



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination 110th session

### Summary record of the 2998th meeting

Held at the Palais Wilson, Geneva, on Thursday, 17 August 2023, at 10 a.m.

*Chair:* Ms. Shepherd

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Consideration of reports, comments and information submitted by States parties under article 9 of the Convention (*continued*)

*Combined sixteenth to eighteenth periodic reports of Namibia (continued)*

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*The meeting was called to order at 10.05 a.m.*

**Consideration of reports, comments and information submitted by States parties under article 9 of the Convention** *(continued)*

*Combined sixteenth to eighteenth periodic reports of Namibia (continued)*  
([CERD/C/NAM/16-18](#); [CERD/C/NAM/Q/16-18](#))

1. *At the invitation of the Chair, the delegation of Namibia joined the meeting.*
2. **Ms. McDougall** (Country Rapporteur), noting that poverty levels in communities whose main spoken language was an African language were significantly higher than those in communities whose main language was European, said that she would like to know whether that situation had changed or remained stable over the years. She wondered what steps the State party had taken to improve the situation of the poorest segments of the population.
3. It would be helpful if the State party could provide data on the workforce disaggregated by language group as well as by racially advantaged and disadvantaged groups. The Committee would also like to receive data disaggregated by racial group and gender that it could use to evaluate the outcomes of special measures taken in areas such as employment, housing and health care. The Committee would appreciate additional information about any recent legislative and policy measures taken to ensure that racially disadvantaged women enjoyed equal social, economic and cultural rights, for example in relation to inheritance and land rights and in access to employment and health-care services, including free and safe abortions.
4. In the light of reports that members of the San and other marginalized communities faced discrimination from government employees that deterred them from engaging with the police, health services and schools, she wished to know what steps had been taken to train officials to deliver essential services in a culturally sensitive manner. She wondered whether disciplinary measures had been put in place to hold to account civil servants who failed to serve all people equally, and how the situation was monitored. Government health-care workers reportedly rejected the natural remedies customarily used by Indigenous and other marginalized communities. To what extent might that be hindering those communities' access to health care? Had health-care workers been trained to respect and support effective traditional remedies, and had traditional healers been trained to provide both traditional and Western health-care options?
5. It would be useful to receive specific information on the metrics used to assess the success, failure and challenges – particularly in relation to disadvantaged and marginalized groups – with respect to initiatives such as decent work programmes and the plan to expand social security benefits in the informal sector. Since social, economic and cultural rights were currently not justiciable in Namibia, she wondered how victims of racial discrimination who had been denied access to those rights could effectively bring a complaint.
6. She would like to know whether the new Land Reform Act had been promulgated and whether the National Resettlement Policy was being revised. If so, which communities were being consulted as part of the revision process and what was the time frame for the adoption of the revised policy? She also wished to know whether the list of disadvantaged communities eligible for land redistribution under the previous national land reform policy would be extended to include additional groups. She would like to see statistics showing that land redistributed to black farmers through the Land Reform Programme and the Agribank Affirmative Action Loan Scheme had not been concentrated in the hands of a few individuals or speakers of certain languages.
7. She wondered what steps had been taken to implement the recommendations made during the Second National Land Conference; what the status of the 2019 Commission of Inquiry into Claims of Ancestral Land Rights and Restitution was; and what percentage of ancestral lands had been demarcated, fully registered and titled. It would be interesting to know whether penalties were imposed to help reduce illegal fencing and whether those penalties had had the desired effect. Information about the process of consultation with Indigenous communities living in areas where mining or other extractive projects were

proposed would be appreciated, as would information on grievance mechanisms available and accessible to Indigenous Peoples and marginalized groups in land-related matters. She would also appreciate clarification regarding the role of the Ancestral Land Rights Commission. What outcomes it had achieved?

8. She would like to know the status of the joint declaration signed between the Governments of Namibia and Germany in 2021. She would also like to know what steps had been taken to identify the legitimate traditional representatives of the Ovaherero and Nama Peoples and include them in discussions with the German Government on the subject of reparations. She understood that there had been opposition to the joint declaration from a number of groups within Namibian society, who had expressed dissatisfaction with the proposed reparations and had argued that former settlers had a moral, political and legal duty to engage directly with the affected communities. She would welcome the delegation's comments on the objections raised. She wondered whether the State party had taken any other steps to recognize historical injustices such as enslavement, forced labour and the crime of apartheid. Had any countries been asked to return looted artefacts or human remains, and had any memorials been built to remember those who had suffered and died under oppressive past regimes or had fought against them?

9. **Ms. Ali Al-Misnad** (Country Task Force) said that she would like to know what steps the State party had taken to improve the quality of its education system, including actions to improve the quality of teaching and learning environments for children and young people belonging to Indigenous Peoples and groups distinguishable by their race, colour, descent or language, who faced a disproportionate risk of failing and dropping out. She wondered what social, economic or remedial support was offered to those persons and their families. She would be grateful for information about school attendance, repetition and dropout rates among children from marginalized communities. She wondered how the State party was addressing the problem of dropout, particularly in those communities, and what systems were in place to implement, monitor and evaluate existing programmes designed for that purpose, including the Namibia Student Financial Assistance Fund. She would also like to hear what was being done to enable more children to attend secondary school.

10. It would be interesting to know more about the provision of human rights education in schools, particularly in regions where groups distinguishable by their race, colour or descent lived. In the light of reports that some teachers bullied students of tribal origin and had low expectations of them, she wondered how schools went about addressing racism. She also wished to know which of the languages spoken in the country were not currently being taught in its schools.

11. The Committee would like to receive information on existing legislation and policies intended to protect non-citizens, including refugees and stateless persons in Namibia, and uphold their rights with respect to access to education, health care and other basic services. Information on what was being done to prevent human trafficking would also be appreciated. Reference had been made in the previous meeting to efforts to address statelessness and regularize the status of certain residents of Namibia. Did the term "certain" mean only certain groups or did it refer to all refugees and stateless persons in the country? She wondered whether the State party had taken any steps towards becoming a party to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.

12. Updated information on plans or actions implemented to enhance the local integration of non-citizens, including Angolan refugees, would be appreciated. She would also be grateful for an update on plans to withdraw the State party's reservation concerning article 26 of the Convention relating to the Status of Refugees, which guaranteed the freedom of movement of refugees within the host country. She would like to know what complaint mechanisms were accessible to non-citizens residing in the Osire refugee camp.

13. **The Chair** said that she would like to know whether history education was compulsory in Namibia and, if so, at which levels. If it was not, she wondered whether the State party would consider widening its provision of anti-colonial history education.

14. **Ms. Tebie** said that she wished to know what measures were being taken to safeguard the San community's access to health care, particularly tuberculosis treatment. She wondered

what arrangements had been implemented in health facilities to overcome the language barrier that might exist between patients from the San community and medical staff.

15. **Mr. Diaby** said that he would like to hear more about proposed legislation to protect the rights of nomadic populations and landless Indigenous communities. He would appreciate an answer to his question of the previous day regarding the possibility of establishing a day of remembrance commemorating the atrocities that the country's population had suffered at the hands of colonial powers. In that connection, he was curious to know whether the State party had suffered from the transatlantic slave trade. He wondered how the painful events of the past, including the Ovaherero and Nama genocide, were presented in school textbooks. It would be interesting to know whether the German perpetrators of the genocide had received assistance from any groups within Namibia and, if so, how relations currently stood between those communities and the country's various other communities.

16. He wondered whether the State party had adopted a national plan in line with the Global Action Plan to End Statelessness 2014–2024 and, if so, whether its impact had been evaluated. He wished to know whether any policies were in place to protect persons with albinism from the threats they faced and whether Namibia celebrated International Albinism Awareness Day. Lastly, given that non-governmental organizations that worked to protect the rights of certain local communities, in particular the Nama and Ovaherero, had not provided a great deal of information in advance of the interactive dialogue, he would like the delegation to clarify whether there was a policy aimed at enabling civil society to contribute to the Committee's dialogues with the State party.

17. **Ms. Tlakula** said that she would like to know whether the State party had a statelessness determination policy and a migration policy.

18. **Mr. Amir** asked whether the State party intended to take measures to give persons who had been dispossessed of their land the opportunity to return to it and whether all communities in the country were entitled to representatives in Parliament.

19. **Mr. Yeung Sik Yuen** said that he would be interested to know the number of Supreme Court judges in Namibia and whether those judges were appointed to one or both of the two Supreme Courts in Namibia. He wondered whether the Supreme Courts could function as courts of first instance. Lastly, he wished to know what had happened in the wake of the protests sparked by the Supreme Court judgment in the case of *Digashu and Another v. GRN and Others*, in which the Court had held that the denial of immigration status to the non-Namibian spouse in same-sex marriages contracted abroad was unconstitutional.

*The meeting was suspended at 10.50 a.m. and resumed at 11.10 a.m.*

20. **A representative of Namibia** said that up-to-date data on poverty would become available following the national census scheduled for the end of 2023. The Ministry of Gender, Poverty Eradication and Social Welfare, as part of efforts to eradicate poverty, had grants available to enable vulnerable groups to meet their basic needs.

21. Although economic, social and cultural rights were not explicitly set forth in chapter 3 of the Constitution, they had been invoked by the courts in various cases. Under the national health policy framework, health and social well-being were recognized as fundamental human rights. Health services were provided to all Namibian nationals and persons residing in Namibia, and patients were treated equally and according to their health needs, irrespective of their ethnicity, status, political beliefs, religions, gender, race or sexuality. Under a programme launched by the Ministry of Health and Social Services, health care was provided to communities living in disadvantaged areas, including in Kavango West, where treatment for tuberculosis was offered to patients from San communities.

22. To ensure that Indigenous communities' access to health care was not hampered by language barriers, the Ministry of Health and Social Services had trained and employed health workers within those communities. The Government had not taken any action to prevent people in Indigenous communities from seeking health care from traditional healers. However, there had been instances where individuals had been poisoned as a result of consuming traditional medicines. The Government had a responsibility to ensure that its citizens were not exposed to unregulated medicines that could be detrimental to their health.

23. Efforts had been made since the country's independence to ensure access to education for all children residing in Namibia, including those in nomadic and marginalized communities, such as the San, Ovatwa and Ovahimba. The Language Policy for Schools of 1992, which had been revised in 2015, affirmed children's right to access to education in the language spoken in their homes. Currently, schooling in the Namibian education system was offered in over a dozen languages. Under a programme launched by the Division of Marginalized Communities, inspectors were sent to schools where a high proportion of the pupils lived in informal settlements, communal farms or rural areas to ensure that the dropout rate was monitored and the causes of dropout identified and addressed. Segregation practices were prohibited by the country's education policy, which was aimed at promoting inclusive education and supporting children who had been or were more likely to be educationally marginalized, such as foreign nationals and refugees. History had been made a compulsory subject in schools to ensure that all children were taught about the country's historical background, including the atrocities suffered.

24. The Ombudsman had launched a national inquiry into the extent of discrimination against persons with albinism, the findings of which would inform the development of policies and action plans to counter harmful practices against, and misguided attitudes towards, such persons. The Government would welcome guidance from the Committee in that regard.

25. **A representative of Namibia** said that the land reform bill was currently under consideration; comments by legislative drafters had recently been submitted to the Ministry of Agriculture, Water and Forestry. The revised national resettlement policy had been finalized and approved by the Cabinet in June 2023. Women and youth were now classified as "disadvantaged communities" eligible for redistribution of land. The Agribank continued to offer so-called soft loans, which did not require collateral, to farmers.

26. A committee had been established to monitor the implementation of the resolutions adopted during the Second National Land Conference; 25 had been fully implemented and work was under way on 133. The Commission of Inquiry into Claims of Ancestral Land Rights and Restitution had drafted and submitted to the President of Namibia a report containing its recommendations, including a recommendation for the establishment of a tribunal that would receive and consider claims concerning ancestral land rights.

27. Under the Communal Land Reform Act, illegal fencing of communal areas was subject to a fine of between 4,000 and 15,000 Namibian dollars. Prior to the Second National Land Conference, 107 fences enclosing a total land area of 30,000 hectares had been removed by the country's communal land boards. Those boards were responsible for handling land-related matters at the community level, including challenges to decisions concerning land issues.

28. **Mr. Mbandeka** (Namibia) said that each of the 14 regions of Namibia had its own communal land board that worked closely with the traditional authorities on the allocation of land, regulation of activities relating to access to land and land rights. Communal land boards were legally empowered to take action against illegal activities.

29. **Ms. McDougall** asked whether the communal land boards had a mechanism in place for landless persons to appeal decisions and receive the assistance of legal counsel.

30. **Mr. Mbandeka** (Namibia) said that communal land belonged to the State and was under the custodianship of the traditional authorities, who could lease the land to members of the community. Community members wishing to gain access or rights to land within a communal area could contact the traditional authorities, who would then, in consultation with the landlord, take a decision on granting a lease. Community members could appeal a decision by the traditional authorities to the communal land boards and, if they wished to appeal further, could take the matter up with the Minister of Agriculture, Water and Forestry. Decisions by the communal land boards could be submitted to a court for review.

31. As to the impact of the work of the Commission of Inquiry into Claims of Ancestral Land Rights and Restitution, the Government had established a high-level committee and a technical committee, composed of both governmental and non-governmental stakeholders,

to review the recommendations submitted by the Commission. The intention was to draft legislation governing restitution of land and establish a claims tribunal.

32. **A representative of Namibia** said that addressing violence against women and children in Namibia was a national priority. Under the Labour Act, women were protected against both sexual harassment and discrimination. Domestic violence was prohibited under the Combating of Domestic Violence Act, and protections were provided under the Combating of Immoral Practices Act for persons defined as vulnerable, including women from marginalized communities. Efforts were being made to evaluate, revise and extend a national action plan against gender-based violence launched in 2010 that would be coming to an end in 2023. Provisions under the Combating of Trafficking in Persons Act provided for shelter for women who had fallen victim to human trafficking and for exemptions under the Immigration Control Act for those who had been trafficked into Namibia. The Minister for Gender Equality, Poverty Eradication and Social Welfare had a mandate under the Child Care and Protection Act to proscribe harmful cultural and religious practices, including child marriage. Considering that the marriage age was an issue that bordered on the rights to culture and to freedom of religion, the Minister had requested to hold consultations on the subject with interested parties.

33. **A representative of Namibia** said that the Government, with assistance from the International Organization for Migration, had developed a comprehensive migration policy that covered the external and internal dimensions of migration. The policy had been adopted by the Cabinet in 2020 and launched in December 2022.

34. **A representative of Namibia** said that the Immigration Control Act dealt with the immigration of foreign nationals, while the Namibia Refugees (Recognition and Control) Act provided for the recognition of refugee status and gave non-nationals the same rights and responsibilities as Namibian nationals. The bill on the regularization of the status of certain residents of Namibia would apply to the approximately 141,000 undocumented and stateless persons currently living in Namibia. The reference to “certain residents” denoted persons who were still in possession of South West African identity cards.

35. The Osire refugee camp had a health clinic, which ensured that refugees and asylum-seekers had access to adequate health care. Residents of the camp also had access to pre-primary to secondary education facilities, social centres and a library. There was a police station where they could file complaints. Free transport was provided for refugees and asylum-seekers who needed to go to court. The Government was still in the process of establishing the domestic legal framework to address the problem of statelessness. It was envisaged that Namibia would accede to the statelessness conventions once that work was complete.

36. There were currently 23 trafficking in persons cases before the courts – 9 before the High Court and 14 before lower courts. In six of those cases, a total of seven defendants were being prosecuted under the Combating of Trafficking in Persons Act. In the other 17 cases, 41 defendants were being prosecuted under the Prevention of Organized Crime Act, which was the law that had been used prior to enactment of the Combating of Trafficking in Persons Act in 2018.

37. **A representative of Namibia** said that the Government maintained its reservation to article 26 of the Convention relating to the Status of Refugees in order to guarantee the safety and well-being of the refugees at the Osire settlement.

38. **A representative of Namibia** said that much needed to be done to encourage the effective participation of marginalized communities in public and political life. Article 17 of the Constitution guaranteed every Namibian citizen the right to political participation. The Government continued to provide mechanisms to encourage marginalized communities to play an active role in political processes. The Electoral Commission, besides registering voters, conducted education on the right to vote, including in remote areas, where it set up mobile polling stations to inform members of all communities of their rights. The National Youth Service ran a programme in which young people from marginalized communities were granted scholarships and encouraged to take part in politics.

39. Concerning access to justice, persons with an income not exceeding 3,500 Namibian dollars automatically qualified for legal aid. The Directorate of Legal Aid had discretion to grant legal aid to persons with incomes exceeding that amount, should it consider that doing so was in the interests of justice. To ensure that funding for legal aid was not depleted, the Government had capped the costs that private legal practitioners could charge for their services. In addition, every month the Ministry of Justice, the Law Society of Namibia and the Legal Assistance Centre held free legal advice days, during which members of the community could seek advice on various aspects of the law, including civil claims and criminal matters. The Ministry of Justice had recently launched a customer service charter, which provided the public with information on access to justice and the realization of human rights.

40. **Mr. Mbandeka** (Namibia) said that the issue of reparations for historical injustices had been under consideration for many years. It was only in 2006 that the Parliament had passed a motion setting out the criteria for the Government to engage with Germany on the issues of genocide, apology and reparations. As Germany had initially been reluctant to participate in negotiations, some members of the Ovaherero and Nama communities had taken legal action, unsuccessfully, against the German Government in a court in New York, in the United States of America.

41. In the meantime, the Government of Namibia had proceeded to establish structures to address the issue of the genocide, including a technical committee composed of members drawn from different sectors of society. It had also invited members of the affected communities to participate in consultations. Once the German Government had agreed to engage in discussions on the issue of the genocide, the Ovaherero and Nama communities had been asked to appoint representatives to participate in the negotiations. Some members of those communities had refused to participate in the process, while others had agreed to participate through their traditional leaders. A structure called the Chiefs' Forum had been established, through which the Government could keep the communities informed of the status of the negotiations.

42. It had taken Namibia and Germany some time to reach an agreement. In 2021, the two parties had initialled a joint declaration, in which Germany acknowledged that it had committed genocide against the Namibian people, primarily against the Ovaherero and Nama communities. Germany had also agreed to apologize to the Namibian nation and to pay reparations as a means of restitution and atonement. The joint declaration had been presented to the Cabinet, which had ordered that it be shared with the affected communities. Several rounds of consultations had taken place. The joint declaration had also been submitted to Parliament for consideration and debate. Subsequently, the Government had recognized that several outstanding issues needed to be renegotiated, including the amount of the reparations, initially set at €1.1 billion, and how the funds would be used within the beneficiary communities in order to achieve justice and restitution. The Joint Declaration had identified seven regions in which the affected communities lived. Those communities had indicated that the money should be invested in education, infrastructure, and memory and remembrance.

43. The two parties were still engaged in negotiations about the way in which the joint declaration would be implemented. The Namibian Government's position was that the affected communities should have a meaningful say in how the money was spent. It was envisaged that an addendum would be joined to the joint declaration to address the outstanding issue of the amount of reparations. Another issue related to the need for a mechanism to commemorate the genocide and its impact on the Namibian people. The joint declaration envisaged that funding would be set aside for projects such as the establishment of museums, in order to teach people about the history of the genocide.

44. He wished to clarify that Namibia had only one Supreme Court. The court system also comprised a High Court with two divisions and the lower courts or magistrates' courts, which were the courts of first instance. The Supreme Court and the High Court were staffed by full-time judges. Seven judges sat on the Supreme Court and 15 on the High Court.

45. The Supreme Court had indeed recently issued a decision recognizing the rights of persons who had concluded same-sex marriages abroad. The judgment pertained narrowly to

marriages that had been validly concluded outside Namibia. The Government had fiercely contested that case, but was obliged to implement the Court's final decision. The Government had made clear that it would respect the Court's decision, in accordance with the separation of powers under the Constitution. Some members of Parliament had brought a private members' bill in order to address the issues raised by the judgment. That bill was still before Parliament.

46. **A representative of Namibia** said that the Government was committed to the preservation and protection of the environment and recognized the potential environmental impact of development projects. Laws and policies were in place to ensure sustainable development and full consideration of the rights of affected communities. All oil and gas projects were required to meet impact assessment standards and requirements which sought to minimize their impact on the environment and on communities.

47. **A representative of Namibia** said that the use of excessive force by police was illegal under article 8 of the Constitution, which prohibited cruel, inhuman and degrading treatment, and under the Criminal Procedure Act, which established that assault and assault with intent to commit grievous bodily harm were criminal offences, irrespective of the identity of the perpetrator. Law enforcement officers could therefore be prosecuted if they were found to have used excessive force. Some officers had already been convicted and were currently serving prison terms. A recent case involved three police officers had been found guilty of murder after their use of excessive force had led to the death of the victim. Multiple civil cases had also been filed against the State relating to the use of force by the police and defence forces. Under the Police Act, police officers who engaged in unlawful acts were subject to a disciplinary process. An internal directorate within the police force was responsible for investigating allegations against its members. The Ombudsman delivered continuous training on the use of force and anti-torture measures; such training had also been incorporated into basic and refresher training for police officers. Similar provisions governed the correctional service, against which multiple cases had been filed by victims in custody. Since January 2023, judgments had been handed down in five of those cases, and the complainants had received settlements totalling approximately 190,000 Namibian dollars.

48. **Mr. Mbandeka** (Namibia) said that the Office of the Attorney-General had been engaging with the Ministry of Foreign Affairs and the Inspector General of the Namibian Police Force to explore how police training could be improved to raise awareness of human rights issues among members of the police force. Work was being done to identify training needs and determine how the training would be conducted.

49. **Ms. McDougall**, referring to the amount of reparations agreed with the Government of Germany, said that she wished to know how the figure of €1.1 billion had been determined and how significant that amount was in the current Namibian context. She wondered whether Namibia received regular foreign assistance from Germany and whether the reparations agreement would have any implications for such assistance.

50. In relation to access to justice, she would like to know what was done, apart from the provision of legal aid, to empower members of the San community to engage with the justice system. She wished to understand the relationship between the seemingly parallel judicial systems of traditional community or village courts, which would ordinarily deal with cases of violence against women, and the national court system. She would be grateful if the delegation could give the Committee a sense of what progress was being made in terms of reducing violence against women. She would also appreciate clarification regarding the number of complaints against the police that were related specifically to racial discrimination. How many such cases had been prosecuted, how many officers had been convicted and what sentences had been imposed?

51. **Ms. Ali Al-Misnad** said that she would appreciate information on racism in sports. Reports suggested that some sports, such as soccer and basketball, were categorized as sports for black people, whereas sports like rugby were considered sports for white people. Was that true? She would also like clarification regarding the availability of textbooks in schools. It would be interesting to know what measures had been taken to integrate the cultures of different ethnic groups in schools and to discourage bullying. Noting that many teachers lacked university qualifications, especially in rural areas, and that teachers working in



marginalized communities were generally not from the same tribe or ethnic group as their pupils, she asked whether any strategies were in place to train teachers from the same ethnic groups to work in such communities.

52. **Ms. Esseneme** said that she would appreciate further information on the extent and nature of the legal aid provided. Did it include, for example, the services of a lawyer? She would like to know which court dealt with appeals to rulings by communal land boards on land issues. She was also curious to know who currently owned ancestral lands in Namibia and what was at the root of the disagreements on that topic. In relation to the State party's indication that a domestic legal framework needed to be established before Namibia became a party to the statelessness conventions, she wished to understand the process for incorporating international legal instruments into domestic law.

53. **Mr. Diaby**, commending the State party on its efforts to comply with international human rights standards, said that, to avoid having to amend its legislation, it might be more expedient for the State party first to accede to the statelessness conventions and then to draft and enact the necessary laws. On the topic of reparations, he welcomed the policies and plans adopted, but wished to know what was being done with regard to commemoration of past events. Did the State party plan to designate any national days for all Namibians to commemorate the tragic events in the country's history? Lastly, in the face of rising temperatures and other conditions resulting from climate change, he wished to know whether measures were envisaged to uphold the rights of nomadic groups and Indigenous Peoples living in the Namibian desert.

54. **Mr. Amir** said that it appeared that the State party had not really addressed the issue of past colonization and its consequences, which was regrettable.

55. **Ms. McDougall**, thanking the delegation for its responses, said that the Committee would welcome written information on the outcomes of the various actions taken to tackle issues related to racial discrimination.

56. **Mr. Mbandeka** (Namibia) said that debate on the appropriate amount of reparations was likely to continue for many years. The joint declaration with Germany provided a legal framework that would keep the door open for further negotiation on the matter. Namibia did receive technical support from Germany, with which it had a good working relationship. That support was separate from the reparations to be provided under the joint declaration. Additional information on violence against women, racism in sport, legal aid and statelessness would be submitted in writing.

57. There were national observances to commemorate various historical events in Namibia, including the history of colonialism under Germany and South Africa. The country's independence was celebrated in March, and on 26 August the country commemorated those who had fought and died for the liberation of Namibia. On 10 December, Human Rights Day, those who had suffered under colonialism were remembered. Following discussions in the Cabinet and in Parliament, there was agreement to establish a day to commemorate the genocide. The specific date was yet to be confirmed. Parliament had also passed a motion calling for the establishment of a genocide museum. Sites of historical events, including battles and massacres, had been accorded national recognition under the Heritage Act.

58. Namibia was firmly committed to fighting racial discrimination, both domestically and internationally. It had repeatedly highlighted the need for States to address incitement to hatred and violence online and offline. A comprehensive international standard on that issue would contribute to the implementation of the Convention. Regulation of online hate speech was a complex issue, and just as the national laws of countries required updates to address it, so too did international frameworks. He implored the Committee to encourage States to support intergovernmental processes aimed at enhancing the implementation of the Convention, such as the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination and the Human Rights Council mechanism for the implementation of the Durban Declaration.

59. The delegation had taken full note of the issues raised by the Committee and looked forward to receiving further recommendations regarding how Namibia could strengthen its implementation of the Convention and its efforts to eliminate racial discrimination.

60. **The Chair**, noting that many countries had found it difficult to deal with the numerous repercussions of colonialism, including racial discrimination, said that the Committee was grateful to the delegation for the responses provided and looked forward to receiving further information in writing.

*The meeting rose at 1 p.m.*