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PRESS RELEASE

The Society of Advocates of Namibia notes, with grave concern, recent developments regarding the Southern African Development Tribunal (“the Tribunal”).

The establishment of the Tribunal was (and remains) a major event in the history of the Southern African Development Community (“SADC”) and heralded the establishment of the competent and independent tribunal, tasked with the administration of justice in respect of those matters falling within its jurisdiction, and, in so doing, also developed SADC law and jurisprudence.

The Tribunal fearlessly and impartially administered justice to parties who came before it, and in circumstances where certain of the litigants were left with no real alternative but to approach the Tribunal for relief.

Tampering with the Tribunal and its operations constitutes an attack on the judiciary and its independence. Judicial independence should be jealously guarded.

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Recent developments at the SADC Heads of State summit, and relating to the interference of the operations of the Tribunal will serve to (until abated) deny persons the right to approach the Tribunal for relief – constituting a violation of the fundamental right to a fair and public hearing by an independent, impartial and competent Court or Tribunal established by law.

The Namibian Government is called upon to resist attempts to undermine the Tribunal, and to take all steps necessary to ensure that the Tribunal is rendered operational and efficacious.

ADV R TÖTEMEYER
VICE-PRESIDENT
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