

*Response by the Hon. Dr. Albert Kawama, MP
to the questions posed by Hon. L. N. Hamata, MP.*

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15 June 2023

NATIONAL ASSEMBLY

Notice of questions by Hon. L. N. Hamata (PDM)

Hon. Speaker, I rise to respond to the question posed by Hon. Hamata of PDM regarding the proposed visa Agreement with the People's Republic of China.

I would like to thank the Honourable Member for stating the objective of agreements such as the one I referred to above. In this context, allow me to party quote what the Honourable Member said in his opening statement before posing the question.

The Honourable Member states and I quote:

"I am not ignorant of the generally held idea that visa-free agreements are significant; they promote freedom of movement, human rights, and enhance international cooperation. Visa-free agreements are essential tools for a more just, collaborative and open world. All things considered, visa-free agreements can create an international environment appropriate for new opportunities, cultural exchanges and business partnerships.

In essence, visa exemption is a symbol of trust between two countries. However, the Namibian government extending a visa-free courtesy to Chinese citizens arriving in Namibia for a period of 30 days would not be fair if the same privilege is not extended to Namibian citizens arriving in China".

Indeed I fully agree with the Honourable Member. It is for those reasons that upon attaining our Independence on 20 March 1990, the Namibian Government, in line with Article 96 of the Namibian Constitution, exempted a number of countries from visa requirements. These first crop of countries were mainly from Europe and North America. The main objective was to promote tourism. Unlike the new approach which we have taken regarding visa Agreements which specify conditions, no formal Agreements were entered into with regard to the first ~~C~~ crop of countries. A.K.

The second crop of countries whose nationals do not require visas for a specified period mainly covered some African and Commonwealth countries.

Countries whose nationals are exempted from visa requirements regardless of the type of passports they hold include the following:

1. Angola
2. Armenia
3. Australia
4. Austria
5. Azerbaijan
6. Belarus
7. Belgium
8. Botswana
9. Brazil
10. Canada
11. Cuba
12. Denmark
13. Finland

14. France
15. Germany
16. Iceland
17. Indonesia
18. Ireland
19. Italy
20. Jamaica
21. Japan
22. Kazakhstan
23. Kenya
24. Krygyzstan
25. Liechtenstein
26. Lesotho
27. Luxemburg
28. Malawi
29. Malaysia
30. Mauritius
31. Moldova
32. Mozambique
33. Netherlands
34. New Zealand
35. Norway
36. Portugal
37. Russian Federation
38. Seychelles
39. Singapore
40. South Africa
41. Spain

42. Swaziland /Eswatini
43. Sweden
44. Switzerland
45. Tajikistan
46. Tanzania
47. Turkmenistan
48. Ukraine
49. United Kingdom
50. United States of America
51. Uzbekistan
52. Zambia
53. Zimbabwe

There is another crop of countries which are exempted from visa requirements whose nationals are holders of diplomatic and official passports only. They include the following countries:

1. Algeria
2. Benin
3. Burkina Faso
4. Burundi
5. Cabo Verde
6. Cameroon
7. Central Africa Republic (CAR)
8. Chad
9. Comoros
10. Congo Brazzaville
11. Cote d' Ivore
12. Democratic Republic of Congo

13. Egypt
14. Equatorial Guinea
15. Eritrea
16. Ethiopia
17. India
18. Gabon
19. Gambia
20. Ghana
21. Guinea
- ~~22. India~~ A.K.
23. Liberia
24. Madagascar
25. Mauritania
26. Niger
27. Nigeria
28. Poland
29. Rwanda
30. Sao Tome and Principe
31. Senegal
32. Sierra Leon
33. Togo
34. Tunisia
35. Turkey
36. Uganda
37. Saharawi Arab Democratic Republic
38. Venezuela

Recently, a number of countries have been added to countries whose nationals can obtain visas on arrival. These include countries listed above whose nationals are holders of ordinary passports since diplomatic and official passports are exempt. Such countries include the following:

Africa Countries:

1. Benin
2. Burkina Faso
3. Burundi
4. Cabo Verde
5. Cameroon
6. Central Africa Republic (CAR)
7. Chad
8. Comoros
9. Cote d' Ivore
10. Djibouti
11. Equatorial Guniea
12. Eritrea
13. Gabon
14. Gambia
15. Guinea
16. Guinea-Bisau
17. Liberia
18. Madagascar
19. Mauritania
20. Niger
21. Rwanda

22. Sao Tome and Principe
23. Sierra Leone
24. Togo
25. Tunisia
26. Western Sahara Republic
27. Uganda

Other Countries:

1. Bulgaria
2. Cambodia
3. Chile
4. Czech Republic
5. Hungary
6. Mexico
7. Nicaragua
8. Poland
9. Romania
10. Slovakia
11. South Korea
12. Venezuela
13. Vietnam
14. Thailand
15. Turkey / *Turkiye*
16. United Arab Emirates
17. Singapore
18. Argentina
19. Croatia
20. Estonia

21. Ecuador
22. Greece
23. Israel
24. Latvia
25. Lithuania
26. Paraguay
27. Peru
28. Uruguay
29. Vatican/Holy See

In an attempt to attract more tourists to Namibia, negotiations started nearly five years ago to target countries whose nationals are regarded as high value tourists. This include the Russian Federation and the People's Republic of China. The negotiations with Russia was concluded in 2021 and the Agreement was signed on 14 April 2021. The Agreement covers all types of passport holders, namely, diplomatic, official and ordinary passports for a period of 90 days. Those who want to know the economic impact of Russia ^wtourists are referred to Egypt where billions of United States Dollars is generated each year. A.k.

With regard to China, negotiations started way back in 2019, again nearly five (5) years ago. Hon. ^{Deputy} Speaker, in an attempt to respond to the specific questions posed by the Honourable Member, allow me to quote from the relevant clauses of the draft Agreement.

Article I

Citizens of the People's Republic of China holding valid ^{A.K.} diplomatic, service, public affairs or ordinary passports of the People's Republic of China, and citizens of the republic of Namibia holding valid diplomatic, official or ordinary passport, ^{A.K.} of the republic of Namibia, shall be exempted from visa requirements for entry into, exit from or transit through the territory of the other Contracting Party, for a period of stay not exceeding thirty (30) days from the date of their entry.

Article II

Citizens of either Contracting Party referred to in Article I of this Agreement (excluding the citizens referred to in Article III), who intend to enter and stay in the territory of the other Contracting Party for a period of more than thirty (30) days or engage in work, study, reside, news reports or other activities which shall be approved in advance by the other Contracting Party's competent authorities, shall apply for the visa before entering the territory of the other Contracting Party.

Article IV

Citizens of either Contracting Party referred to in Article I of this Agreement shall enter into, exit from or transit through the territory of the other Contracting Party through ports open to foreigners and shall adhere to the necessary formalities in accordance with the relevant regulations of the latter's competent authorities.

Article V

Citizens of either Contracting Party shall abide by the laws and regulations in force in the other Party during their stay in its territory.

Article VII

This Agreement does not restrict the right of either Contracting Party to prohibit persona non grata or unacceptable citizens of the other Contracting Party from entering its territory or terminate their stay in its territory without citing reasons therefore.

Article VIII provides ^{for} the suspension of the Agreement pending termination as provided for under Article ~~VIII~~ XI. A.K.

In October 2019, final clearance was ~~done~~ done by the Office of the Attorney-General subject to further consultation with relevant stakeholders and finally the Agreement to be submitted to Cabinet for final decision. It is clear from the main provisions of the draft Agreement that issues such as work, contracts, settlement have nothing to do with the Agreement since they are expressly excluded.

Hon. Speaker, it is my considered opinion that should the Agreement be agreed upon in whatever form, our nationals will be afforded an opportunity to directly source goods from China for their own business or for own use. Currently, West Africa is just doing that. What will prevent our citizens from doing the same? I am not aware of any staff member of our Ministry who is not happy.

It is common cause that some of our nationals are being mistreated when they travel to certain countries. They are viewed like criminals regardless of the type of passports they hold. The treatment is the same whether they are on transit or not. It is for this reason that the principle of reciprocity is very important. Once again, I thank the Honourable Member for asking very important questions.

I thank you.

