

## STATEMENT

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Delivered by: Indigenous Communities for Self-Determination

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Excellencies, distinguished delegates, and members of the public. I am honored to speak on behalf of our Indigenous Peoples, particularly the San people of Namibia.

Today I will address three interconnected issues that are impacting our people and report the level of implementation of Namibia.

### **First, the lack of legal recognition of Indigenous Peoples,**

During the previous UPR cycle, Namibia noted and supported several recommendations aimed at strengthening the legal recognition and protection of Indigenous Peoples. These included calls to ratify ILO Convention No. 169; to recognize our rights in the Constitution; to reform the Traditional Authorities Act; and to adopt and implement the White Paper on Indigenous Rights.

I regret to report that none of these recommendations has been implemented.

Indigenous Peoples are still seen as “marginalized communities” rather than recognized under international law. **This lack of legal recognition has concrete consequences: it weakens the protection of our lands and resources, limits our participation in decision-making processes, and increases our exposure to displacement, poverty, and violence.**

We call upon Namibia to legally recognize Indigenous Peoples, ratify ILO Convention No. 169, and ensure these commitments are reflected in binding legislation and effective policies that offer real protection, developed with the Free, Prior, and Informed Consent.

### **Second, the structural and systemic discrimination including land rights violations**

Namibia previously supported recommendations to improve land access for Indigenous Peoples, but we remain vulnerable. Our access to ancestral territories is limited by privatization and illegal conservancies, preventing us from gathering essential foods and medicinal plants.

In Tsumkwe, San community members were assaulted after entering a privatized farm to collect bush food. Farmers on patrol attacked an old man and his young son, and severely injured an elderly pensioner, breaking his arm and ribs. This illustrates the human cost of land privatization and insecure land tenure for Indigenous Peoples.

Our right to Free, Prior and Informed Consent (FPIC) continues to be ignored. For example, the ReconAfrica oil and gas project in the Kavango Basin, a vital water source for nearly one million people, proceeded without the consent of affected Indigenous Peoples. It threatens our lands, water, and livelihoods of farming communities, while promised benefits, including jobs, have not materialized.

We urge Namibia to:

- a. Recognize and title our ancestral lands, and prevent illegal privatization that blocks access to traditional hunting and gathering areas.
- b. Fully implement Free, Prior and Informed Consent for all projects affecting our territories.
- c. Suspend projects like ReconAfrica until meaningful consultation occurs.

### **Third, the rights of Indigenous women.**

In the last UPR, Namibia supported recommendations aimed at improving Indigenous women's access to decent employment and at strengthening measures to prevent and respond to violence against Indigenous women and girls.

Sadly, little has changed. Indigenous women still face structural barriers: many drop out of school early, remain economically dependent, and are excluded from formal work. Despite the 2001 Learner Pregnancy Policy, San girls are often barred from

returning to school after giving birth. Legal protections exist on paper, but in practice, violence continues, especially in rural areas where courts, police, and information are scarce in addition to the language barriers.

As a result, violence happens with near-total impunity. In 2025, a foreign tourist was arrested with over 1,500 illicit images of San minors, exposing the lack of legal protections against cultural and sexual exploitation.

We request to the Namibian State to

- a. Strengthen access to justice with mobile courts and Indigenous language-speaking personnel.
- b. Combat harmful stereotypes and practices, including early marriage, trafficking, and adolescent pregnancy.

I thank you all