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THE LEADERS OF THE OVAHERERO AND NAMA INDIGENOUS PEOPLES ANNOUNCE THE FILING OF A FEDERAL CLASS ACTION LAWSUIT IN U.S. FEDERAL COURT IN NEW YORK

New York, NY— January 5, 2017 — The official representatives of the Ovaherero and Nama indigenous peoples of Namibia have filed a federal class action lawsuit in U.S. federal court in New York, seeking money damages and a court order enjoining Germany from excluding them from participation in the current negotiations between the German and Namibian governments concerning the 1904-1908 Genocide of the Ovaherrero and Nama peoples.

The two primary plaintiffs -- Ovaherero Paramount Chief Adv. Vekuii Rukoro and Chief David Frederick, Chairman of the Nama Traditional Authorities Association – who together represent the Ovaherero and Nama peoples of Namibia, Botswana, South Africa, the United States and elsewhere, bring this lawsuit after having repeatedly petitioned the German government to include them in the ongoing discussions, without success.

The Complaint alleges that both Germany and Namibia are parties to the U.N. Declaration on the Rights of Indigenous Peoples, adopted by the U.N. General Assembly on September 13, 2007, and that Article 18 of the 2007 Declaration provides that “indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves ...” The Complaint further alleges that the two lead plaintiffs, as the lawful representatives of the Ovaherero and Nama peoples, have the legitimate right to participate in any negotiations with Germany relating to the incalculable financial, material, cultural, intellectual, religious and spiritual losses suffered by the Ovaherero and Nama peoples as a result of their mistreatment at the hands of the German colonial authorities.

As further explained in the Complaint, the Ovaherero and Nama indigenous people were robbed, during the German colonial occupation period, of virtually all of the rich grazing lands that provided the economic basis for their communities and cultural heritage. As a result, the Ovaherero and Nama indigenous peoples have been condemned for generations to perpetual and institutionalized poverty, requiring as a matter of fundamental justice that their lawful representatives be included in the negotiations with Germany.

The Complaint further states that the Namibian government cannot adequately or completely represent the interests of these indigenous minority communities in Namibia, and most certainly cannot represent the tens of thousands of Ovaherero and Nama peoples who live in Botswana, South Africa, the United States and many other countries around the globe.

The plaintiffs, therefore, seek an appropriate order and judgment from the U.S. court requiring that they, as the lawful representatives of the Ovaherero and Nama peoples, be included in any negotiations in order to assure that their minority, indigenous and human rights are properly protected, and that their claims against Germany relating to the 1904-1908 Genocide not be compromised or settled without their participation or permission.

Copies of the Complaint follow.

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For more information, press only:

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