

A truth commission on German colonial rule in Namibia?

Johannes Socher*

https://doi.org/10.29053/978-1-0672373-9-4_5

1	Introduction.....	120
2	Transitional justice initiatives addressing Namibia's past so far.....	124
3	A truth commission on German colonial rule in Namibia?.....	128
3.1	Effective participation of descendant communities	128
3.2	Establishing an authoritative account of the colonial past.....	131
3.3	Access to proceedings and dissemination of findings	135
3.4	Involvement of Germany, Germans and German Namibians	137
4	Conclusion	140

Abstract: *This chapter discusses the potential and some of the challenges of a truth commission addressing German colonial rule and its legacies in Namibia. Traditionally, such commissions have been established in transitional processes from authoritarian rule to democracy and until recently were considered unsuitable to address colonialism and its legacies. Over the past two decades or so, this consensus has been gradually shifting and expanding, with an increasing number of scholars, policy makers and international organisations assuming the general usefulness of transitional justice mechanisms to address past atrocities also in colonial contexts. With regard to a potential commission addressing Namibia's colonial past, no detailed discussion*

* First ideas for this chapter were presented at the conference 'In search for an African vision of international criminal justice' at the African Centre for Transnational Criminal Justice, University of the Western Cape, in May 2024. An earlier draft was furthermore presented together with Charles Eiseb at the conference that formed the basis for this volume. I would like to thank the participants of both conferences and here, in particular Charles, as well as the anonymous reviewer for their invaluable inputs and constructive feedback.

on its potential and challenges has emerged to date. This study makes a first step in this direction by building on earlier research that analysed the experiences of three African countries with commissions mandated to address colonial injustices and their legacies. The lessons that emerged from this research are tested, further refined and adapted to the Namibian context through an analysis of the views expressed in interviews with descendant communities.

1 Introduction

On 28 May 2025, Namibia observed its first Genocide Remembrance Day in honour of an estimated 65 000 Herero and 10 000 Nama that had been killed by German colonial troops between 1904 and 1908. While the Namibian government held a memorial event in the parliament's garden in the capital Windhoek with speeches by the President and Vice-President, the German ambassador and the Chairperson of the Council of Traditional Leaders, several other representatives of the descendant communities had rejected the event and were notably absent.¹

The introduction of a new national holiday in Namibia can be seen as the latest attempt to come to terms with what is now often called the twentieth century's first genocide. Although Germany was a late-comer to the notorious 'Scramble for Africa', it eventually established colonies in present day Burundi, Cameroon, Namibia, Rwanda, Tanzania and Togo.² Colonisation in German South West Africa (as the territory was then called) lasted from 1884 until 1915. In response to a rebellion against colonial rule in 1904, the commander of the German colonial *Schutztruppe*, Lothar von Trotha, fought the Herero and forced them into the desert, where most of them died of dehydration. In October of the same year, Nama also rebelled against German colonial rule, suffering a similar destiny. It is estimated that two-thirds of the Herero and one-third to half of the Nama population died as a result.³ Many

1 N Booty 'Namibia marks colonial genocide for first time with Memorial Day' *The Namibian* (Windhoek) 28 May 2025; M Endjala 'Ovaherero, Nama reject genocide remembrance day' *The Namibian* (Windhoek) 21 May 2025.

2 For an overview of German colonialism in Africa, see S Conrad *German colonialism: A short history* (2011).

3 See D Olusoga & CW Erichsen *The Kaiser's holocaust: Germany's forgotten genocide and the colonial roots of Nazism* (2011).

others fled across the border to today's Botswana as refugees or were displaced to other German colonies such as Cameroon. Survivors in the colony were imprisoned in concentration camps and exploited for indentured labour to build the colony's logistical and economic infrastructure as well as private homes and businesses.⁴ Concentration camps existed in Windhoek, Swakopmund and elsewhere, with Shark Island being the most notorious example.⁵ In addition, the German colonial administration enacted a number of laws confiscating all land and property of the Herero and Nama, thereby disowning Damara and San communities who had also been living on this land. Today, roughly 70 per cent of Namibia's commercial land continues to be owned by white Namibians.⁶

This study discusses the potential and some of the challenges of a truth commission addressing German colonial rule and its legacies in Namibia. A truth commission (sometimes also called 'truth and reconciliation commission' or 'truth and justice commission', depending on the highlighted aspects) is an officially authorised body established to investigate a pattern of past events that directly engage with the affected population, gather information on their experience, and conclude its work with a final report.⁷ Traditionally, such commissions have been established in transitional processes from authoritarian rule to democracy, in particular in Latin America and Europe,⁸ and until recently were considered unsuitable to address colonialism and its legacies. For example, the task force on the establishment of a truth, justice and reconciliation commission in Kenya argued that the colonial period was 'too remote in time' and the questions it would raise were 'too complex for a transitional justice instrument like a truth commission'. Evidence would be scant, and the answerable power would be the United Kingdom as the colonising power, not Kenya. 'Finally', the task force concluded, 'extending the truth commission to the colonial

4 R Moorsom 'Underdevelopment and labour migration: The contract labour system in Namibia (Chr Michelsen Institute 1997 Working Paper WP 1997:10).

5 C Erichsen *The angel of death has descended violently among them: Concentration camps and prisoners of war in Namibia, 1904-08* (2005).

6 See Namibia Statistics Agency 'Namibia Land Statistics Booklet' September 2018, 48.

7 For an overview, see PB Hayner *Unspeakable truths: Transitional justice and the challenge of truth commissions* (2011).

8 See R Teitel 'Transitional justice genealogy' (2003) 16 *Human Rights Journal* 69.

period would be an impossibly expensive, laboriously prohibitive, and practically unmanageable exercise.⁹ In the end, the established commission was mandated to investigate human rights violations in Kenya from independence in 1963 until 2008, when an agreement ended post-election violence. This, however, does not mean that the colonial period prior to independence played no role in the commission's work. To the contrary, as one commentator summarised it, the commission's final report stressed the role of colonialism by highlighting the 'legacies of impunity, land injustices, corruption, non-responsive justice systems, non-participatory governance and coercive state institutions used to further repression'.¹⁰

Over the past two decades or so, the consensus not to directly address colonialism has been gradually shifting and expanding, with an increasing number of scholars, policymakers and international organisations assuming the general usefulness of transitional justice mechanisms to address past atrocities also in colonial contexts.¹¹ With regard to a potential commission addressing Namibia's colonial past, this shift can even be observed on an individual level, as one of the first persons to have raised the idea was the human rights lawyer Makau Mutua, who happens to be the former Chairperson of the above-mentioned Kenyan task force, during a conference organised by the European Centre for Constitutional and Human Rights (ECCHR) in Berlin in 2021.¹² While the idea has occasionally reappeared in newspaper articles or

9 Report of the Task Force on the Establishment of a Truth, Justice and Reconciliation Commission, 26 August 2003, 36.

10 A Songa 'Transitional justice in Kenya as a path to transformation' Centre for the Study of Violence and Reconciliation (2018) 3.

11 Centre for the Study of Violence and Reconciliation 'Policy brief: Transitional justice and colonialism' October 2018; Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence; F Salvioli *Transitional justice measures and addressing the legacy of gross violations of human rights and international humanitarian law committed in colonial contexts*, 19 July 2021 UN Doc A/76/180; HO Yusuf 'Transitional justice and colonialism' in C Lawther and L Moffett (eds) *Research handbook on transitional justice* (2023) 405.

12 The idea was later also endorsed by the ECCHR; see European Centre for Constitutional and Human Rights 'The 'reconciliation agreement' – A lost opportunity' June 2021, https://www.ecchr.eu/fileadmin/Hintergrundberichte/ECCHR_GER_NAM_Statement.pdf (accessed 30 April 2025).

interviews,¹³ no detailed discussion on its potential and challenges has emerged to date.

To make a first step in this direction, this study builds on earlier research that analysed the experiences of Mauritius, Tunisia and Burundi with commissions mandated to address colonial injustices and their legacies.¹⁴ The lessons that emerged from this research will be tested, further refined and adapted to the Namibian context through an analysis of the views expressed in interviews with descendant communities. To this end, two sets of primary sources will be used: on the one hand, a collection of over 70 interviews published under the title *Nama voices: Pains of the past, hopes for the future* (notwithstanding the title, the book also includes some interviews with Herero and Damara).¹⁵ On the other hand, 13 additional semi-structured interviews conducted specifically for the purpose of this study, partly being follow-up interviews with some of the respondents from the *Nama voices* book,¹⁶ partly being interviews with Herero from civil society, academia and the art scene who had not been interviewed before.¹⁷ While the first set of interviews was conducted in person and was published already in 2024, this second set of additional interviews was conducted online in July and August 2025. Since the number of these additional interviews is relatively small and representatives of both the Ovaherero Traditional Authority (OTA) and the Nama Traditional Leaders Association (NTLA) were approached

13 'Genocide against Herero and Nama: "We know where the land is"' *Taz* (Berlin) 16 November 2022, <https://taz.de/Genocide-against-Herero-and-Nama/!5894014> (accessed 30 April 2025).

14 J Socher 'African truth commissions addressing colonial legacies: The experiences of Mauritius, Tunisia and Burundi and some lessons for future initiatives with similar mandates' in F Jeßberger & P Masake (eds) *International criminal law and the legacy of colonialism: An African perspective* (2024) 105. Mauritius's Truth and Justice Commission was established in 2009 to address the history of slavery and indentured labour and its consequences on the East African island which had been colonised by France and Britain; Tunisia's Truth and Dignity Commission was launched in 2014 as part of the North African country's wider transitional justice process with a mandate that also covered the country's violent struggle for independence from France; and Burundi's Truth and Reconciliation Commission was established the same year and since 2018 has an expanded mandate to also cover the colonial period under German and Belgian colonial rule.

15 W Hofmeyr (ed) *Nama voices: Pains of the past, hopes for the future* (2024).

16 I am grateful to Erika von Wietersheim and Charmaine //Gamxamûs, two of the people behind the *Nama voices* book, for facilitating contact with these respondents.

17 I would like to thank Ngondi Kamaŋuka and Israel Kaunatjike, who helped establishing contact with many from this second group of respondents.

but ultimately decided not to respond in their official capacity, this sample cannot be said to be authoritative. Moreover, the fact that these additional interviews could not be conducted in person due to funding constraints is a further limitation. Nevertheless, it is hoped that the selection offers a fair impression of the different views prevalent among the descendant communities.

As a final introductory point, some detail about the author of this study should be disclosed. I am a German citizen with (as far as I am aware) no personal, family or ancestral ties to Namibia. When I approached potential respondents, I was confronted with the reality that some descendants of the victims and affected communities of the colonial atrocities committed in the name of my country are tired of being asked questions or have concerns of being misrepresented or co-opted and, therefore, decided not to participate in the interviews. I am all the more grateful to those who were open to talk and willing to share their views for this research: Lloyd Bock, youth activist and Chairperson of the Radical Emancipation and Leadership Development Club, Windhoek (Katutura); Mervin Claasen, musician, actor, writer and acting coach, Windhoek; Fritz Dirkse, Nama language teacher and promoter, Keetmanshoop; Charmaine //Gamxamûs, writer and poet, Windhoek; Anne-Marie IssaBrown Garises, curator of the Keetmanshoop Museum, Keetmanshoop; Rupert Hambira, Reverent of the United Congregational Church of Southern Africa, Gabarone; Ngondi Kamaṭuka, Assistant Dean of the School of Education and Human Sciences at the University of Kansas and President of the Association of the Ovaherero Genocide in the United States; Mercia Kandukira, writing instructor and PhD candidate at Binghamton University, New York; Israel Kaunatjike, human rights activist, Berlin; Kae Matundu-Tjiparuro, freelance journalists and columnist for the *Windhoek Observer* newspaper, Windhoek; Prince Kamaazengi Marenga, poet and author, Germany; Kuhepa Tjondju, Lecturer in Accounting, Economics and Finance at the Namibia University of Science and Technology, Windhoek; and a poet and writer based in Windhoek who wished to remain anonymous.

2 Transitional justice initiatives addressing Namibia's past so far

To fully appreciate the principle potential of a truth commission on German colonial rule in Namibia, the idea needs to be situated in the country's wider transitional justice context. In Namibia, transitional

justice initiatives have for a long time focused on the more recent past and primarily addressed the legacies of apartheid.¹⁸ Although the Preamble to Namibia's Constitution acknowledges colonialism (together with racism and apartheid) as a defining aspect of the country's past and proclaims national reconciliation as a core aim, no truth commission had been set up after independence.¹⁹ Instead, a 'policy of reconciliation' was introduced, which included a first National Land Conference held in 1991. Although colonial dispossession was among the main topics discussed at the conference, in the end it was decided that no land claims by Namibians who had lost land during colonisation would be recognised.²⁰ A second National Land Conference was held in 2018. Almost boycotted by civil society organisations due to the dominance of state authorities and other official institutions, this time the restitution of ancestral land featured more prominently.²¹ In particular, it was decided that the Namibian government would set up a commission on ancestral land to identify communities who had lost land and ascertain the extent of these losses.²² Further efforts to deal with the colonial past included the erection of a Genocide Memorial in Windhoek and the declaration of 28 May as a public holiday to commemorate the victims of the Herero and Nama genocide. Parallel to these state-led reconciliation efforts, various indigenous forms of transitional justice have emerged such as the commemoration of 'Red Flag Day' by Herero groups on 26 August.²³

18 E Kisiangani 'Namibia' in L Stan & N Nedelsky (eds) *Encyclopedia of transitional justice* (2013) 311; G Korneš 'Negotiating 'silent reconciliation': The long struggle for transitional justice in Namibia' Working Paper of the Department of Anthropology and African Studies at the University of Mainz (2013); MF José "'That's the bad past we want to forget': Partial truths, reconciliation, and memory in Namibia's post-apartheid democracy' in V Tadjó (ed) *The culture of dissenting memory: Truth commissions in the Global South* (2019) 87.

19 P Conway 'Truth and reconciliation: The road not taken in Namibia' (2003) 5 *Online Journal of Peace and Conflict Resolution* 66.

20 K Schade 'Die Ergebnisse der Landkonferenz in Namibia: Eine Relativierung geweckter Hoffnungen?' (1992) 27 *Africa Spectrum* 303.

21 H Melber 'Colonialism, land, ethnicity, and class: Namibia after the second National Land Conference' (2019) 54 *Africa Spectrum* 73.

22 Report of the commission of inquiry into claims of ancestral land rights and restitution 20 July 2020.

23 C Harris 'Uncharted waters: Reparations through indigenous forms of transitional justice for Namibian victims of a colonial genocide' in E Benyera (ed) *Indigenous, traditional and non-state transitional justice in Southern Africa: Zimbabwe and Namibia* (2019) 205.

In addition to these initiatives in Namibia, reconciliation efforts involving Germany as the former colonising power have gradually intensified. In Germany, dealing with the country's colonial past had for decades been overshadowed by the Holocaust and other crimes during the Nazi period to the effect that it had no place in the collective memory to an extent that has been described as 'colonial amnesia'.²⁴ This finally changed with the negotiations between the German and Namibian governments initiated in 2015.²⁵ Following years of talks, the two governments signed the so-called Joint Declaration in 2021.²⁶ The agreement can be seen as a historic document as it marks the first time that a former colonising power officially offers an apology to a former colony for state-sponsored mass crimes. However, while the German government announced that it would henceforth 'officially call these events what they are from today's perspective: a genocide' and takes 'historical and moral responsibility', it also made clear that 'legal claims for compensation cannot be derived from it'.²⁷

Considering these caveats, it is not surprising that the Joint Declaration faced heavy criticism after its announcement.²⁸ For example, the Berlin-based ECCHR issued a press statement in which it demanded that 'Germany must assume full responsibility – also legally

24 C Bürger & S Rausch 'Der Begriff der kolonialen Amnesie als erinnerungspolitisches Instrument in der Auseinandersetzung mit dem Genozid und den OvaHerero und Nama – Konjunktur, Funktionen und Grenzen' (2022) 20 *Zeitschrift für Genozidforschung* 267. On the usefulness of this term and a broader overview of Germany's various attempts to deal with its colonial past to date, see H Melber *The long shadow of German colonialism: Amnesia, denialism and revisionism* (2024).

25 On the efforts prior to 2015, see R Kössler *Namibia and Germany: Negotiating the past* (2015).

26 'Joint Declaration by the Federal Republic of Germany and the Republic of Namibia "United in remembrance of our colonial past, united in our will to reconcile, united in our vision of the future"' (undated), <https://www.parliament.na/wp-content/uploads/2021/09/Joint-Declaration-Dokument-Genocide-rt.pdf> (accessed 30 April 2025).

27 Federal Foreign Office 'Foreign Minister Maas on the conclusion of negotiations with Namibia' 28 May 2021, <https://www.auswaertiges-amt.de/en/newsroom/news/2463598-2463598> (accessed 30 April 2025).

28 H Melber 'Ein 'Versöhnungsabkommen', das keines ist. Die Deutsch-namibische Gemeinsame Erklärung zum Völkermord in Deutsch-Südwestafrika' (2022) 20 *Zeitschrift für Genozidforschung* 290; G Kemp 'Paying for colonial atrocities: The paradoxical outcome and the unexpected adverse consequences of the German-Namibian settlement concerning the genocide against the Herero and Nama' in K Bachmann (ed) *German colonialism in Africa* (2023) 111; K Theurer 'Minimum legal standards in reparation processes for colonial crimes: The case of Namibia and Germany' (2023) *German Law Journal* 1146.

– for the colonial crimes committed in its former colonies. The Joint Declaration between the Namibian and German governments fails to do so.²⁹ Another criticism was the extent to which the descendants of communities affected by the genocide and other colonial crimes were involved in the negotiation process. The OTA and the NTLA jointly filed a lawsuit to the High Court in Windhoek, asking to declare the agreement unconstitutional.³⁰ This was echoed at international level when seven United Nations Special Rapporteurs jointly issued communications to both governments expressing ‘grave concern’ about the alleged lack of meaningful participation of the affected communities.³¹

Following renegotiations, the Namibian government in December 2024 announced that the governments of both countries had reached agreement on the signing of the Joint Declaration. According to the document, both governments will set up a ‘reconstruction and development support programme ... to assist the development of descendants of the particularly affected communities’. In addition, they will ‘promote and support reconciliation between the people of Namibia and Germany’. In total, €1,1 billion will be allocated over a period of a maximum of 30 years of which €50 million are envisaged for projects on reconciliation, remembrance, research and education.³² While the renegotiations meant improvements in some areas, criticism remains.³³ At the time of writing (November 2025), the Joint Declaration’s official signing was still pending.³⁴

29 European Centre for Constitutional and Human Rights (n 12).

30 High Court of Namibia *Swartbooi & Others v Speaker of the National Assembly & Others* Case HC-MD-CIV-MOT-REV-2023/00023. See K Theurer ‘Litigating reparations: Will Namibia be setting standards?’ *Völkerrechtsblog* 25 January 2023, <https://voelkerrechtsblog.org/litigating-reparations> (accessed 30 April 2025).

31 A Teffera ‘Germany, Namibia need a rights-respecting reparations process’ *Human Rights Watch* 7 June 2023, <https://www.hrw.org/news/2023/06/07/germany-namibia-need-rights-respecting-reparations-process> (accessed 30 April 2025). Art 18 of the United Nations Declaration on the Rights of Indigenous Peoples states: ‘Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures.’

32 Joint Declaration (n 26) paras 16–18.

33 H Melber ‘Germany’s genocide in Namibia: Deal between the two governments falls short of delivering justice’ *The Conversation* 7 January 2025, <https://theconversation.com/germanys-genocide-in-namibia-deal-between-the-two-governments-falls-short-of-delivering-justice-246719> (accessed 30 April 2025).

34 While the court case challenging the joint declaration was also still pending at the time of writing, the applicants had recently asked the Court to add the German

3 A truth commission on German colonial rule in Namibia?

Against this background, could the setting up of a truth commission on German colonial rule in Namibia provide an alternative avenue towards true reconciliation? As a preliminary matter, it is important to acknowledge that a significant number of respondents in the interviews showed some reservations or had fundamental concerns against the idea as long as certain prerequisites were not met. For example, one respondent called the idea ‘a waste of time for the Ovaherero and Nama peoples’ as long as the German government would refuse to acknowledge the genocide without reservation.³⁵ Other respondents found the term ‘truth commission’ irritating as the facts about the colonial period would already be established.³⁶

A related scepticism originated in the experience of neighbouring South Africa whose truth commission many respondents viewed as a negative example that should not be followed. One respondent stated, for instance: ‘To say truth commission is to copycat an already failed approach in South Africa. Maybe the Namibian one should be about justice, a justice commission.’³⁷ On the other hand, a similar number of respondents interviewed for this study found the principal idea promising or even showed some enthusiasm for it when asked about its potential to address the colonial past and its legacies in Namibia.³⁸

Provided that these fundamental concerns can be addressed and overcome, a number of key aspects would be important to consider when setting up a commission on German colonial rule in Namibia.

3.1 Effective participation of descendant communities

A first key aspect which is generally regarded as international best practice and which has also been confirmed by the experiences of past

government as respondents to the case. C Ngatjiheue ‘Germany summoned to High Court over genocide deal’ *The Namibian* 18 August 2025, <https://www.namibian.com.na/high-court-summons-germany-to-appear-over-genocide> (accessed 22 August 2025).

35 Interview with N Kamaṭuka.

36 Interviews with I Kaunatjike and R Hambira.

37 Interview with R Hambira.

38 Follow-up interviews with L Bock, M Claasen, F Dirkse and C //Gamxamûs; interview with M Kandukira.

African commissions addressing colonial injustice and their legacies is the importance of effective participation of descendants of victims and affected communities.³⁹ The experience of Mauritius, in particular, showed how a perceived elitist process can weaken the legitimacy of the overall enterprise. For example, the commission's proceedings were conducted (only) in English, and although information leaflets were distributed in other local languages, a low literacy level limited the awareness of the commission's activities among the wider population. Participation of civil society was also limited.⁴⁰

Against this background, and considering the strong criticism of insufficient participation of descendant communities in the past reconciliation efforts between the governments of Germany and Namibia, effective participation of these groups in a potential commission would be particularly important. Lack of participation was also one of most reported grievances in the interviews for the *Nama voices* book which often documented the desire of a more direct involvement in the reconciliation process.⁴¹ As further interviews confirmed, this lack of participation led to an enormous loss of trust. For example, one respondent stated that 'my sincere recommendation for both governments is to scratch all negotiations and return to the drawing board. This time around, return to the origin of the crime scene, that being the Nama and Herero communities.'⁴²

However, how effective participation of the descendant communities would need to look like in a potential commission in practice is less clear. Most respondents generally seemed to accept the authority of traditional leaders as their representatives, while younger respondents, in particular, were more sceptical or suggested having their own representatives speaking on their behalf.⁴³ Almost all respondents in any case opted for an inclusive approach.⁴⁴ For example, one respondent stated:

39 See Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence (n 11) para 50: 'Full participation of affected communities is essential to the success of truth commissions and the sustainability of transitional justice processes that address colonial legacies.'

40 Socher (n 14) 113-114.

41 See interviews with S Alcock, FT Bangarah, L Bock, F Dirkse, F Gaingos, Q Pieter, J Stephanus, E Swartbooi, W Swartbooi, B Vleermuys.

42 Follow-up interview with AI Garise.

43 Interviews with L Bock, G Levi and Q Pieter; follow-up interview with L Bock.

44 Interviews with R Hambira, M Kandukira and PK Marenga; follow-up interviews with M Claasen and anonymous poet and writer.

A truth commission, if it is to mean anything, must not only uncover the truth, it must restore dignity. And restoring dignity begins with restoring choice, voice, and autonomy. The affected communities are not voiceless by nature; they have been deliberately silenced ... Traditional authorities have spoken on behalf of their people for generations and should be honoured. There are also elders and custodians of memory, oral historians, chiefs and captains who carry the stories that were left out of the history books. Descendants of survivors should be able to share the inherited histories they carry. And a younger generation of scholars, artists, writers and activists, people like me, are engaged in memory work, tracing the roots of today's struggles to their historical origins. The most inclusive and legitimate path forward would be to establish an independent body composed of representatives from all of these groups ... Only through this kind of collective leadership, grounded in the lived experience of the affected, can we begin to restore what was taken: dignity, agency, and the right to tell our own story.⁴⁵

In the interviews for the *Nama voices* book, many respondents furthermore expressed a low level of trust resulting from the way in which the Namibian government has led the reconciliation efforts more broadly.⁴⁶ Similar concerns were also voiced in the additional interviews when respondents were asked about the Namibian government's role in a potential commission. For example, one respondent mentioned that there was a tendency to frame the Herero and Nama genocide as 'Namibian' genocide, which he considered 'a deliberate move to flatten and erase the specific extermination orders against Herero and Nama'.⁴⁷ Another respondent highlighted the fact that many descendant communities live in the diaspora and, therefore, 'not every Herero or Nama is a Namibian citizen, a factor which questions the legitimacy of the Namibian government as a representative'.⁴⁸ Other respondents were less specific but similarly sceptical that the Namibian government would be in the position to adequately represent their interests.⁴⁹

Therefore, a potential commission might need to go beyond effective participation and could even be led by the descendant communities themselves with the Namibian government taking only a limited role as facilitator and supporter of the process. While such an approach would be unprecedented in Africa, the Yoorrook Justice Commission

45 Interview with M Kandukira.

46 Interviews with C Baitsewe, C //Gamxamûs, M Garises, G Levi and J Stephanus.

47 Interview with PK Marenga. N Kamaŋuka made a similar statement in his interview.

48 Follow-up correspondence with R Hambira, 12 August 2025.

49 Interviews with M Kandukira and I Kaunatjike; follow-up interview with L Bock.

in Australia is a first example where a commission was set up by an agreement between the representative body of the indigenous population and the government but has been operating independent of both.⁵⁰ Such an approach would also be supported by many of the interviews in which respondents sometimes explicitly envisaged a leading role for the affected communities in a potential commission.⁵¹

3.2 Establishing an authoritative account of the colonial past

A second lesson from the experiences of past African truth commissions addressing colonial injustices and their legacies is the principal added value of truth seeking. Truth commissions can be seen as public forums where dominant narratives of a country's colonial past can be challenged or previously excluded parts can be brought to the fore and included in a nation's memory. For example, the role of France in the crackdown of the Tunisian independence movement in the 1950s and 1960s was largely unknown up until the Tunisian revolution in 2011 and became a major part of the truth commission's narrative of the colonial past in its final report.⁵²

A potential commission addressing the German colonial past could provide an opportunity to spark debate on diverging narratives within Namibia but also to integrate a seemingly separate discourse on this history in Germany.⁵³ In addition, so far unknown or not clarified aspects of Namibia's colonial past could be further studied. For example, there has been only limited research on the question of who and to what extent and with what justification German colonial settlers have been compensated by the German government following the Herero wars.⁵⁴ Moreover, new insights from ongoing innovative research initiatives could be integrated. For instance, the non-governmental organisation

50 Yoorrook Justice Commission 'About Yoorrook' undated, <https://yoorrookjusticecommission.org.au/about/> (accessed 5 May 2025).

51 Follow-up interviews with L Bock, C //Gamxamûs and anonymous poet and writer.

52 Socher (n 14) 115.

53 For an overview, see J Kreienbaum 'Der 'Hererokrieg' und die Genozidfrage. Ein Überblick über die neueren Forschungen' (2022) 20 *Zeitschrift für Genozidforschung* 254.

54 J Zollmann "Eine Frage von prinzipieller Bedeutung für alle Zukunft: Deutsche Entschädigungsleistungen infolge des Herero-Kriegs, 1904–1914" (2022) 20 *Zeitschrift für Genozidforschung* 238.

Forensic Architecture was able to locate formerly unknown sites of genocide and other colonial atrocities by merging oral testimony with archival photographs within 3D models.⁵⁵ Other researchers have started to use memories and diaries to close knowledge gaps arising from the fact that colonial authorities often did not keep detailed official records of abuse, or destroyed and manipulated them to evade accountability.⁵⁶

The interviews furthermore demonstrate that knowledge on German colonial rule among the descendant communities beyond key historical events often stems from stories told by family members and elders.⁵⁷ Such oral histories 'offer a powerful counter-narrative to dominant accounts', as one respondent highlighted.⁵⁸ Others agreed or went beyond that and demanded that oral history should be acknowledged as an equal form of knowledge.⁵⁹ An increased attention to oral history could address the related criticism that the history about the German colonial past in Namibia has been dominated by the perspective of the perpetrators.⁶⁰ In the words of one respondent:

I believe the exclusion of oral history from the discussion and history books brings about more confusion and much of what was written is either from a European perspective and people that [were] never really directly involved. I believe we need to dig deeper and tap into the rich living libraries. Therefore, oral history is very important even if it disagrees with some of the coded historical facts.⁶¹

Documentation of oral histories within the mandate of a potential commission, therefore, could be an important additional source to complement existing accounts of a 'history from below' of the colonial period.⁶² In this context it is noteworthy that some respondents stated

55 The project enabled, among others, to locate ancestral indigenous homesteads, burial grounds and concentration camps. Forensic Architecture 'Restituting evidence: Genocide and reparation in German colonial Namibia' 4 November 2022, <https://forensic-architecture.org/investigation/restituting-evidence-genocide-and-reparations-in-german-colonial-namibia-phase-1> (accessed 30 April 2025).

56 M Kalibani, A Shiningayanme & P Masake 'Evidence of colonial crimes in the lens of memoirs, diaries and artefacts', in this volume.

57 Interviews with S Anton, FT Bangarah, L Bock, F Dirkse, AI Garises, M Garises, R Garoës, N Kamaŕuka, I Kaunatjike, D Schmid, N Simon and MJ IUirab.

58 Interview with M Kandukira.

59 Interviews with R Hambira, PM Marenga.

60 Interviews with N Kamaŕuka, I Kaunatjike and K Matundu-Tjiparuro; follow-up interview with L Bock.

61 Follow-up interview with L Bock.

62 UEK Katjivena *Mama pence: Transcending the genocide* (2020).

that oral histories should be recorded in video or audio format rather than written down as text to retain its distinct character as much as possible.⁶³ In addition, some respondents drew attention to the urgency of such documentation efforts as the survivor generation has already died and the second generation would soon follow.⁶⁴ Overall, what becomes evident from the interviews is that almost all respondents stressed the importance of oral histories and its distinctive features. This widely shared sentiment is captured in the following statement:

What is beautiful about the oral tradition is African people telling African stories the African way and from an African perspective. And for me that is also important. Rather than the academic process and how things are done at times, which is actually a Western process, a Western way of looking at things ... Whereas for us, the history is richer when it focuses on the stories of the people, what they may have said and the places where different things happened ... So, if we are saying we are retaining this knowledge for the communities, then it's also important to retain the form and the style that is suitable for the people.⁶⁵

Commissions tasked to establish an authoritative account of a colonial past and linking it to the present can also be of added value because mainstream academic literature on colonial injustices often continues to fail to consider its durable effects within the contemporary context. By contrast, the experience with such commissions in other African countries shows that these initiatives made serious efforts in this regard. In Mauritius, the commission stressed how a widespread racist belief that the Franco-Mauritian minority is ultimately superior over the Creoles and Indo-Mauritian majority originates in the country's history of slavery and indentured labour.⁶⁶ In Tunisia, too, the commission highlighted how a French salt manufacturing company continues to benefit from the advantages of an agreement originally concluded during colonial times and explicitly called this preferential treatment an illustration of a continuous exploitative relationship of France in post-colonial Tunisia.⁶⁷

A potential commission in Namibia would, therefore, be an opportunity to link the German colonial past to the present and highlight

63 Interviews with R Hambira, M Kandukira and K Tjondur; follow-up interviews with AI Garises & anonymous poet and writer.

64 Follow-up interview with L Bock; interviews with R Hambira & K Matundu-Tjiparuro.

65 Interview with K Tjondur.

66 Socher (n 14) 109.

67 Socher (n 14) 111.

its contemporary durable effects. As has already been mentioned, large parts of commercial land continue to be in the hands of white farmers. In addition, German companies such as Woermann profited from colonial rule in different ways.⁶⁸ In the interviews, many respondents confirmed how the genocide and other injustices perpetrated during German colonial rule continue to affect their community life in the form of intergenerational trauma, loss of language and cultural practices, limited access to land, poverty, under-representation in government, and discriminatory practices within Namibian society.⁶⁹ In the words of one respondent:

The systematic racial hierarchies that were created ... still affects our communities in their self-image and self-concept. The elevation of whiteness and proximity to whiteness above black and brown people, whether consciously or unconsciously still ails our communities. The degradations of our communities and the depravity that resulted from the dispossession of land, forced removals, forced labour, the disruption of marriages and homes as a result of the migrant labour system and the dysfunctions this created, such as fatherlessness among others, and the ills that bears on a population group.⁷⁰

Another respondent stated:

The German colonial era continues to resonate today, not only in the built environment but also in the economic precarity faced by descendants who were robbed of their wealth, including land and cattle ... Emotionally, we carry these injustices without an outlet, and that has consequences for our collective psyche. The history is held in families; it lives in our bodies. Some of us carry German blood but have no idea who our German relatives are, let alone our Namibian relatives, who were scattered or decimated during the genocide.⁷¹

Lastly, commissions tasked to establish an authoritative account of the colonial past also need to be aware of and attempt to mitigate the risk of instrumentalisation as far as possible. While this can have different elements, a particular risk in this regard seems to be that the inclusion of a more distant past into a truth commission's mandate can be used

68 KS Todzi *Unternehmen Weltaneignung: Der Woermann-Konzern und der Deutsche Kolonialismus* (2023).

69 Interviews with S Alcock, FT Bangarah, C Baitsewe, L Bock, M Claasen, C // Gamxamûs, AI Garises, R Hambira, D Kooper, K Matundu-Tjiparuro, N Rooinasie, N Simon and J Stephanus; follow-up interviews with L Bock, M Claasen, AI Garises and anonymous poet and writer.

70 Follow-up interview with C // Gamxamûs.

71 Interview with M Kandukira.

as a kind of ‘smokescreen’ to distract from a more recent authoritarian past.⁷² This is exactly what seems to have happened in Burundi, where the original mandate of the truth commission covered only the investigation of mass atrocities that had occurred after independence. In 2018, however, against the background of increased criticism of the Burundian government by the international community, the commission’s mandate was extended to include the colonial period, notably with the explicit aim to rewrite the history of Burundi.⁷³

For a potential commission in Namibia, this risk of instrumentalisation poses a difficult question: On the one hand, the more recent history of South African occupation of Namibia can in many ways be seen as a continuation of German colonial rule, and most respondents in the interviews were of the view that it would be difficult or even impossible to separate the two.⁷⁴ On the other hand, a commission mandated to cover both periods and their legacies may risk the instrumentalisation of the colonial history of Namibia. On a more practical level, one should also keep in mind that it was the possible collaboration of South West Africa People’s Organisation (SWAPO) members with South Africa’s apartheid regime that probably caused the refusal of the Namibian government at the time to include conducts of the South African army in Namibia into the mandate of South Africa’s truth commission.⁷⁵ Considering that SWAPO continues to be the dominant political party in Namibia, this would probably make the inclusion of the more recent past into a commission less likely and in any case more prone to instrumentalisation.

3.3 Access to proceedings and dissemination of findings

A third lesson from the experiences of past African truth commissions addressing colonial injustices and their legacies is the importance of unrestricted access to a truth commission’s proceedings and the wide

72 Socher (n 14) 114, citing H van der Merwe & A Moyo ‘Transitional justice for colonial era abuses and legacies – African versus European policy priorities’ in W Kaleck and others (eds) *Colonial wrongs and access to international law* (2020) 63.

73 Socher (n 14) 114.

74 Interviews with M Kandukira, PM Marenga and K Tjondju; follow-up interviews with L Bock, M Claasen, AI Garises and anonymous poet and writer.

75 Kisiangani (n 18) 314–315.

and accessible dissemination of its findings. In Mauritius, for example, the truth commission's final report was published in English only, not translated into any local language, and reporting by the media was scarce. Similarly, in Tunisia, the full report of the truth commission was published only in Arabic and its findings were not disseminated in a way in which the public could easily access it. Moreover, in both cases, access to the truth commissions' archives is difficult to access.⁷⁶

For a potential commission in Namibia, it would therefore be important not to repeat these shortcomings. A first important aspect to ensure unrestricted access to the commission's proceedings would be to develop a legislative framework regulating that access already as part of the commission's mandate. However, probably even more important would be to ensure that the proceedings and the eventual findings would not only be conducted and prepared in English but also conducted (or at least interpreted) in the local languages spoken by the descendant communities.⁷⁷ In the interviews for the *Nama voices* book, many respondents complained that they did not feel being well informed during the negotiation process that led to the Joint Declaration.⁷⁸ Moreover, although most respondents stated that they had heard about the negotiations between the German and Namibian governments, some stated that they find it difficult to follow the process and suggested to hold personal and townhall meetings instead.⁷⁹

Another key aspect in this context would be wide and accessible dissemination of a potential commission's findings. The importance of this is reflected in the interviews in which most respondents expressed that despite feeling relatively well informed about the history of German colonialism in Namibia generally, many concrete aspects beyond the resistance of the Nama and Herero and the ensuing genocide would be less known to them.⁸⁰ For example, one respondent stated:

76 Socher (n 14) 115-116.

77 In this context it should be noted that some regard Nama, Damara and Khoekhoe as distinct languages associated with different cultures; interview with F Dirkse.

78 Interviews with N Simon and J Vleermuis.

79 Interview with J Vleermuis.

80 Interview with I Kaunatjike, R Hambira, M Kandukira, K Matundu-Tjiparuro and K Tjondur; follow-up interviews with L Bock, M Claasen, F Dirkse and AI Garises.

There are aspects of the German colonial history in Namibia that I would like to know more about. The deaths at the concentration camps; the precise numbers of the death toll. I recently heard from an elder in the community state that an estimated 3 000 pregnant Nama women were led away from the concentration camps by German soldiers and by dusk only the soldiers returned ... So, what happened to those pregnant women? Where are they buried? I would also like to know about the Nama families that were shipped away to Togo and Cameroon on the Woermann liner.⁸¹

Another aspect mentioned in the interviews was more precise information about the fate and human remains of concrete persons. As another respondent put it: 'I think such stories would put flesh to the bones of the facts, faces upon the skulls of victims that were stolen and are still in the archives of European museums.'⁸² A third respondent mentioned that they would like to know more about the motivation and interests of the German colonisers, to what extent this was supported by the German population at the time and whether there was some internal resistance against German colonisation.⁸³

3.4 Involvement of Germany, Germans and German Namibians

A fourth (and maybe the most controversial) lesson from the experiences of African truth commissions addressing colonial injustices and their legacies is the need for involving the former colonising power to have any chances of success. There are two main areas where this is crucial: One concerns the conduct of a commission's work, the other the implementation of its eventually formulated recommendations. A third, related issue for a potential commission in Namibia, is the question of whether and the extent to which Germans and German Namibians should be involved.

First, a commission addressing colonial injustices and their legacies will depend on the collaboration of the former colonising power when it wants to access information and facilitate fact-finding, as unrestricted access to information and colonial archives will often be necessary to establish specific facts. In Burundi, for example, the potential involvement of the Belgian government in the assassination of Louis Rwagasore,

81 Follow-up interview with AI Garises.

82 Follow-up interview with C //Gamxamûs.

83 Follow-up interview with anonymous poet and writer.

the nation's leader of the decolonisation movement and second prime minister, will probably never be clarified without the support of the Belgium government in investigating the killing.⁸⁴

For a potential commission in Namibia, access to colonial archives would be challenging also for practical reasons. As some respondents also mentioned, most sources are documented in the German language and stored in archives in Germany, making access from Namibia difficult due to language barriers, visa restrictions and high travel costs.⁸⁵

Second, recommendations formulated by a potential commission and addressed at Germany as the former colonising power will in many cases only have chances to be implemented if the German government has backed the initiative in the first place. This is particularly evident when a commission recommends requesting financial reparation from the colonising power. For example, the Tunisian truth commission's recommendation to request from France to pay reparation for exploitation of Tunisian natural resources was simply ignored by the French government.⁸⁶ Although there is an increasing body of scholarship attempting to tackle the high obstacles international law puts on the payment of reparation for colonial wrongs,⁸⁷ attempting to enforce this in the courtroom against the German government's will remains an uncertain avenue.⁸⁸

For a potential commission in Namibia, it would therefore be crucial to ensure the German government's support and maybe even make it a

84 Socher (n 14) 116-117.

85 Interview with K Matundu-Tjiparuro.

86 Socher (n 14) 116-117.

87 JA Kämmerer & J Föh 'Das Völkerrecht als Instrument der Wiedergutmachung? – eine kritische Betrachtung am Beispiel des Herero-Aufstandes' (2004) 42 *Archiv des Völkerrechts* 294; P Heinemann 'Die deutschen Genozide an den Herero und Nama: Grenzen der rechtlichen Aufarbeitung' (2016) 55 *Der Staat* 461; M Goldmann 'The ambiguity of colonial international law: Three approaches to the Namibian genocide' (2024) 37 *Leiden Journal of International Law* 580; R Fuhrmann & M Schweizer 'Ending the past: international law, intertemporality, and reparations for past wrongs' (2025) *German Law Journal* 1.

88 For the latest manifestation of the German government's position in this regard, see *Deutscher Bundestag* 'Antwort der Bundesregierung auf die Kleine Anfrage – Drucksache 21/845 – Aufarbeitung der deutschen Kolonialvergangenheit' 14 August 2025 3, <https://dserver.bundestag.de/btd/21/012/2101238.pdf> (accessed 22 August 2025): 'The notion of reparation in international law results from the violation of an international obligation. No such obligation existed at the time the injustice was committed. The concept of reparation is therefore not applicable in the context of Germany's colonial past' (author's translation).

joint initiative backed (not: led; see part 3.1 above) by both governments. This would provide a number of advantages and opportunities. In particular, the legal implications of acknowledging the atrocities against the Nama and Herero as genocide also in the legal sense feared by the German government could be avoided by providing a framework within the commission's mandate to agree on compensation on a voluntary – but legally binding – basis.⁸⁹

The interviews made it furthermore clear that while financial compensation is a central demand by the descendant communities, they go way beyond that. In particular, many respondents highlighted the importance of a genuine apology by the German government, without qualification and not directed at the Namibian government but at the descendant communities.⁹⁰ Others stressed the importance of the return of all human remains and artifacts of Namibian origin.⁹¹ Further ideas involving the German government included the setting up of scholarships for Nama and Herero students to study in Germany and simplified naturalisation processes to obtain German citizenship for descendant communities.⁹² It has also been suggested that the German government could provide funds for the expropriation of commercial farmers and the necessary investments (infrastructure, know-how) for the empowerment of local communities to fully benefit from resettlement and to gain access to land.⁹³

Third, any attempt for true reconciliation will arguably have to also involve Germans and German Namibians on a more personal level. As for the role of Germans, one respondent pointed to the fact that many tourists coming to Namibia are Germans, which would provide an opportunity to educate them about their own colonial past, for example, through increased efforts in memorialisation at the sites of colonial atrocities.⁹⁴ Another respondent was shocked to learn during a student

89 Wissenschaftlicher Dienst des Deutschen Bundestages 'Sachstand: zur völkerrechtlichen Zulässigkeit von freiwilligen Entschädigungsleistungen an Herero und Nama in Namibia' 11 October 2021, <https://www.bundestag.de/resource/blob/868674/e1e537a1e84079ffdfbdda1995dee0ad/WD-2-067-21-pdf-data.pdf> (accessed 30 April 2025).

90 Interviews with M Kandukira, PK Marenga.

91 Follow-up interview with F Dirkse; interview with R Hambira.

92 Interviews with G Levi, E Swartbooi & I Vries; follow-up interview with L Bock.

93 Melber (n 21) 81.

94 Interview with K Tjondou.

exchange programme that the German students were not aware of the Herero and Nama genocide.⁹⁵

As for the role of German Namibians in a potential commission, there was broad consensus among the respondents that German Namibians should be involved, even if the nature and extent of this involvement varied. One respondent was of the view that

[i]f descendants of German settlers or German speakers with ties to Namibia are to be part of the truth commission, then their role should be clearly defined; they are not to lead, but to act as *allies*. Their presence should be grounded in a willingness to take responsibility for the legacies of German colonialism that still shape our present. They can support the work of truth-telling, but the terms of their involvement must be decided by the affected communities.⁹⁶

Others went further and envisaged a central role for German Namibians in a potential commission. One respondent stated: 'They are significant and play a critical role in the colonial history and should therefore be at the centre of the discussion. They are in Namibia because of this history. So, an acknowledgment of this will be crucial.'⁹⁷ In similar vein, another respondent wanted to involve German Namibians 'to educate them on the genocide and to bring them to a point where they are able to recognise some of those atrocities'.⁹⁸

4 Conclusion

This chapter provided a first step towards a discussion on the potential and challenges of a truth commission on German colonial rule in Namibia based on the experiences of other African countries with similar mandates and tested, refined and adapted to the Namibian context through an analysis of the views expressed in interviews with descendant communities. In conclusion, it can be said that provided that the existing fundamental concerns among these groups can be overcome, a number of key aspects would be important to consider when setting up such a commission.

First, a potential commission would need to ensure effective participation or would even need to be led by the descendant

95 Follow-up interview with C //Gamxamûs.

96 Interview with M Kandukira (emphasis in original).

97 Follow-up interview with anonymous poet and writer.

98 Interview with K Tjondû.

communities. At the same time, Germans and German Namibians should arguably not be excluded from the process. A potential commission would furthermore need the support of both the Namibian and the German government to conduct its work but also to increase the chances of implementation of eventually formulated recommendations directed at either of these governments.

Second, a potential commission could offer a public forum to challenge dominant narratives about the colonial past, in particular through the documentation and integration of oral histories. In addition, such an initiative would provide an opportunity to link the colonial past to the present and highlight its contemporary durable effects in today's Namibia. To mitigate the risk of instrumentalisation, the commission's mandate should be limited to the German colonial period and not be extended to the ensuing decades of occupation under apartheid South Africa.

Third, unlike attempts of legal enforcement, the creation of a commission would offer the opportunity to expand the discussion beyond the question of reparation for genocide. While the ongoing debate on Germany's legal responsibility is important, any purely legal solution will arguably be too narrow to achieve true reconciliation. By contrast, if designed with all these considerations in mind, backed by political will of both governments, and the descendant communities at the centre, a commission on German colonial rule in Namibia could offer a promising alternative in the right direction.

Bibliography

- Booty, N 'Namibia marks colonial genocide for first time with memorial day' *The Namibian* 28 May 2025
- Bürger, C & Rausch, S 'Der Begriff der kolonialen Amnesie als erinnerungspolitisches Instrument in der Auseinandersetzung mit dem Genozid und den OvaHerero und Nama – Konjunktur, Funktionen und Grenzen' (2022) 20 *Zeitschrift für Genozidforschung* 267
- Conrad, S *German colonialism: A short history* (Cambridge University Press 2011)
- Conway, P 'Truth and reconciliation: The road not taken in Namibia' (2003) 5 *Online Journal of Peace and Conflict Resolution* 66

- Deutscher Bundestag 'Antwort der Bundesregierung auf die Kleine Anfrage – Drucksache 21/845 – Aufarbeitung der deutschen Kolonialvergangenheit' 14 August 2025, <https://dserver.bundestag.de/btd/21/012/2101238.pdf> (accessed 22 August 2025)
- Endjala, E 'Ovaherero Nama reject genocide remembrance day' *The Namibian* 21 May 2025
- Erichsen, CW '*The angel of death has descended violently among them*' – *Concentration camps and prisoners-of-war in Namibia, 1904-08* (Print Partners Ipskamp BV 2005)
- Goldmann, M 'The ambiguity of colonial international law: Three approaches to the Namibian genocide' (2024) 37 *Leiden Journal of International Law* 580
- Harris, C 'Uncharted waters: Reparations through indigenous forms of transitional justice for Namibian victims of a colonial genocide' in Benyera, E (ed) *Indigenous, traditional and non-state transitional justice in Southern Africa: Zimbabwe and Namibia* (Lexington Books 2019) 205
- Hayner, PB *Unspeakable truths: Transitional justice and the challenge of truth commissions* (Routledge 2011)
- Heinemann, P 'Die deutschen Genozide an den Herero und Nama: Grenzen der rechtlichen Aufarbeitung' (2016) 55 *Der Staat* 461
- Hofmeyr, W (ed) *Nama voices: Pains of the past, hopes for the future* (Friedrich-Ebert-Stiftung 2024)
- José, MF '"That's the bad past we want to forget": Partial truths, reconciliation, and memory in Namibia's post-apartheid democracy' in Tadjó, V (ed) *The culture of dissenting memory: Truth commissions in the Global South* (Routledge 2019) 87
- Kalibani, M, Shiningayanme, A & Masake, PH 'Echoes of memory between the lines: Evidence of colonial crime through the lens of memoirs and diaries' in Jeßberger, F (ed) *German colonialism and the law* (PULP 2026) 387
- Kämmerer, JA & Föh, J 'Das Völkerrecht als Instrument der Wiedergutmachung? – eine kritische Betrachtung am Beispiel des Herero-Aufstandes' (2004) 42 *Archiv des Völkerrechts* 294
- Katjivena, UEK *Mama pence: Transcending the genocide* (University of Namibia Press 2020)
- Kemp, G 'Paying for colonial atrocities: The paradoxical outcome and the unexpected adverse consequences of the German-Namibian settlement concerning the Genocide against the Herero and Nama' in Bachmann, K (ed) *German colonialism in Africa* (Peter Lang 2023) 111
- Kisiangani, E 'Namibia' in Stan, L & Nedelsky, N (eds) *Encyclopedia of transitional justice* (Cambridge University Press 2013) 311

- Kornes, G 'Negotiating "silent reconciliation": The long struggle for transitional justice in Namibia' Working Paper of the Department of Anthropology and African Studies at the University of Mainz (2013)
- Kössler, R *Namibia and Germany: Negotiating the past* (University of Namibia Press 2015)
- Kreienbaum, J 'Der „Hererokrieg“ und die Genozidfrage. Ein Überblick über die neueren Forschungen' (2022) 20 *Zeitschrift für Genozidforschung* 254
- Melber, H 'Colonialism, land, ethnicity, and class: Namibia after the second land conference' (2019) 54 *Africa Spectrum* 73
- Melber, H 'Ein „Versöhnungsabkommen“, das keines ist. Die Deutsch-namibische Gemeinsame Erklärung zum Völkermord in Deutsch-Südwestafrika' (2022) 20 *Zeitschrift für Genozidforschung* 290
- Melber, H 'Germany's genocide in Namibia: Deal between the two governments falls short of delivering justice' *The Conversation* 7 January 2025, <https://theconversation.com/germanys-genocide-in-namibia-deal-between-the-two-governments-falls-short-of-delivering-justice-246719> (accessed 30 April 2025)
- Melber, H *The long shadow of German colonialism: Amnesia, denialism and revisionism* (Hurst & Company 2024)
- Moorsom, R 'Underdevelopment and labour migrations: The contract labour system in Namibia' (Chr Michelsen Institute 1997)
- Ngatjiheue, C 'Germany summoned to High Court over genocide deal' *The Namibian* 18 August 2025, <https://www.namibian.com.na/high-court-summons-germany-to-appear-over-genocide> (accessed 22 August 2025)
- Olusoga, D & Erichsen, CW *The Kaiser's holocaust: Germany's forgotten genocide and the colonial roots of Nazism* (Faber and Faber 2010)
- Schade, K 'Die Ergebnisse der Landkonferenz in Namibia: Eine Relativierung geweckter Hoffnungen?' (1992) 27 *Africa Spectrum* 303
- Socher, J 'African truth commissions addressing colonial legacies: The experiences of Mauritius, Tunisia and Burundi and some lessons for future initiatives with similar mandates' In Jeßberger, F and Masake, P (eds) *International criminal law and the legacy of colonialism: An African perspective* (Humboldt University Berlin 2024) 105
- Songa, A 'Transitional justice in Kenya as a path to transformation' Centre for the Study of Violence and Reconciliation (2008)
- Teffera, A 'Germany, Namibia need a rights-respecting reparations process' *Human Rights Watch* 7 June 2023, <https://www.hrw.org/news/2023/06/07/germany-namibia-need-rights-respecting-reparations-process> (accessed 30 April 2025)

- Teitel, R 'Transitional justice genealogy' (2003) 16 *Human Rights Journal* 69
- Theurer, K 'Litigating reparations: Will Namibia be setting standards?' *Völkerrechtsblog* 25 January 2023, <https://voelkerrechtsblog.org/litigating-reparations> (accessed 30 April 2025)
- Theurer, K 'Minimum legal standards in reparation processes for colonial crimes: The case of Namibia and Germany' (2023) 24 *German Law Journal* 1146
- Todzi, KS *Unternehmen Weltaneignung: Der Woermann-Konzern und der Deutsche Kolonialismus* (Wallstein 2023)
- Van der Merwe, H & Moyo, A 'Transitional justice for colonial era abuses and legacies – African versus European policy priorities' in Kaleck, W and others (eds) *Colonial wrongs and access to international law* (Torkel Opsahl Academic Publisher 2020) 41
- Yusuf, HO 'Transitional justice and colonialism' in Lawther, C & Moffett, L (eds) *Research handbook on transitional justice* (Edward Elgar 2023) 405
- Zollmann, J "'Eine Frage von prinzipieller Bedeutung für alle Zukunft". Deutsche Entschädigungsleistungen infolge des Herero-Kriegs, 1904-1914' (2022) 20 *Zeitschrift für Genozidforschung* 238