

INTERNAL VERSION

**Oral Statement of the Republic of Namibia
(Hon. Yvonne Dausab, MP)**

23 February 2024

**Statement by
Hon. Yvonne Dausab, MP**

1. Mr. President, Madam Vice-President, Members of the Court, it is a special honour to appear before you today on behalf of the Republic of Namibia.
2. With your kind indulgence, I wish to first pay tribute to our late president Dr. Hage Geingob, who passed away on 4 February 2024 and will be laid to rest this weekend. President Geingob was a key figure in our struggle for independence. He was a committed anti-apartheid and anti-colonial freedom fighter, who stood up against injustice and oppression wherever it occurred. It is therefore fitting that in one of his last public statements, he said that “[n]o peace-loving human being can ignore the carnage [...] waged against Palestinians in Gaza”.
3. President Geingob was the representative of SWAPO and its petitioner to the United Nations from 1964 to 1971. It was during this period that the General Assembly condemned and declared “the policies of *apartheid* and racial discrimination” as a “crime against humanity”. Consequently, the General Assembly also appropriately terminated the Mandate in South West Africa.

4. Mr President, Members of the Court, I stand before you as a representative of a country where Germany brutally carried out the first genocide of the 20th century against the Herero and the Nama peoples. A country that has known only too well the pain and suffering of occupation, colonialism, systematic discrimination, apartheid, and their entrenched consequences. It is because of this history that Namibia considers it a moral duty and sacred responsibility to appear before this Court on the question of the indefensible occupation of Palestine by Israel.
5. The parallels between Namibia and Palestine are striking and painful. Both were integral parts of the Mandate system established after World War I. And in both cases, the so-called “sacred trust of civilisation”, which aimed to guide these nations towards self-determination and independence, was utterly betrayed. Instead of achieving self-government, both Namibians and Palestinians suffered the loss of human dignity, life, liberty, and the outright theft of their land and natural resources. Hundreds of thousands of their people were violently expelled from

their homes or forced into exile, joining the ranks of the world's refugees.

6. Upon the dissolution of the League of Nations in 1946, the white minority South African regime refused to place Namibia (then South West Africa) under the UN Trusteeship System and sought to illegally annex our territory as a fifth province, implementing racist homeland policies and apartheid laws targeting Black Africans.
7. Today, Palestinians have had to endure the seizure of their land and property, illegal settlements, unlawful killings, forced displacement, drastic movement restrictions, the denial of refugees' right to return, and of equal nationality and citizenship. The lived reality of the people of Palestine evokes painful memories for many Namibians of my generation. Namibians still experience the entrenched and structural impact of inequality, as a direct consequence of colonialism and the prolonged unlawful occupation.

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8. Mr. President, Members of the Court, this Court's four Advisory Opinions on South West Africa played a vital role in our liberation struggle. In its 1971 Opinion, the Court confirmed the right of self-determination as a legal imperative with decisive consequences for States, paving the way for our independence 19 years later in 1990.
9. It is because of Namibia's experience with apartheid and its long fight for self-determination that we cannot look the other way in the face of the brutal atrocities committed against the Palestinian people.
10. Mr. President, Members of the Court, we ask you not to look away, either. Rather, we appeal to you: Once again, end a historic and ongoing injustice by upholding the fundamental rights of a dispossessed people who have endured 57 years of a suffocating occupation. Today, Palestinians are enduring collective punishment in the besieged Gaza Strip, with civilians being killed in continuous and indiscriminate bombardments at a scale that is unprecedented in recent history. This state of affairs – this “hell on earth” – represents a stain on the collective conscience of the world.

11. Civilized nations cannot, and must not accept images of children covered in blood with gaping wounds; of men and women crying in despair because of the helplessness they feel.

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12. However, in the midst of the ongoing tragedy, I wish to say the following to the people of Palestine: this Advisory Opinion is an important moment in your long fight for independence. And I leave you with the words of our Founding President and Father of the Namibian Nation, Dr. Sam Nujoma: “a people united, striving to achieve a common good for all members of society will always emerge victorious.”

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13. Mr. President, Members of the Court, I thank you, and I now respectfully ask that Professor Phoebe Okowa be called to address the legal questions before the Court.