENTER INTO THE
REPUBLIC OF NAMIBIA

STATEMENT MADE IN THE NATIONAL ASSEMBLY, OCTOBER 1, 2015

Mister Speaker,

I take the floor today, to update the National Assembly on the outcome of the situation which had developed at the Hosea Kutako International Airport (HKIA), and which I had briefed this August House on yesterday.

Today, I can report that the situation has been resolved. All the pilgrims who had presented themselves to immigration officials at the HKIA as the port of entry have returned. Only two of them were left, and are in the process of departing.

The pilgrims were not permitted entry and travel into Namibia as they did not present to the immigration officials, the required visa for them to come and perform their religious functions. As will be known, even if we have agreements with neighboring countries, such facilitates the granting of visitor entry permits for nationals of our countries for a given number of days. However, when our nationals seek to enter our countries for the purposes of their work, in this case, religious activities during the Baptism Convention of the inviting organization, then a work permit is required.

In the case of all of the pilgrims, no prior applications were made and thus, on the basis of the provisions of the Immigration Control Act, 1993 (Act No. 14 of 1993), they were refused entry.

Mister Speaker, Honorable Members,

It is important for me to state categorically and clearly, that the Namibian Government did not violate the Court Order granted by the High Court on Sunday, September 27, 2015.

We are advised that the Court Order declared the second paragraph of the Permanent Secretary of Home Affairs and Immigration's letter as "vague and of no force of law and effect."

The Court further ordered that the Minister of Home Affairs and Immigration, the Permanent Secretary of Home Affairs and Immigration and the Government of the Republic of Namibia:

“refrain from denying delegates attending the annual baptism convention of Johane Masowe Echishanu Apostles in Namibia in as much as the denial is based on the contents of the second paragraph of the letter referred to.”

The Court then continued to issue a Rule Nisi to be discharged or confirmed on October 7, 2015.

We as a Government have complied with the Court Order, in that the immigration officials did not rely on the letter of the Permanent Secretary of Home Affairs and Immigration when they evaluated the entry request of each and every individual pilgrim who had presented himself or herself at the port of entry.

The immigration officials relied on the provisions of the Immigration Control Act, 1993. It is our view that the Court Order did not in any way suspend any provision of the Immigration Control Act, 1993. Therefore, it cannot be said, as was reported in an Afrikaans daily, that the Government defied the Court Order.

We are a country governed by the Rule of Law. Of the thousands of Court Orders issued against the Government since Independence, you will find none that have been defied by Government and there have not been acceptable excuses in the Courts. We as a Government will continue to uphold the Rule of Law, and it applies to all, Government included, citizens included, foreigners included.

Hence the Attorney-General was requesting support from his fellow lawyer yesterday, to say that it should be supported when he engages the profession, that it should not be allowed further, that Court Applications seeking to compel Government to act be granted in the absence of Government being served so that it can present its position. The world over, human movement and immigration

have come to the fore as a theme for policy review. The world has changed, and not all immigrants are genuine refugees or asylum seekers. We have to be more vigilant. Other factors may be embedded into genuine cases.

This example of the Baptism Convention of Mr. Shafombabi is a good example.

There were unaccompanied minors with the pilgrims in the bunch that presented itself at HKIA. If we had permitted them into the country, we could be labeled as a human trafficking destination.

In today's world, religious sects are becoming fundamental and more inclined to use violence as a means of propagating their beliefs and calling attention to their causes. Therefore, it is important that the law enforcement agencies and the border and immigration officials are assisted to defend and protect our sovereignty and integrity as a nation. Not only for security reasons, but also for social reasons.

I am told that the pilgrims intended to go and wade in the Kavango River and baptize during their crusade across the country. We cannot allow this. Apart from the hazard presented by the crocodiles in the Kavango River, who will be responsible for any loss of life?

In Windhoek, they are known to work on the hillsides and there are no ablution facilities there, and it is so dry that any attempt to light fires may present a danger to life and property. Therefore, I urge our nationals to understand that as a Government, we mean well and will continue to act in their best interests.

Lastly Mister Speaker,

I wish to thank the Honorable Members of this August House for their non-partisan support and we will continue to work with you as suggested yesterday.

I thank you.