

CHAPTER 1

The Republic

Article 1 Establishment of the Republic of Namibia and Identification of its Territory

- (1) The Republic of Namibia is hereby established as a sovereign, secular, democratic and unitary State founded upon the principles of democracy, the rule of law and justice for all.
- (2) All power shall vest in the people of Namibia who shall exercise their sovereignty through the democratic institutions of the State.
- (3) The main organs of the State shall be the Executive, the Legislature and the Judiciary.
- (4) The national territory of Namibia shall consist of the whole of the territory recognised by the international community through the organs of the United Nations as Namibia, including the enclave, harbour and port of Walvis Bay, as well as the off-shore islands of Namibia, and its southern boundary shall extend to the middle of the Orange River.
- (5) Windhoek shall be the seat of central Government.
- (6) This Constitution shall be the Supreme Law of Namibia.

Article 2 National Symbols

- (1) Namibia shall have a National Flag, the description of which is set out in Schedule 6 hereof.
- (2) Namibia shall have a National Coat of Arms, a National Anthem and a National Seal to be determined by Act of Parliament, which shall require a two-thirds majority of all the members of the National Assembly for adoption and amendment.
- (3)
 - (a) The National Seal of the Republic of Namibia shall show the Coat of Arms circumscribed with the word "NAMIBIA" and the motto of the country, which shall be determined by Act of Parliament as aforesaid.
 - (b) The National Seal shall be in the custody of the President or such person whom the President may designate for such purpose and shall be used on such official documents as the President may determine.

Article 3 Language

- (1) The official language of Namibia shall be English.
- (2) Nothing contained in this Constitution shall prohibit the use of any other language as a medium of instruction in private schools or in schools financed or subsidised by the State, subject to compliance with such requirements as may be imposed by law, to ensure proficiency in the official language, or for pedagogic reasons.
- (3) Nothing contained in Sub-Article (1) hereof shall preclude legislation by Parliament which permits the use of a language other than English for legislative, administrative and judicial purposes in regions or areas where such other language or languages are spoken by a substantial component of the population.

CHAPTER 2 Citizenship

Article 4 Acquisition and Loss of Citizenship

- (1) The following persons shall be citizens of Namibia by birth:
 - (a) those born in Namibia before the date of Independence whose fathers or mothers would have been Namibian citizens at the time of the birth of such persons, if this Constitution had been in force at that time; and
 - (b) those born in Namibia before the date of Independence, who are not Namibian citizens under Sub-Article (a) hereof, and whose fathers or mothers were ordinarily resident in Namibia at the time of the birth of such persons: provided that their fathers or mothers were not then persons:
 - (aa) who were enjoying diplomatic immunity in Namibia under any law relating to diplomatic privileges; or
 - (bb) who were career representatives of another country; or
 - (cc) who were members of any police, military or security unit seconded for service within Namibia by the Government of another country: provided further that this Sub-Article shall not apply to persons claiming citizenship of Namibia by birth