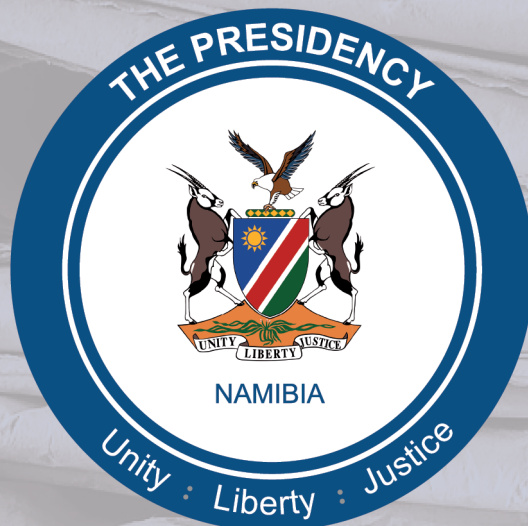




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Statement By His Excellency Nangolo Mbumba, Vice President Of The Republic Of Namibia On The Occasion of The National Briefing On Genocide, Apology And Reparations Negotiations Between Namibia And The Federal Republic Of Germany

Honorable Deputy Prime Minister and Minister of International Relations and Cooperation, Netumbo Nandi-Ndaitwah;

Honorable Ministers;

Distinguished Special Envoy, Ambassador Zed Ngavirue;

Members Of The Technical Committee;

Members Of The Media;

Ladies And Gentlemen

Good Morning

1. MANDATE

1.1 I am here this morning, delegated by His Excellency, President Hage G. Geingob to provide an update to the affected communities and Namibians at large about the Genocide Talks led by the Namibian Government on behalf of the affected communities, and on behalf of all Namibians. **I fully appreciate the difficulties of the journey we have travelled, the challenges we have encountered and the opportunities that lie ahead in order to heal the wounds of the past and move towards a path of reconciliation and reconstruction.**

Ladies and Gentlemen,

1.2 Since our independence in 1990, various attempts have been made by individuals and especially leaders of the affected communities to engage the Government of the Federal Republic of Germany to account for the 1904-1908 genocide committed by German colonial troops in Namibia against the Ovaherero and Nama communities. These attempts, as laudable as they may have been, did not yield the results we had

expected in order to open a new chapter between Namibia, the affected communities and the Federal Republic of Germany.

1.3 In 2006, the National Assembly of the Republic of Namibia unanimously passed a Motion on the 1904-1908 genocide. That motion, as everybody knows, was spearheaded by the late Ovaherero Chief Kuaima Riruako. The motion which became the property of the National Assembly, unequivocally stated that Germany should:

a) Acknowledge that the German State committed genocide in Namibia during the period 1904-1908;

b) Render an unconditional apology to Namibia for the genocide; and

c) Pay reparations

1.4 The National Assembly further directed the Namibian Government to negotiate with the Government of the Federal Republic of Germany to bring the genocide matter to its logical conclusion. Based on this motion, the National Assembly directed the Government to negotiate and find an acceptable solution. It should be emphasized that the Motion provided a framework of engagement, namely to negotiate with Germany and not to use other means, such as litigation.

1.5 Since 2006, the Namibian Government through the Ministry of International Relations and Cooperation has been engaging the German Government on this matter, but without success.

1.6 It was only in 2015, when the Government of the Federal Republic of Germany informed the Government of the Republic of Namibia about its intentions to negotiate on the genocide committed by the German authorities during the dark period of German colonialism in Namibia.

1.7 As a result, the two Governments agreed to appoint Special Envoys. The duties of the Special Envoys were, inter alia, to negotiate on behalf

of the two (2) respective Governments and also to serve as liaison and focal persons during the negotiations. Namibia appointed an outstanding diplomat, Ambassador Zed Ngavirue to lead the negotiations with Germany.

2. NAMIBIA'S NEGOTIATION STRATEGY

2.1 With a clear purpose to succeed in the negotiations, the Namibian Government adopted a three (3) pronged strategy, which are as follows:

a) Cabinet in November 2015, appointed a Special Political Cabinet Committee, chaired by the Vice-President, then late Dr Nickey Iyambo and since 2018 myself to guide the negotiations between the two Governments and map out a clear negotiation position for Namibia. In view of this, the Government appointed a Technical Committee (TC), Chaired by Amb. Tonata Itenge-Emvula and composed of Namibian experts in economics, history and research and representatives of affected communities to conduct research and produce Namibia's negotiation proposal.

b) In ensuring that the process of negotiation was transparent and above board, the Special Political Cabinet Committee constituted a Chiefs Forum, composed of the traditional leaders of the affected communities, in order to provide them with feedback on the negotiations and to allow them to make input and advise Cabinet on the negotiations strategy. Between 2016 and 2021, the Chiefs Forum held more than eight sessions. During these sessions, traditional leaders and their advisors made meaningful inputs in the negotiation strategy and provided wisdom to the Special Envoy and his negotiating team; and

c) The Special Envoy and the Technical Committee conducted outreach programmes in the seven (7) regions of Erongo, Hardap, //Kharas, Kunene, Khomas, Omaheke and Otjozondjupa to consult traditional leaders, community and civil society organizations on their needs, which

were fully incorporated into the negotiation strategy. The affected communities predominantly are domiciled in these regions.

3. CHALLENGES ENCOUNTERED DURING THE NEGOTIATIONS

Negotiations, by their nature are never easy and are complex undertakings that require good faith and most importantly, a process of give and take. Over a period of six (6) years, between 2015 and 2021, nine (9) rounds of negotiations were held, alternating between Germany and Namibia. The following main challenges were encountered:

a) The Namibian Negotiating Team faced heavy resistance from Germany to accept our non-negotiable position and narrative that the mass killing of the Ovaherero and Nama communities, including forceful seizure of their land, property and cultural artifacts was genocide, in terms of the 1948 UN Convention;

b) In light of our position, without acceptance that Germany committed a Genocide against the Ovaherero and Nama communities, there would be no basis for an apology. Germany refused to pay reparations. Instead, the German Government offered financial contribution of what it called the “healing of wounds”.

Based on the above, negotiations took a longer period than expected. Initially, it was expected that they would be finalised within one (1) year.

4. OUTCOME OF THE NEGOTIATIONS

4.1 Namibia and Germany agreed on the Joint Declaration, a common narrative which is the framework to guide the process of **acknowledgement of genocide; rendering of an apology and the payments of reparations by the Federal Republic of Germany**. The Declaration will also serve as the foundation document to guide the future

relations between Namibia and Germany. The Declaration constitutes the following:

a) **Acknowledgement of Genocide:** The German Government has agreed that the mass killing of the Ovaherero and Nama communities, the seizure of their land, livestock and cultural artefacts by German imperial troops in Namibia between 1904 and 1908 constitute and fit the definition of genocide, as prescribed in the United Nations Convention and Punishment of the Crime of Genocide of 1948;

b) **Apology:** The German Government has agreed to render an unconditional apology to the affected communities and the Government of the Republic of Namibia for the genocide. The apology will be delivered by the President of the Federal Republic of Germany in the National Assembly of Namibia on a date to be agreed upon between the two (2) Governments; and

c) **Payment of Reparations:** As a consequence of the genocide committed between 1904 and 1908, Germany has accepted a moral, historical and political obligation to pay monetary compensation (reparations) for reconciliation and reconstruction programmes for the affected communities to improve their livelihoods.

5. REPARATIONS PACKAGE

5.1 The Reparations package will be comprised of two (2) components, namely: reconciliation and reconstruction programmes.

5.2 With regard to reconstruction, a programme will be set up to assist the development of the descendants of the affected communities, in line with their identified needs. Representatives of these communities will participate in this process in a decisive capacity.

5.3 Under the said programme, projects will be implemented in the following Regions: Erongo, Hardap, //Kharas, Kunene, Khomas, Omaheke and Otjozondjupa in the following sectors: Land Reform, in particular Land Acquisition within the framework of the Namibian Constitution and Land development; Agriculture; Rural Livelihoods and Natural Resources; Rural Infrastructure; Energy and Water Supply; Technical and Vocational Education and Training (TVET). These are broader areas and not final.

5.4 A reconciliation programme will be established in which Germany commits to promote and support reconciliation between the affected communities, the people of Namibia and Germany through preserving the memory records of the colonial era, in particular the period of 1904-08 for future generations by, inter alia, memory and remembrance, supporting research and education, cultural and linguistic issues, as well as encouraging meetings of and exchanges between all generations, in particular the youth of Namibia and Germany.

5.5 The Government of the Federal Republic of Germany will make available the amount of **1,100 (One thousand one-hundred) Million Euros/1.1 Billion Euro**. Germany commits to allocate this amount over a period of 30 (thirty) years. Of this, the amount of 1,050 (One-thousand and fifty) Million Euro will be dedicated to the construction programmes benefitting the descendants of the affected communities. Fifty (50) Million Euro will be dedicated to the projects on reconciliation, remembrance, research and education. The allocation of funds will be as follow:

- a) 50 Million Euro for Reconciliation;**
- b) 130 Million Euro for Renewable Energy;**
- c) 150 Million Euro for Vocational Training;**
- d) 100 Million Euro for Rural Roads;**
- e) 130 Million Euro for Rural Water Supply and Sanitation; and**
- f) 540 Million Euro for Land Acquisition and Training, thus making the total amount of 1,100 Billion Euro, for a period of 30 (thirty) years.**

It has been agreed that during the implementation of these programmes, Technical Assistance should not be more than 5 (five) per cent of the total amount so that funds could be spent on the programmes. Within the indicated budgetary allocation, flexibility exist for sectors to be exchanged depending on the expressed needs of the affected communities.

6. IS THE REPARATION AMOUNT ADEQUATE AND SATISFACTORY?

6.1 I am fully aware that the reparation amount was always going to be a highly contentious issue. In 2016, the Namibian Government submitted a quantum for reparations to the Government of the Federal Republic of Germany. This quantum was the total calculation of the loss of life, ancestral land, livestock and cultural properties and heritage of the Ovaherero and Nama communities between 1904-1908. The German Government gave a counter-offer of a lesser amount. It was for these reasons that negotiations took more than five (5) years due to numerous counter-offers from Germany, which were totally unacceptable to Namibia. This situation almost led to a deadlock and inconclusive talks.

6.2 We need to recognize that the amount of 1,100 billion Euro agreed upon between the two governments is not enough and does not adequately address the initial quantum of reparations initially submitted to the German Government. However, in any negotiation, and based on the principle of give and take, the Government of Namibia believes that the amount even if it is not enough, Germany has agreed to commit to revisit and renegotiate the amount, as the implementation of the reparations ensues. The implementation will also be subjected to periodic impact assessment and evaluation at agreed intervals. This assessment will be done with the objective to ascertain on whether the primary objective of the reconciliation and reconstruction programmes of improving the livelihoods of the affected communities has been achieved.

6.3 In addition, I am glad to note that the bilateral relations between the two countries will no longer be at the same level, and will be elevated to the highest level through a Bi-National Commission. This new enhanced relations between the two countries will enable Namibia to address any remaining issues pertaining to the reconciliation and reconstruction programmes, while also continuing to draw from the opportunities that will benefit future generations of Namibians.

7. IMPLEMENTATION VEHICLE

7.1 Namibia and Germany agreed to set up a body (implementation vehicle), which will be responsible for the implementation of the reparations programme. The money will be deposited in a Fund, that is separate and outside the GRN National Budget. To those who are alleging that the amounts will be used for other Government programmes and activities, we wish to reassure them that this will not happen. Our Government processes and systems are transparent and the amounts allocated to the affected communities will be solely dedicated to the implementation of the Agreement.

7.2 The governance of the Fund will be trilateral, composed of representatives from both Governments and the affected communities. The legal framework of the implementation vehicle will be developed in a transparent manner, where the affected communities will fully participate.

8. APPEAL FOR CALM AND MATURITY

The Government appeals to all Namibians, especially the affected communities to remain calm and to think deeply about this highly sensitive matter. The door of the Namibian Government remains open, as it has always been for meaningful advice, discussions and suggestions. The process of consultation is still ongoing. The matter will still go to Parliament for ratification, while the Office of the Attorney General is advising on legal matters before the Agreement is signed between the

two countries. We will proceed together, in the best interests of the affected communities and the Namibian nation at large. The Special Envoy, my good friend Ambassador Zed Ngavirue, his Technical Team and our esteemed Traditional Authorities carried out a difficult mission with the necessary will, patience and skill, for which we shall be eternally grateful. Germany has made important concessions by agreeing to the fact that it committed a genocide on our soil, and that it will render an apology, to be followed by reparations against the untold loss of life, suffering and humiliation of the Ovaherero and Nama communities, and Namibians at large.

In closing, let me thank President Hage G. Geingob for his consummate leadership and guidance during the Genocide Talks with the Federal Republic of Germany. **A lot of work lies ahead. However, we have to proceed with the knowledge that we have made remarkable progress over the past five years of negotiations and there is an opportunity that we should not waste.**

I thank you for your attention.

ISSUED BY THE PRESIDENCY OF THE REPUBLIC OF NAMIBIA

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