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**Statement of the Ovaherero Paramount Chief Prof Mutjiinde Katjiua
UN Plaza Katutura / Windhoek / Namibia
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Esteemed members of the media, members of OTA and sympathisers of our struggle present here today, thank you for gracing this event with your valuable presence.

My statement today represents the views and aspirations of the two genocided communities namely the: the Ovaherero and Nama people under the leadership of the Ovaherero Traditional Authority (OTA) and the Nama Traditional Leadership Association (NTLA) although our Nama compatriots are not present with us today. My views do not only represent the overwhelming Ovaherero and Nama peoples in , but also in the diaspora.

We took the liberty to invite you to share our perspectives about the so-called consultation meeting taking place tomorrow (27 June 2024) between the Office of the Vice President with some Traditional Authorities.

For the record: the VP's Office has chosen not to invite the OTA under my leadership that represents the greater majority of the

Ovaherero people in Namibia and those in diaspora. It is unfortunate that often we have to remind our government that in a democracy, numbers do matter.

This again has been the modus operandi of our government ever since 2015 when they started engaging the German Government on the Ovaherero and Nama genocide. We have always been excluded! However, this does not bother us this time around, because even if we were to be invited to the event of tomorrow, we would have declined the invitation, for the following reasons:

1. The negotiations that government is claiming to have taken place since 2015, deviates from the letter and spirit of **26 October 2006**. This is the date when the “Motion” of the late Ovaherero Paramount Chief, Kuaima Riruako, was unanimously adopted as a “Resolution” of the Namibian National Assembly.

The Resolution, for those who may not know it, simply requested the National Assembly, through the government, to tell the German government the following:

- a) That the atrocities committed against the Ovaherero and Nama peoples during her colonial rule in this country constituted the crime of “Genocide”, as per the “U.N. Convention on the Prevention and Punishment of the Crime of Genocide” (9 December 1948), and as per the “Extermination Orders of 2nd October 1904 and 22 April 1905, issued by General Lothar von Trotha and approved by the German Emperor, Wilhelm II;
- b) That the present German government must pay Reparation to the victims, and the victims, in this case, being the Ovaherero and the Nama people who were singled out for Extermination;
- c) That there must be a dialogue between, on the one hand, the German government and, on the other hand, the

victims, and that “the Namibian government shall be an interested party”.

The principle of that motion envisaged a ‘trilogue’ between the Ovaherero and Nama people engaging the German Government directly in the presence of their government (the Namibian Government). Our government has chosen to abandon this and rather elected to have a bilateral process limited to the two governments. The trilogue is not just something we claim to be, but stems from the policy statement of the then Foreign Minister, the Hon. Utoni Nujoma, in his reply to the Namibia Parliament, quizzed about the negotiations 5 years after the passing of the Resolution, and he said:

“No, as I said earlier, we see the role of the Namibian Government as a mediator between the German Government and the affected communities and we do wish to facilitate a process of reconciliation.”

Hon. Utoni Nujoma went on further to say:

“the Government of Namibia cannot work against the interests of its people,”

2. It is because of the deviation from the resolution that the Ovaherero and Nama communities opted **NOT to be part** of the so-called consultations via Technical Committees serving in advisory capacity and later on by the **informal** Chiefs Forum, all being convened at the behest of our government. **This, to us, was not only a deviation from the Resolution, but also a deliberate decision to exclude us from negotiating directly with the German government.**
3. It is for this reason that our position remained the same ever since: for as long as we are not part of the trilogue, we deem these so-called negotiations as a false start and which must be restarted afresh! Needless to say, as we often do: **it cannot be about us, without us!!**

4. Ironically, even those Traditional Authorities who elected to be part of the so-called negotiations and subsequent 'consultations' they now have withdrawn themselves from the government processes and expressed that the negotiations and the subsequent Joint Declaration are ill-conceived. Simply because the JD is not a Reparation Package but a bilateral aid! This is exactly what we cautioned them upfront. This means that even for those TAs who opted to join the government process, they now feel cheated and actually excluded from the negotiations! The Namibian government has sold out the Ovaherero and Nama genocides for development aid to fund her National Development Plan 5 (NDP5) and Vision 2030. As for Germany, the **JD is a gesture of goodwill** for which the Namibian people must be grateful!
5. Fact of the matter is: the meeting convened by the Vice President is not about consultation, but to tell the communities what the two governments have agreed between themselves. Worse of all everyone whose names are enlisted on their participants list are deemed to have been 'consulted'. This is evident from the evidence the two governments submitted to the UN Special Rapporteurs of 23 February 2023, Ref: AL NAM 1/2023. Meaning your mere participation even when you are on record in the meeting to have objected (like what some claim to have done) they are deemed to have been 'consulted'!
6. Given the severity of the matter at hand: being genocide, our participation cannot be limited to mere advisory committees or informal ad hoc structures. We want and demand as a right of victims in international law to negotiate directly with the German government as the Jews did when they negotiated the reparations with the German government. This is what the UN Special Rapporteurs pointed out to the two governments. The government approach is unacceptable, because it takes away our right of **direct self-representation**. *The Ovaherero people,*

my people, because I am the Paramount Chief of ALL the Ovaherero peoples, do not feature in this government approach; they are excluded including those in the diaspora.

It is now clear to us the genocide communities about the true intent of our government. They wanted to change the Ovaherero and Nama genocide into a Namibian genocide. It is for this reason that the invitation has gone to as many TAs to crowd out the true genocide victims. In the eyes of our government the Ovaherero and Nama genocide is equal to all communities who suffered collateral damage. Those of you who are following the case brought by SA recently against Israel at the ICJ. **The key word in genocide is about the intent.** As much as we (the victim communities) recognise that some communities suffered collateral damage, however in so far as the case of genocide and reparation claims are concerned, we must first argue the intent. There is no evidence to support the intent to commit genocide against Namibia! Therefore, in our view there is NO 'Namibia Genocide'. As there was no intent. The only Genocide there is, for which evidence exist, is the Ovaherero and Nama Genocide.

It is for those reasons that I argued above that the Ovaherero Traditional Authority condemns in the strongest terms the continued and deliberate marginalisation of the Ovaherero and Nama people. The OTA, NTLA and LPM will continue to pursue the litigation of the Joint Declaration in the Namibian courts and beyond.

Please note that: those who opt to attend the ill-conceived meeting of the Vice President must understand that you are busy committing a second genocide against the Ovaherero and Nama people.

By means of a question: I this (what we observe here) a tip of an iceberg of what the Ovaherero and Nama people should expect from our VP once elected to the Presidency? Is this a clear message being delivered to us? If the answer is a YES, for sure we take note!!

Finally, we are calling upon likeminded and sympathetic people in Namibia and the world over to distance themselves from what our government is doing to us as the victim communities.

Prof Mutjinde Katjiua
Ombara Otjitambi and
Deputy Chairperson for the Joint
Herero and Nama Restorative Justice Campaign