



Republic of Namibia

OFFICE OF THE PRIME MINISTER

PARLIAMENT BRIEFING

ON

THE CONCLUSION OF THE NEGOTIATIONS ON GENOCIDE,

APOLOGY AND REPARATIONS

BETWEEN

THE REPUBLIC OF NAMIBIA AND THE FEDERAL REPUBLIC OF

GERMANY

RT. HON. SAARA KUUGONGELWA-AMADHILA, MP

PRIME MINISTER

TUESDAY, 8 JUNE 2021

Honourable Speaker;

Honourable Members;

Ladies and Gentlemen:

1. The last round of talks on the genocide negotiations between the Republic of Namibia and the Federal Republic of Germany was concluded on 15 May 2021. Following the Press Statement by the Foreign Minister of Germany on 28 May 2021, diverse opinions have been expressed in the mass media from both the general public, political leaders and members of the affected communities.

This issue is indeed a sensitive one. Government, having been elected to represent the supreme interests of our nation, has the responsibility to guide discussions there on. It is important that we do not become divided over this issue, but remain united as a nation in pursuing it until its logical conclusion. In view of this, I hereby brief this August House on the progress made so far and status of the negotiations.

2. Honourable Speaker, Honorable Members, the 1904-1908 genocide has taken centre stage in our public policy and national discussion since our independence in 1990. In this connection, various attempts have been made by certain individuals and leaders of the affected communities to engage the Government of the Federal Republic of Germany to account for the 1904-1908 genocide committed by its colonial troops in Namibia against the Ovaherero and Nama communities. However, these efforts have not produced the desired results.

3. It was only in 2006, when the National Assembly of the Republic of Namibia unanimously passed a Motion on the genocide committed by the German colonial troops in Namibia between 1904-1908 against the Ovaherero and Nama communities, that efforts to engage the German Government started to bear fruit.

4. The 2006 National Assembly Motion stated that Germany should:
 - a) acknowledge that she has committed genocide in Namibia during the period 1904-1908;
 - b) render an unconditional apology to Namibia for the genocide; and
 - c) pay reparations.

5. The National Assembly further directed the Namibian Government to negotiate with the German Government to bring the genocide matter to its logical conclusion. The National Assembly directed the Namibian Government to negotiate and find an acceptable solution, as opposed to other means, such as recourse through courts of law.

6. Since 2006, when this August House passed the Motion, the Namibian Government through the Ministry of International Relations and Cooperation, has been engaging the German Government on this matter, but no solution could be found , because the German Government refused to engage in any

negotiations on the Genocide of 1904-08. In fact, Germany refused to accept that it had committed a Genocide on Namibian soil.

7. It was only in 2015 that the Government of the Federal Republic of Germany came around and informed the Government of the Republic of Namibia about its intentions to negotiate on the genocide committed by the German authorities during the period of German colonialism in Namibia.
8. Following the German Government's expression of its willingness to negotiate, the two Governments agreed to appoint Special Envoys. The duties of the Special Envoys were, inter alia, to negotiate on behalf of the two respective Governments and serve as liaison during the negotiations.
9. Before the negotiations commenced, His Excellency Dr. Hage G. Geingob, President of the Republic of Namibia, convened an inclusive and transparent consultative meeting at State House on 11 December 2015, where he informed all representatives of the affected communities, namely the Ovaherero/Ovambanderu Genocide Foundation and Nama Traditional

Authority Association/Technical Committee, led by Mr. Festus Muundjua and Honourable Idda Hoffman, respectively; and the Ovaherero/Ovambanderu and Nama Council for the Dialogue on 1904-1908 Genocide, led by Chief Gerson Katjirua, that the Government of the Republic of Namibia will negotiate with Germany on the 1904-1908 genocide.

10. As a consequence, both organizations mentioned above were requested to assign members to the Government negotiating team. The same organizations were further requested to assign members to the Technical Committee that will assist the Government to draft Namibia's negotiation strategy.
11. Honourable Speaker, Honorable Members, I should inform this August House that only the Ovaherero/Ovambanderu and Nama Council for the Dialogue on the 1904-1908 Genocide (ONCD-1904-1908) has sent delegates to the Technical Committee and Government's negotiating team. The Ovaherero/Ovambanderu Genocide Foundation and Nama Traditional Authority Association/Technical Committee refused to participate, they

indicated that they would undertake a different route. I know that all members of this August House are fully well aware of this route which was undertaken, and I do not need to repeat it in my address this afternoon.

12. As a way of providing political guidance to the negotiations, Cabinet, in November 2015, appointed a Special Political Cabinet Committee, chaired by the former Vice-President, Dr. Nickey Iyambo, to map out a clear negotiation position for Namibia. Since 2018, this Committee is Chaired by Vice-President Nangolo Mbumba. In view of this, a Technical Committee, composed of experts on law, economics, history and research, as well as representatives of affected communities, as I have earlier mentioned, was appointed to conduct research and produce Namibia's negotiation proposal.
13. In addition, Cabinet, with the view to ensuring that the process of negotiations was transparent and above board, constituted a Chiefs Forum, composed of esteemed traditional leaders of the affected communities, in order to provide them with feedback on the negotiations , as well as to allow them to make inputs and advise Cabinet on the negotiations strategy. Between 2016 and

2021, more than eight (8) sessions were held with the Chiefs Forum. During these sessions, the Chiefs have provided wisdom and valuable guidance to the negotiations.

14. Furthermore, in addition to dedicated and continuous engagements with the Chiefs of the affected communities, the Special Envoy and representatives of the affected communities who serve on 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, as far the negotiations were concerned. Therefore, affected communities were fully consulted during the negotiations.
15. Honourable Speaker, Honorable Members, the negotiations faced numerous challenges between 2016 and 2021, leading to the process taking more than five (5) years. Over the period of five (5) 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 a financial contribution of what it called the “healing of wounds”, which was far from what our non-negotiable stance was.

16. I am informing this August House that as an outcome of the negotiations, Namibia and Germany agreed on a Joint Declaration. This is the framework which will guide the process of acknowledgement of genocide; rendering of an apology and the payments of reparations by the Federal Republic of Germany, as well as the future relations between the two countries. The Declaration will be signed by the foreign Ministers of Namibia and Germany,

respectively. Once, signed, the Joint Declaration will be brought to this August House for consideration and ratification, as it is practice under the Constitution of the Republic of Namibia.

17. The Declaration constitutes the following:

- a) Acknowledgement of Genocide: The German Government agreed that the genocide committed by German imperial troops against Ovaherero and Namas in Namibia between 1904 and 1908 constitutes and fits the definition of Genocide, as prescribed in the United Nations Convention and Punishment of the Crime of Genocide of 1948; and that a large number of Damaras and SAN communities were also exterminated.
- b) Apology: The German Government agreed to render an unconditional apology to the affected communities, and the people and Government 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: Germany agreed to provide the necessary means (reparations) in the form of monetary compensation for reconciliation and reconstruction programmes for the particular affected communities.

18. The Reparations package will be comprised of two (2) components, namely: reconciliation and reconstruction programmes. With regard to the reconstruction programme, 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.

19. Under the said programme, projects will be implemented in the following Regions: Erongo, Hardap, //Kharas, Kunene, Khomas, Omaheke and Otjozondjupa. The projects will be carried out 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).

20. As far as the reconciliation programme is concerned, Germany commits to promote and support reconciliation between the people of Namibia and Germany through preserving the memory work of the colonial era, in particular the period of 1904-08 for future generations, by supporting research and education, cultural and linguistic issues, as well as encouraging meetings of and exchange between all generations, in particular the youth.

21. The Government of the Federal Republic of Germany will make available the amount of 1100 (One billion and one hundred Million) Euros within the framework of the above-mentioned programmes. Germany commits herself to allocate this amount over a period of 30 (thirty) years. Of this, the amount of 1050 (One-billion and fifty Million) Euros will be dedicated to the reconstruction programmes, benefitting the descendants of the affected communities. Fifty (50) Million Euros will be dedicated to the projects on

reconciliation, remembrance, research and education. The allocation of funds will be as follow:

50 Million Euro for Reconciliation;

130 Million Euro for Renewable Energy;

150 Million Euro for Vocational Training;

100 Million Euro for Rural Roads;

130 Million Euro for Rural Water Supply and Sanitation; and

540 Million Euro for Land Acquisition and Training, thus making the total amount of 1,1 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 exists for sectors to be exchanged, based on the expressed need of Namibia.

22. Since this reparations amount was made public, concerns have been raised that this amount is not enough, and that it is unacceptable to the affected communities and the Namibian people, given the loss that they have incurred

during the 1904-1908 genocide. I would like to state that, indeed, the amount of reparations has been a bone of contention during the entire period of negotiations from 2016 to 2021.

23. 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 unacceptable to Namibia. This situation almost led to a deadlock and inconclusive talks.

24. In view of this, I would like to echo what the Vice President, His Excellency Dr Nangolo Mbumba, said in his public briefing last Friday on this same issue that the amount of 1,1 billion Euro is not enough and does not adequately address the initial quantum of reparations initially submitted to the German Government. As the Vice President has indicated, while this is so, based on the cardinal principle of give and take, we have made Germany to agree that

the implementation will be subjected to periodic impact assessments and evaluation at agreed intervals. This assessment will be done with an objective to ascertain whether the primary objective of these reconciliation and reconstruction programmes of improving the livelihood the affected communities has been achieved.

25. Moreover, the Joint Declaration stipulates that the bilateral relations between the two countries will no longer be at the same level, but would be elevated to the highest level through the Bi-National Commission these new enhanced relations between the two countries will enable Namibia to optimize opportunities under our cooperation that will benefit the people of Namibia in the future.

26. Honourable Speaker, Honourable Members, concerns have been raised particularly by the affected communities that the reparations money will be used by the Government to fund general development programmes at the expense of the affected communities. I would like to state that the money will

not come to the Government, but a Special Vehicle will be set up for this purpose.

27. As far as the governance of the reparations programme is concerned, it has been agreed that Namibia and Germany will 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 concerned that the amounts will be used for other Government programmes and activities, we wish to reassure them that this will not happen. The reconstruction and reconciliation programs processes will be transparent, and the amounts allocated to the affected communities will be solely dedicated to the implementation of the agreement.

28. Also, the governance of the Fund will be on a trilateral basis, composed of representatives from the two Governments and the affected communities. The legal framework for the implementation vehicle will be developed in a transparent manner, with the affected communities fully participating.

29. Lastly, I would like to express my appreciation to the Honourable members of this August House for the support you have rendered to the negotiation process. While we have not gotten all what we wanted, as a nation, we have achieved significant milestones through this process. That is, Germany has made important concessions by agreeing to the fact that it committed Genocide on our soil, and that it will render an Apology, to be followed by Reparations for the untold suffering loss of life and humiliation of the Ovaherero and Nama communities, and Namibians at large.
30. The door of the Namibian Government remains open, as it has always been for meaningful advice. Let us proceed together, in unity and speaking with one voice, in the best interests of the affected community and the Namibian nation at large, until this matter is concluded. Let us continue to treat and accord this matter the sensitivity it deserves.
31. My statement will be incomplete, if I don't thank His Excellency the President, Dr Hage Geingob, for his excellent stewardship of the overall negotiations; the Vice-President; our esteemed Chiefs Forum for the invaluable guidance

and trust in the Government; the Special Envoy, Ambassador Zed Ngavirue, and the Technical Team for the countless hours they invested in this very difficult mission.

Honourable Speaker, Honourable Members, I thank you.