

Namibian-German Diplomacy in colonial reparations (2011 – 2021)

Diplomasi Namibia-Jerman dalam upaya reparasi kolonial (2011 – 2021)

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Abstract

Namibia's history as a German Empire "mandate" from the 1884-1885 Berlin Conference builds a diplomatic relation characterized by the push for reparations. This research aims to study the Namibian-German diplomacy in colonial reparations as a best practice basis in navigating the complex relationship between an ex-colony and its ex-colonizer to achieve reconciliation, particularly between 2011 – 2021 where reparations between the two countries showed concrete progress. Using qualitative methods, this research is guided by the Van Boven-Bassiouni principles, the Abuja Proclamation, and Paulose & Rogo's idea to dissect colonial reparations and McDonald's multitrack diplomacy as a conceptual framework. This research found that aspirations and legal pushes from the Herero People's Reparation Corporation triggered the diplomatic processes. Concrete progress started occurring in 2011 with the repatriation of Herero remains to Namibia, followed by recognition of German colonial practices, compensations, and rehabilitative efforts involving various actors. This showcases diplomacy as a relevant approach to resolving colonial reparations, where in the Namibian-German context, the government track emerges as the main track providing the most comprehensive result. This research also highlighted the importance of diplomatic engagement in addressing colonial reparations and its potential to offer a model for achieving reconciliation through restoring human values.

Keywords: colonial reparations; multitrack diplomacy; Namibian-German diplomacy

Abstrak

Sejarah Namibia sebagai "mandat" Kekaisaran Jerman dari Konferensi Berlin 1884-1885 membangun hubungan diplomatik yang ditandai dengan dorongan untuk melakukan reparasi. Riset ini bertujuan untuk mempelajari diplomasi Namibia-Jerman dalam reparasi kolonial sebagai dasar praktik terbaik dalam menavigasi hubungan yang kompleks antara eks-jajah dengan bekas penjajahnya untuk mencapai rekonsiliasi, terutama dalam kurun waktu 2011-2021 di mana reparasi antara kedua negara menunjukkan kemajuan yang konkret. Dengan menggunakan metode kualitatif, riset ini dipandu oleh prinsip-prinsip Van Boven-Bassiouni, Proklamasi Abuja, dan gagasan Paulose & Rogo untuk membedah reparasi kolonial, serta multitrack diplomacy dari McDonald sebagai kerangka kerja konseptual. Penelitian ini menemukan bahwa aspirasi dan dorongan hukum dari Herero People's Reparation Corporation memicu proses diplomatik. Kemajuan konkret mulai terjadi pada tahun 2011 dengan repatriasi jenazah Herero ke Namibia, diikuti dengan pengakuan atas praktik kolonialisme Jerman, kompensasi, dan upaya rehabilitasi yang melibatkan berbagai pihak. Hal ini menunjukkan bahwa diplomasi merupakan pendekatan yang relevan dalam menangani reparasi kolonial, di mana dalam konteks Namibia-Jerman, jalur pemerintah muncul sebagai jalur utama yang memberikan hasil yang paling komprehensif. Penelitian ini juga menyoroti pentingnya keterlibatan diplomatik dalam menangani reparasi kolonial dan potensinya untuk menawarkan sebuah model dalam mencapai rekonsiliasi melalui pemulihan nilai-nilai kemanusiaan.

Kata kunci: reparasi kolonial; diplomasi multijalur; diplomasi Namibia-Jerman

Introduction

European desire for the African continent can be traced as far back as the second half of the 19th century when thriving industrial sectors saw Africa as a potential resource supplier as well as a market for their production outputs (Heath 2010). This desire was manifested in the 1884-1885 Scramble for Africa, during which seven European powers gathered to negotiate for territorial ownership of parts

of the continent. Germany, the initiator, was “mandated” territories consisting of modern-day Rwanda, Burundi, Tanganyika, some parts of Mozambique in the east, Togo and Cameroon in the west, and German Southwest Africa, modern-day Namibia (Bechhaus-Gerst 2012). Throughout approximately 30 years of its rule, the German Empire faced numerous resistances from the indigenous populations of its territory. One of the most prominent and controversially commented was its colonial practices in GSWA, specifically throughout 1904 – 1908 (Kössler 2006). During these four years, various forms of colonial resistance were met with genocidal responses, such as the Herero termination order (*vernichtungsbefehl*), forceful displacement of the Herero, Nama, and San to the desert where they were abandoned to die, or placed into concentration camps where if they were not dead, they would be either enslaved or became an experiment subject (Gewald 1994:67, Sarkin 2008:5,140).

Several impacts of Germany’s colonial legacy remain present in Namibia today. These include European-style urban architecture in Swakopmund, a colonial statue in the State House’s courtyard, and significant socioeconomic disparities between German-Namibians and the rest of the country, putting them as a “society of privilege” (Kössler 2019:119). This is especially evident in land ownership patterns, in which around 69% of the freehold agriculture land intended for commercial purposes, is owned by white Namibians, leaving black Namibians with only around 16% with the rest being acquired by the state through a resettlement program (UNDP 2019:52). The same source points out that freehold commercial land supports only 10% of the Namibian population. Furthermore, more than half of Namibia’s population is situated in only 35% of the country’s land, further emphasizing the disparity in land ownership. In a society where land ownership simply opens access to other assets, this exacerbates the inequality of opportunities and –by extension– income. A clear manifestation of this inequality can best be seen through the disparity of the Human Development Index, in which German-Namibians are classified as having a HDI comparable to Sweden and Canada, whereas Namibia as a country is classified with a medium HDI (Kössler 2019, UNDP 2022). Considering these negative impacts, the push for reparations from the Herero, Nama, and San peoples has become a key issue in Namibian-German relations.

Research on reparations has previously been conducted through various lenses. Bak (2016) Examines Holocaust victims in post-war Denmark, while Omotoso (2014) addresses the African continent as a whole. An anthropological perspective on the German-Namibian case is presented by Shigwedha (2018) and Witte et al. (2014), focusing on the repatriation of Herero remains by the German Government. Kössler (2008) emphasizes the public acknowledgement made by the German government through Minister Wiczeorek-Zeul in 2004, offering an International Studies perspective on the discourse. More recent research by Weber & Weber (2020) examines how the dynamics of the Namibian-German relation affected International Relations’ theories and theorizing process. However, these previous studies have yet to take up a diplomatic angle in dissecting colonial reparations, specifically between Germany and Namibia. The 10 years of 2011 to 2021 was particularly chosen due to the rapid progress seen, as marked by the start of a long-overdue repatriation of Herero remains in 2011 and culminating in a bilateral agreement between the two countries in 2021. Additionally, the Namibian-German case for colonial reparations is particularly progressive compared to the other European former-colonizer states. This study can thus serve as a best practice basis in dissecting the relationship between an ex-colony and its ex-colonizer, utilizing diplomacy to validate the colonized experience and restore humanity’s values to achieve a reconciliatory phase. Accordingly, the main research question will be “How was the development of diplomatic efforts between Namibia and Germany in colonial reparations?”

Reparations, despite their varied meanings, can be understood as efforts to restore justice by atoning for past wrongs (e.g. colonial injustices, gross violations of human rights, etc.) to achieve reconciliation (Buti 2009:191). The term “colonial reparations” refers specifically to actions by former colonizers to “apologize” to former colonies. To dissect colonial reparations, particularly between Namibia and Germany, this study adopts the concept of colonial reparations by Paulose & Rogo (2018:382) which proposes a formula consisting of (1) a determination of what state crime took place; (2) whether it has a lasting impact on the remaining victims and survivors; and (3) an appropriate, holistic redress. This framework ensures that reparations address systemic issues related to colonial state crimes instead of a mere token that would not enable victims and survivors to progress. This approach is deemed suitable considering the limitations of this study i.e. the Namibian-German case as it puts forward a case-by-case nature of colonial reparations, reflective of the nature of metropole-colony relations. The third

component is going to be dissected further using the components in the Van-Boven Bassiouni Principles—adopted by the UN as 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 in 2005 (UN 2005)—and 1993 Abuja Proclamation which are restitution—an effort to rebuild the situation before the state crime occurred—compensation, rehabilitation, satisfaction, and guarantees of non-repetition—measures that will contribute to prevention.

To explore the diplomatic efforts made by Germany and Namibia, this study applies McDonald's (2012) the concept of multitrack diplomacy. Multitrack diplomacy is deemed suitable as it does not limit this research to governmental efforts but expands it to acknowledge the involvement of other actors, categorized into nine tracks of diplomacy: (1) government, (2) nongovernment/professional, (3) business, (4) private citizens, (5) research, training, and education, (6) activism, (7) religion, (8) funding, and (9) communication and the media.

Research Method

This research employs a qualitative approach following the design proposed by Lamont (2015). Given the exploratory nature of this study, a qualitative method was deemed appropriate as it emphasizes the meanings and processes underlying politics. This approach aids in understanding the world through non-numerical data collection and analysis strategies (Lamont 2015:94). A combination of archival and document-based research as well as internet-based research was the main method of data collection as all data necessary for the research and analysis are accessible through the internet.

The primary data for this research were derived from the joint declaration between the Namibian and German governments, official press releases from both states and news coverage describing relevant phenomena. This was complimented by secondary data, including scholarly opinions and analyses sourced from media columns, press interviews, and journal articles. The collected data were deductively categorized and conceptually correlated to the extended framework discussed earlier through content analysis, enabling the formulation of conclusions. As indicated previously, the 10-year timeframe of 2011 to 2021 served as both a limitation as well as an emphasis in both data collection and analysis. However, exceptions were applied so that this study has a deeper nuance and context to it.

Results and Discussion

The first two sections of this part discuss the nature of Namibian-German relation as well as timeline and developments of colonial reparations between the two countries. The third section presents an assessment to the reparation efforts, correlating the frameworks proposed in the Van-Boven Bassiouni Principles, the 1993 Abuja Declaration, Paulose & Rogo's (2018) 'formula' for reparations, as well as McDonald's (2012) idea for multitrack diplomacy while the last section dissects constrains and challenges faced throughout the process.

Namibian-German relations

The German Empire rose as a new power striving to become an industrialized nation-state when Europe saw significant progress in its industry. Although initially reluctant, forming colonies and overseas territories became a strategy that was pursued by the empire (Kössler 2015:50). A general pattern of metropole-colony relation as areas for emigration, supplier of raw materials, and markets for industrial goods, also existed between the Empire and GSWA (Kössler 2015:54-55). In this case, GSWA started gaining some significance through the copper mines in Tsumeb and the discovery of diamonds in the Namib Desert. Traders and missionaries, while actively supplying the colony with industrially produced goods, engineered an economic system where the indigenous population relied on money they obtained from selling land and cattle. As far as emigration goes, the engineered economic system practically cleared the ground for white settlers, leaving the Indigenous population with a small amount of remaining reserves restricting their mobility, barring them from reacquiring their land and cattle, and even subjecting them to fines if their cattle were caught grazing outside these reserves (Fraenkel et al. 1985:6, Kössler 2015:55).

Violent confrontations were prominent of the the metropole-colony relation as a form of anti-colonial resistance to unjust practices. In Namibia, waves of resistance were started by the Herero, led by Samuel Maharero. It was in turn responded by Lothar von Trotha with a termination order (*vernichtungsbefehl*) and poisoning the few waterholes in Omaheke Sandveld (Fraenkel et al. 1985:6). Within less than a year, over 70.000 Hereros were either killed or fled to modern-day Botswana, leaving their last remnants of land and cattle confiscated and given to German farmers to compensate for the Herero war. Similarly, the Nama, who initially worked with the German Empire to infantry supply, eventually turned on them after witnessing what they did to the Hereros, it mounted to a three-year guerilla conflict that took the lives of 75% of the Nama population, with their land and cattle also being confiscated. Together, these violent confrontations between the German Empire and the Hereros and Namas wiped out more than half of the Namibian population at the time.

Before achieving full independence in 1990, Namibia experienced multiple transfers of authorities, being under the rule of the German Empire until 1915, the military rule of the British Union of South Africa until 1919 through a League of Nations mandate, until eventually gained independence 21 March 1990 after the rebellion of the People's Military Army of Namibia, leading up to a UN-supervised election (Namibia High Commission London nd). Taking a Bundestag resolution dated 16 March 1989 into account, Katjavivi (2014:142) stated that the Namibian-German relation is mainly drawn over a German "special responsibility" over Namibia's dark past and manifests as the establishment of both countries' embassies in Berlin and Windhoek—as well as cooperative contacts between key figures of Namibia's SWAPO, Social Democratic Party of Germany (SPD), the Green Party, and the former German Foreign Minister, Hans-Dietrich Genscher. In line with that, various high-level visits became a defining pattern in the initial phases of the Namibian-German relations.

Trade relations between the two countries show a positive trend, with an average annual export growth of 2.97% from Namibia to Germany and 4.99% for German exports to Namibia (The Observatory of Economic Complexity 2022). The traded commodities include agricultural products, pharmaceuticals, and vehicles. In the cultural and academic domains, both countries' relations are well-established through cultural preservation projects, such as financial support, namely ones directed to museums in various Namibian cities and the Namibian Scientific Society in Windhoek, along with supporting the documentation of various cultural assets like Nama (Khoekhoegowab) dictionary, Kavango literature, and Oshivambo music, as well as the preservation of Brandberg rock paintings. Cooperation between church-based organizations also contributed to both countries' relations. Brot für die Welt (Bread for the World) serves as one of them, connecting the Evangelical Lutheran Church in the Republic of Namibia (ECLRN) with Evangelische Kirche in Deutschland (Evangelical Church in Germany), Johanniter Hilfswerk (Knights of St John), dan Misericordiae in Christo (Catholic Central Office), working towards issues regarding food security with a side of improving healthcare, education, respect for human rights, and pacifism (Brot für die Welt nd, Katjavivi 2014:150).

People-to-people exchanges are another vibrant pattern of relationships between the two countries through student and youth exchanges as well as partnerships between Namibian and German education institutes like the AGDS, DAAD Namibia, and Alexander von Humboldt Foundation. A recent milestone has been reached when Chief Hijangua, a Namibian Opera, makes Berlin its European debut. 2023 also witnessed the screening of "Measures of Men" (*Der vermessene Mensch*), a film that makes the racial science experiment in GSWA its main theme (Dege & Braun 2023, Hucal 2023).

Timeline and developments of German colonial reparations to Namibia

The Herero and Nama's push for justice and reparations began as early as 1995, when Kuaima Riruako led a march of 300-people march in the German Embassy in Windhoek, demanding reparations amounting to US\$600 million for the 1904–1908 Genocide. However, the demand was dismissed by both Berlin and Windhoek through a stance that "reparation should not be exclusive to a particular ethnic group when the whole country falls victim to colonialism" (Harring 2002:393). Germany, however, in 1989 witnessed the passing of the Namibia Resolution by the German Bundestag, declaring a "special responsibility" for Namibia. However, this resolution did not fully signal that the German Government

fully took responsibility for the entirety of its colonial practices in Namibia, especially the genocide of 1904-1908 as noted by the subsequent silence of the German Government for the next fifteen years (Boehme 2020:7).

In 1998, the Herero pursued legal action by submitting claims to the International Court of Justice, although resulted in a dead end, on the basis that the Herero was not categorized as a state. The struggle continued with several claims in the US legal system (Paulose & Rogo 2018:377-378). In 2001, the Herero sued Deutsche Bank for its involvement on funding the German Empire throughout the genocide. The lawsuit sought compensation to "buy back the land from white farmers" and a formal apology from Berlin. The same year also witnessed the Herero People's Reparation Corporation (HPRC; further mentioned as "the Herero") filing a bigger suit targeting not only the Deutsche Bank, but also Berlin, Terex Corporation, and Woermann Line—along with a bigger claim for compensation amounting to US\$4 billion. The lawsuit eventually faced a dead end in 2004, after the Federal District Court ruled that Herero did not have "a statutory basis to assert jurisdiction over Woermann Line." Instead of stopping, the Herero filed two different suits, against Deutsche Bank in New York, and against Woermann Line in New Jersey, both met with dead ends in 2006, when the Appeals Court of New Jersey, a higher-level court according to US jurisdiction, upheld the lower court's dismissal.

On the German side, Boehme (2020:6-8) noted the pre-2004 era as marked by inaction, based on the absence of parliamentary initiative and public involvement in the discourse, leaving it largely ignored albeit not denied nor acknowledged. It changed when the German Minister for Economic Cooperation and Development, Heidmarie Wieczorek-Zeul, conveyed apology, recognized the "historical, political, moral and ethical responsibility and guilt," as well as recognizing that if the colonial crimes of the German Empire were to occur today, they would be termed genocide and von Trotha would be tried by a criminal court (NN 2004). 2004 then became a start to a period that Boehme (2020) named "a half-apology and increasing engagement". Unfortunately, the recognition and apology coming from the minister only represent herself. Berlin's stance is instead reflected through a 2006 offer of US\$25 million as a reconciliation and developmental grant, which was heavily criticized by the Herero community due to Berlin's lack of dialogue with the Herero community.

By 2006, reparations started to enter the agendas of the Namibian Parliament's, with issues like land ownership, societal violence, past German reparations, and Wieczorek-Zeul's public statement during the centennial commemoration of the Battle of Waterberg became the primary considerations throughout the discussion (National Assembly of the Republic of Namibia 2006). Aside from triggering a discussion in the Namibian Parliament, the 2004 apology succeeded capturing the German public attention to Namibia, as indicated through SPIEGEL articles amounting to a yearly average of 2,75 articles throughout 2004–2011. The next year, a bilateral agreement known as the "German–Namibian Special Initiative for Reconciliation," mostly served Germany's good faith to send a €20 million bilateral development aid.

Concrete progress in German reparations to Namibia was achieved in 2011, where after a three-year negotiation, Germany repatriated 20 skulls belonging to the victims of the colonial "experiment" (Nebe 2021, van den Bosch 2011). The ceremony was attended by a high-level delegation, including several key figures representing Namibia, and Cornelia Pieper representing Berlin (Shigwedha 2018:202). Three years later, mid-March 2014, 35 skulls and bones of two Herero bodies were repatriated to Namibia from the Charité University Hospital and a University in Freiburg, with Jerry Ekanjo—then Minister of Youth, National Service, Sports and Culture—leading the delegation (The Namibian 2014). Around two weeks later, representatives from Herero and Nama filed another reparations claim on March 29 (Nebe 2021).

In 2015, negotiations and political talks addressing past events, formal apologies, and financial aid finally began. The German delegation was led by Ruprecht Polenz, a veteran politician who once chaired the Bundestag Committee on Foreign Affairs, while the Namibian delegation was headed by former Namibian Ambassador to the EU, Dr. Zedekia Ngavirue. (Federal Foreign Office of Germany 2018, Nebe 2021). In addition, progress in naming past German atrocities as genocide has been made

by the German Government as a step towards public recognition, most notably in July 2015, when the then Head of the German Bundestag, Norbert Lammert, and the spokesperson of the German Foreign Ministry, Dr. Martin Schäfer, used the term “genocide” to describe the actions of the German Imperial Government in GSWA (Boehme 2020:11). 2016 witnessed a Bundestag recognition over the Armenian genocide, resulting in the push for a formal recognition of German colonial practices in Namibia as a genocide that “reflects the stance of the German Government” (Bommarius 2016, Geyer & Vates 2016). In the following 2017, the Herero continued their legal journey in the US by filing a lawsuit in New York for various grievances from the genocide, including “reparations for thousands of square miles of land confiscated by the German colonial government,” as well as asking the German government to include the plaintiffs (the Herero; also referring to the ethnic community in general) in negotiations related to the genocide—to which the German government responded by using the principle of state immunity (Paulose & Rogo 2018:378). The stalled negotiation process also led to an escalation as Windhoek considers suing Berlin for the Herero genocide.

In 2018 saw the return of 27 more Herero remains to Namibia. A total of 19 skulls, five intact skeletons, as well as bone and skin remains from three different bodies were repatriated to Namibia as “part of a larger reconciliation process” between Germany—represented by Michelle Müntefering of the German Ministry of Foreign Affairs—and Namibia, whose delegation was headed by the Minister of Culture, Katrina Hanse-Himarwa (Federal Foreign Office of Germany 2018, Grieshaber 2018). On the other hand, 2018 was also a year when public tensions, especially from the Herero community, began to rise. Despite the consensus on the need to deliver a German apology to Namibia, the inaction and lack of progress since the official talks started in 2015 resulted in a public that began to show signs of impatience, indicated by sharp criticism of the process—Windhoek with criticism from Herero leaders for being too soft on Berlin, and Berlin with suspicion of denial and labeling the negotiation process as farce as members of the Bundestag could not keep up with the progress of the talks (Pelz 2018).

After six years and nine rounds of negotiation, on 28 May 2021 the German Foreign Minister announced that an agreement has been reached, in which Berlin agreed to recognize the early 20th-century atrocities as a genocide. As for the output document, the joint declaration titled *United in Remembrance of Our Colonial Past, United in Our Will to Reconcile, United in Our Vision of the Future* (NN 2021b) indicated that the agreement also includes a formal apology before the National Assembly of Namibia, and payment of reparations by Berlin (Namibian Presidency 2021). In further detail, the genocide recognition point also includes, in addition to the mass killings of the Herero and Nama ethnic communities, the colonial practices of the German Empire such as the confiscation of land, livestock, and cultural artifacts. Berlin also pledged to disburse €1.1 billion over a period of 30 years in infrastructure and development aid in Namibia. The ‘package’ itself will consist of a reconciliation and reconstruction program which details as follows: (a) €50 Million for Reconciliation, (b) €130 Million for Renewable Energy, (c) €150 Million for Vocational Training, (d) €100 Million for Rural Roads, (e) €130 Million for Rural Water Supply and Sanitation, and (f) €540 Million for Land Acquisition and Training. The implementation of these projects and programs are intended to focus on assisting the development of affected communities in Erongo, Hardap, //Kharas, Kunene, Khomas, Omaheke dan Otjozondjupa—where impact assessments will be done according to an agreed interval.

Assessment on the Namibian-German diplomacy in colonial reparations

The fact that there are already resolutions focusing on Germany’s “special responsibility” over Namibia despite its various nomenclature and shortcomings up until 2021 serves as an obvious signal that both countries had acknowledged a state crime have been perpetuated in the past, in which Germany stands as the perpetrator. The socioeconomic disparity in Namibia—rooted in land ownership disparity and further reflected by the HDI—stands as a sustained negative impact associated with the crime. That being settled, the first two components of Paulose & Rogo’s (2018) formula for colonial reparations can be deemed as fulfilled. As for the last component, the holistic redress, it will be dissected according to indicators present in the Van Boven-Bassiouni Principles and the Abuja Proclamation. Multitrack diplomacy is used to identify which diplomacy tracks are involved and/or succeeded in getting concrete results from 2011 to 2021.

Restitution is defined as an effort to restore the victims to the situation before the gross violations of the international human rights law and/or humanitarian law occurred. Article 19 of the Van Boven-Bassiouni principles stated that restitution can be achieved through the restoration of liberty, identity, familial life and citizenship, enjoyment of human rights, repatriation, and return of properties. The Abuja Proclamation also regards readjustment of relations as an appropriate measure. Within the context of Namibian-German reparations, restitution is achieved through the repatriation of the Herero remains back to Namibia. The significance of returning the remains of Herero-Nama genocide victims, both as a restitution measure and in relation to Namibian-German relations, lies in the fact that this act is not only interpreted as returning a 'property', but also honor the cultural identity of the victim, in a sense that it respects that the victim was once part of a society and lived in a cultural context dictating certain death rituals (Bolin 2022). Regarding relational adjustments, Novotný (2015:75) highlighted that Berlin's recognition over their past colonial aggressions serves as a new starting point to both countries' diplomatic relation, indicating a positive outlook. However, the Namibian delegations' dissatisfaction towards the Germans' hospitality in welcoming them throughout the whole repatriation process can also serve as a trigger for readjustment, although within a pessimistic outlook. Accordingly, Berlin's recognition, to an extent, can also be categorized as an effort for restitution. As for the diplomacy tracks, the findings of this research—that the repatriation involved governmental representatives and key figures of the affected communities—provides a strong basis that the combination of the government track and the citizen diplomacy track is the main route to achieving the restitution component.

Satisfaction, serving as a basis for any reparation effort, is defined as an effort to restore the dignity of victims. The Abuja Proclamation in 1993 further emphasizes, explicitly, that what is important in reparation is "the responsibility of those states and nations whose economic evolution once depended on slave labor and colonialism." The Van Boven-Bassiouni principles in 2005 described this component could be manifested in the forms of an immediate cessation of continuing violations, public apology and recognition, commemoration and tribute to the victims, verification of facts and public discourse, even a judiciary approach to restore the dignity of victims and of persons associated with them.

For the Herero-Nama, Paulose & Rogo (2018:377) argued that appropriate reparations could cover a genuine, symbolic apology from the head of state to the affected communities. Aligning with it, a public acknowledgement coming from the Bundestag in 2016 and Berlin's recognition in the 2021 joint declaration—that the atrocities are a genocide—serves as a concrete manifestation. The funded cultural project, especially the Khoekhoegowab (Nama) language dictionary can be regarded as a tribute to the affected community, in this case the Nama. As for the judiciary approach, various lawsuits coming from the Herero, last updated in 2017, has yet to show any concrete results.

The findings of this research also indicates that the milestones achieved regarding satisfaction started off as a push from various grassroot advocacy network like the Ovaherero Genocide Foundation, German NGO networks like Aktion Völkermord verjährt nicht, Initiative Schwarze Menschen in Deutschland Bund e.V, and the Herero People's Reparation Corporation (Boehme 2020:12) despite the lacking a concrete and direct results. These, and the various media coverage that followed, eventually contributed to increased societal awareness, leading to the initiation of various follow-up actions like the funding for a Nama dictionary project. Accordingly, milestones regarding satisfaction are achieved by using the government track, advocacy (activism) track, and funding track, as well as the communications and media track.

Compensation emerged as the most prominent component in the Namibian-German reparations. The Van Boven-Bassiouni Principles stated monetary compensation "...shall be awarded for any economically assessed damage, proportionate to the gravity of the offense and the circumstances of each case..." and specify types of compensation including—in addition for material damages—compensation for lost opportunities, including employment, education and social benefits; necessary expenses for legal or expert assistance, medical services, and psychological and social services that address physical or mental damage. The Abuja Proclamation even mentions debt relief as a monetary compensation measure in addition to capital transfers.

Emphasizing on “economically assessed,” the Namibian-German case serves as an example where capital transfers and monetary compensation became the focus. Arguably, any grant transfer from Germany to Namibia could fall under the category of compensation, given that Germany has positioned itself as the perpetrator of state crime and claimed moral responsibility for Namibia. However, based on the findings of this research, capital transfers in the form of development aid to the Namibian Government—allocated to various development projects such as renewable energy development, vocational training, rural road construction, and rural sanitation and water supply development—are highlighted in the context of Namibian-German reparations.

Aside from what is written on the 2021 joint declaration, the findings of this research also noted the contribution of German NGOs in the developmental cooperation between Namibia and Germany through various funding initiatives (Katjavivi 2014:150-154). Like a crisis fund management for orphans in Namibia (Weltfriedensdienst eV), societal empowerment (Freundeskreis Gesundheit für Ombili Berlin-Brandenburg eV), as well as procurement of public facilities and services (Bicycle Empowering Network Namibia, Support Ulm eV). Aside from procurement of funds, there are also NGOs and German church-based organizations that contributed in an in-kind manner through free capacity-building and training programs (SES, Brot für die Welt) and building public facilities (rural dry toilets; Solidarity Service International). In relation to the multitrack diplomacy, milestones of compensation are accordingly reached through using the tracks of government, funding, and religion. The government track takes a macro approach by compensating to a country on behalf of other country, while German NGOs and CBOs took a micro and strategic approach that directly impacts specific communities in Namibia.

Regarding rehabilitation, the Van Boven Bassiouni Principles state that these efforts should include medical and psychological care as well as legal and social services. The Abuja Proclamation emphasizes, among others, rehabilitation efforts as stopping further harm which can be achieved through building cooperation and conciliation. These two frameworks present different approaches to rehabilitation, with the Van Boven-Bassiouni Principles emphasizing concrete measures, while the Abuja Proclamation emphasizes possible ways to stop further harm.

Contextualizing the German-Namibian reparations, rehabilitation efforts can be said to have been achieved as a by-product of the fulfilment of the compensation component. In other words, the cooperation and contacts established in the context of compensation have opened up access and availability of services that not only provide easy access to healthcare, public facilities, and children’s advocacy services (Ombili Stiftung e.V., German-Namibian Development Society, and Kinderhilfe in Namibia e.V.), but also empower Namibian society through various educational programs, capacity building, sustainable agricultural projects, entrepreneurship support, and various other programs and initiatives—generally categorized as care and services achieved through cooperation. Based on this logic, the diplomacy track used to fulfil the rehabilitation component is the same track used to fulfil the compensation component, which is a combination of the government track, the resource procurement (funding) track, and the religion track.

The Van Boven-Bassiouni Principles described guarantees of non-repetition as measures that ‘will contribute to prevention’ and highlight an arguably institutionalized approach such as strengthening legal frameworks, human rights education, and ensuring compliance with international norms and mechanisms. In the case of German-Namibian reparations, this research did not find any concrete steps or contacts established under this component. However, it can be argued that the fulfilment of the other components of reparations through diplomatic means has contributed to prevent ‘repetition’ of German atrocities and gross human rights violations in Namibia.

Critics, challenges, and constraints

While Germany has been actively involved in various reparations to its victim of colonial practices—as noted by Theo van Boven in the early 1990s—and *de facto* shown the most progress compared to other former colonizing nations who are either hesitant or has yet to reach an apologetic point (Gbadamosi 2022, Phelan 2023, Haynes 2024). These actions are not at all immune to critics, especially as a response to the hallmark, most recent 2021 joint declaration.

The formula proposed by Paulose & Rogo (2018) makes community involvement an essential component of colonial reparations, especially when it comes to compensation. Considering the need for these efforts to address bigger, systemic issues faced by the affected communities, the most effective measure is to properly listen and involve the affected communities. Unfortunately, a central, consistent critique in the case of the Namibian-German reparations, is the lack—even absence—of the involvement of affected communities. Briefly, it can be seen using diction in the joint declaration, which does not mention “reparations” at all. The alignment of “reparations” with compensation coming from the Namibian government in the national briefing on the matter is also an indication of the lack of involvement of the affected community throughout the negotiation process. This not only denies the holistic element inherent in reparations but also the affected community’s demand for—quite literally—reparations. Between the Herero paramount chief calling it an insult (DW 2021), the Namibian leader of the opposition accusing the government of “excluding” and not negotiating in the best interest of the Herero and Nama (Noryskiewicz 2021), the advisor of the Nama Traditional Leaders Association calling it cruel and potentially brings back trauma, and the protests erupted in Windhoek (Lawal 2023), the affected communities’ response toward the matter are arguably bitter.

The practical exclusion of the Herero-Nama diaspora in neighboring Botswana, Angola and South Africa due to the governmental nature of the negotiation also adds a layer of skepticism in welcoming the 2021 joint declaration. Edwin Saidoo, the Vice President of the Botswana Society of the Nama, emphasized that Windhoek should have only been a trigger in starting the negotiation between affected communities and Berlin instead of taking over and making it a governmental negotiation (Dube 2021, Joshua Project 2024a, 2024b). In the end, as the LPM (Landless People’s Movement) representative inquired to *Süddeutsche Zeitung* (NN 2021a), this joint declaration, in the end, can only be regarded as an intergovernmental reconciliation agreement that does not count as reparations.

Aside from the use of diction and its approach, the 2021 joint declaration has also received tons of criticism focusing on the compensation packages. Expressions like “peanuts,” “doomed to fail,” and “not worth the paper it was written on” are thrown around by activists like Israel Kaunatijike and The Berlin Postcolonial group—highlighting the fact that €1.1 billion over 30 years that were given to Namibia is not special, especially taking into account the lack of affected communities’ involvement and Berlin’s expectation to provide a way for them to move on and “heal the remaining wounds.” Unfortunately, this approach to reconciliation has been the most preferred, given Berlin’s repeated emphasis on payments other than official reparations (Boehme 2020:9).

This will also be an even greater risk for the Windhoek-Berlin relationship when the compensation package agreed by both governments amounts to “roughly the same as the amount that Namibia has received as development aid from Germany for the last 30 years since 1989”—stated Polenz in his interview with *Deutschlandfunk* in 2021—is then juxtaposed with the fact that the Herero-Nama genocide of 1904–1908 almost completely wiped out the affected community because not everyone can accept that money redeemed the blood of their ancestors.

The repatriation of Herero remains in 2011 produced a diplomatic scandal rather than a step forward in reconciliation, which is another example of the reparations process’s ingenuity. Additionally, throughout the sequence of events leading up to the repatriation, there are indications of inventiveness. Given that the Namibian delegation observed the lack of senior German government officials from the time of their arrival in Berlin until the formal handover of the bodies, it appears that the hospitality protocols were not well executed (Shigwedha 2018:202). The source also stated that the disrespect for the Herero and Nama delegations became more apparent when Cornelia Pieper, the German Foreign Minister who attended the ceremony on behalf of Berlin, immediately left the hall and building of the venue, before the head of the Namibian delegation had a chance to deliver his speech. The fact that the speech was delivered in German and only conveyed in a personal capacity rather than representing the German Government, as written in *Berliner Morgenpost* (NN 2011), unfortunately validates this claim.

The progressive reparations portfolio of Berlin, so much so that it became a benchmark for Theo van Boven—at the time mandated by the UN to study reparations—seemed to hold up for at least 128.000 Holocaust victims globally, who are on track to receive monetary compensation amounting to €1.29

billion for 2024 (Grieshaber 2023). The extent to which the German government has gone to fulfil its obligations to the Holocaust victims highlights a more-than-adequate capacity, especially when considering the amount of funds disbursed. This then raises the question of why the Herero-Nama genocide survivors, who are bigger in numbers, and more geographically concentrated, received a much smaller amount that was paid over a longer period while they showed arguably higher urgency compared to the Holocaust victims whose main attention has been focused on the individual level, as pointed out by the executive vice president of the Conference on Jewish Material Claims Against Germany (the Claims Conference). This obviously would not align with Berlin's reputation as a country that succeeded in giving the proper reparations to the Jewish community and the state of Israel post-WWII. What is worse, this could indicate an application of double standards, placing the Herero, Nama, and San as being the lesser than.

Conclusion

An urgency for colonial reparation inherently lies in its prospect to not only deepen the relationship between an ex-colonizer to its ex-colony but also in the fact that it provides a holistic blueprint of ways to validate the colonized experience and restore the values of humanity through its supposedly positive impact to the affected community. As an effort to display the dynamic nexus between colonial history, diplomacy and the relationship between an ex-colonizer and its ex-colony, this study is guided by the concepts of multitrack diplomacy and colonial reparations according to the ideas from studies produced by McDonald in 2012 and Paulose & Rogo in 2018. This research, while limited to the case of Namibia and Germany within a 10-year timeframe of 2011 – 2021, illustrated that the development of diplomacy on colonial reparations began with various lawsuits that came mainly from the Herero, which despite its lack of concrete results, eventually triggered several milestones in the Namibian-German reparations discourse.

Entering 2011, this diplomacy process started to see concrete results like the repatriation of Herero bones to Namibia in 2011, 2014 and 2018; Germany recognizing its colonial practices as genocide in 2016 and the German Government's recognition through a joint declaration; as well as compensatory efforts involving various parties, from governments, NGOs, to church-based organizations covering various fields such as the provision of public facilities, health services, and various pro-bono education and training programs. The research also finds that these developments and achievements were achieved by utilizing the tracks of government diplomacy, individual engagements, learning, advocacy, religion, resource procurement, and communication and media—with the government track being the track that delivered the most comprehensive results.

Finally, the authors hope to contribute to the discourse within the realms of International Studies emphasizing multitrack diplomacy as a means of achieving reconciliation between an ex-colony and its ex-colonizer by validating the colonized experience and restoring humanity. Future research on this phenomenon could put its emphasis on the communal/non-state dimensions and possibly include a measured public response and/or impacts of the reparation programs.

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