

Ladies and Gentlemen, distinguished guests, and members of the SAN communities  
– Legal Assistance Centre

I stand before you today with immense pride and excitement as we gather here to launch a ground-breaking initiative, “Empowering the SAN: Legal Capacity Building for Access to Human Rights,” project. At the same time this feeling is coupled with an equal measure of responsibility because of the intense program with the Indigenous peoples of Namibia against the rate at which Namibia is being industrialized. Empowerment is vital.

While previous projects undertaken by the LAC have set the tone to establish and recognise as part of the Namibian legal framework, the human rights of indigenous people, we now wish to enable the SAN communities to speak by themselves for themselves. This transformative project is set to embark on a three – year journey that will bring about significant change for the SAN communities. Together with their involvement as well as the involvement of stakeholders and relevant ministerial branches, this will enable them to exercise their fundamental rights and protect their unique cultural heritage.

While Namibia is being “developed” at the speed of light, it is imperative that the people connected to the land for their survival should be able to have their voices heard and enforce respect for their rights. In fact, they should be given priority above development – would that not be equity?

The SAN communities have long been the guardians of our countries’ vast and diverse ecosystems. They have, where permitted, preserved their ancestral lands, maintained a harmonious relationship with nature, and nurtured a profound connection to their cultural heritage. However, history also depicts how they have had to face many challenges to remain such custodians and where they have faced numerous challenges in accessing justice and defending their rights, at times failing due to lack of standing and resources – resulting in their loss of land which is suppressing them even today - In an independent Namibia, the SAN remain one of the poorest and most marginalized people with very little access to public services and minimal respect for their culture.

With the exception of the ILO convention 169 and the UNDRIP (say it out too), Namibia has ratified a number of international and regional instruments that place an obligation, through Article 144 of the constitution, on the state to protect and uplift the rights of people, none of which speak directly to the indigenous people of Namibia. Therefore, the implementation of rights promoting equity has been selective and failure to recognise communities, such as the SAN and Ovahimba, as indigenous to the country is part of why they have not been a priority. Government has attempted to balance the situation with the implementation of ministerial offices, like the department of marginalised affairs and the Ombudsman’s office, who deals specifically with marginalised communities and today, the LAC, committing to

address these challenges together with the existing stakeholders and the community, head- on.

Through this project, we seek to empower the SAN communities with the necessary tools to navigate this complex legal landscape to their advantage. They should be able to understand when their rights are being violated, what rights are being violated, the appropriate grievance mechanism to approach and how to approach it. Even the steps within the administrative bodies, their functions and what recourse lies within it. But the relevant offices should also be empowered to recognise indigenous issues and how to address them accordingly and with priority.

Therefore, central to our approach is the training of paralegals, and individuals from within the SAN communities who will become beacons of hope and agents of change. This is a very important collaborative effort in which we seek engagement with new and already existing representative bodies such as the various associations that represent the SAN and the youth – who will ultimately be responsible to continue the work we start. These paralegals will be equipped with the legal expertise, enabling them to provide essential support, advice and guidance to their fellow community members. (we seek dynamic persons able to empower both upcoming and already existing representative bodies to become proactive within their communities) people that can speak to a manual that they will be able to use to give effect to the objectives of this project and realise the enforcement of their rights. The manual should address the needs of indigenous people particularly.

Moreover, recognizing the geographical barriers faced by many SAN communities, we will also introduce a mobile clinic. This clinic will transcend boundaries and reach areas where people (both SAN and others communities that have limited access to the law) have limited resources and struggle to access legal assistance. It will serve as a lifeline, connecting the SAN communities with vital legal services and ensuring that justice is within their reach. If people cannot access the law, the law should access them.

But our efforts do not stop there. We firmly believe that fostering lasting change requires collaboration and engagement with stakeholders and civil society organisations. Stakeholders include for instance the department of marginal affairs, home affairs, education, health social services and safety and security, the Office of the Ombudsman but also the EU Youth Sounding Board. We will actively seek partnerships and alliances, to amplify the SAN communities' voices and advocate for their rights. Together, we should work tirelessly to protect their intrinsic connection of the people to the land and their cultural heritage.

Ultimately, this project is not just about legal capacity building: it is a testament to our commitment to social justice, equality and respect for human rights which include indigenous peoples' rights. It is about empowering the SAN communities to stand tall, reclaim their agency and shape their own destinies. It is about recognizing that the preservation of their cultural heritage is intertwined with the sustainable future of our planet. It is about respecting our democracy and the rule of law. It is about respecting the first inhabitants of our country.

As we embark on this journey, let us remember that the SAN communities are not passive recipients of aid but active contributors to their own empowerment. We have to celebrate their resilience, wisdom, and unwavering spirit. We need to build bridges and ensure that justice flows freely for all, as valued by the spirit of our Constitution.

So, today I am inviting you all to join hands and hearts in support of the Empowering the SAN: Building their Capacity to Access Human Rights. Together we should create a world where the SAN communities can also thrive in an enabling environment where their rights are upheld and their cultural heritage is cherished and protected. They are after all part of the uniqueness of the Namibian landscape.

Thank you