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**OUR REJECTION OF THE RECONCILIATION AND RECONSTRUCTION
AGREEMENT BETWEEN THE FEDERAL REPUBLIC OF GERMANY AND THE
REPUBLIC OF NAMIBIA**

AND

OUR DEMAND FOR RESTORATIVE JUSTICE

ISSUED ON 7 SEPTEMBER 2021

WINDHOEK, NAMIBIA

1. The Prime Minister of the Republic of Namibia is set to table the above agreement for ratification to the Namibian Parliament when the latter resumes in September 2021.
2. During the months that followed the announcement of the declaration / agreement in May 2021, our representative organizations, the Ovaherero Traditional Authority and the Nama Traditional Leaders Association, have been consistent in our condemnation of it for the following reasons.
3. We **REJECT** the so-called Reconciliation and Reconstruction Agreement to be signed between the Governments of Germany and Namibia **as long as** it does not make reference to the Nama and Ovaherero Genocide. We are not affected parties, we are the Nama and Ovaherero people and shall not allow any government to disown us off our identity, for which explicitly quoted extermination orders was issued.
4. We thus **DEMAND** that the National Assembly must not entertain the so-called reconciliation and reconstruction declaration / agreement, which deliberately disrespected and contravened the Resolution of the National Assembly of 2006.

5. We **REJECT** any Genocide, Apology and Reparations (GAR) negotiations which excludes the principles of the Resolution which was unanimously adopted by the National Assembly of the Republic of Namibia on October 26, 2006.
6. The **PRINCIPLES** of this Resolution are that the Nama and Ovaherero Peoples (or their direct Representatives) shall negotiate directly with the Federal Republic of Germany, and that the Namibian Government will be an interested party in an issue that affects its citizens. The refusal of the German and Namibian governments to include and negotiate with the actual victim descendants is no longer tolerable, and therefore amounts to a denial of our Namibian citizenship. We repeat that there was never any extermination order against the Namibian Government, therefore it has no legal standing to negotiate **ANYTHING** on our behalf.
7. Our **INALIENABLE** right of self-determination and self-representation, in line with the Namibian Constitution and applicable United Nations Conventions to which both the Republic of Namibia and the Federal Republic of Germany are signatories, as well as International Law Principles, shall remain intact throughout our fight for restorative justice.
8. We shall **FIGHT** for a comprehensive reparations package for **ALL** Nama and Ovaherero peoples in Namibia, Botswana, South Africa, and the rest of the World. This fight shall take many innovative dimensions. In fact, we are prepared to sacrifice our lives in the same way our forebearers sacrificed their lives. We know where our land is and how it was brutally taken.
9. The tortures and rapes, barbaric killings and subsequent trade in human remains, the destruction of families and community structures, the consequent systemic intergenerational poverty, and the ongoing psychological trauma cannot ever be rectified, but comprehensive compensation must be applied to address permanent damages.
10. The expropriation of all moveable and immovable properties of the Nama and Ovaherero People, including our ancestral land, through the Imperial Decree of December 1905 and affirmation in May 1907 must be redressed through the principle of restitution before compensation. The seven (7) regions identified as the ancestral land of the affected communities in the joint declaration of the two governments of Namibia and Germany constitutes 82% of the total geographical area of Namibia – this is the land lost by the Nama and Ovaherero communities.
11. The 1.1 Billion Euro offer made by Germany is not a legally binding reparation payment. On September 10, 1952, after six months of negotiations an agreement on reparation between Israel and Germany and 23 Jewish Organizations was signed in Luxembourg. The agreement was ratified and came into effect on 21 March 1953. In 1988 Germany allocated millions for reparations, enabling remaining Holocaust survivors to receive monthly payments of 290 US Dollars for the rest of their lives. In February 1990, East Germany admitted for the 1st time that it was also responsible for the war crimes committed by the German people during the 2nd World War and agreed to pay reparations. Recently Germany has agreed to pay more than 560 million Euros in further aid to compensate for Holocaust victims.

12. To Namibia, Germany has made a final offer which will conclude any reparation negotiations for an amount of a mere 1.1 billion Euros. All Namibians must understand and accept that the bilateral negotiations of the two governments of the Republic of Namibia and the Federal Republic of Germany failed the Namibian nation. There cannot be an illusion that the so-called reconciliation and reconstruction agreement can be fixed because this deal is dead on arrival.

13. Finally, we DEMAND that the Nama and Ovaherero Genocide negotiations start on a new page with the direct participation of the LEGITIMATE representatives of the Nama and Ovaherero communities.

Prof. Dr. Mutjinde Katjiua
Chairperson: OTA Transitional Committee

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