

The report of the Circumstances surrounding the “Rule by Conquest” of the deposed Kingdom of Mthwakazi and Other Crimes Against Humanity and Abuse of Human Rights:

**TO THE UNITED NATIONS HUMAN RIGHTS COMMISSION IN TERMS OF THE  
GENERAL ASSEMBLY’S ECONOMIC AND SOCIAL COUNCIL RESOLUTION  
1503 (XLVIII)**

.....  
**THE COMPLAINTS OF THE VIOLATIONS OF HUMAN RIGHTS**  
.....

By:

**U-MHLAHLA WE SIZWE SIKA MTHWAKAZI**

Complainants

For:

**THE INTER-CULTURAL SOCIETY  
OF MTHWAKAZI alias MATABELELAND**

Victims and Survivors

Against:

**THE THREE MEMBER STATES OF THE UNITED  
NATIONS; ZIMBABWE, BRITAIN AND NORTH KOREA**

Perpetrators

'Most conflicts happen in poor countries, especially those which are badly governed or where power and wealth are very unfairly distributed between ethnic or religious groups. So the best way to prevent conflict is to promote political arrangements in which all groups are fairly represented, combined with human rights, minority rights, and broad-based economic development.'

United Nations (UN) Secretary-General, 3 April 2000.



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Tuesday, February 22, 2011

## **FREEDOM AND SELF DETERMINATION**

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### **References:**

- 1.The Commission on Human Rights resolution 2001/ 57
- 2.The Human Rights resolution 6/ 12

**Dear Mr ANAYA**

### **THE REPORT ON THE SITUATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS OF INDIGENOUS PEOPLE**

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The report of the perennial violation of human rights against the Inter-Cultural Society of Mthwakazi under the British “Rule by Conquest” consisting of 87 years of Racial Domination and now 30 years of Tribal Domination is sent to the 21 Special Rapporteur, 5 Working Groups and 5 Independent Experts of the United Nations Special Procedures. Four Sections of the report; i.e. Sections ‘A’, ‘B’, ‘D’ ‘E’ are similar in all reports, but Section “C”, is different as it pertains to each Special Procedure, to which it is addressed.

## References of the Report of the Perennial Violations of Human Rights and Crimes against Humanity:

1. The Universal Declaration of Human Rights, Resolution 217 (III) of December 10, 1948.
2. Declaration on the Rights of Indigenous Peoples (Resolution A/61/L.67) of September 2007.
3. Declaration on the Rights of People belonging to National or Ethnic, Religious and Linguistic Minorities (Resolution 47/135) of 18 December 1992.
4. Declaration on the granting of Independence to Colonial Countries and Peoples (Resolution 1514 [XV]) of 1960.
5. Declaration regarding the Non-Self-Governing Territories (Chapter XI) of the UN Charter.
6. The Declaration of the Decade 1990 -2000 as the International Decade for the Eradication of Colonialism (Resolution 43/ 47).
7. Declaration of the Protection of All Persons from Being Subjected to Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984.
8. The Convention on the Prevention and Punishment of the Crimes of Genocide.
9. Declaration on the Elimination of All Forms of Racial Discrimination of 1963.
10. Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.
11. The International Bill of Human Rights of 1989.
12. The Charter of Economic Rights and Duties of States of 1974.
13. Declaration on International Economic Cooperation of 1990.
14. Declaration and Programme of Action on the Establishment of a New International Order (NIEO) of 1974.
15. International Development Strategies for the First (1961-1970) to the Forth (1991-2000) United Nations Development Strategies.
16. United Nations Programme of Action for African Economic Recovery and Development (UNPAAERD).

## Definition of Terms

**1. Deprivation Situation:** Social environment where basic needs for food, close companionship, and shelter *etc.* are inadequate as shown in prisons, concentration camps, and starvation situations.

**2. (Fifth) 5<sup>th</sup> Brigade:** The tribal army which was built by Zimbabwe, in collaboration with the BMATT who had the responsibility of integrating and conducting the standardization training of the ZNA, and it was trained by North Korea in 1981.

**3. Gukurahundi:** The operation code name of the heavily armed invading mercenary army of Zimbabwe which perpetrated the Gukurahundi genocide killing many thousand of civilians, torturing, raping, mutilating bodies and causing disappearance and displacement of many other people. In English the term means “the violent African wind that sweeps the dust”.

**4. Insecurity Attitude:** The attitude of doubt, of lack of confidence concerning the adequacy of oneself which results with a bother about self-defense.

**5. Inter-Cultural Society of Mthwakazi:** The 15 multi-ethnic minorities who are the nationals of the deposed Kingdom of Mthwakazi, namely in the alphabetical order: Aba-Thwa -Basarwa or San, Asiatic Africans, Black emigrants, Colourds, Kalanga, Karanga

of Mthwakazi, Nambya, Nguni, Shangwe, Sotho, Tonga, Tswana, Venda, White Africans and Xhosa.

**6. Jameson Line:** The physical boundary between Mashonaland and the deposed Kingdom of Mthwakazi which was agreed between Linder Star Jameson the Administrator of the white settlers in Mashonaland on behalf of Britain and King Lobengula in June 1891 after the peaceful occupation of Mashonaland. The boundary which was made in terms of the Berlin Agreement of 1885, runs along Sanyati River, Ngezi and Lundi Rivers.

**7. Kingdom of Mthwakazi:** The central African Territory between Zambia, Botswana, Zimbabwe and South Africa. It was an independent Kingdom before it was conquered by Britain on 3 November 1893.

**8. Land Case of Matabeleland:** The court case which was held to hear the demand for the restoration of deposed Kingdom of Mthwakazi and the retention of the looted 600,000 cattle belonging to Inter-Cultural Society of Mthwakazi on 29 July 1918 at the highest court of law in Britain, the Privy Council and ruled that: the Ndebele sovereignty has been destroyed and replaced by a new and better system as defined by the Matabeleland Order-in-Council, resulting with the permanent subjugation of the Inter-Cultural Society of Mthwakazi under the “Rule by Conquest”, which is now 118 years comprising of 87 years of racial domination from 3 November 1893 to 17 April 1980 and the 30 years of tribal domination from 18 April 1980 to the present day..

**9. Mashonaland:** It is both the colonial name of Zimbabwe and the name of the pre-colonial tribe of that Territory.

**10. Matabele:** The corruptive term by which the British conquerors referred to the Inter-Cultural Society of Mthwakazi.

**11. Matabeleland:** It is the corruptive name by which the British conquerors referred to Mthwakazi based on the name of the ethnic group from which King Mzilikazi originated.

**12. Matabeleland Order-in-Council:** The Judicial legislation which legitimized the criminal contract of expropriating the birthright of Mthwakazi called the Victoria Agreement and forms the jurisdiction of the “Rule by Conquest” of the Inter-Cultural Society of Mthwakazi by being the legal base of all the constitutions which have govern Mthwakazi from 1894 to the present date, including the 1980 Zimbabwe independence constitution.

**13. Mthwakazi:** The simple name of both the homeland of the Inter-Cultural Society of Mthwakazi and the nation itself.

**14. Native Reserves:** The concentration areas which the rulers of the “Ruler by Conquest” reserved as the place of keeping all the conquered people where they were meant to be a pool of forced and cheap labour within the fruitless Kalahari Desert sand .

**15. Ndebele:** The other version of Matabele.

**16. Oppression Psychosis:** Characteristic attitude, involving the attitude of fear, hatred, resentment, jealousy, suspicion and revenge; which is common among minority groups who are subjected to domination.

**17. Personality Disorganization.** Lack of sufficient personality organization according to some standards of adequate or normality.

**18. Personality Reorganization.** The rehabilitation process of bringing to a better health the disorganized personalities through changing their relationship to the social environment.

**19. Racial Domination:** The subjugation of the conquered people by the White settlers, who conquered the Inter-Cultural Society of Mthwakazi, and enforced the “Rule by Conquest” starting from 3 November 1893 to 17 April 1980 when they transferred the “Rule by Conquest” to the black Africans of Zimbabwe during their decolonization.

- 20. Reservation of Privileges.** The tendency of the Conquerors to keep all the advantageous commodities and opportunities for themselves and leave residues to the conquered people.
- 21. Royal Charter:** The British legislation which legalized the formation of the mercenary army called the BSA Co and was used to conquer the Inter-Cultural Society of Mthwakazi.
- 22. “Rule by Conquest”:** The type of colonialism which is based on the payment of the mercenaries with the conquered land and all its mineral resources and the application of the conquered people as forced and cheap labour to help the conquerors to develop their loot easily.
- 23. Social Disorganization.** Social relations that bring disappointment, thwarted wishes, irritation and unhappiness to stressed people.
- 24. Social Reorganization.** The comprehensive program to bring new social order needed to eliminate the strains and maladjustment of existing negative social environment; with the goals towards a better organization for the whole society and increased welfare for its members.
- 25. Tribal Domination:** The enforcement of the conquest by the Shona people, an African tribe of Zimbabwe, which started when Zimbabwe was decolonized, Zimbabwe connived with Britain in a deal that entrusted Zimbabwe to enforce the conquest of the Inter-Cultural Society of Mthwakazi on behalf of Britain in exchange for its decolonization, starting from 18 April 1980 to the present day.
- 26. Traumatic Stress:** Stress produced by wounds, external violence or emotional shock.
- 27. U-Mhlahlo we Sizwe Sika Mthwakazi:** The nationalist movement of the Inter-Cultural Society of Mthwakazi which is fighting for the restoration of the deposed Kingdom of Mthwakazi, promoting the diverse cultural identity and the symbiotic nationality of the multi-ethnic nationalities of the Kingdom.
- 28. Victoria Agreement:** The criminal contract between the BSA Co and its mercenaries made on 14 August at Fort Victoria, Zimbabwe, in which the BSA Co promised to pay each mercenary with 6,000 acres of a free farm with the title deed value of 9,000 sovereign pounds, 15 gold reefs, 5 gold alluvium, a loot of the 600,000 Mthwakazi cattle being shared equally between the BSA Co and its mercenaries, one half going to the Company, the other half being shared equally between men and officers, and the provision of forced and cheap labour of the conquered people to help them develop their properties easily; once Mthwakazi was conquered.
- 29. Zimbabwe African People’s Union:** The nationalist movement of Southern Rhodesia which pioneered the combined anti-colonialist struggle by the people of MaShonaland and Mthwakazi against British colonialism resulting with the decolonization of Zimbabwe. During the struggle the Shona people broke away to form the Zimbabwe African National Union.
- 30. Zimbabwe:** The authentic name of Mashonaland.

## SECTION “A”

### 1.0. The Background of the Inter-Cultural Society of Mthwakazi

#### 1.1. The Question of Mthwakazi: A Problem under Report in Brief

The problem under report is the Question of Mthwakazi, the struggle for the abolition of the 118 years “Rule by Conquest” of the Inter-Cultural Society of Mthwakazi which consist of the 87 years of the Racial Domination from 3 November 1893 to 18 April 1980, and the 30 years of the Tribal Domination from 19 April 1980 to the present date. The “Rule by Conquest” is a unique type of colonialism that is maintained by the reign of terror, deprivation situations against the conquered people and the reservation of opportunities in the interests of conquerors as the means of enforcing compliance of the conquered people to subjugation, consequently creating a gripping oppression psychosis among the conquered people. This type of oppression has extremely impoverished the Inter-Cultural Society of Mthwakazi and created deliberate and perpetual suffering to them for a century and over three decades on the present date, and without any break.

The Kingdom of Mthwakazi was deposed by Britain on 3 November 1893 and declared a “Rule by Conquest” by the British South Africa Company (BSA Co) warlord Cecil John Rhodes on 19 December the same year. All the fruitful lands of Mthwakazi were partitioned as private estates which were given to the BSA Co mercenaries as the reward for conquering the land, while its people were evicted without compensation and forcefully exiled to the concentration camps called the Native Reserves where they were made a pool of forced and cheap labour through the British’s Matabeleland Order-in-Council of 18 July 1894, in order to assist the mercenaries to develop their conquered properties easily. The Kingdom has remained under conquest to the present date. Its people are denied their right to self determination, including all the fundamental freedoms and human rights.

After the Conquest of the Kingdom of Mthwakazi by the BSA Co. mercenaries on 3 November 1893, the conquerors called our land “Matabeleland” and ruled Mthwakazi jointly with another territory called MaShonaland alias Zimbabwe. Zimbabwe is the homeland of a large population of the Shona people on the eastern side of Mthwakazi, which practices xenophobia in cooperation with Britain, against the Inter-Cultural Society of Mthwakazi. When Mthwakazi was conquered, Zimbabwe had been occupied peacefully three years earlier on 12 September 1890. In 1980 Britain decolonized Zimbabwe and transferred the Racial Domination into Tribal Domination through the machination of a skewed franchise in which Zimbabwe was granted 60 seats that afforded her, the right to self-determination and left Mthwakazi with 20 seats as a constitutional form of opposition under the same parliament with Zimbabwe.

When the Inter-Cultural Society of Mthwakazi raised concerns that Britain had not decolonized them in terms of the United Nation’s Declaration on granting of Independence to Colonial Countries and Peoples (Resolution 1514 [XV]) of 1960. Britain quickly misrepresented the issues, created tremor and pandemonium in the two Territories and assisted Zimbabwe to perpetrate a devastating genocide which has pinned down the Inter-Cultural Society of Mthwakazi with the post traumatic shock and terrific terror that has caused an epidemic sense of refusal of the meaning of daily realities among the victims and survivors, in the form of oppression psychosis to the present date.

The Whites who were instrumental in enforcing the Racial Domination were also granted 20 seats with 10 years guarantee during the transfer of domination. The former white conquerors quickly lost their status of superiority as soon as Tribal Domination was imposed. The transfer of power from the previous racial domination turned upside down the racial relations and included them in the subjugation which they had designed when the black Zimbabweans started copying their old way of discriminatory governance. The former conquerors have now joined other nationals of the Inter-Cultural Society of Mthwakazi as victims of the “Rule by Conquest” on their own rights.

Our history leaves behind the lessons that: The minorities are capable of oppressing the majority as it happened during the Racial Domination. Just as the majority can also oppress the minority as it is happening under the Tribal Domination. And people of the same race can oppress each other in the absence the rule of law. Therefore only a fair and free world with a proper order can make all the people enjoy freedom and their rights in a country and all over the world, because the Human Rights are there for our protection against the people who want to do harm or hurt us. They are also there to help us get along with each other and live in peace.

The full circumstances surrounding our saga are long and hidden; hence we have a little bit long report though an attempt has been made to make it brief and concise.

## **1.2. The Name of the Place under Report**

The place is called Mthwakazi. This word Mthwakazi is derived from the name of Queen Mu-Thwa, the first ruler of the Mthwakazi territory who ruled around 7,000 years ago. She was the matriarch of the Aba-Thwa, the San people who were derogatively called the Bushmen by the British conquerors. The deposed Kingdom of Mthwakazi is a land between Limpopo and Zambezi Rivers in Southern Africa which was derogatorily called Matabeleland by the British conquerors.

## **1.3. The Homeland of the Inter-Cultural Society of Mthwakazi**

The territory of Mthwakazi was evolved through both geographical and historical factors:

### **1.3.1. Geographical Factors**

Geographically, Mthwakazi is a draught prone country east of the Kalahari Desert, which is characterized by erratic rainfall which made it unfavourable for settlement to the pre-colonial communal societies of Southern Africa. Long ago it was mainly used for south and north migration between Southern Africa and Central Africa. However for the post-industrial revolution society, it is a wonderful treasure of natural resources ranging from minerals, wildlife game, timber forests, grasslands and tourist resources. It is a spacious land without overpopulation.

### **1.3.2. Historical Factors**

Historically, the homeland was a sanctuary for the overwhelmed and peripheral clicks and clans from the adjacent pre-colonial Kingdoms of Southern Africa. Aba-Thwa, the San people are the earliest inhabitants of the land, and then from the north came the Tonga people, from the west the Tswana, from the south the Venda, Sotho, the Nguni, and from the east the Karanga of Mthwakazi to integrate with Aba-Thwa, hence the creation of the Inter-Cultural Society of Mthwakazi.

### **1.3.3. The Territorial Status of the Kingdom of Mthwakazi**

Before the conquest of Mthwakazi by the British South Africa Company on 3<sup>rd</sup> November 1893, the territory was an independent Kingdom whose territorial integrity was governed by the treaties with the Transvaal and England the two states which shared the four common borders with the Kingdom of Mthwakazi. The boundaries conform to the Berlin Conference Agreement of 1885 as ratified by the Treaty of Versailles in 1919, consequently the United Nations in 1945.

#### **1.3.3.1 The Treaty of Friendship with Transvaal of 1887.**

In July 1887, Mthwakazi and Transvaal made the Treaty of Friendship with Transvaal signed by King Lobengula, the head of state of the Kingdom of Mthwakazi and Pieter Grobber on behalf of Paul Kruger the Prime Minister of Transvaal. Its terms of reference of this Treaty included the agreement of Limpopo River as the boundary between the two countries.

#### **1.3.3.2. The Moffat Treaty of Peace and Unity of 1888**

On 11 February 1888, King Lobengula and the British assistant commissioner for the Bechuanaland Protectorate, Reverent John Moffat on behalf of Sir Hercules Robinson the High Commissioner and Governor of the Cape, signed the Treaty of Peace and Unity between the 'Great Queen of England' and the 'Mighty Elephant of Mthwakazi'. Lord Salisbury the British Prime Minister gave Robinson the authority to ratify the treaty on 25 June 1888. In this Moffat Treaty, Britain agreed on Zambezi River as the boundary of its protectorate, Bechuanaland (Botswana) and Shashi Ramaquabane Rivers as the boundary of its protectorate, Barotseland.

#### **1.3.3.3. The Jameson Line**

In June 1891, King Lobengula and Jameson the Administrator of White Settlement in MaShonaland, agreed on the physical boundary called the Jameson Line, between the two neighbouring states to curb the illegal crossing by the gold seekers and cattle rustlers in the Kingdom from MaShonaland. The Jameson Line runs along Sanyati R. Ngezi R. and Tokwe.

### **1.4. The Inter-Cultural Society of Mthwakazi**

The people of Mthwakazi are an Inter-Cultural Society made of 15 multi-ethnic nationalities. They are the product of evolutionary emigration, colonial expansion and intermarriages. Basically they fall under five categories: the pre-colonial black inhabitants, the European emigrants, the Asian emigrants, the black emigrants from the neighbouring states and the coloured people. This diverse community of fifteen multi-ethnic nationalities, in the alphabetical order are: **Aba-Thwa – San or Basarwa, Asians, Black emigrants, Colourds, Kalanga, Karanga of Mthwakazi, Nambya, Nguni, Shangwe, Sotho, Tonga, Tswana, Venda, White African and Xhosa.**

### **1.5. The Economic, Social and Cultural Development of Mthwakazi before the Conquest**

#### **1.5.1. The Ethics of Mthwakazi**

Basically the ethics of Mthwakazi are interwoven with the culture of egalitarianism and realism. The basis of the ethics is the truth, righteousness and morality. Laws and agreements were sealed by verbal promises. The norm was that promises are binding and it is taboo to break a promise. According to the traditional belief of Mthwakazi, all elders



are messengers of angels. And when elders die they become the angels of God through whom the living people convey their prayers to God. These angels of God are aware of everything that happens around us and they appease God to deprive some blessings to those who venture in taboo activities. Desisting from taboo dealing was culturally in the blood of the compassionate Mthwakazi society.

It is from this stand point that strangers mistaken our modest and honesty for cowardice and weaknesses. This tendency of strangers features throughout in the history of our interaction with the British and the Zimbabweans. Almost all our fundamental agreements with them, fail because they break promises, cheat and trap us in canning spirits, and fail to realize that we are a simple, natural and faithful society.

### **1.5.2. Social System of Mthwakazi**

The Kingdom of Mthwakazi was an egalitarian society practicing a communal social system of living under a democratic monarch through the guidance of the elders' wisdom. All decisions were reached through universal participation in open assemblies which started at communal levels being presided over by village heads, whose decisions were channeled to the district levels under chiefs who fell under the king, who was the custodian of the communal assets. The king was guided by the cultural morality that: **“A human being exists because of the society. Therefore a king exists for the society”** At all these social levels, open debates determined the outcome of all the matters through the consensus of the respective assemblies. These community conducted open debates and reached consensus, and made moral laws that were complied with voluntarily by all members of the society, even if there were no police or prisons to enforce the laws.

### **1.5.3. The Economic Mode**

The land, natural resources and the cattle were regarded as the communal assets, while goats, sheep and poultry were domestic assets. The land was considered to belong to God and that He made it his gift to all the living creatures. There was division of labour according sex and age. Men were apportioned outdoor duties and drudgerous labour including the defense of the society while women did indoor duties and crop field work. Grown up boys looked after the grazing live stock and assisted their fathers in light duties, while girls looked after babies and assisted their mothers with light duties. Major tasks were accomplished through work parties where a family with a big task would organize a work party in which neighbours would come in large numbers to work and feast after the work. The elderly were mainly responsible for the education and advice of the community. The tiny tots played games and leant languages, culture, music, dance, wisdom and light work. Generally education went with work; the society socialized the off-spring through practical work as they grew. The people leant to do things that helped them in life and there was no unemployment. The golden rule was: **“The lazy one eats laziness”**.

### **1.5.4. The Economy of Mthwakazi**

#### **1.5.4.1. Crop Farming**

Mthwakazi cultivated a wide variety of crops including corns, nuts, beans, vegetable, fruits, potatoes, melons, pumpkins, yams and tobacco. The white settlers were surprised and jealous about the economy of Mthwakazi and applied for living permits in great numbers.

#### **1.5.4.2. Agricultural Scenario**

The Missionary between 1859 and 1870 Rev T.M. Thomas wrote glowingly of: **Gardens full of ripe maize, and various indigenous grain, of extensive fields of Indian corn and other cereals and of some valleys converted into the most fruitful gardens. In some areas cotton was grown from which Africans made durable garments, and that he knew of no village without tobacco garden.** This was confirmed by Wilson the concession hunter who wrote in October 1887 about the African farming that: **There is more stuff in the place, in the shape of cattle, sheep, goats, eggs, potatoes, rice, groundnuts, Indian corn and millet, poultry by the dozens, and milk and beer which the natives bring round to the white men's wagons to sale.**

#### **1.5.4.3. Food Security**

In addition to their farming skills, Mthwakazi had advanced indigenous storage techniques. One looting white settler described one of King Lobengula's granary which was discovered when the Bulawayo railway station was being constructed saying that: **Mthwakazi had underground granaries which were disguised, water and air tight, in which corn was preserved for many years. Mthwakazi stored up food enough to keep themselves active during the years of scarcity. The looter estimated that each granary held thirty 200 pounds bags (one pound is equals to 0.454kg Almost ½ a kg).**

#### **1.5.4.4. The Mining Industry in the Kingdom**

The Kingdom operated a flouring gold mining industry which was managed by James Dawson a white immigrant who was appointed as the King's industrial advisor in 1884. Dawson made a number of gold claims for the Kingdom stretching from the west of Mfuli River. Some of the Kingdom's mines had a five stamp-battery for crushing stones, before the invasion of Mthwakazi in 1893. One of the Kingdom's stamp mill was sold by the BSA Co. to the pioneers in 1904. One remained in use until 1919.

#### **1.5.4.5. The Occupations and Regional Trade of Mthwakazi**

Mthwakazi was involved in a good deal of regional trade. There was a market for the thriving tobacco of Nyoka people in Gogwe at the Zambezi Valley, the Ngwato people in Botswana traded in grain, the Lemba people near Gaza land traded in copper and the San people from the Kalahari exchanged iron, spears, hoes and knives for ostrich-eggs, shell beads, ivory, feathers, horns and skins.

### **1.6. The Immigration Policy and Hospitality of Kingdom**

The Kingdom of Mthwakazi had a friendly policy of immigration. It pursued lucrative free trade and agriculture. Encouraged by the peace and good order in the Kingdom and by the warm hospitality, white men from the south and the east came to Mthwakazi in increasing numbers.

In 1872 the Kingdom granted the first hunting permit to European emigrant Frank Selous Frank Selous followed by.

- Hartley, Finaughty, Leask including dozens of Afrikaners who were also granted hunting permits.
- Another immigrant, Johnny Ugly got the first permit for an engineering workshop.

- James Fairburn was issued with a trading store permit, with his partner Jimmy Dawson.
  - Fairburn was later employed as the immigration advisor in issues of the integrity of the incoming white settlers. He also designed the Royal seal and the Kingdom's flag.
  - Jimmy Dawson was employed as the General Manager of the Royal Mines.
- Missionaries came in large numbers to build schools and preach Christianity.
- The friendly hospitality of Mthwakazi also attracted the colonialists.

### 1.6. The Religion of the Kingdom

Religiously all the Africans believed in communicating with the creator through ancestral spirits. The African belief was that God was unknowable to the living people, and was neither a male nor female, did punished sinner while they were still alive and gave blessings on earth to those who desist from taboo activities. Hence Africans feared anything that is taboo.

### 1.7. The Social Security of Mthwakazi

The social security of Mthwakazi was based on humanity and a belief that: **“A human being exists because of the society. He who does not own cattle will drink milk from the society”**. Compassion was in the center of socialization of children. From childhood people learnt that causing misery was taboo. All the unfair things were classified as being taboo and fellowship started from kinship to the national level. The foundation of the social system of Mthwakazi was the extended family which formed the support system of the society in all walks of life. The support system in extended families had no limit. It stemmed from the axiom of fellowship that; **“Everyone in the peer group of one's father is a father, in one's mother is a mother, like wise to one's brother and sister: therefore every man is a partner and a friend”** Extended families supported each other in both difficult times during bereavement and disasters and during times of joy, when people came together in weddings and birthdays etc. to share memorable occasions. The vulnerable people were assisted obligatory. Families without children were given children by those with many. e.g. someone without a boy child adopted a boy from another member of the extended family and the one without a girl child did so. In such adoptions the child was treated with full parent love as if it was their own and had right of inheritance within that family. It was the same for a widow who needed help with outdoor duties; the extended family would have special days devoted to the work of such a widow, so on and so forth. That applied to stranded travelers who were accorded full hospitality including provision for food to eat on his way. This system of social system effectively reduced the crime rate in the Kingdom and consolidated the spirit of fellowship.

### 1.8. Academic Education

In 1829, King Mzilikazi sent two Envoys to the London Missionary Society at Kurumani in South Africa, to negotiate a contract of building schools to teach the Mthwakazi children academic education. In 1858 the first school for the Kingdom called **Inyathi Boys School** was built, the second school, **Hope Fountain Girls School** was commissioned by King Lobengula in 1875, he commissioned a third school built by the Roman Catholic called **I-Mpandeni Mission** in 1887.

## **The Flag of the Kingdom of Matabeleland**

The Flag of the Kingdom of Mthwakazi is a rectangle white cloth with a black elephant at the right hand bottom corner overlooking the rainbow at the left hand top corner of the white cloth. (The flag was designed in 1888 for the use by the Royal Navy which was supposed to patrol the Zambezi River flying it high like the King Leopold's patrol boat in the Congo River but was never used because the contract of delivering the gun boat was breached by the BSA Co. The Naval Base of the Kingdom was designated to be located at the confluence of Deka and Zambezi Rivers. The patrol boat would have made the Zambezi River border patrol, starting from near the rainbow of Mansotunya i.e. Victoria Falls going to the east up to Sanyati River where it would return floating towards the everlasting rainbow).



### **1.8. The Summary**

This was our free Kingdom of Mthwakazi, characterized with fraternity, tranquility and hospitality. All the birthright of Mthwakazi was lost through the conquest on 3 November 1893, and since that day the Inter-Cultural Society of Mthwakazi has never experienced fundamental freedoms, human rights and self-determination. The society has perpetually toiled and moiled under the “Rule by Conquest”. It is now 118 years. This is the era of experiencing endless torture, various cruel, inhuman and degrading treatments under the 93 years sentence of being a stateless society without franchise, by the British highest court of law, the Privy Council. This court judgement of 29 July 1918 is still effective today, rendering us to remain under the “Rule by Conquest” in violation of the United Nations Charter and its principles.

## SECTION “B”

### 2.0. THE CONQUEST OF MTHWAKAZI

#### 2.1. An Act of Violating the 1888 Treaty of Unity and Friendship between Bilateral Kingdoms

Queen Victoria’s message through Lord Knutsford, in the colonial secretaries’ letter of 26 March 1889:

**The Queen has heard the words of (King) Lo Bengula. She was glad to receive these messengers. Lo Bengula is the ruler of his country and the Queen does not interfere with the government. The Queen wishes Lo Bengula to understand distinctly that Englishmen who have gone out to Matabeleland to ask leave to dig for stones have not gone with the Queen’s authority, and that he should not believe any statement by them or any of them to that effect . She advises not to grant any hastily concessions of land or leave to dig.. It is not wise to put too much power into the hands of the men who come first, and to exclude other deserving men. A King gives a stranger an ox, not his whole herd of cattle; otherwise what would other strangers arriving have to eat.**

The existence of Mthwakazi under the “Rule by Conquest” for 118 years, is denying us our nationhood, subjecting us to alien interest, domination, subjugation and rendering the foreigners to corruptly exploit our economic resources. The “Rule by Conquest” emerged as an unprovoked bloody invasion by the British South Africa Company mercenaries, and violated the 1888 Moffat Treaty of Peace and Unity. The invasion was promulgated by Britain through the **Royal Charter** on 29 October 1889. On 14 August 1893, at Fort Victoria in Zimbabwe the BSA Co signed a criminal contract called the **Victoria Agreement** pledging to give each mercenary **“a free farm 6,000 acres with the title deed value of 9,000 sovereign pounds, 15 gold reefs, 5 gold alluviums, a share of looted cattle (600,000) one half going to the BSA Co another half being shared equal between officers and men, a share of the Kingdoms’ mineral consisting of two 20 liters tins of biscuit one full of pure gold with another one full of uncut diamonds all worth 10 million sovereign pounds and a provision of forced and cheap labour of the conquered people once Mthwakazi was conquered.”**

On 8 October 1893, a force of 652 heavily armed BSA Co mercenaries accompanied by 652 (Shona) Zimbabwean batmen, armed with the deadliest weapons in the arsenals of the British army, including five Maxim machine guns, and many other machine guns, two 7 –pound field guns and rifles. invaded Mthwakazi and slaughtered several thousand of people in cold blood, burning all the accommodation in sight including the King’s palace, many people were tortured, others mutilates while some were made to disappear including King Lobengula, women were raped some of them produced coloured children. The slaughter went on until the Kingdom of Mthwakazi was conquered on 3 November. On 20 December, Cecil Rhodes the warlord of the conquest declared that: **“The BSA Co had conquered Mthwakazi and it had the right to rule her by conquest,”** and named our Kingdom Matabeleland.’

## **2.2. Matabeleland Order-in-Council becomes the Bases of the “Rule by Conquest”**

On 18 July 1894, Britain promulgated the Matabeleland Order-in-Council, legitimizing the Victoria Agreement as the jurisdiction of ruling Mthwakazi by conquest as well as the legal bases of the constitution of the “Rule by Conquest”. Once the Matabeleland Order-in-Council was in place, the BSA Co proceeded to expropriate all the fruitful lands from the Inter-Cultural Society of Mthwakazi, dispossessed them of 600,000 cattle and any other valuable properties, displaced them by exiling them to the inhabitable two Native Reserves where they remained poor, as forced and cheap labour until we were born under those conditions. The BSA Co promptly formed the conquest government which ruled by terror, imposed deprivation situations against the Inter-Cultural Society of Mthwakazi and opportunity reservations for the rulers thereby creating griping oppression psychosis among the Inter-Cultural Society of Mthwakazi. The conquerors promulgated harsh laws including the Masters and Servants Act and made the conditions of forced and cheap labour unbearable. The culture and the traditional education system of Mthwakazi was broken down including the crucial support system that was based on the extended families and had assisted the people to help each other during hard times such as death, famine and disasters were broken down during displacement. The society got disorganized followed by the personality disorganization and permanent extreme poverty of the whole Inter-Cultural Society of Mthwakazi, the circumstances which are still prevailing today under Tribal Domination of the independent state of Africa, Zimbabwe.

Her Majesty Queen Victoria’s government pointed out that: **The natives are probably in law and equity the really owners of the land which the settlers occupy. The proposed tax amounted to a charge for the occupation of their land and that it would arouse great antagonism on the natives of Lobengula.**(Africa [South] 441, Imperial Secretary to Company 29 August 1892)

## **2.3. The Privy Council makes Matabeleland Order-in-Council the Judicial Legislation of the “Rule by Conquest” under the Racial Domination**

On 29 July 1918, the Privy Council during the Land Case of Matabeleland ruled that:

**“It would be idle to ignore the fact that, between the subjects of Her Majesty Queen Victoria and those of this native monarch [Lobengula] whose sovereignty she was prepared to recognize, there was in all judicial conceptions a great gulf fixed, which it would, perhaps, be only fanciful to span --- Some tribes are so low in the scale of social organization that their usage and conceptions of rights and duties are not to be reconciled with the institutions or legal ideas of civilized society. .... the Ndebele Sovereignty --- had been broken up and replaced by a new, better system as defined by the Matabeleland Order-in-Council of 1894.**(Report of the Judicial Committee of the Privy Council, delivered on the 29 the July 1918. (London 1918).

In 1923, Britain promulgated the constitution of Racial Domination which ruled Mthwakazi jointly with Zimbabwe and made the White people the constitutional rulers while it left the Inter-Cultural Society of Mthwakazi without franchise. The racial domination ruled with violence and detentions without trial calumniating into the 1970s liberation war which further displaced the people.

#### **2.4. The “Rule by Conquest” is transferred to the Tribal Domination**

At the end of that war Britain promulgated the 1980 black majority rule constitution which transferred the Racial Domination into Tribal Domination by granting Zimbabwe 60 seats and Mthwakazi 20 seats in a single parliament thereby making Zimbabwe the constitutional ruler of Mthwakazi. Mthwakazi remained un-decolonized. In March 1983, when Mthwakazi expressed disgruntlement and bitterness about the failure of Britain to decolonize her in terms of the United Nations Declaration on the granting of Independence to Colonial Countries and Peoples (Resolution 1514 [XV]) of 1960.

Britain assisted Zimbabwe to recruit and train the mercenary force called the 5<sup>th</sup> Brigade and perpetrate the Gukurahundi genocide that slaughtered thousands of people in cold blood, burnt many of their house, forced women to sing in praise of Mugabe the Prime Minister when their husbands were being killed, later forced to dig their graves, bury them and dance on their graves while still singing, some people disappeared, women were raped while the pregnant ones had their wombs ripped open with the bayonet of the gun, with the claims that the perpetrators were looking for unborn dissidents in the wombs of their mothers. During these perpetrations, Britain assisted Zimbabwe to conceal the genocide by deceiving the world, purporting that there were low scale skirmishes in Zimbabwe and the government was maintaining law and order against the dissidents.

#### **2.5. The Aims of the Gukurahundi Genocide**

Zimbabwe did all this in order to force Mthwakazi to admit that Zimbabwe had become their new master. Britain did all this purporting to be helping Zimbabwe to build itself as one nation by absorbing Mthwakazi without the concern of the Inter-Cultural Society of Mthwakazi.

The aim of Britain in backing the genocide was: **To conceal all the information which exposes its crimes against humanity and the abuse of human rights in the deposed Kingdom of Mthwakazi through assisting Zimbabwe to eliminate the Inter-Cultural Society of Mthwakazi and obliterate any clue that indicates that, the Inter-Cultural Society is now living a stateless life because Britain rewarded Her BSA Co mercenaries with the homeland of Mthwakazi after its conquest.**

While the aim of Zimbabwe in committing the genocide was: **To build power of revenging the legendary tribal disputes of superiority between Zimbabweans and the Inter-Cultural Society of Mthwakazi in the pre-colonial era, and forcefully absorb Mthwakazi into a permanent ZANU State, a one Party State of Zimbabwe!.**

The aim of the third collaborator North Korea remains unknown. However North Korea did muster the capacity by training the mercenary 5<sup>th</sup> Brigade force which perpetrated the Gukurahundi Genocide in its preconceived plans.

Nevertheless, the overall aim of committing the Gukurahundi Genocide was: **To muster the capacity building of Zimbabwe in order to devastate the sovereignty of the Inter-Cultural Society of Mthwakazi and help Zimbabwe to build itself as a nation, by forcefully absorbing Mthwakazi, so that Zimbabwe can win the legendary tribal contest of superiority over Mthwakazi, and Britain can conceal all the information which reveal that Britain conquered Mthwakazi, exterminated its people,**

**dispossessed them of their land, permanently displaced them, looted their cattle, subjected them into forced and cheap labour thereby permanently impoverishing the Inter-Cultural Society of Mthwakazi, in the furtherance of the British Empire and bringing of the whole uncivilized world under British rule for the recovery of United States.**

**To accomplish this, Britain had to treat Mthwakazi as a child and denied the franchise. Rhodes declared on 2/6/1877. Mthwakazi King was the only obstacle to Central Africa. Once Britain had his territory, the rest is easy. Rhodes, 29 October 1888. Therefore the day of cutting down Mthwakazi with rifles and machineguns would be a blessing to the world.” Sir Sidney Shippards and Reverend J. Moffat. Mercenaries will be called upon to help crush Mthwakazi and they will be given free land and mines as a reward, Rhodes. Likewise, Britain backed them and promulgated the Royal Charter. This Charter authorized them to form the BSA Co mercenary force with for the purposes of exploiting the wealth of nations north of the Limpopo. Hence the BSA Co conquered Mthwakazi and declared the “Rule by Conquest” with the following objectives:**

- **To turn the Natives into wage-labours as rapid as possible.**
- **Natives should be absorbed as live members of the social organism integrated into an economic streamline based on class of wage-earners without need for the land”.**
- **To secure the development of the natives in a way that he will come as little as possible in conflict or competition with the white men socially, economically and politically.**
- **To kill two birds with one stone and to appropriate the land with a view to starving the native into working for the white expropriator on their own former property”**

**In achieving these clearly documented British resolutions, cruel crimes against humanity were committed and abuse of human rights were violated deliberately and perpetually. All the land of Mthwakazi was legally made the personal property of the BSA Co and Mthwakazi remained stateless, with no legal birthright; and the victims were never compensated nor rehabilitated to the present date. While the conquering fugitives have become the rich property owners by conquest. All the perpetrators have not been tried by the War Crimes Tribunal and answer their deeds before the law.**

All this done, Britain finds herself exposed, on the wrong side of the international law, world peace and justice. Hence she prefers to use her veto powers as the member of the UN Security Council and her abundant wealth to cover up her evils of the “Rule by Conquest”, so that she can remain a safe fugitive permanently. She has no values to fulfill international obligation enunciated through the UN Charter and its principles which she hypocritically championed during the inception.

The Inter-Cultural Society of Mthwakazi is left with one option, to rely on its own capabilities both in words and deeds, to abolish the “Rule by Conquest” and win freedom by all possible means, as soon as possible. Hence she is appealing for the international community through the OHCHR to assist in the abolition of the “Rule by Conquest.”



## **2.6. The “Rule by Conquest” features Torture, Cruelty, Inhumanity and Degrading Treatment and Punishment**

This is what the Inter-Cultural Society of Mthwakazi has been perpetually experiencing during the past century and over a generation. This scenario deprives us our rights and duties of freely exercising full and permanent sovereignty over our wealth and natural resources within our national jurisdiction as stipulated in the United Nation’s General Assembly, Charter of Economic Rights and Duties of a State, of 1974.

## **2.7. The “Rule by Conquest” is a System of Reign of Terror, Deprivation Situations and Reservation of Opportunities**

For instance, while the whole of Africa was benefiting from UN International Development Strategies that aimed at attaining accelerated development of developing countries, and the UN’s Programme of Action for African Economic Recovery and Development of 1986 – 1990 which sought to mobilize political and financial support for economic reforms, Mthwakazi did not benefit because all the assistance which was disbursed through the tribal domination of Zimbabwe was channeled for the development of Mashonaland while Mthwakazi remained toiling and mourning under the wounds of the Gukurahundi genocide and deprivation situations which included the food embargo in the areas of perpetuation of the torture and other cruel, inhuman or degrading treatment and punishments which were being perpetrated by Zimbabwe with the backing of Britain.

## **2.8. The Effects of the Conquest**

The conquest of the Inter-Cultural Society of Mthwakazi was a fatal target. The people of Mthwakazi felt a deep sense of trauma after the conquest of the Kingdom of Mthwakazi. They lost everything that is worth living for; their homeland, their sovereignty, their nationality, their loved ones, the graves of their kith and kin and the extended families that formed the basis of their support system, and they lost their fraternity, tranquility and hospitality. They lost their culture, their educational values, their social life, their birthright in the form of their fruitful lands, their comfortable homes, the cattle that formed the basis of their wellbeing, their friends and the cattle that gave them milk, meat and transport which they shared with their friends and families. They lost their traditional music, dances and dress which they modeled at their social ceremonies and feasts. They lost everything except biological bodies that now compare to the non rational beings in the shape of human beings. And the sad memories about their lost past being contrasted by the good news of other people who are free and enjoy all the fundamental freedoms and human rights in their homelands, including rights to their nationality, living in dignity and happiness. For Mthwakazi All has been lost for 118 years now!

## **2.9. Conclusion of the Conquest**

The Question of Mthwakazi is a perennial phenomenon which emerges now, submerge later and resurface again because the ‘Rule by Conquest is an ungovernable boiling pot that is driven by the conquered people’s desire for fundamental freedoms and human rights which are a vital prerequisite in everybody’s daily life. The “Rule by Conquest” is not an event; but it is a preconceived colonial phenomenon in the form of an evil chain reaction which leaps from one regime to another like detonation waves. Neither is it specifically the action of conquest alone; but it is all the circumstances of conquest that started with the inception of the colonial mentality, its adoption, planning, execution and the security system for its eternal survival from 1870 to the present date. This system of evil chain reactions involves the incidents of wars, the decrees of enforcing the conquest by and the laid down motives that are specific goals of permanent conquest.

It all started in 1870 when the Professor of Oxford University John Ruskin lectured the youth of England: **“To rise and grab all the fruitful lands of Arica as far and fast as possible, or perish”**. Then Cecil John Rhodes his student got convinced and on 2/6/1877: **“He appealed for the formation of a secret society with the object of furthering the British Empire and bringing the whole uncivilized world under British rule for the recovery of America. This Society must inspire and own the press, for press rules the minds of men”**. In 1877, Rhodes addressed the Cape Town Parliament saying **“The native is to be treated as a child and denied the franchise. We must adopt a system of despotism, such as works so well in India, in our relations with the barbarians of South Africa.”**

On 25 December 1887 Cecil John Rhodes, being the Prime Minister of the Cape Colony, the British High Commissioner and Governor of the Cape Colony, Sir Hercules Robinson and the British High Commissioner in Bechuanaland, Sir Sydney Shippards met at Grahamstown in South Africa and formed a Secret Society Syndicate which would be a society not acknowledged but would have its members in every part of the British Empire. The Society had the purpose of having the monopoly of amassing the resources through the power conferred on Rhodes by a deed of trust of the amalgamated company. On 29 October 1889, Britain promulgated the **Royal Charter** authorizing Rhodes to form the mercenary force called the BSA Co. On 14 August 1893 in Zimbabwe, the BSA Co signed the **Victoria Agreement** promising 652 White and 652 Shona Mercenaries **to pay them with the land of Mthwakazi and all the birthrights of Mthwakazi once they conquer her.**

On 3 October 1893, the BSA Company invaded the Kingdom of Mthwakazi with heavy weapons of mass destruction including the recent perfected maxim machine gun and 7 pounds canons. They **butchered the Inter-Cultural Society of Mthwakazi in cold blood, killing everybody who was unable to escape including the elderly women, children and the sick people, raping women, forcing many people to disappear including King Lobengula, burning all the accommodation including the royal palace, looting all the valuable properties; until on 3 November 1893 when they finally conquered the Kingdom of Mthwakazi.**

On 19 December 1894 The BSA Co War Lord Cecil John Rhodes declared that the mercenaries had beaten Mthwakazi and **they were going to rule her by conquest.** On 18 July 1894 Britain promulgated the **Matabeleland Order-in-Council to legitimize the Victoria Agreement as the legal basis of ruling the constitution of the “Rule by Conquest”**. Then all the land of Mthwakazi was expropriated and the **Inter-Cultural Society of Mthwakazi evicted to the two concentration camps called the Native Reserves in the Kalahari Desert sand, their cattle which had formed the basis of the economy were looted. The Inter-Cultural Society of Mthwakazi was made the forced and cheap labour to help the conquerors to develop their loot easily.**

The BSA Co quickly formed the government which proclaimed the following resolutions as the road map of the “Rule by Conquest” and the system of the Native Reserves:

- **“To turn the Natives into wage-labours as rapid as possible. As the country developed, natives were to be sucked into the money economy so that the need for the reserves would disappear. Natives should be absorbed as live members of the social organism integrated into an economic streamline based on class of wage-earners without need for the land”**

- **“The objective of our native policy is to secure the development of the natives in such a way that he will come as little as possible in conflict or competition with the white men socially, economically and politically”.**
- **The usual inclination is of course to kill two birds with one stone and to appropriate the land with the aim of starving the native into working for the white expropriator on their own former property”.**
- **“The reasons behind such wholesome expropriation of land in Africa were to prevent the Africans from becoming competitors to the European farmer, and impoverish them to such an extent that the majority of adult males would be compelled to work for the Europeans in farms and mines”.**
- **“Taxation would to a certain extent furnish an incentive to labour which might otherwise be wanting”.**

In 1918, when the Royal Council of Mthwakazi instructed the surviving Prince Nyamande to appeal to the British Government for the restoration of the deposed Kingdom of Mthwakazi and the retention of looted cattle, the British highest court of appeal, the Privy Council rules that: **‘The sovereignty of ,Mthwakazi has been destroyed and replaced by the Matabeleland Order-in-Council.** In 1980 when Britain was decolonizing Zimbabwe, she bundled Mthwakazi with Zimbabwe and deprived **Mthwakazi, the right of franchise by granting Zimbabwe 60 seats and Mthwakazi 20 seats in a single parliament thereby making us the permanent constitutional status of being the opposition minority of the new Tribal Domination which she had created.** The Matabeleland Order-in-Council was not revoked and the 1918 Privy Council verdict that sentenced Mthwakazi to be a permanent stateless nation was not repealed, leaving us still trapped under the ‘Rule by Conquest’ which is enforced by the Tribal Domination. When Mthwakazi tried to raise dissatisfaction pointing out that Britain had not decolonized her in conformity with the UN Declaration on granting of independence to non-self-governing countries and territories, Resolution 1514; Britain quickly created a situation of tribal conflict between us and Zimbabweans whom she recently decolonized and **assisted Zimbabwe to recruit, train and deploy a mercenary army called the 5<sup>TH</sup> Brigade and Zimbabwe perpetrates the Gukurahundi genocide.**

On 20 January 1983, the **Fifth Brigade invaded Mthwakazi with heavy weapons of war and slaughters thousand of unarmed nationals of Mthwakazi, burnt houses some of them with people inside, mutilated bodies of people, raped women, opened the womb of pregnant ones with bayonets of guns, forced many people to disappear, just as the BSA Co had done during the invasion of 1893.**

In July 1985, the Prime Minister of Zimbabwe, Robert Mugabe addressed an election victory rally at Chitungwiza in Harare and told the Shona people to weed the entire weed. The next morning the police backed **ethnic cleansing** against the nationals of Mthwakazi in all areas along the Jameson Line boundary erupted, with their perpetrators calling on Mthwakazi nationals to go back to Bulawayo. The cleansing was in the form of violent demonstration targeting the nationals of Mthwakazi, starting from Harare, spreading to the whole of Midlands. The **nationals of Mthwakazi were brutally beaten with logs some died while many were evicted from their homes and forced to leave all their belongings to the new Shona occupants. This encouraged many more demonstrators to join hoping to get free homes and properties like the BSA Co mercenaries. In many cases the Shona people occupied fully furnished houses as the victims of the**

**ethnic cleansing panicked and ran away for safety in the other areas of Mthwakazi which had less violence.** The ethnic cleansing only cooled down when the nationals of Mthwakazi were no longer in sight. The Zimbabwe government **completed the ethnic cleansing by introducing the new program of ethnic dilution**, through employing only the Shona people in the places of the victims who had left their homes on a forced repatriation to Mthwakazi.

The Gukurahundi genocide only stopped when the Catholic Commission for Justice and Peace, the Legal Resources Foundation, the international human rights organizations and the journalist made an outcry. However the 5<sup>TH</sup> Brigade did not demobilize. It simply crossed the Sanyati River which forms the border of Mthwakazi with Zimbabwe and camped 20 kilometers where it is still grouped together in a Brigade Garrison with all its support arms, in a state of permanent combat readiness. When the uniformed 5<sup>TH</sup> Brigade withdrew from the killing zones, the government intensified the ethnic dilution by replacing it with the civilian clothed intelligence which is deployed in all walks of life as civilian employees, where their presence is causing the 24 hour reign of terror among Mthwakazi. The ethnic dilution has become a systematic program of creating tribal balance in Mthwakazi with the aim of building stability of conquest.

While all this was happening, Britain was helping Zimbabwe to conceal the crimes against humanity and violation of human rights through the press and the black out of the concerns of Mthwakazi by preventing its publication; making Rhodes' words that "Press rules the minds of men", a reality.

Now to Mthwakazi, this ordeal is exhibiting the accomplishment of tormenting experiences of 118 years, of deliberate and perpetual subjugation under the alien "Rule by Conquest", consisting of 87 years of the Racial Domination and 30 years of Tribal Domination. The experience which was witnessed by all the nationals of Mthwakazi who have existed between 1893 and the present day; those who have died, the living and the unborn.

The prevalence of the "Rule by Conquest" is the law of the juggle which enables all types of violations of human rights and crimes against humanity to be committed without hindrance. The three fundamental factors which underpin the subjugation of the conquered Inter-Cultural Society of Mthwakazi under this regime are the reign of terror, the deprivation of opportunities to the conquered people and the reservation of privileges for the conquerors. Consequently a fourth factor develops the consequences of the violations which fall under the other three factors. We shall group these violations as we experience them:

#### **(a) The Violations under Reign of Terror**

The mainstay of the 'Rule by Conquest' is the subjugation of the overwhelmed by all means that can make them comply with their interests including. During the Racial Domination terror was directed at the people of African origin, after the transfer of power to the Tribal Domination after 18 April 1980, terror was shifted mainly to Mthwakazi people:

- (i) Arbitrary Detentions of the conquered people
- (ii) Their enforced and involuntary Displacement
- (iii) Extra-Judicial, summary or arbitrary executions
- (iv) Harassing the Defenders of human rights
- (v) Infringing the independence of Judges and lawyers
- (vi) Use of mercenaries to deny the right self-determination

- (vii) Subjecting the conquered people to slavery
- (vii) Racial discrimination against the against the conquered people
- (viii) Violation of Human rights of the conquered people under the cover of countering terrorism
- (ix) Torturing, subjecting the conquered people to cruel, inhuman or degrading treatment and punishment.

**(b) Deprivation of Opportunities and Reservation of Privileges**

The driving force of the 'Rule by Conquest' is the need by the conquerors to amass benefits by depriving the overwhelmed. During the 87 years of the Racial Domination from 3 November 1893 to 17 April 1980 the regime deprived the people of the African origin and reserved the privileges for white people. After the transfer of power to the Tribal Domination the deprivation shifted to non-Zimbabweans:

- (i) Depriving the conquered people their rights of adequate housing and reserving those for the conquerors
- (ii) Discriminating against the people of African Descent
- (iii) Depriving the conquered people their cultural rights
- (iv) Depriving the conquered people their rights to education
- (iv) Depriving the conquered people their right to food
- (v) Depriving the conquered people their right to freedom of expression
- (vi) Depriving the conquered people their freedom of right of religion and belief
- (vii) Depriving the indigenous people their Human Right
- (viii) Depriving the internally displaced people their Human rights
- (ix) Depriving the minorities their Human Rights
- (x) Depriving the conquered people their human rights through transnational and other business enterprises
- (xi) Deprivation of human rights and international solidarity

**(c) The Consequences of the Reign of Terror, Deprivation of Opportunities and Reservation of Privileges**

The consequences of deliberately perpetrating the reign of terror, deprivation of opportunities and reservation of privileges results with the situations that prompts further perpetration of the following human rights:

- (i) Violating Human Rights through prompting the situation of Extreme poverty
- (ii) Denying enjoyment of Human Rights through failure to provide attainable standard of physical and mental health
- (iii) Violating Human Rights through failure to provide clean drinking water and sanitation
- (iv) Violating Human Rights through dereliction of obligations to provide clean drinking water and sanitation
- (v) Denial of enjoyment of Human Rights through failure to prevent adverse effects of movement and dumping of toxic and dangerous products and waste
- (vi) Violating Human Rights through prompting the situation of the sale of children, child prostitution and pornography

- (vii) Violating Human Rights through prompting the situation of trafficking persons, especially women and children
- (viii) Violating HR under the cover of countering terrorism
- (ix) Violating Human Rights through prompting the situation of violence against women

The violation of human rights is the inborn attribute of the ‘Rule by Conquest’. This is the only reason why violations occur day to day in the deposed Kingdom of Mthwakazi. And that is why violations of human rights have been occurring perpetually for the past 118 years without an effort to eradicate them, instead all the regimes that have come and gone have been concentrating in protecting them.

The root cause of this state of affairs is the system of the ‘Rule by Conquest’ which is based on the right of conquered property. The right to conquered property is underpinned by three evil factors; the reign of terror, the deprivation of opportunities and the reservation of privileges. All the violations under these factors are perpetrated deliberately with the aim of achieving some benefits. Unfortunately the violations perpetrated under these factors automatically cascade into the situations of further violations. This proves that the ‘Rule by Conquest’ cannot be reformed; it can only be eradicated through its abolition.

The reason is that the aim of conquest is to monopolize the vital commodities and rights through depriving others and amassing everything. However to monopolize the vital benefits one has to do it by force. Then a situation where the overwhelmed are prompted to survive through degrading vices follows. This becomes a permanent characteristic of a system called the ‘Rule by Conquest’ where the mighty choose and the overwhelmed are forced. The mighty deprive the overwhelmed victims the right to franchise and subject them to alien interests.

To abolish the ‘Rule by Conquest’ in Mthwakazi, firstly Mthwakazi requires the revocation of the British’s Matabeleland Order-in-Council a legal instrument that forms the legal basis of the ‘Rule by Conquest’. Then to repeal the Privy Council’s verdict of 29 July 1918 that sentenced the Inter-Cultural Society of Mthwakazi to be a permanent stateless society. Automatically the Victoria Agreement that rewarded the mercenaries with the land and all the birthright of the Inter-Cultural Society of Mthwakazi shall become obsolete and the self-determination of Mthwakazi shall be restored instantly.

## SECTION “C”

### 3.0. REPORT ON THE SITUATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS OF INDIGENOUS PEOPLE

The presence of the “Rule by Conquest” of the Inter-Cultural Society of Mthwakazi has resulted with serious violation of human rights in all spectrums of humanity. The perpetual and deliberate subjugation extending for 118 years, in the form of 87 years of Racial Domination and the 30 years of Tribal Domination to the present date, by alien nations is self explanatory. It is slavery in the following ways.

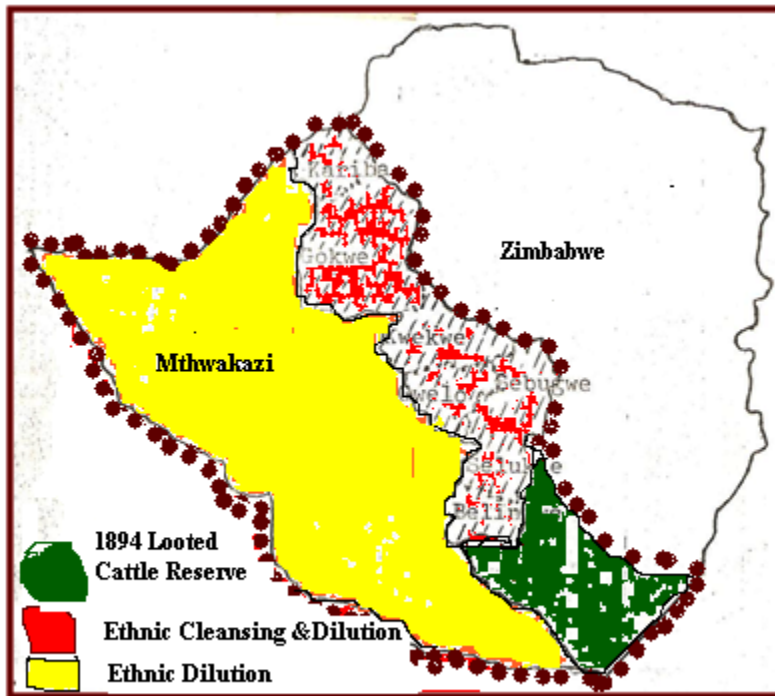
- ❖ Rule by Conquest of 1893 –started the process
- ❖ Matabeleland-Order -in -Council 1894 was an instrument that took away the freedoms of the people of Mthwakazi.
- ❖ The UDI of 1965 was another instrument that curtailed the freedoms of the people of Mthwakazi
- ❖ In this context of understanding both of the statutes named above have continuously impeded the rights of indigenous people to an extent that the majority of able bodied people have migrated to neighbouring countries and those remaining behind have been subjected to ethnic dilution perpetrated by Zimbabwean over lordship

Below is a detailed account of ethnic dilution which seriously hinders the rights of indigenous groups.

#### **Midlands Ethnic Cleansing.**

The second general elections in Zimbabwe were held in July 1985. The ZANU-PF party had to unleash the party Youth Brigades which were drawn from the exclusive Shona people to intimidate the ZAPU voters with the backing of the state agencies. The pre-election violence began at the beginning of 1984 mainly along the pre-colonial Kingdom’s boundary with MaShonaland notably Gwelo, Kwekwe and Beitbrigde districts. Their campaign featured ethnic cleansing with claim that those areas belong to the Shona people, Ndebele people should go back to Bulawayo. The deployment was later extended to Plumtree and Nkayi, where people were being accused of supporting dissidents. During the July elections Mangwende won the Chitungwiza constituency and Mugabe went to address the victory celebrations where he told his Shona supporters in their indigenous idioms that they should cultivate the entire weed and harvest the crops. (The Shona people comprehended and interpreted the message as meaning that the weed meant the people of Matabeleland and the harvest meant absolute privileges)The following day a combination of the party’s Women’s League and Youth Brigades unleashed the ethnic cleansing offensive sweeping across Harare, Masvingo and Midlands driving away all the Ndebele speaking people out of their homes, leaving behind all their belongings forever. Ndebele speaking soldiers in these areas fled their homes to hide in their stations of work. Dr Nkomo was gang attacked and fired at with guns. He survived through the grace of his bullet proof car. This rampage before and after elections left thousands of people either homeless, wounded, hundreds dead in Matabeleland, Midlands and Harare. The CIO orchestrated a spite of detention of the ZAPU officials without trial country wide. Many of those detain were tortured or

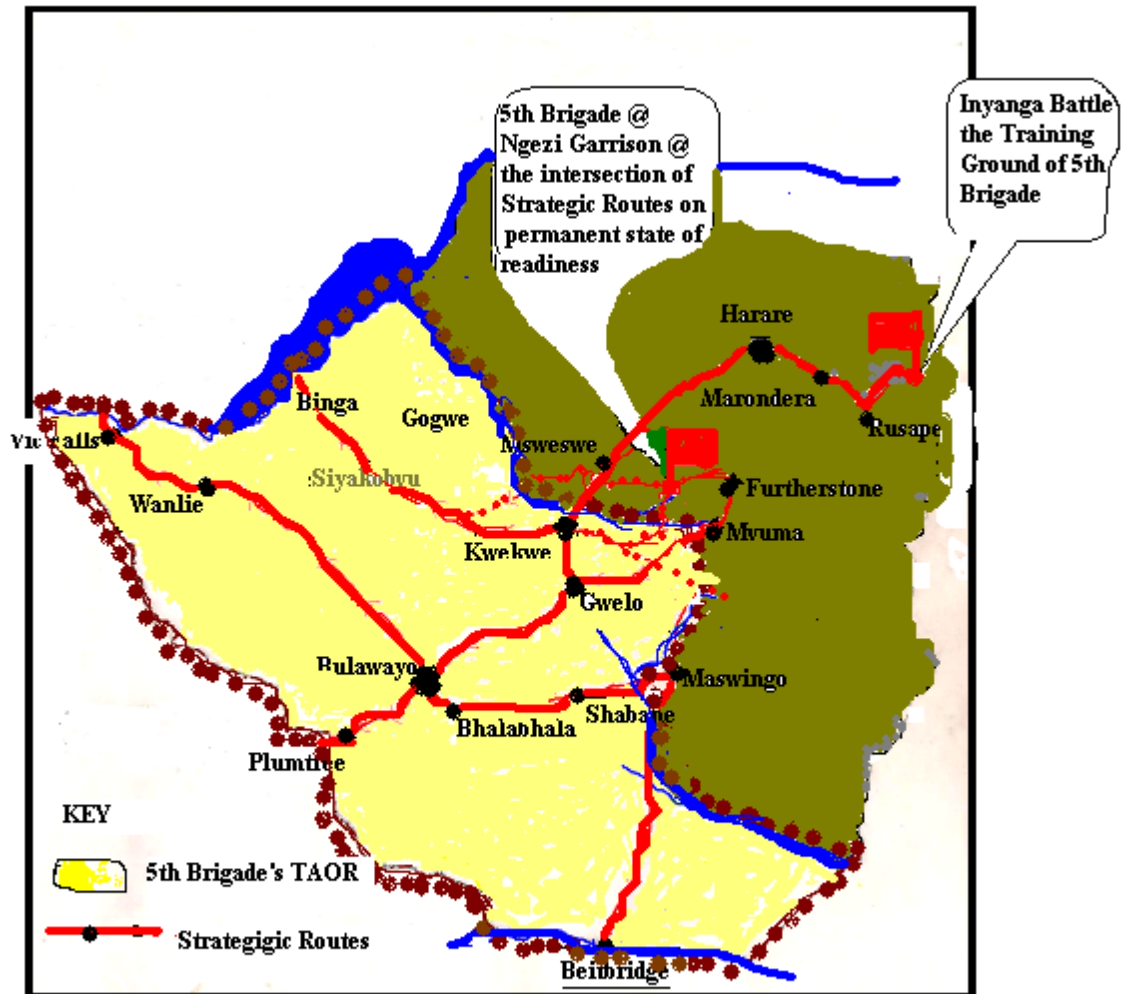
disappeared permanently. Indigenous people were enslaved by being made the legitimate forced and cheap labour of the BSA Co mercenaries to help them to develop their properties easily



#### 1985 ETHNIC CLEANSING AND DILUTION AGAINST MTHWAKAZI

The map of ethnic cleansing that depopulated, displaced and dispossessed the people of Matabeleland from Midlands and gave the Shona people free land, houses and property which was looted from the victims in 1985. The people of Matabeleland were evicted from the shaded area.





5th BRIGADE TAOR & ITS STRATEGIC ROUTES OF INVADING

HASH LAWS which have not been eradicated but kept on being rephrased to make them appear polite without repealing their fundamental effects on the displaced people

- **The Hut Tax 1894** – To turn the conquered into wage-labours under duress.
- **The Master and Servant Act** - To create cheap labour for the conquerors.
- **The Indecency and Immorality Suppression Act 1903**. To provide sex by fear for the sex-maniac conquerors.
- **The Private Location Ordinance of 1908**. To legalize eviction of excess labourers from the expropriated fruitful lands.
- **The Land Bank Act of 1912**. To raise funds to help bankrupt owners of expropriated properties.
- **Dog Tax of 1912**. To raise more funds and deprive the their hunting dogs.
- **Grazing Tax of 1912**. To raise funds and compel the conquered people to vacate the expropriated fruitful land.
- **Dipping Ordinance of 1914**. To raise funds and compel the conquered people to sell the remainder of their cattle.

The **item** is the result of the deprivation / reservation which is a factor of the “Rule by Conquest”. The **Rule** is a weapon of depriving the conquered people of all the opportunities and reserving all the privileges for the conquerors and it is used deliberately to enrich the conquerors at the expense of the conquered people. The prevalence of the “Rule by Conquest dependent on the deprivation of opportunities to the subjugated people and reserving all the privileges of in order for the conquerors to acquire wealth through forced and cheap labour rich easily. The use of the **Rule** conforms to the fundamental law of the conquest, the Matabeleland Order-in-Council which legalized the criminal contract called the Victoria Agreement of 14 August 1893. This contract was based on the promise to the BSA Co mercenaries without any obligation to occupy, free gold mines, looted cattle and the legal provision of using the conquered people as the forced and cheap labour to help them to develop their conquered properties easily. Unfortunately the conquered people by nature stand to resist all forms of deprivations and the conquerors are forced to use terror to achieve their aims.

After the conquest Britain promulgated the Matabeleland Order-in-Council to legalize the deprivation of all the opportunities and the reservation of all the privileges as an instrument of enriching the conquerors, hence the **Rule** was covered by that Order inclusive.

After the transfer of the Racial Domination into the Tribal Domination, Lord Sommes who was made the British Governor responsible for decolonization and the transfer of power, adopted the policy of avoidance and rushed elections under a violent situation, handed over the power to a new Tribal Domination to the government of Zimbabwe and left before the institutions of government were democratized. The British government which had the responsibility of assisting the former colonial subjects in the art of governing and managing economy, quickly assisted the Zimbabwe government to perpetrate the Gukurahundi Genocide which pinned down Mthwakazi with decisive shock for 26 years until on 11 June 2006 when the victims and survivors of genocide resolved to form U-Mhlahlo and wage the struggle for the freedom and self-determination of Mthwakazi.

The period from the day of the transfer of domination to the present date has never been peaceful for the Inter-Cultural Society of Mthwakazi. It has been a chain reaction of one form of violence to another. During this period the Tribal Domination used the Rule by Conquest under cover of the following laws:

The full accounts when the Tribal Domination was used are:

- ❖ The San, Nguni, Tonga, Nambya, Venda, Sotho, Kalanga are the indigenous people of Mthwakazi whose rights have been infringed on at various times in the history of the kingdom of Mthwakazi.
- ❖ The rule by conquest of 1893 –started the process
- ❖ Matabeleland order in council 1894 was an instrument that took away the freedoms of the people of Mthwakazi.
- ❖ the U.D.I of 1965 was another instrument that curtailed the freedoms of the people of Mthwakazi

- ❖ The transfer to tribal rule is the latest practiced by the Zimbabwean government.

All this indicates the evils of the “Rule by Conquest” which rely on the reign of terror as an instrument of enforcing compliance by duress. The roots cause of the use of the **item**; is the “Rule by Conquest”.

### **UN-RESOLVED LAWS AND RESOLUTIONS REMAIN EFFECTIVE UNTIL RESOLVED**

Legally, un-resolved laws and resolutions remain effective until revoked. e.g.

1. Mr. Nelson Mandela remained being regarded as a terrorist in America, long after he had been awarded a Noble Peace Prize, because his name was flagged on the U.S. terrorist watch lists and he still needed special permission to visit the USA, in the 1970s and '80s, the ANC was officially designated a terrorist group by the country's ruling white minority. Other countries, including the United States, followed suit. The terrorist blacklist instrument under which he had been declared a terrorist had not been revoked. In April 2008 the Secretary of State Condoleezza Rice called the situation "embarrassing," and some members of Congress vowed to fix it. However he remains a terrorist until the issue is fixed.
2. In the middle of the year 2008, in Britain Prince Charles paid £453 and 3 shillings (US\$900) which King Charles 11, had failed to pay to the Clothing Company in Worcester, central England, in 1651, because the case had remained unresolved for the previous 350 years.
3. After the 2<sup>nd</sup> World War, Germany was prosecuted for the holocaust of the 6million Jews, the International Court found Germany guilty and was charged to pay reparations, which she did. In that, the issue of the Jews against Germany is now a resolved matter. Likewise, all the perpetrators of genocide deserve to pay reparations for damages which they caused.
4. In September 02, 2008 Italy formally apologized for its past injustices during its 30-year reign in Libya early last century, and agreed to pay \$5 billion in reparations to Tripoli. Gaddafi promptly declared Aug 30 — the day the deal was inked in — **Libyan-Italian Friendship Day**. The crimes had remained unresolved and were effective, but once revoked they were solved.
5. Australia has resolved its disputes with the Aborigines and it is making satisfactory reparations.

Likewise the question of the deposed Kingdom of Mthwakazi remains effective because it has not been resolved.

- The conquest of Mthwakazi on 3 November 1893 has not been re-instated in conformity with the United Nations Resolution on the Granting of Independence to Non-self-governing Countries and Peoples, Resolution 1514 of 1960.
- The Matabeleland Order-in-Council 18 July 1984, which legitimized the criminal contract called the Victoria Agreement that authorized the payment of the BSA Co with free farms anywhere in the fruitful lands of Mthwakazi without any obligations; has not been revoked to abolish the conquest and set free the Inter-Cultural Society of Mthwakazi.
- The British’ Privy Council ruling of 29 July 1918 which sentenced the Inter-Cultural Society of Mthwakazi to be a stateless nation has not been repealed to redeem its people from the dictates of the Matabeleland Order-in-Council of 18 July 1894.

- The Inter-Cultural Society of Mthwakazi not yet independent, free and equal with all nations large and small and its people have not acquired their right to self-determination in terms of the International Covenant on Civil and Political Rights as well as the International Covenant on Economic, Social and Cultural Rights. Mthwakazi is still denied all her fundamental freedoms and human rights, the plight that is now totaling 118 years of prevalence and its people are daily experiencing the most brutal subjugation after the slave trade and its slavery.

## SECTION “D”

### **4.0. ABOLITION OF THE “RULE BY CONQUEST” AND ITS REPLACEMENT WITH SELF-DETERMINATION IN CONFORMITY WITH THE UNITED NATIONS CHARTER, ITS PRINCIPLES AND THE INTERNATIONAL BILL OF RIGHTS**

**All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.**

**All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.**

#### **4.1. The Anticipated Solution of Mthwakazi**

It is therefore, the resolve of the Inter-Cultural Society of Mthwakazi that the achievement of our equality with all nations and the retention of our inalienable rights to sovereignty and self-determination; shall restore our cultural identity and nationality, and realize the basic rights of all our human beings to a life free from hunger, poverty, ignorance, disease and fear, through self-reliance in the revitalization of our economic growth and development of the deposed Kingdom of Mthwakazi. The abolition also fulfils both the Covenant of Civil and Political Rights and the Covenant on Economic, Social and Cultural Rights which stress that self-determination is an inalienable right of the peoples, and abolition of our subjugation conforms with the International Court of Justice in that the right to self-determination is a right held by the people rather than a right held by governments alone. Therefore self-determination is a component of international law that concerns itself directly with the rights of peoples rather than states, and it is a general principle of international law as well as a fundamental human right, expressed in Article 1 of the United Nations Charter, and in Article 1 of each of the two main international human rights instruments; i.e. the Covenants on the Fundamental Rights, as quoted at the top of this section.

#### **4.2. The immediate Task of the Inter-Cultural Society of Mthwakazi is to abolish the “Rule by Conquest” and restore the deposed Kingdom of Mthwakazi and self-determination**

The “Rule by Conquest” must be abolished through the legal strategy of revoking the Matabeleland Order-in-Council, the British legal instrument which usurped the Sovereignty of Mthwakazi and legitimized the Victoria Agreement as the legal bases of the “Rule by Conquest”; and by repealing the 29 July 1918 verdict of the Privy Council that sentenced Mthwakazi to be a permanent stateless society without franchise, consisting of 87 years of Racial Domination from 3 November 1893 to 17 April 1980, and 30 years of Tribal Domination from 1980 to the present date. The Abolition of the “Rule by Conquest” is the only correct and durable measure that can address the Question of Mthwakazi, because it gives the Inter-Cultural Society its **right to her nationality and her self-determination peacefully**. It shall precipitate the automatic restoration of the

Sovereignty of Mthwakazi with the full rights of all its people to self-determination, and give the effective guarantee and observance of human rights and fundamental freedoms in terms of the UN's Charter of 1945 and the General Assembly's Declaration on the Granting of Independence to Colonial Countries and Peoples, of 10 December 1960. [Resolution 1514(XV)] for the people who have not attained a full measure of self-government. The Inter-Cultural Society of Mthwakazi is a community of longtime suffers who miss the benefits of the UN General Assembly's resolution 43/ 47 of 1990 that declared 1990 – 2000 as the International Decade for the Eradication of Colonialism thereby ushering in the twenty-first century a world free from colonialism. But the machinations of Britain and Zimbabwe are denying us our rights to this world benefit. We are therefore appealing to the OHCHR to assist Mthwakazi to achieve her entitlement to the right of self-determination through the abolition of the conquest.

The abolition of the “Rule by Conquest” conforms to the principles that:

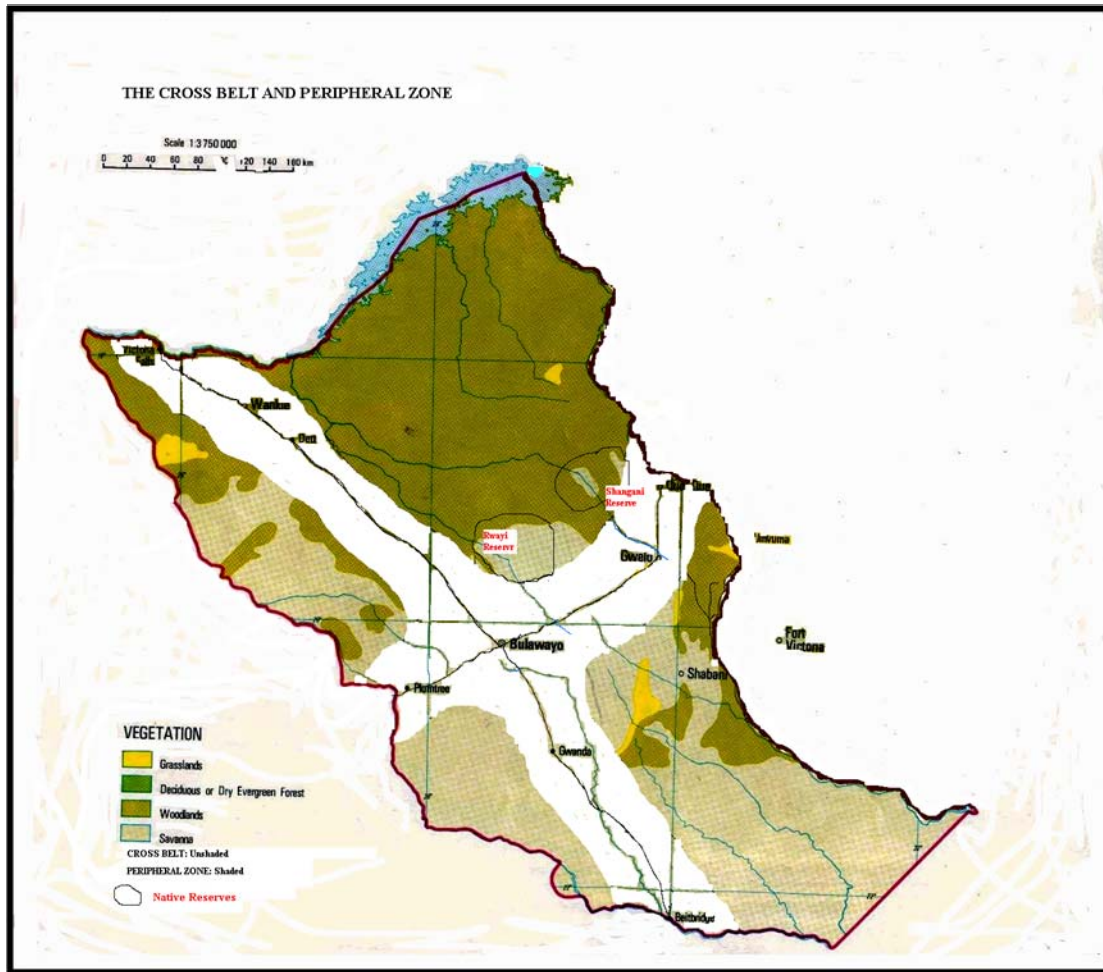
- a) The interests of the inhabitants of Mthwakazi are paramount.
- b) And the acceptance of the obligation that: To promote the utmost well-being of Mthwakazi inhabitants are a sacred trust.

To that effect, we appeal to all the signatories of the United Nations including the U.K., to shame the devil by affirming the UN Charter and the obligation to undertake the affirmation of:

- **The political, economic, social and educational advancement of the Inter-Cultural Society of Mthwakazi, that has lived under the British “Rule by Conquest” for 118 year to the present date, as well as experiencing some inhumane life and unjust treatment.**
- **The development of self-government of the Kingdom of Mthwakazi**
- **Taking due account of the political aspirations of the Inter-Cultural Society of Mthwakazi.**
- **Assisting the Inter-Cultural Society of Mthwakazi in the progressive development of their free political institutions.**

The Inter-Cultural Society of Mthwakazi is justified to depart from subjugation and the alien interests of her enslavement in favour of the revival of her nationality, her right to self-determination and the independence of her deposed Kingdom of Mthwakazi from the “Rule by Conquest”.

## The Map of the Restoration, Reconstruction and Rehabilitation of Mthwakazi



The map of the restoration of the Kingdom, reconstruction of the economy and rehabilitation of the people of Mthwakazi depicts the two development zones. The Cross Belt is the developed un-shaded area and the Peripheral Zone is the under-developed shaded areas. The two Native Reserves; Gwayi and Shangani Reserve are marked by black circles and labeled in red words. Notice that they are located within the Savanna area is adjacent to the Kalahari Desert. The Savannah is characterized by agro-regions 4 and 5 with the annual rainfall range of between 450 – 800 mm and it is prone to seasonal droughts and severe dry spells during the rainy season.

### (a) The Cross Belt

The Cross Belt is the fruitful land of Mthwakazi from which indigenous people were originally settled. Its south to north direction runs from Beitbridge via Bulawayo up to Victoria Falls. Its west to east axis runs from Plum tree via Bulawayo and Gwelo up to KweKwe. It is the area where the indigenous people were invaded by the BSA Co mercenaries. After their conquest they were depopulated, dispossessed, displaced and impoverished resulting with the degradation of their human dignity and the loss of nationhood.

### **(b) The Peripheral Zone**

The Peripheral Zone is basically an uninhabitable region, consisting of fruitless lands, with very slow growing vegetation and without thriving trees and grass. This was a traditional game area for wildlife until the BSA Co.'s "Rule by Conquest" was established through the promulgation of the Matabeleland Order-in-Council of 1894. The indigenous people were then displaced from the present fruitful Cross Belt and exiled to the fruitless Peripheral Zone without either the compensation, other forms of rehabilitation or the provision of appropriate infrastructure for reclaiming the uninhabitable region, for the human habitation. The conquered Inter-Cultural Society of Mthwakazi was exiled to the Peripheral Zone to avail the fruitful lands to the Conquerors, and keep the conquered people as the poor, forced and cheap labour. It is the ring which runs between the Cross Belt and the boundaries of Mthwakazi.

### **4.3. The Ordeal of the Conquered Inter-Cultural Society of Mthwakazi**

Once exiled to the Peripheral Zone, the indigenous people suffered from tropical diseases such as malaria where some people succumbed and died. The remainder of their livestock which was not looted also nearly perished. Their crop production declined seriously while over-crowding affected the environment. Soil erosion created desertification. Deforestation replaced the magnificent vegetation of Southern Africa. The Inter-Cultural Society of Mthwakazi lost its dignity, gave in to poverty. The society has now become the donor-reliant community. The reign of terror and deprivation situations have precipitated oppression psychosis and the attitude of insecurity. The society has turned out to be the down trodden underdogs and is suffering from the syndrome of traumatic stress.

### **4.4. The Obligatory Remedy of the Plight of the Inter-Cultural Society of Mthwakazi at the Peripheral Belt**

The process of abolishing the "Rule by Conquest" involves the restoration of the deposed Kingdom of Mthwakazi, the reconstruction of the economy and the rehabilitation of the Inter-Cultural Society of Mthwakazi. Since the Cross Belt, where the victims were evicted from, has been developed into indispensable national projects, it is now impossible to return the descendants of the evicted victims to all their original homelands. The only solution is to repair the damage by compensating them and reclaiming the Peripheral Zone through making it conducive for human habitation. This includes the social reorganization and the personality reorganization of all the victims who have been forced to become the permanent cheap labour in their homeland. The reconstruction and rehabilitation schemes of the Peripheral Zone should include all the victims in all the 25 rural districts, 1 big city, 2 small cities, 5 towns, and some various small localities of Mthwakazi.

#### **a. Water**

There is need to harness the Peripheral Zone with either the pipe or canal water all the year round for both domestic and irrigation purposes, and for both crop farming and livestock grazing.

#### **b. Transportation**

To construct a life line consisting of road and railway networks alongside the water supply around the Peripheral Belt.

#### **c. Energy**

To stop deforestation, there should be renewable energy like hydro, solar and any form of electricity to supply the society with everlasting fuel in the Peripheral Belt.



#### **d. Communication**

Telephone line, radio and television network, and internet and website networks are required around the Peripheral Belt to enable the Inter Cultural Society of Mthwakazi to afford some adequate means of communication in order to be able to teach their lost history easily, promote their lost culture, advance their technology and deliver recreation services to everybody.

#### **e. Social Security**

Schools, hospitals and public amenities are required around the Peripheral Belt as the vehicles of social re-organization as well as being a means of effecting personality re-organization and traumatic stress healing. The social security should include the following Programmes:

- (i) The youth recreation projects in line with the UNICEF schemes.
- (ii) The reduction of women's drudgery in domestic chores through the creation of child care centers, laundry, ready food outlets, and rest and leisure resort centers.
- (iii) The workers' off-job rest and leisure resort centers.
- (iv) The internal tourist centers.
- (iv) The Olympics standard sports centers and the international standard facilities of theatres and other recreation amenities which assists in the stress healing process.

#### **4.5. The Capacity-building of the Communities and the Empowerment of the Impoverished People.**

The deliberately and perpetually impoverished Inter-Cultural Society of Mthwakazi must be empowered as a lasting solution to its current problems of the lack of starting capital, technical training and advice which are required around the Peripheral Belt, to resource the complex Programme that must run parallel with the lifeline consisting of the system of water supply, transportation system, energy supply, communication network and the infrastructures of facilitating social security of the affected society.

#### **4.6. The Responsibility for Social and Personality Reparations, Restitutions and Compensation:**

##### **4.6.1 The Responsibilities for damages incurred during the Racial Domination Era**

All the damages incurred during the period of the Racial Domination are the sole responsibility of Britain alone. This includes:

- a) **a)** The damages caused by the conquest including the concurrent genocide of conquest, including: mass murder, torture, rape, mutilation of bodies of pregnant women and burning houses with people inside.
- b) The damages caused by the displacement during the expropriation of the fruitful lands and eviction to the fruitless lands
- c) The damages caused by the dispossession of over 600,000 looted herds of cattle which had formed the basis of the means of existence of the Inter-Cultural Society of Mthwakazi.
- c) The damages caused by subjection to forced and cheap labour.
- d) The damages caused by the reign of terror and the deprivation situations including food embargo.
- e) The damages caused by vandalism of the national heritage in the form of culture, history, religion, languages and the education system of Mthwakazi.

- f) The damages caused by the corrupt exploitation of the economic resources of Mthwakazi.
- g) The damages for the effects of the 1896 and 1970s wars and the detentions without trial.
- h) The damages caused through the social disorganization of the nation.
- i) The damages caused through the personality disorganization of Inter-Cultural Society.

#### **4.6.2. The Responsibilities for damages incurred during the Black Tribal Domination Era.**

The responsibility for damages incurred during the period of the Tribal Domination are shared jointly between Britain and Zimbabwe except the damages caused during the perpetration of the Gukurahundi Genocide which they share with the North Korea as a third party.

- b) The damages caused by the Gukurahundi Genocide of admission to subjugation including: mass murder, torture, rape, mutilation of bodies of pregnant women and burning houses with people inside.
- c) The damages caused by the reign of terror and the deprivation situations including food embargo.
- d) The damages caused by the corruptly relocating the economic resources.
- e) Vandalism of the cultural heritage of Mthwakazi.
- f) De-stabilization of the social security of the people.

#### **4.7. Our Subjugation is a Violation of the Human Rights**

On 10 December 1948, the people of the United Nations through its Charter did reaffirm their faith in the fundamental human rights, in the dignity and worth of the human person and in equality of the rights of men and women and have determined to promote social progress and better standards of life in larger freedom. Furthermore the people of the United Nations have themselves to achieve in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms. On behalf of the Inter-Cultural Society of Mthwakazi, and in a full belief that we are also part of the human family despite our being overwhelmed by the powerful Britain and its successor, Zimbabwe.

However, we are also endowed with the same inherent dignity and of the equal and inalienable rights with all the human beings, which qualify the foundation of freedom, justice and peace in the world. Though conquered, we are still human beings who were born free and equal in dignity and rights with everybody especially the British and Zimbabweans who have no justification to rule us by conquest. We are endowed with reason and conscience and are capable of acting towards one another in a spirit of brotherhood. In full, we deserve the entitlement of all the rights and freedoms set forth in the Universal Declaration of Human Rights without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Therefore, no one shall make distinction on the basis of political, jurisdiction or international status of the country or territory to which we belong. We need no one as our master because we have the right to life, liberty and security of our wellbeing. No one should hold us in slavery. No one shall subject us to torture, or to cruel, inhuman or degrading treatment or punishment.

We are endowed with the same inherent dignity and we are of the equal and inalienable rights with all members of the human family which qualifies the foundation of freedom, justice and peace in the world. According to the International Court of Justice, the right to self-determination is a right held by the people rather than a right held by governments. Both Britain and Zimbabwe have no justification to rule us and terrify us by heavily armed mercenaries. The deposed kingdom of Mthwakazi is a sovereign state which ruled itself with good governance until 3 November 1893 when it was conquered by the BSA Co. Mthwakazi had good hospitality which attracted many white people to live Cape Town and seek permits in our homeland. She had a thriving economy, with perfect trade and a sound system of social security. She had a sound mining industry and as early as 1829, the King of Mthwakazi had started negotiating the building of schools with the London Missionary Society. In 1893 when the Kingdom was conquered, she had 3 schools that were teaching both academic education and basic technical skills.

Mthwakazi has a unique, diverse cultural scenario of 11 indigenous ethnic societies with different languages, but its people pursue a symbiotic nationality, harmoniously as if they originated from the same source. They are able to communicate with one language when they choose to; sometimes two people can make a conversation with two languages as if it was one, and they have a long history of intermarriages'. The people from Zimbabwe speak a different and strange language from us, and have a different culture from us. That was accentuated during the Gukurahundi genocide where the perpetrators killed many people for failing to understand them when they were speaking in the Shona language. Furthermore the people were forced to sing in praise of the Prime Minister of Zimbabwe in that language when their relatives were being killed and later forced to dance on their graves singing in that language. That has made the Inter-Cultural Society of Mthwakazi to associate Shona as the language of murder and its speakers as murderers.

## SECTION “E”

### 5.0. RECOMMENDATIONS OF THE REPORT

#### 5.1. The Just and Durable Solution

The Inter-Cultural Society of Mthwakazi, in order to bring the Subjugation, Torture, and Other Cruel, Inhuman, Degrading Treatment and Punishment of its people to an end, U-Mhlahlo we Sizwe sika Mthwakazi on behalf of the Inter-Cultural Society of Mthwakazi submit the following recommendations to the OHCHR as a solution in the abolition of the “Rule by Conquest”:

- The UN must order an investigation into the denial of the fundamental freedoms and human rights of the Inter-Cultural Society of Mthwakazi, by the independent and objective experts of the International Bill of Human Rights to confirm the reliability of this report and all the allegations and complaints which it raises.
- The International War Crimes Tribunal must also be ordered to investigate the complaints by the victims of the 1983 Gukurahundi genocide in order to make Britain, Zimbabwe and North Korea, and all the perpetrators to answer the questions before the law.
- In order to abolish the “Rule by Conquest” of the Inter-Cultural Society of Mthwakazi, the UN must grant the trusteeship to the deposed Kingdom of Mthwakazi for a period of 18 to 24 months pending the attainment of independence and self-determination.
  - Britain forfeited the trust given to the Administering Powers of the non-self-governing countries and peoples through the Declaration regarding the Non-Self-Governing Territories that the Members of the UN which govern Territories whose peoples have not attained a full measure of self-government must recognize the principle that the interests of the inhabitants of those countries are paramount and to promote their utmost wellbeing, because violated the Declaration by entrusting a former colony of Zimbabwe to enforce the “Rule by Conquest” of the Inter-Cultural Society of Mthwakazi on its behalf instead of decolonizing the deposed Kingdom of Mthwakazi.
  - Zimbabwe as a former colony which was assisted by the UN to gain its independence has no justification of enforcing the “Rule by Conquest” of its sister colony. Instead by right Zimbabweans are still in the process of learning the art and science governing. Therefore they are not justified to use the Inter-Cultural Society of Mthwakazi as their training and experimental aids by carrying out governance of subjugation.
  - During the UN Trusteeship, the Inter-Cultural Society of Mthwakazi need the assistance and the opportunity to:
    - Form a transitional government in terms of the court Order of Mthwakazi that was presented to the Privy Council in 2007, but Britain exhibited the policy of avoidance and denied Mthwakazi the entitlement of determining her rights and obligations through a fair and public hearing by an independent tribunal, of Britain for that matter, in terms of Article 10 of the Declaration of Human Rights, and Article 2 of the Covenant on Civil and Political Rights.

- Engage in a repatriation exercise the nationals of the Inter-Cultural Society of Mthwakazi from exile in various countries.
  - Submit for approval by the public, the Constitution which is provided for in the Court Order of the Restoration of the Kingdom of Mthwakazi.
  - Construct the institutions of government and train the nationals of Mthwakazi in the art of running the country and managing the economy.
  - Hold the democratic general elections.
- The UN to assist that the Inter-Cultural Society of Mthwakazi be ensured to freely exercise all its fundamental Freedoms and human rights forthwith and without hindrance by the occupation of the Gukurahundi column and its supporting intelligence forces deployed throughout the country since 3 March 1983, including the free access to the benefits of the state media within the boundaries of Mthwakazi.
  - The UN to assist in ensuring that all the occupation forces of the Gukurahundi column and its supporting intelligence forces deployed after March 1983, in all walks of life, as civilians are withdrawn immediately from the deposed Kingdom of Mthwakazi, to enable the Inter-Cultural Society of Mthwakazi to make their choice without fear and favour, assume their nationality with freedom and independence of exercising their new rights to self-determination.
  - The UN to assist in the observation of equal distribution of all the national assets and liabilities between Zimbabwe and Mthwakazi, except the liabilities which were accrued during the abuse of human rights and the perpetration of the crimes against humanity.
  - The UN to assist the victims of genocide by granting the legal and financial aid from the ‘United Nations Voluntary Fund for Victims of Torture’, to enable them to conduct the exercise of prosecuting the perpetrators of 1983 Gukurahundi genocide and other violations in collaboration with the UN team.
  - The UN to assist the Inter-Cultural Society of Mthwakazi by granting the funds, from the ‘Voluntary Funds for the Indigenous Populations’ in order to build the capacity of the community civic organization and enable the representatives of the community and its civic organizations to carry out extensive outreach campaign among the grassroot masses in order to empower them to take part in the preparation for the transfer of power from the “Rule by Conquest” to the rule of law through:
    - Empowerment of the community.
    - Capacity building of the community civic organization.
    - Advocacy of its plight and cause.
    - Other relevant preparations for assuming self-government.
  - The UN to assist in the joint prosecution of Britain and Zimbabwe by the International Court of Justice for their roles in perpetrating the “Rule by Conquest”, in order for the two countries to pay reparations and restitutions for the damages they have caused to the Inter-Cultural Society of Mthwakazi.
  - The UN to assist in the smooth process of power transfer from the “Rule by Conquest” to the rule of law in order for the Inter-Cultural Society of Mthwakazi either as individuals or collectively to freely determine their political rights and freely pursue economic, social and cultural development of their wellbeing in order to eradicate fear, ignorance, poverty, hunger and diseases.

- The UN to audit all the financial aid that was granted to Zimbabwe, by the UN and other Humanitarian Organization on behalf of the two Territories: Zimbabwe and Mthwakazi, to establish how much of the money was used according to the **“Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the Countries of 1990”**, in which the Member States including Zimbabwe solemnly proclaimed their strong commitment to a global consensus to promote international economic cooperation for sustained growth of the world economy so as to realize the basic human rights of all human beings to a life free from hunger, poverty, ignorance, disease and fear, in the deposed Kingdom of Mthwakazi..
- The UN to assist by opening a library or an information centre within the reach of the Inter-Cultural Society of Mthwakazi to enable its people to improve its literacy about the UN Charter, principles and programmes, which they have been ignorant about for such a long time.
- The UN to help with anything else which it can do in conformity with the UN Charter and its principles.

### **Mthwakazi and Britain have reached the Deadlock**

On 04 May 2007 U-Mhlahlo had a dialogue in Bulawayo with a delegation led by the political Secretary Ms Gillian Dare, from the British Embassy at which we appealed to the UK to take steps to repeal the Matabeleland Order-in-Council, in order to restore the Sovereignty of Mthwakazi which Britain destroyed illegally through unjust strategies. But the British Envoy professed ignorance of the issue and said she wished we could support Morgan Tsvangirai, **(a new slave-driver whom they were grooming to replace their old War Lord of the Gukurahundi genocide)** to make good governance.

**U-Mhlahlo pointed out that the Inter-Cultural Society of Mthwakazi is not fighting for good governance in Zimbabwe a foreign country: but we are fighting to abolish the “Rule by Conquest” within the deposed Kingdom of Mthwakazi as a separate Territory from Zimbabwe.**

Four months later on 30 September 2007 U-Mhlahlo submitted the court file document to the Privy Council through the British Embassy notifying the UK that the Inter-Cultural Society of Mthwakazi through U-Mhlahlo intends to apply for the review of its 29 July 1918 verdict on the Land Case of Mthwakazi in order to restore the Sovereignty of Mthwakazi through the revocation of the Matabeleland Order-in-Council. Our solicitor had requested an urgent response from the Privy Council.

On 7 November 2007, the British Ambassador Mr. Andrew Poccock again met the U-Mhlahlo delegation in Bulawayo, at which he proposed that, UK wishes that the Inter-Cultural Society of Mthwakazi should strive for autonomy only under an even-handed Zimbabwe dominion headed by Morgan Tsvangirai, in that way UK can together with the European Union support Mthwakazi with a lot of funds that shall be channeled through Zimbabwe.

**Again U-Mhlahlo pointed out that the British Ambassador is prevaricating to our submission of the demand for the abolition of the “Rule by Conquest” through the revocation of the Matabeleland Order-in-Council, and trying to hoodwink us into the British aim of helping Zimbabwe to build itself as a nation which never existed**

**in the past. Whereas building Zimbabwe through absorbing the Inter-Cultural Society of Mthwakazi as subjugated underdogs in order to cover all the British crimes against humanity and abuses of human rights in the deposed Kingdom of Mthwakazi thereby obliterating all clues that reveals that Britain committed genocide.**

On 10 December 2007, The British Ambassador sent an electronic letter informing U-Mhlahlo that the court papers had been forwarded to the political department in London for onward transmission to the Privy Council.

On 15 November 2007, the British Ambassador sent an envoy called Owen Elliot to meet U-Mhlahlo in Bulawayo, he told us that our case is genuine but it can no longer be solved by Britain because she parceled Mthwakazi to Zimbabwe on 18 April 1980. Unfortunately because of the dispute between Britain and Zimbabwe over the land question of Zimbabwe, the two countries no longer have dialogue.

**U-Mhlahlo requested the proof of:**

- (a) Concern by the Inter-Cultural Society of Mthwakazi to the transaction of parceling Mthwakazi to Zimbabwe.**
- (b) Invitation of the Royal Council of Mthwakazi to attend the Lancaster House Conference.**
- (c) A clause in the UN Declaration on the granting of independence to non-self-governing Countries and Territories provides for the parceling of one colony to the other.**
- (d) The declaration by Zimbabwe that it is now a new colonial power of Mthwakazi in terms of the Berlin Agreement of 1885 on Powers that claim colonial right over a Territory.**

**On failure to produce such proof, U-Mhlahlo construed that the British Envoy is hoodwinking us to accept the that British accomplished its aim of helping Zimbabwe to build itself as a nation that has come to exist and we should recognize that, the “Rule by Conquest” it is here to stay. Britain is maintaining the Privy Council judgement of 29 July 1918 sentencing Mthwakazi shall be a stateless society without franchise because Britain destroyed its sovereignty and replaced it by the Matabeleland Order-in-Council”, a British statutory instrument that forms the basis of all the constitutions that govern Mthwakazi including the 1980 Zimbabwe Constitution.**

In March 2008, U-Mhlahlo wrote a petition letter to Queen Elizabeth in Britain requesting Her to invoke Her powers and assist to ensure that justice is done to us by the Privy Council, but we got no response.

**U-Mhlahlo construed that Queen Elizabeth is applying the British policy of avoidance in order to allow her subjects to gain ground of making other machinations of entrenching the “Rule by Conquest” through helping Zimbabwe to build itself as a nation which never existed.**

After a long silence on 18 April 2009, U-Mhlahlo Envoy at London made a follow up of the court application at the Privy Council and found that the papers had never arrived at the Court Registry. She then re-submitted the papers and wrote an appeal for the consideration of our case by the Privy Council.

On 28 April 2009, our Envoy received a reply from Mrs. Ceri King, the head of Secretariat of the Privy Council stating that the Privy Council cannot help us; hence the court has referred the case to the Foreign and Commonwealth Office

**U-Mhlahlo construed that this was an arrogant and reckless response. For the Privy Council to refer a legal case from an impartial tribunal to the partial political body is a violation of International Covenant on Civil and Political Rights, particularly ‘Article 2’. And that such an action is the furtherance of the British aim of supporting Zimbabwe to crush Mthwakazi, a provocation an armed conflict.**

On 22 June 2009, U-Mhlahlo Envoy received a letter from the British Foreign and Commonwealth Office, Hon. David Miliband (MP) advising us to join the government of the “Rule by Conquest” where we shall remain a Territory with 20% of seats in a single parliament with Zimbabwe, which has 80% seats.

On behalf of the Inter-Cultural Society of Mthwakazi, U-Mhlahlo we Sizwe sika Mthwakazi comprehended the British message very clearly and correctly, Britain is telling the Inter-Cultural Society of Mthwakazi that, She has accomplished her aim of helping Zimbabwe built itself as a new nation which has absorbed Mthwakazi under its “Rule by Conquest”, and that if the Inter Cultural Society of Mthwakazi wants its sovereignty which Britain replaced with the Matabeleland Order-in-Council and the right to self-determination, Mthwakazi should wage a war.

**I submit that Britain has denied the Inter-Cultural Society of Mthwakazi its right to influence remedy by the competent tribunal for the acts violating the fundamental rights granted by Article 8 of the Declaration of the Universal Human Rights of the General Assembly of the UN.**

- **I also put it that Britain is doing so in its pursuance of its racial and colonial mentality that was expounded by Professor John Ruskin and carried forward by Cecil John Rhodes the War Lord of the BSA Co mercenaries in 1887 at the House of Assembly in Cape Town when he declared that: “The native is to be treated as a child and denied the franchise. We must adopt a system of despotism, such as works so well in India, in our relations with the barbarians of South Africa.”**
- **I also put it that, Britain is protecting the criminal agreement of August 1893 in which the BSA Co promised to pay its mercenaries with the birthright of the Inter-Cultural Society of Mthwakazi, consisting of the free farms, gold mines, looted head of cattle, looted pure gold and uncut diamonds as well as the forced and cheap labour of the conquered people, once the Kingdom of Mthwakazi was conquered.**
- **And I also put it that, Britain is reluctant to revoke the Matabeleland Order-in-Council because She is fulfilling Her aim of helping Zimbabwe to build itself as a nation by absorbing Mthwakazi so that all the clues which reveal that Britain committed crimes against humanity and abuse of Human rights against the Inter-Cultural Society of Mthwakazi is covered up.**



**I therefore submit that, the UN must send an independent investigation of genocide, the crimes against humanity and abuse of human rights by Britain and its collaborators Zimbabwe and North Korea.**

On 31 August 2009, U-Mhlahlo Envoy in South Africa advised the SADC about the Question of Mthwakazi through its offices in Botswana and requested audience with the regional body. We have not yet received the response.

**U-Mhlahlo construed that SADC is now aware of the Question of Mthwakazi, its policy of avoidance means that; it is not the region's fish to fry.**

Hence we are submitting our report to the UN OHCHR for its consideration of this matter.

## **5.2. Intent of Mthwakazi of Reconciliation and Peaceful International Relations**

It is the hope and prayer of the Inter-Cultural Society of Mthwakazi that after the United Nations has accepted all our recommendations, Mthwakazi and the three perpetrators should meet and reconcile their past differences in the spirit of peaceful and cordial international relations and in conformity with the United Nations Charter and its principles.

### 5.3. Submission of the Report

**I therefore submit this Report of the deliberate and perpetual Violation of Human Rights and Commission of Crimes Against Humanity during the 118 years of the ‘Rule by Conquest’ featuring 87 years of Racial Domination and 30 years of Tribal Domination, against the Inter-Cultural Society of Mthwakazi. In the spirit of the United Nations Charter, in which the people of the world made their reaffirmation of faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom. And in considering the important role of the United Nations in assisting the movement for independence in Trust and Non-Self-Governing Territories I do the same believing that:**

**The implementation of the above recommendations shall redeem the Inter-Cultural Society of Mthwakazi from its 118 years ordeal. Mthwakazi shall restore her dignity, re-affirm her nationhood, be enabled to enjoy the fundamental freedoms and human rights and to carry out the national reconstruction programs of economic, social and cultural development, and the traumatic stress healing. This shall further enable her to attain the international standards concerning the promotion and protection of the human rights of the society and enable the representatives of the community and its civic origination to take part in the affairs of the nation. That shall also enable the Inter-Cultural Society of Mthwakazi to enjoy the benefits of the International Year of the World Indigenous People which was proclaimed in 1993, unfortunately we were denied its benefits because we are still languishing under the “Rule by Conquest”.**

**Moreover the implementation of reconciliation with the perpetrators of the violations of human rights and crimes against humanity shall reduce threat to world peace and facilitate the development of international economic co-operation, and the social, cultural and economic development of dependent peoples and enhance the United Nations ideal of universal peace.**

**SECTION “F”**

**6. THE CONCLUSION**

To conclude this report, I stress that it is highly recommended that the UN adopts the recommendations of this report and send the investigating teams to study the report of genocide, as well as the fundamental problem of the 118 years of the “Rule by Conquest” by Britain, in collaboration with Zimbabwe. The community organization of the Inter-Cultural Society of Mthwakazi, U-Mhlahlo we Sizwe sika Mthwakazi in coordination with many other community based civic organization from the deposed Kingdom of Mthwakazi, are ready to give true and factual evidence about the gravity of subjugation, torture, and other cruel, inhuman and dignifying treatment and punishment, and to identify the mass graves of the victims of the Gukurahundi genocide.

I sincerely pray and hope that the OHCHR shall make a considerable appreciation to the report about the ordeal of the Inter-Cultural Society of Mthwakazi, so that the conquered Inter-Cultural Society of Mthwakazi is not compelled to have recourse, as a last resort, to rebellion against tyranny and oppression but achieve the protection of the rule of law and start enjoying the larger freedoms in peace and security where human rights are made a fact, not an idealistic dream.

I remain,  
Yours truly,

..... **Signature as per original in the  
hardcopy**  
**Canaan Qedilizwe Maduma**  
**NATIONAL CHAIRPERSON**

..... **Signature as per original in the  
hardcopy**  
**John Lowana Ndlovu**  
**SECRETARY FOR FOREIGN AFFAIRS**