



BNFA

Barotse National Freedom Alliance

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May 31, 2014

His Excellency Mr. Michael Chilufya Sata
President of the Republic of Zambia
State House,
Lusaka

Dear Mr. Sata.

OPEN LETTER TO PROTEST THE SIEGE OF BAROTSELAND BY OCCUPYING ARMED ZAMBIAN SECURITY FORCES

It is with a deeply troubled mind and soul that I write to you an open letter of protest to the Zambian government in the strongest terms against the siege of Barotseland by occupying armed Zambian security forces. While this letter is addressed to you, however, in recognition of the widely perceived comatose currently obtaining at this level of government, which is responsible for loss of direction in your country in the conduct of public affairs, I have decided to particularly draw the attention of those members of Cabinet directly seized with the matters raised herein. To this end the Minister of Defence, Minister of Home affairs and the Minister of Justice are hereby called upon to study the contents of this letter and, hopefully, do the right thing.

As you and your Ministers are aware, for some time now, there has been a constant heavy build-up of your country's security forces in Mongu, Lukulu, Senanga and other parts of Barotseland for no apparent reason. While your oppressive authorities claim that it is a routine security operation, we, the people of Barotseland, have watched as this so called routine operation culminated into unprecedented high levels of deployment of security forces, which reached a crescendo at several battalions just before May 28, 2014. On this particular day, your heavily armed police and military personnel were seen loitering on foot and in vehicles around the streets of Mongu. The atmosphere was so tense throughout the day, forcing people to remain indoors as if they were under house arrest, while those who ventured outside did so under extreme fear of the marauding soldiers and armed police officers whose countenances seemed to suggest that Barotseland was under siege and war. Also, many school children failed to go to school, thereby interfering with their right to education. Provocative acts by the invading forces, such as indiscriminate throwing of teargas canisters at innocent people and firing of gunshots, were reported in Mongu. Similar spectacles were witnessed in other parts of Barotseland, especially Senanga, Kalabo and Lukulu. I can only thank God that true to their nature, the people of Barotseland followed our advice to remain calm and peaceful.

Several questions beg answers, Mr. President. While we all know that the May 28, 2014 was your deadline to sign the Permanent Court of Arbitration (PCA) submission agreement, which would have allowed the BNFA lawyers, Messrs Dougue & Kirtley, to apply for setting up of an Arbitration Tribunal in The Hague, The Netherlands, to resolve the Barotse impasse, it is incomprehensible to note that you remain adamant not to append your signature to the suggested Arbitration process if at all you believe that Zambia has a legitimate right of claiming the territory of Barotseland. Instead, you have chosen, in this day and age, to use brutal force against unarmed and peaceful Barotse citizens. Is this your way of telling us that you are not interested in finding a peaceful settlement to the Barotseland impasse as we explained in the proposed Arbitration? Need I remind you that you are the same man who promised to restore the Barotseland Agreement 1964 within 90 days of coming to power in Zambia? Need I remind you that you are the same man who freed Barotse citizens who were incarcerated by the Banda regime? Need I remind you that you are the same man who, at a public rally in Mongu, declared yourself a member of Linyungandambo, one of the nationalist groups committed to the actualization of Barotseland statehood, before you were elected President of Zambia? Need I remind you that you are the same man who commissioned the Rodger Chongwe commission of inquiry into the 2011 Mongu massacre of innocent Barotse citizens by the occupying Zambian police and other security forces? I challenge you to make public the Rodger Chongwe Commission of Inquiry Report. Is this your way of telling us that you are not interested in finding a peaceful settlement to the Barotse impasse like we proposed? Are you only interested in using your mighty power and ammunition because in your view *might is right*? We in Barotseland believe that *right is might*, and not the other way round.

Mr. President, your occupying Zambian Commissioner of Police stationed in Barotseland is on record for giving a scathing warning and threat of stern action against individuals fuelling violence when some members of the BNFA were summoned to police offices last week, at which meeting they explained in clear terms and assured the occupying police that no one in the BNFA or Barotseland was planning violence but all were committed to a peaceful actualization of Barotseland statehood. Mr. President, as issues stand today, it is clear for all to see that you and your regime are the ones who are violent.

May I take this opportunity to underscore a few issues to you, your agents and the international community:

- i. The Barotse demand for self-determination, resulting from Zambia's unilateral abrogation of the Barotseland Agreement 1964, is here to stay until Barotseland attains its statehood. It cannot be wished away like successive Zambian regimes have simply hoped that it will die a natural death, and neither can it be suppressed by threats of violence nor by violence itself. It is an ideal whose time has come. Like the immortal words attributed to Victor Hugo, the renowned French Poet, *There is nothing more powerful than an idea whose time has come* and, again as Victor Hugo said, *More powerful than the might of all the armies on Earth is an idea whose time has come*. For this idea alone, more Barotse nationals than you can imagine are willing to give up everything. To borrow the sentiments of Nelson Mandela, *this is an ideal for which we hope to live for and to see realised. But if it needs be, it is an ideal for which we are prepared to die*

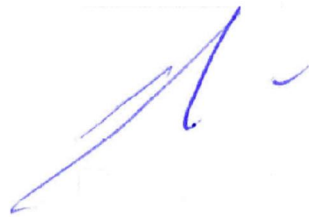
- ii. The Barotse people are intrinsically peaceful, and it is for this reason that we have decided to pursue by peaceful and lawful means the actualization of Barotseland's self-determination, knowing it is our RIGHT. Mr. President, we tried to join the failed unitary state of Zambia peacefully, and peacefully we leave the failed state. To us, disengaging from Zambia is not a **War matter but a Law matter**. Violence and lawlessness is not part of our system, it has not been since our beloved missionaries convinced our beloved King Lewanika that it is an act of savagery and uncivilized for man to kill another man for whatever reason. In our quest for what is rightfully ours, we will endeavor to uphold the ideals imparted in our forefathers by the missionaries. For this reason, when I was privileged to preside over the most significant Barotse National Council (BNC) in modern times as Ngambela, I emphasized nonviolence and lawful means of achieving what we set out to achieve in both my keynote speech and closing remarks. While we are prepared to die for what we believe is ours in line with the old Barotse saying: *õMufa na saye ni muteeba, liokwe ni mu fa na mbunyunyu mu kanwaõ or õya shwela sa hae u tohonolofalizweõ*, (meaning, *÷blessed is he who dies for his/her rights*), we do not believe we should kill for the same.
- iii. For the larger part of the fifty-year existence of the failed unitary state of Zambia, we as the people of Barotseland have made several futile attempts, internally and externally, at finding a peaceful solution to the Barotseland impasse created by the unilateral abrogation of the Barotseland Agreement 1964 by the Zambian government, but successive Zambian regimes have used maximum force to choke and frustrate every such peaceful effort, which have included petitions to the Zambian government, submissions to Zambian government-appointed commissions of inquiry and Constitutional review processes. The Zambian government on its part has shunned every door of opportunity for a pacific settlement of the Barotse impasse and chosen instead to resort to acts of banditry that have taken the form of intimidation, killings and the arrest of our people on trumped up charges amidst abuse of the *nolle prosequere* provisions of the penal code to escape legal sanctions that would result from full litigation of the issues. Currently, your government has adopted an **÷Ostrich-head in the sand'** stance in relation to the petition by Barotseland to the African Commission of Human and Peoples Rights as well as the BNFA's bid through Durgue & Kirtley to have the unilateral abrogation of Barotseland Agreement 1964 by Zambia and Barotseland's acceptance thereof to be taken to the PCA for determination. Your failure to sign the submission agreement in relation to the PCA process can only be interpreted as a clear admission of guilt. It is clear to us that Zambia wants to leave only one door open, that of violence and lawlessness, and is doing everything possible to entice our people to use that door through state-sponsored provocations. Mr. President, I give you two solemn assurances, first that we are determined never ever to give up the fight for our Right to self-determination, no matter what obstacles Zambia puts in our way, and second, that we are determined never ever to succumb to Zambia's temptations to make us use their door of violence and lawlessness.
- iv. The current siege of Barotseland by your occupying armed security forces is perceived by our people as a preparation for genocide. Mr. President, you had said the following words in your capacity as commander-in-chief of Zambia security forces: *"When you go there, just fire, when they say 'fa' just fire, when they say 'enisha' just fire at them, do not hesitate"*. As you may recall, you uttered these words during your address at a graduation parade for the SADC Regional Defence Command on November 30, 2012. This, in effect, is a declaration of war on Barotseland, over which your government has no legal jurisdiction. The question

that our people are asking is, shall we sit and fold our arms while our adversaries are planning to exterminate us? Shall the international community sit and fold their arms while Zambia, which is illegally occupying Barotseland, is committing atrocities and planning to exterminate innocent people? **The international community is legally and morally compelled to move in and ensure that for once, a potentially volatile situation is averted by putting pressure on the Zambian regime to sign the PCA submission agreement and vacate Barotseland forthwith.**

- v. Finally, I call upon the Zambian government to exercise restraint and reflect seriously on the impact and implications on not only Barotse citizens but Zambian citizens, should this situation deteriorate into large scale hostilities when all along, we have had the option to pursue a peaceful path to the resolution of the Barotse impasse. I challenge your government to immediately refrain from all acts of provocation, withdraw the battalions that are currently besieging Barotseland, unconditionally release all Barotse detainees and prisoners, allow freedom of speech, assembly, movement and mass media reporting in Barotseland as well as create an atmosphere conducive for the peaceful settlement of this fifty year-old impasse, as Zambia prepares to celebrate its jubilee in just four months from now. For us this is a contradiction because there is no way Zambia can celebrate a jubilee of a unitary state when it ceded from Barotseland but continues to occupy the territory by force. As we have said before, the unitary state between Northern Rhodesia and Barotseland was still-born.

Let Zambian leaders worth their salt be courageous enough to face the challenge and hold the bull by the horns in order to move decisively towards a mutually acceptable solution to the Barotseland impasse, one which will be acceptable to both parties and the international community, simply by signing the PCA submission agreement and vacating Barotseland without any further delay because obviously the current scarecrow tactics are not bearing fruits at all.

I end by reiterating my commitment to a peaceful settlement of the Barotse impasse.



Clement Wainyae Sinyinda
Chairman General

cc: Hon. Edgar Lungu, MP, Minister of Defence
Hon. Ngosa Simbyakula, MP, Minister of Home Affairs
Hon. Wynter Kabimba, MP, Minister of Justice

With God on our side, Barotseland Shall Be Free