

**Remarks at Fora on German –Africa (specifically Namibia)’s Relations and Specific
Questions of Colonialism, Reparations and Truth**

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Nandiasora Mazeingo

Chairperson of Ovaherero Genocide Foundation

Introduction

Thank you very much for the opportunity Program Director. I am elated to be here speaking to an issue that for me and the people I descent from is not just history but present-day reality for it continues to define much of our lives in the modern state of Namibia. I am thankful to our many friends in solidarity with our cause for restorative justice without whom my participation this afternoon would not have been possible. Thank you indeed Dr. Boniface, Goran, Christian, Christine, Josephine and Team for the generosity and warmth you’ve accorded me since arriving in Deutsland, which by the way for me is a return to the land I once come to as a 25 year-old Master’s student at the Westphalische Munster University’s Institute of Tax Law...so having come through Frankfurt then and spent a few days in Saarland, Saarbrucken before proceeding on to Munster in NorthRhine Westfalia for a while, my being here is indeed a return to familiar territory...and it truly feels like yesterday, funny how time flies. Sorry my German has long deserted me!!

Now just to briefly introduce myself... my name is Nandiasora Mazeingo, widely known as Nandi which truly is a mere shortened version of the full name Nandiasora.., I serve as Chairperson of Ovaherero Genocide Foundation and in that capacity I double as the principal advisor on genocide and restorative justice matters to the Paramount Chief of Ovaherero people Professor Dr. Mutjinde Katjiua and broadly Ovaherero Traditional Authority which is the modern successor to an Ovaherero people’s governing regime older than a 150 years and today commands an over 90 percent transnational following with a near equal split in total population between Namibia as the homefront and diasporan communities historically resident

in Botswana and South Africa where survivors of the German Genocidal campaign at the turn of the last century fled to but also now new diasporan Ovaherero communities concentrated in largely new centres of the United Kingdom, Canada, USA but also here in Germany to a lesser extent.

Because of a sacrosanct union between Ovaherero and Nama people nurtured in times of both rivalry and camaraderie emanating from disputes over commonly-held resources such as water wells and cattle pastures but equally the dictates of common security and defense as two neighbors, the Ovaherero of Ovaheroland and the Nama people of Great Namaqualand who collectively inhabited the land which today constitutes over two-thirds of the territory of the modern state of Namibia, I equally serve as a co-chairperson of the Ovaherero-Nama joint-technical forum (my counterpart being Sima whom we were told could not join us), which is both an advisory and advocacy platform for our joint-people with a shared history and increasingly evidently shared future. So I speak to you this afternoon fully mandated to represent the voices and aspirations of both Ovaherero and Nama people in their common quest for a genuine resolution to the deep-wound inflicted more than century behind us by a German genocidal campaign and to this today still denied justice for by successive German governments.

Formally, I was trained in political science, economics with a focus on trade and development, history and international relations. In my previous life before coming to this assignment which is most fulfilling as a contribution to a transgenerational struggle for justice for my people, I had served as an economist for the Namibian National Budget Office but also most proudly as Namibia's focal person for the Millennium Development Goals (MDGs) and later on their successor Sustainable Development Goals (SDGs) under the Namibian Presidency for about eight years or more.

Director of Proceedings, Ladies and Gentlemen, I am tasked to speak to the question of Namibia- German relations, particularly the question of Ovaherero-Nama Genocide which remains the thorniest aspect of that relationship and I as a disclaimer or foreword if you like, I want to say my contribution to this discourse is informed by many factors which best

are summarized into four broad categories.

The **first of these categories** has to do with who I am.. my own self-being. And that is that I am black African, a Namibian and Omaherero who is born into a Ovaherero society subjected to a century-plus old oppression, exploitation, dispossession, displacement and reaching the apex of all calamities befalling my people, a genocide at the turn of the last century at the hands of Germans who later-on colluded with Boers or Afrikaners to strip bare my society off of all its dignity and earthly possessions,....Tragically, Germans and Afrikaners committed these deeds against my people not because they were neighbors who had a quarrel over a commonly held resource such as water or cattle pasture which throughout human history was a probable enough cause for nations and or polities to go to war, but because in their minds, specifically the worldview and posture of the German elite, and maybe other Europeans elsewhere whom I have not taken the time to study, my people, my society, the Ovaherero and Nama people of then Ovahererland and Great Namaqualand in South West Africa respectively, two sovereign polities or states, were sub-human, were creatures with no rights exists and much less occupy the land they did, they were savages whom in pursuit of the widely embraced perspectives of racial hierarchy and related constructs of Lebensraum (finding living space for the superior aryan race (the German race) as chiefly espoused by German geographer Friedrich Ratzel), rassenschande and endlosung as applied later on by Nazi Germany but first experimented on my people by Imperial Commander of the Schutztruppe Lothar von Trotha who expressly called the war with Ovaherero and Nama a “race war” AND did so with the active participation and consent of Kaiser Wilhelm II himself to end what was Lebensunwertes Leben (a life unworthy of life) had to be disposed off to facilitate the complete seizure of our land, cattle AND total annihilation as a people living in Southern Africa and indeed on this planet.

The **second category** influencing my entry in this debate is the fact that I am a scholar of most of these subjects and thus am deeply enmeshed in their theoretical underpinnings. I come to the discussion with at least some basic perspective on much of the thinking around many of these concepts. I for instance hold a strong view of what role is assigned to a government in an egalitarian-pluralist society such as Namibia wherein sovereignty remains vested with the

populace unless and until only expressedly surrendered on issues where representation is sought and secured through a properly conducted electoral process. In that context I am convinced that all issues residing outside the orbit of a government's obtained mandate remains solely under the authority of the people themselves and any attempt to wrestle that authority away and appropriate it to a government without the expressed consent of the people affected by A question has no legitimacy, is undemocratic and an illegality;

The **third category** pertains to my own experiences as a public sector development economist tasked specifically with the administration of development aid under the Namibian Presidency, under the Economy Ministry version of Namibia called the National Planning Commission, for no less than eight full years and thus giving me a frontseat to how development aid, particularly in the developing world where it constitutes a significant share of the public expenditure envelope is deployed and or denied to purportedly targeted communities and or persons. So I come to this conversation with no illusions of what actually happens to aid resources placed at the disposal of governments with a vague subtext that they be targeted for communities X or Y but not overtly directing such governments to necessarily do so, specifically so when such governments do not draw significant followings from segments of the said targeted communities.

Linking-up to this as the **fourth category** is what gives me a special gift to discern the stark contrast between Development Aid which technically is voluntary or an act of goodwill on the part of the Donor and is by nature non-discriminatory in application AND on the other hand Reparations which draws on culpability for an illegality or criminality and thus mandatory for atoning or repairing the damage one has inflicted on a specific party and as such targeted action seeking to right a wrong. My current assignment as a soldier deployed with a solitary mandate, to seek justice through reparations for the Genocide committed against my but also my previous assignment of working on Development Aid gives me the privilege of having worked both worlds. And so will confidently tell you this early on that the Joint-Declaration between Germany and Namibia is an Aid Package and not a Reparations Consignment and thus has nothing to do with the question of Ovaherero and Nama people Genocide...I will later on expand on this.

Historical Background and Context

Now knowing fully well that not all of us in this room have context and history to the question at hand owing to the fact that European colonial history in much of Europe is a highly neglected subject-matter which is vaguely mentioned in history textbooks, if not altogether ignored, I want to provide a brief synopsis of how Germany comes into equation and why we, a people somewhat distant to German and European culture, have our eyes fixated on Germany as a party that harmed us egregiously and thus must atone for the irreparable damage it had inflicted onto our societies.

Director of Proceedings, Ladies and Gentlemen, there's little to no contestation that Germany come very late to imperialism. Compared to their cousins in France, Britain (they call themselves Great), the Netherlands and Portugal, this land was a minor is so far as colonial expeditions throughout the 19th century was concerned. Many of her sister European colonial powerhouses have already established themselves as great conquerers of African land and riches by the 1870s.

In my neighbourhood of South West Africa (present-day Namibia) and specifically the sovereign polities then known as Ovahererland and Great Namaquala respectively, there were already established contracts and a presence of German missionaries during those early years, most specifically from the Protestant and Catholic Church who were inticed by the idea of colonial possessions, but then German Chancellor Otto von Bismarck at that time rejected colonies as too risky a financial undertaking and thus claimed to have “ no interest in imperial expansion”. It therefore took a private German citizen by the name of Adolf Luderitz to set out, through his agent, in 1883 to South West Africa, in Great Namaqualand specifically, to engage in what he called a sale transaction of coastal land with the purpose of establishing trade (but off coarse reading the terms today this was rather a cheat of the Nama people out of their land).

It was only after some convincing on the land's prospects but also the fact that Adolf Luderitz

had no capacity to effectively administer supposed newly acquired land, that Chancellor von Bismarck agreed to bring the piece of land under the protection of the German Reich and set Germany on course for more colonial possessions. The following year, 1884, at what is called the Scramble for Africa Conference...an assembly of Europeans talking about Africa without Africans as is often happening with European decisions about us these days too...or specific segments of us...., hosted by Germany in Berlin, Africa was divided up amongst European powers. Huge chunks of African land was assigned to these powers with little regard for boundaries of what essentially were African nation-states. Of course European elites then and now largely dismisses these self-governing people they found in their distinct spaces as mere ethnic or tribal groupings with no meaning...Today the loot from those parts are defined as ethnological arts and displayed as such.

The 1884 Treaty of Berlin which came out of that Conference was a huge victory for new-entrant Germany which, in addition to claiming South West Africa encompassing Ovaheroland and Great Namaqualand (the land of Ovaherero and Nama people), walked away with colonial holdings of modern day Togo, Cameroon, Tanzania and Rwanda as well as Samoa, New Guinea and various other Pacific islands such as Nauru and others. Within just under a decade of its colonial expansion, right on the heels of Britain, France and the Netherlands, Germany grew fast to be the fourth largest colonial empire at the time.

In South West Africa (present day Namibia), Heinrich Goring was deployed as first Imperial Commissioner in April 1885. Of course we all know who his son Hermann Goring was in the Third Reich under the Nazis and this speaks directly to the evident link between the Ovaherero-Nama genocide and the crimes of the Nazi regime in the 1930s. Young Goring was a good student of his father, he absorbed the racial hierarchies that created the genocidal gaze in Ovaheroland and Great Namaqualand at his father's feet and would later apply it against yet another group deemed inferior by Nazi Germany with utter precision and intensity.

Once in South West Africa, Imperial Commissioner Heinrich Goring began immediately to pressure various leaders of established sovereign polities to sign so-called Protection Treaties. Ovaherero who historically had not had a central command leadership had since 1863 been

led by Paramount Chief Maharero of the Tjamuaha dynasty residing at the central town of Okahandja in present-day Namibia (then Ovahererland state). He was succeeded by his son Samuel Maharero in 1890 who later on died in Botswana as a refugee of the German genocidal war.

The Nama people were led by a formidable Leader Hendrik Witbooi whose ability to read, write and follow global politics put him in a different class of African leaders of that era and through his own “Papers’ (inclusive of a dairy which was stolen by Germans and endless cororrespondences with numerous leaders within his nebgourhood and beyond) left a rich archive for future references but chiefly refuted European perceptions of Africans are savages with no sense of modern civilization and life.

The treaties Goring propogated offered no protection and were often negotiated in such a way that these polities were cheated out of their land. As more and more Ovaherero and Nama land was wrestled away, the African people decided to resist and raise up in self-defence.

The conduct of the uninvited German guests in Ovahererland and Namaqualand presented these two groupings with no option but to resist. It is estimated that by the end of 1903, 3.5 million hectares had been lost by Ovaherero to German settler colonialism and railroad construction. As cattle herders, in a land with scarce water supplies, the Ovaherero faced a future that would prevent them from continuing their traditional way of life, which, tragically, did occur as a result of the genocide, the concentration camps, and the German appropriation of their land and cattle.

Realizing that the Germans, inspite of claims to the contrary, had no benign intentions of good neighborliness but a central objective of dislodging them from their land, heritage and livelihood, on January 12th, 1904, from the central town of Okahandja in present-day Namibia, the Ovaherero people of the sovereign polity of Ovahererland rose up to repell the encroaching German millitary and settlers. As hostilities broke out, Ovaherero scored notable successes at the battle of Okandjira and Oviuombo respectively...under specific orders from Paramount Chief Samuel Maharero to spare children and worm, it is reported that about 100

Germans fall to Ovaherero warriors.... but after considerable planning and reinforcements from Germany which inter alia saw the old Schutztruppe Commander Theodor Lutwein withdrawn from South West Africa for embarrassing the German Crown via loosing battles to an inferior people and replaced with a ruthless killer armed with an annihilation mandate, General Lothar von Trotha, several months later at the Battle of Waterberg, Ohamakari, on August 11th, 1904, the German war machine was unleashed on Ovaherero people indiscriminately with women, children, civilian all shot at or driven murderously into the eastern desert of Kalahari to die of thirst and starvation as German soldiers either poisoned water wells or guarded them to ensure no Ovaherero would drink from them.

After 2 months of pursuing a defenceless people who had all been militarily neutralized, new German Schutztruppe Commander Lothar von Trotha issued what is known to historians as the first publically pronounced state policy of exterminating a whole people and thus set a clear path to the 20th century's first recorded genocide. On October 2nd, 1904, at the village of Ozombu zo Vindimba near Otjinene in Omaheke region of Namibia, General von Trotha assembled his troopers and read out what is without doubt not only an order to banish Ovaherero people from their motherland, what he von Trotha called German territory, but equally cleans them off the face of the earth.

Consequent of that Extermination Order, which is widely available in many writings on early Namibian History...it is such devilish language I would not ever want to read out..., Ovaherero people would be hunted and killed at sight and only a lucky few would cross over into neighbouring British-ruled Botswana and South Africa where descendants of survivors lives to present day. Some few would take refuge in the wild inside Namibia, still these few would, with the collusion of the church, later be rounded-up and thrown into concentration camps where extermination continued.

Having seen first hand how their northern Ovaherero neighbours were disposed off by German invaders of their land and knowing fully that the Germans would turn to them next, the Nama people of Great Namaqualand in southern present-day Namibia, in the same month of October 1904, rose up to resist the same encroachment of German military and settlers. Savvy in

guerillah warfare, the Nama people, equally targeted with an extermination order akin to that against Ovaherero issued on April 23rd, 1905 by the same German General von Trotha and fully consented to by Kaizer Wilhelm II, were able to hold out the Germans through targetted attacks on their millitary instalations and infranstrure to disrupt millitary supplies and reinforcements until at least 1907 when they, owing to full complicity of German missionaries, surrendered and as their northen neutralized Ovaherero people who had taken refuge in the wild were lured into German captivity of concetration camps to begin yet another phase of German extermination pursuits.

Whilst most concetration camps were operated from the main centres of Windhoek, Okahandja, Karibib and Swakopmund (with some privately run for cheap supply of labour) ,a special camp targetting the Nama people who were rejected as “unworkable’ and thus of no material use to the Colony’s economy was operated at the southern costal town of Angra Pequena, named by Portugese and later on took the name of Adolf Luderitz...as Luderitz Town.., on a small island called Shark Island and would provide a blueprint for what the Nazi regime later perfected into Death camps of Europe.

Germany’s reign in what later was formly established as German South West Africa ended abruptly when she lost the first world war and with it all colonial possessions. Following the Treaty of Versailles, South West Africa become a Trustee Mandate Territory of Britain and it had to be administered on Britain’s behalf by South Africa. That arrangement would see yet another protracted stuggle of over seven decades for South Africa to religuish her grip and allow Namibia as a modern state to be born on the 21st of March, 1990.

The damage done on the the two then sovereign nation-states of Ovahererland and Great Namaqualand which have since ceased to exist is unimaginable. Moreso specifically so for Ovaherero and Nama people for whom the legacy of that era as manifested in landlessness, displacemenet and abject poverty is not only history but present-day reality defining their everyday lives.

In summary, that German invasions of their lives, inter alia resulted in the following:

- 81 percent (65,000) of the Ovaherero, and 50 percent (10,000) of the Nama people were murdered by the Schutztruppe. This included the banishment of Ovaherero and Nama people to Botswana, Cameroon, and South Africa.
- Ovaherero and *Namaland*, originally over 50,000 square miles, and countless cattle were seized without compensation by German colonists-with the explicit consent of the German colonial authorities. Today that original Ovaherero and Nama land sits in the hands of the German and Afrikaner great-great-grandchildren of those who stole it.

Notwithstanding the commendable efforts over many decades since that genocidal war, through their own agency and thus testimony to their resilience as a people, Ovaherero and Nama descendants of victims, continues to reel on the margins of society in conditions of squalor and destitute. Many more remains scattered across southern Africa and recently the much of the world with no right of returning to the land of their forebearers.

Ovaherero and Nama people position on the German-Namibia Joint Decalration

That sad history of Germany's ugly deeds back in South West Africa was for a long time hidden or simply put down, including in the modern state of Namibia where it was considered muddling the German-Namibia bilateral relations. This posture of the new Namibian state created useful conditions for the counterpart German state which conveniently sought to remain detached from its unprecedented and uncivilized history of racism and violence for as long as it could keep it in the dark. The new Namibian state, through walking over that chapter, facilitated the neglect of that history but importantly Germany's ability to thus far evade her responsibility to account for her racist and genocidal past.

However, thanks to the efforts of the now late Ovaherero Paramount Chief: Dr. Kuaima Riruako, who doubling as an opposition MP introduced the matter to the Namibian Parliament in 2006. He, in close colloboration with his Nama counterpart, Gaob Dawid Frederick, successfully pushed that motion in Parliament and achieved unanimous consent via adoption. Off course, speaking to the lacklustre with which this matter is received by the governing

Swapo majority that to date has not erected a single fitting monument in remembrance of the victims of that era Or proclaimed a memorializing day on the national calendar, Dr Kuaima would not have it easy. Evidently compromises had to be struck in the face of unrelenting effort to wrestle the struggle away from Ovaherero and Nama people who themselves had championed it. The Motion would for instance makes no direct mention of them as the teased out and targeted people, albeit the evidence employed in pursuit of justice makes the singularity of their uniqueness no secret.

The above notwithstanding, the Namibian Executive, the government, wrestling this matter away from the Namibian Parliament, without a mandate to do so, set out to for about seven years to negotiate, on a bilateral basis, with the Federal Government of Germany and off course to the exclusion on affected communities.

What come out of that sham process, lacking legitimacy in terms of representation from us as representatives of affected communities, all shrouded in secrecy, is a document that we as Ovaherero and Nama people have rejected as both sell-out and an insult.

I will attempt to flag reasons why we absolutely and emphatically reject that document through two broad categories, one being issues of process or framework and the other having to do with content. Later on I will talk to the way forward. What we all can do together in the meanwhile whilst we audaciously wait for a serious partner for a genuine closure to this matter haunting all of all us.

Process Issues/Framework: Consultation and Participation and or Representation

Contrary to the mandate of the 2006 Parliamentary Motion which speaks to participation of representatives of targeted/affected communities alongside the Namibian Government, designated as an interested party but not sole negotiator, a Special Envoy in the person of the late Namibian Diplomat Dr. Zedekia Ngavirue, was appointed in a manner that directly violates the spirit and content of that Motion. His appointment as a sole representative of the Namibian voice at the negotiation table, without consultation of Namibian stakeholders, was

an arbitrary act of the Executive and an overreach which translated directly into a usurpation of the rights of Ovaherero and Nama people who for generations single-handedly waged their struggle but now were condemned to mere attaches to a state Envoy advancing a state agenda that necessarily was not in congruence with theirs.

Our view as targeted and affected communities therefore is that that indeed is an overstatement of the exercise and or application of sovereignty by the government as an agent of the state for as I argued earlier, sovereignty, unless expressly sought and secured through a properly administered electoral exercise remains exclusively vested in people who in a democracy are the sovereigns and so as the governing Swapo majority has at no point over the last six or so electoral seasons in had competed in sought the mandate of Ovaherero and Nama people to speak for them on restorative justice issues...a question that is yet to feature on their political program (otherwise known as manifestos) over the past 30 plus years..the shameless attempt to wrestle representation away from the owners of the struggle without even running a referendum is an outright illegality and criminality for which there is no justification in law and politics. It is an exercise with no legitimacy.

The idea that once elected into Office, as espoused by the administration in Windhoek, a government assumes and or appropriates all representation rights over people to itself....in a posture I call absolutist representation... is not in sync with the tenets of democratic inclusive governance and frankly a lunacy rejected wholesome by the Ovaherero and Nama people.

Our view therefore remains that the talks which had gone on for a good seven years or so without us had not been structurally congruent with the formulation envisaged under the 2006 Namibian Parliamentary Motion on Genocide and thus null and void.....they are of no effect.

The wholesale expropriation of a people's right to self-representation in a matter so specific and personal by a government in our view has no precedence in history and law. It is a modern Namibian first and as Ovaherero and Nama people we decline the invitation to have any part in it.

As we move forward therefore, our position remains that the overdue tripartite talks envisioned under the Namibian Parliamentary Motion, sponsored by our late Paramount Chief Riruako in 2006 and unanimously adopted by that House which, as a co-equal branch of the Namibian state architecture, holds the exclusive mandate to administer it must begin soonest and We as the representatives of our people stand ready to play our people, without any unsolicited representation over our voices. We are perfectly capable of steering our own affairs, moreso self-representation on a matter so uniquely Ovaherero and Nama. Accordingly, we say no bilateral (state-to-state) substitute can usurp our right to self-representation and organically grown definition for what justice for historical wrongs meted out against us entails. To this effect is no news that we have given NOTICE to the Namibian Government to cease and desist with its illegitimate process of speaking in our without our consent and fully return this process to Parliamentary Chambers where mandate for oversight and execution resides.

Content based issues:

Under this section, I will try too methodically dissect the issues of the 2006 Namibian Parliamentary Motion on Genocide which the German-Namibia Joint Declaration expressly references under its Preamble as a focal point.

Given that the said Motion is hinged on four pillars, I will start with the first and move along to the last:

Pillar 1: Germany admits guilt (and naturally accruing culpability) for its crime of genocide against Ovaherero and Nama people as sanctioned by General Lothar von Trotha, an agent and deployee of Kaizer Wilhelm II, thus highest German authority;

Under the JD, Germany seemingly the sole author of the text (with Namibia's acquiescence) declines admission of guilt and in fact denies it on the premise of apparent European laws of the time (ignoring some of other Treaties of that time too which forbade such conduct) that the mass killing of savages or subhuman (which Ovaherero and Nama people in its worldview at the time were) is no crime. It is therefore only a crime in today's law wherein these savages

had now assumed human rights and status. Then it was not and Germany borrows this stance from her position elsewhere including in her own court papers in the suits we had filed in the US courts. And she employs masterclass statecraft to bring that message home whistle concealing it from the uneducated and unsuspecting. She writes these acts can be termed a “a genocide from today’s perspective”and leaves out the part that says they were not then and therefore not a crime. Clear denial!

Following the inbuilt compromises of the 2006 Parliamentary motion, dictated to by the majority to omit any mention of the targeted communities and thus nationalize the issue so as to allow the Namibian government to wrestle it away from its rightful owners, the JD equally makes no mention of the targeted communities, albeit they were mentioned by name under the specific German state Proclamations.

Pillar 2: Consequent of admission of guilt by Germany to a crime of genocide, the targeted communities have a right in law to seek punitive action and redress. Reparations is long internationally defined as the penalty for the crime of genocide and so it becomes upon German admission of guilt, it becomes obligatory on her to pay.

Under the JD, Germany declines guilt admission under Pillar 1 and thus inherently equally denies the obligation to pay reparations. Accordingly, it gravitates away to other concepts of healing, reconciliation and reconstruction through government administered project financing. All such aspects which as yes integral to the final closure but secondary to the prosecution of a crime of genocide, securing a guilty verdict and imposing penalties which essentially are what the 2006 Motion is about.

With all legal culpabilities refused by Germany, the discussions derailed into realms of politics and morality with Germany, the wrong doer dictating terms of what it can and wants to give ‘to heal the wounds’ of the past wrongs. Repeating what happened in Berlin 1884 when without our presence and consent we become a German possession, on her own terms, Germany, with the acquiescence of her client Namibian state, decided that a Billion euros spread over 30 years was all that her crime of destroying two sovereign countries was worth.

Not to mention the million years' difference between the wrongful acts enumerated by the Joint Declaration as having been committed by Germany during that period, with no regard for the value money loses over time, the JD, again without appropriate representation of those who were affected by that crime and continues to reel under its legacy, fully assigns the right to seal as final instalment and thus full settlement for any claims in terms of these past crimes to governments and fully arrogates to itself knowledge of what justice for these individuals is and or oughts to be. Knowing fully well she cannot deny having committed the genocidal acts as mountains of evidence exists, she says

“yes I Did, but I was right to do it and therefore out of my goodwill, I will bribe you with a 30-years thinly spread Billion Euros to rob yourselves and you children off their right to ever claim back what is inheritance their heritage and right. Still you are too poor and insignificant to engage directly and so I will contract a government administered your distant cousins to receive and manage this bribe for you. You must just be happy I am even prepared to do this because it was so long ago and I am not liable”

As a matter of fact, speaking to the denial of the crime of genocide by Germany and deliberate machinations to avoid legal culpability, there's no single mention of the term Reparations in the whole text of the JD.

And so in simple terms, The JD is firmly established as a Development Aid Package as opposed to a Reparations Envelope which the 2006 Namibian Parliamentary Motion has sanctioned. It thus accordingly ceases to be a matter of special interest for Ovaherero and Nama people but an issue between two governments exchanging support for mutual cooperation.

Attesting to this being a Development Aid Package which necessarily is non-discriminatory and thus applied universally, its proposed delivery mode speaks of government programs as a vehicle, albeit to be targeted to specific regions, owing deliberately to a refusal to acknowledge who the crimes targeted, and by the way regions which historically yes were predominantly inhabited by the two targeted groupings but with the post-independence

demographics transformation and shift are now largely domains of originally northern communities, with Ovaherero and Nama confined to specific pockets of former native reserves in those mentioned seven regions.

Pillar 3: Seek German apology for the criminal deeds committed.

Not surprising, as shallow words don't cost much, specifically when powered by high-caliber statecraft, the JD banks its only success under this pillar in that Germany agrees to apologize. Only problem is that one can't apologize for what one can't mention by name without qualification, otherwise once cant apologize when at the same time denying wrong doing.

Equally as genocide is not a crime against a state, it is long defined as a wrongful deed against specifically targeted persons or groups of persons, largely tribal or ethnical with their own names, and so there can be no apology to the Namibian state when the people who were wronged are excluded. People who for the large part, without a nickel from the Namibian government, have waged that struggle by their bootstraps. Such a disingenuous apology is roundly rejected and flatly refused even before it comes.

Speaking to the sham-ness of the exercise, it is clear that any negotiator worth their mettle would recognize that one cannot progress further when the fundamental pillar of guilt admission is refused because it has a nullifying effect but yet for seven years or more the process continued and what it delivered is a 360 months' One Billion Euros installments loosing value over time paid to the Namibian government without guarantees of reaching the affected communities and a shallow apology to House stuffed up with a majority that has little no direct knowledge and or link to the criminal deeds under question.

Pillar 4: The forth pillar of representation is already talked about under issues of Process and Framework. The Namibian government, assigned the role of an interest party, wholly appropriates negotiations oversight and administration to itself and closed-off others or demoted them to mere attaches to its sole-conceived and administered processes.

The JD does not serve the 2006 Namibian Parliamentary Motion, it makes of a mockery of it.

Key missing essentials of Reparations Package missing from JD- Extracts from the UN Basic principles and guidelines on the right to a remedy and reparation for victims of gross violations of international human rights law and serious violations of international humanitarian law.

- ❖ Restitution
- ❖ Damages Compensation
- ❖ Rehabilitation
- ❖ Satisfaction
- ❖ Guarantees of non-repetition –

Other General Observations and Commentaries on JD and Germany's Posture in the midst of it all

On simple observation there' a stark contrast between the political and diplomatic posture of the German Foreign Office, and its legal arguments filed in court-papers on the other hand. Whilst on the political and diplomatic front Germany projects itself as a modern state striving to reconcile its dark history with a human-centred futuristic posture seeking to build bridges between people, all peoples including victims of its racist and genocidal history, in the halls of law on the other hand Germany employs every trick to avoid and deny legal culpabilities for its historical wrongs and as such reverses all gains it makes on the other track as the mutually are mutually exclusive and incompatible. For as they, Germany can't have her cake and eat it.

And these contradictions are no coincidence or mishap, they are deliberate, they are the work of remarkable statecraft tactfully conceived to mislead a docile public that perceives Germany as genuinely pursuing noble intentions of finding closure to a legal and moral character questions she'd been wanting on for too long whilst in essence remaining intransigent and disingenuous to seeing through such a matter. We are no fools and thus sees through these contradictions.

The very essence that Germany refuses to admit guilt to the crime of Genocide as codified under international law, arguing instead that the crime is only such under present perspectives, namely a genocide from today's perspective, succinctly deploys an age-old racist argument of the German elite of those days that we as a people were subhuman and thus justifiably expandable to give way for the superior German race to their Lebensraum AND as such are savages who held to no recourse in law.

Even though the laws of war and other international instruments at the time, forbade Germany from conducting itself in the matter it did, through the prism of Germany, such laws only applies to members of the superior races, including our Jewish brothers and sisters whom yes they saw as inferior to them but because are of Caucasian ancestry, they would at least lay claim to recourse in such laws...not us, black Africans.

Famously totted Disunity amongst Ovaherero and Nama people and thus rented Representation.

This idea is at most laughable but equally condescending, particularly as is often peddled by German politicians. I mean, is Germany the country that since the 2nd world has had perhaps only one or two single party majority governments the one to give lectures on unity and jointed politics? How many times in recent times have Germany, and indeed much of western Europe been thrown into a state near paralysis following close electoral outcomes culminating in hung Parliaments, all because of fractured politics, isn't that division?

Seriously the idea that when Africans have dissenting views in keeping with pluralist governance orders in their societies is termed division that warrants others to mettle and appropriate their representation rights away BUT then is just democracy when Europeans have similar dissenting voices in their societies is preposterous in the least. This idea as often totted by a German politician who was involved in the negotiations is with no merit. Divisions and or dissenting views amongst our ranks is no right for anybody to argue that we cannot represent ourselves, it certainly is not a reason for Germany to do so when for the last 30 years or so she couldn't agree on a single majority party to govern it.

Way forward

I want to state that the divergence between us are real, given and most likely protracted...The government of Namibia, with conveniently the aid of Germany, is narrowing this talk to being just about the size of the money package...for us the discussion is a way distant away from that point :

1. First and principally, we want the discussion to Genocide as a crime...not a moral and political construct/ gesture which allows Germany to dictate the terms....Our conviction is that that will return to Genocide as a legal construct with legal culpabilities naturally restore our rights as victims to speak for ourselves.....to represent ourselves (the government of Namibia has its role defined by the Motion already, in our view, that role suffice and so it must confine itself to it..!....

We are perfectly capable of defining our own justice and that inherently means direct talks and settlement with us!...just like it was done with Jews of the world who assembled in around 23 Committees into the Conference of Claims of Jews of the World and negotiated directly with Germany..The fact that our people are scattered all over the world, with no single to claim sole monopoly over us, we believe that Jewish model will serve as solid basis for a framework to be imported to our case.

2. As for the modalities for delivering the reparations package (not development aid) our people must be sought out by name and teased out in their known localities as communities and individuals (Otjinene, Omatjete, Otjizingue, Ovitoto, Okamatapati, Okotjituuo, Ozonahi, Epukiro, Otjombinde, Omongua, Ongama, Okondjatu AND importantly Otjauana and RSA diasporan communities) and engaged directly.
3. The terms applied to individuals and communities in Namibia must, to the extent possible, be replicated to those individuals and communities finding themselves in the diaspora. For them certain things such as the rights of return and or repatriation are

important....The JD says nothing about it...

4. The full and wholesale return of body parts of our ancestors continuing to litter museums in Europe must be guaranteed under the final settlement as an obligation, not something done by Germany at her own volition which now she terms “loaning back” of looted colonial artefacts and body parts.again to deliberately stay away from culpabilities accruing from crimes of theft around this..
5. A full reparations program does not have to be invented anew, the template of Israeli-German talks has served the world quite well, it can yes take twicks and twist here and there to speak to our situation but our view is that the fundamentals are already there to build-on. After the Oveherero-Nama genocide is the laboratory in which all crimes of the Third Reich were experimented if not perfected, the two periods in German history are intrinsically intertwined.

What is to be done by the German populace, the friends of our struggle?:

First we as a people recognizes that with the disengenuous state of the German political elite, we have reached a dead-end, a state of paralysis, we therefore asks the friendly German civil originations and indivuals to do the following:

- actively looby for the altogether scrapping of the JD in its current form because it is an exercise in fulity. It will not solve any problems. don't let the politicians waste your money, here it from us, that JD is a reason a thousand years from today our children will be haunting yours demanding the same thing we are demanding today.
- Lets all pause, reflect and start on clean slate. Don let any government of the day dictate our programs with the idea that they only are the only once to offer a solution. Lets yes strive to finning the work today but leave room for tomorrow is today is corrupted and doesn't allow us to do justice to the work at hand. Lets outpace and outlive all those who are disingenuous. Lets look to the future for solutions.
- Mobilize your citizenry to demand change of cause by your political elite. They know that what was good for the Jews is also good for the Ovaherero and Nama people, lets not have artificial roadblocks of state-exclusivity derail us from the real business at

hand.

- As Ovaherero and Nama leaderships, we recognize this to be a long-haul journey and whilst we are prepared to stay at it for so long as is necessary to ensure that this struggle which was guarded across generations before being handed down to us with a right of inheritance but equally a responsibility of guarding and bequeathing it fully to our children and their grandchildren, we ask that you join us in supporting our own self-help initiatives in terms of support for education programs in the form of scholarships, community-based micro-projects and other interventions in particularly the beef sector where our people had always retained comparative advantage. This plea for support and partnership is a very important part of my journey around Germany and will be further buttressed by a visit of Ovaherero Paramount Chief Professor. Dr. Katjiua who a little more than few months back launched an ambitious self-funded and administered Ovaherero Development Agenda and will be here next month to talk more to that program and much more. It is a platform we are promoting around the world and so we ask that you engage me and have a dialogue on how we can work together to deal with the immediate challenges of poverty and outright destitution amongst these communities denied justice for over a century.

- Before I go, I want to state that there can be no serious settlement on this question without directly speaking **to the individual and collective responsibility of the following three specific groupings**. And I will address them separately:
 - ❖ **The first is the Church**, and thank God I am guest of the Catholic Church. And so I ask what is the obligation of the church particularly as we know that it played a direct hand in pacifying our people for later being preyed on across much of Africa but specifically in the case of Namibia where Missionaries were criminally complicit for luring our people who had taken refuge in the wild fearing for their lives under German rule...It was the church which was recruited to falsely spread a message of truce and pardoning by the German Empire and thus drawing thousands many back into villages and town where they would be handed over to the German authority for captivity and eventual deaths in the concentration camps...What would be the mandatory role and

responsibility under such a settlement for the church?..

- ❖ **BUSINESS**..As a South-West-Africaner then and Namibian today, I know for certain that had it not been for business, my land would probably not have been captured by Germany, at least not in the day of Von Bismarck who by all accounts was a reluctant imperialist Officer. For it was business, through Adolf Luderitz, that heralded the capture of my ancestral land by Imperial Germany..it too was business which so-called discovered and plundered by underground resources of my land for profit all repatriated to the homeland..It was business chiefly which continued the practice of annihilation of my people in concentration camps through forced labour for profit..Business profited enormously and most of it...e.g the Woermanbrock group from instance continues to operate in Namibia...So I also where is the culpabilities of Business in all of this?..Under the German-Israeli package I am aware that there is a special role embedded in a specific agreement speaking to the responsibility of Business.
- ❖ Last but not least, as pertains to perhaps the most central theme of our restoration struggle..the land we lost, the land we never got back..Our ancestral land lucky did not take flight to anywhere but remains in Namibia as it was in 1884....only paper ownership through loot has changed..The important question any settlement must address is the positive contribution **descendants of settler German and Afrikaner farmers** in Namibia must play in the process of land reform, restitution or restoration , call it what you like, the current of the land cannot sit idle as if he/she is not a beneficiary of a loot.....a clearly defined role, duty and responsibility for the current occupants of the land must be defined as we are to move genuinely forward with the noble concepts of reconciliation, reconstruction and healing.

That is my submission this afternoon, thank you very much...I will be taking questions.