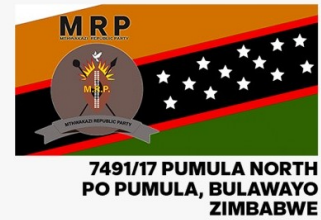




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MTHWAKAZI REPUBLIC PARTY | PRESIDENTIAL STATEMENT

SELECTIVE SELF-DETERMINATION IS NOT A PRINCIPLE

Statement by Mqondisi Moyo, President of the Mthwakazi Republic Party, ahead of the African Union Extraordinary Summit in Luanda, 29–30 August 2026

The African Union will convene in Luanda on 29 and 30 August 2026 to strengthen mechanisms for conflict prevention and resolution. The Executive Council meets on 29 August and the Assembly of Heads of State and Government on 30 August. The AU has directed that this process produce concrete, measurable and time-bound deliverables rather than become another declarative forum.¹

I therefore ask the governments meeting in Luanda to confront a question that lies beneath many African disputes:

How does the African Union apply its own law of self-determination — and where may an African people obtain a reasoned answer?

This concerns Mthwakazi. It concerns Somaliland. It concerns peaceful proponents of self-determination in the Western Cape and elsewhere. It concerns whether political-status claims can be heard peacefully, democratically and legally before governments and movements are driven into confrontation.

The rules are not absent. Article 20 of the African Charter on Human and Peoples' Rights declares that all peoples have an unquestionable and inalienable right to self-determination and may freely determine their political status.²

The African Commission has applied that provision in African cases and, in October 2025, expressly invoked Article 20(3) when calling upon States Parties to assist peoples deprived of self-determination, including the Palestinian people.³

The African Union Commission has likewise reaffirmed Palestinian self-determination and the establishment of an independent Palestinian State within the 1967 borders, with East Jerusalem as its capital.⁴

I do not object to that principle. I object to unexplained selectivity in its application.

As of 25 August 2026, every African Union Member State except Cameroon and Eritrea recognises the State of Palestine — 53 of the AU's 55 members.⁵

¹African Union, Assembly/AU/Dec.949(XXXIX), Decision on the Holding of an Extraordinary Summit on the Strengthening of Mechanisms for Conflict Prevention and Resolution in Africa, 39th Ordinary Session, 14–15 February 2026, para. 5 (directing that the Luanda Summit have “concrete, measurable and time-bound deliverables, rather than a declarative forum”); African Union, “21st Extraordinary Session of the Assembly of the African Union on Conflict Prevention and Resolution in Africa,” programme for 29–30 August 2026. https://au.int/sites/default/files/decisions/46188-Assembly_Decisions_31_March_E.pdf ; <https://au.int/en/newsevents/20260829/au-extraordinary-summit-conflict-prevention-and-resolution>

²African Charter on Human and Peoples' Rights, art. 20(1): “All peoples shall have the right to existence. They shall have the unquestionable and inalienable right to self-determination. They shall freely determine their political status ...”. African Commission on Human and Peoples' Rights. <https://achpr.au.int/en/node/641>

³African Commission on Human and Peoples' Rights, Resolution on the Ceasefire in the Palestinian Occupied Territories, ACHPR/Res.644 (LXXXV) 2025, adopted 30 October 2025, operative para. 4 (calling upon States Parties, under art. 20(3), to assist “all peoples deprived of their right to self-determination including the People of Palestine”). <https://achpr.au.int/en/adopted-resolutions/644-achpres-644-lxxxv-2025>

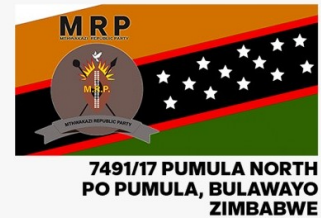
⁴African Union Commission, League of Arab States and Organisation of Islamic Cooperation, Joint Statement Regarding the Illegal Practices of the Israeli Occupation in the Occupied Palestinian Territory, 24 June 2026 (reaffirming the Palestinian people's inalienable right to self-determination and to establish an independent State within the 1967 borders, with East Jerusalem as its capital). <https://au.int/en/pressreleases/20260624/illegal-practices-israeli-occupation-occupied-palestinian-territory>

⁵Derivation as of 25 August 2026: the African Union has 55 Member States. PASSIA's recognition table identifies Cameroon and Eritrea as the only African states not recognising Palestine and separately records recognition by the Sahrawi Arab Democratic Republic in November 1988. Thus 52 of the 54 UN-member African states, plus the Sahrawi Arab Democratic Republic, equals 53 of 55 AU members. Recognition status is distinct from any temporary AU suspension affecting a government's participation in AU activities. African Union, Member States; PASSIA, Status of Recognition of the State of Palestine as of June 2024. https://au.int/en/member_states/countryprofiles2 ; <https://publications.passia.org/status-of-recognition-of-the-state-of-palestine-as-of-june-2024/>



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MTHWAKAZI REPUBLIC PARTY | PRESIDENTIAL STATEMENT

The recognising AU members are: Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cabo Verde, Central African Republic, Chad, Comoros, Republic of the Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eswatini, Ethiopia, Gabon, The Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sahrawi Arab Democratic Republic, São Tomé and Príncipe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Tanzania, Togo, Tunisia, Uganda, Zambia and Zimbabwe.

South Africa established full diplomatic relations with Palestine in February 1995. On 23 February 2026, its Minister of International Relations and Cooperation, Ronald Lamola, advocated in the same statement for Palestinian self-determination and for the self-determination of the Sahrawi people, while calling upon all States to recognise Palestinian statehood.⁶

That makes the proper question more precise. Africa does have principles. What is missing is transparent, consistent and reasoned application of those principles to African political-status claims.

The African precedents already tell us what must be examined

In *Katangese Peoples' Congress v Zaire*, the African Commission said that self-determination can be exercised through independence, self-government, local government, federalism, confederalism, unitarism or another form consistent with the wishes of the people, while remaining cognisant of sovereignty and territorial integrity. The Commission then identified two evidentiary absences in the case before it: it had not been shown that human-rights violations had reached a level calling Zaire's territorial integrity into question, and it had not been shown that the people of Katanga were denied participation in government under Article 13(1). On that record, the Commission required a form of self-determination compatible with Zaire's sovereignty and territorial integrity.⁷

That is not a rule of automatic secession. Nor is it a rule that territorial integrity makes every claim inadmissible. It is a rule that facts matter, the form of self-determination matters, and reasons matter.

The Southern Cameroons case, *Kevin Mgwanga Gunme et al v Cameroon*, reinforces the point. The Commission did not endorse secession. It nevertheless heard the grievances, issued findings, directed the Government of Cameroon to enter constructive dialogue over constitutional issues and grievances threatening national unity, directed the complainants to abandon secessionism and pursue dialogue, and offered its own good offices to mediate.⁸

That precedent is important to Mthwakazi because it demonstrates that the African system can do more than repeat the words "territorial integrity." It can hear evidence, distinguish remedies, direct dialogue and give reasons.

⁶South African Department of International Relations and Cooperation (DIRCO), Palestine bilateral relations, recording that full diplomatic relations with the State of Palestine were announced on 15 February 1995; Ronald Lamola, Minister of International Relations and Cooperation, National Statement at the 61st Session of the UN Human Rights Council, 23 February 2026: "We remain steadfast in advocating for their self-determination and that of the Sahrawi people. We call on all Member States to recognise Palestinian statehood ...". <https://dirco.gov.za/bilateral-relations/>; <https://dirco.gov.za/national-statement-at-the-61st-session-of-the-united-nations-human-rights-council-delivered-by-minister-ronald-lamola-in-geneva-switzerland-23-february-2026/>

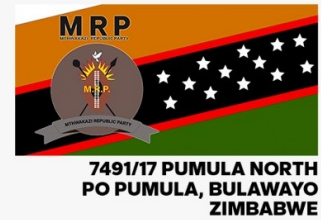
⁷African Commission on Human and Peoples' Rights, *Katangese Peoples' Congress v Zaire*, Communication No. 75/92, decision reported in the Eighth Annual Activity Report (1994–95), (2000) AHRLR 72 (ACHPR 1995), paras. 3–6. Paragraph 4 lists forms of self-determination; para. 6 records the absence of concrete evidence of human-rights violations sufficient to call territorial integrity into question and the absence of evidence that Katangese people were denied participation in government under art. 13(1), and therefore requires a variant of self-determination compatible with Zaire's sovereignty and territorial integrity. <https://achpr.au.int/en/decisions-communications/congres-du-peuple-katangais-democratic-republic-congo-7592>

⁸African Commission on Human and Peoples' Rights, *Kevin Mgwanga Gunme et al v Cameroon*, Communication No. 266/03, 27 May 2009, recommendations, para. 215: requiring constructive dialogue over constitutional issues and grievances that could threaten national unity; calling on the complainants to abandon secessionism and engage in dialogue; and placing the Commission's good offices at the parties' disposal. <https://achpr.au.int/en/decisions-communications/kevin-mgwanga-gunme-et-al-cameroon-26603>



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MTHWAKAZI REPUBLIC PARTY | PRESIDENTIAL STATEMENT

Somaliland exposes the unresolved contradiction particularly clearly

The African Union's Constitutive Act requires respect for borders existing on achievement of independence. The principle is rooted in the OAU's 1964 Cairo resolution, in which African states pledged to respect the borders existing when they achieved national independence.⁹

Somaliland's case is unusual because it invokes that same inherited-border principle. British Somaliland became independent on 26 June 1960 and, days later, entered union with the former Italian-administered territory. An AU fact-finding mission in 2005 recorded that Somaliland's state-building process was anchored in the colonial borders inherited at independence from Britain. The mission described the recognition claim as "historically unique and self-justified in African political history," rejected the suggestion that it should simply be treated as opening a "Pandora's box," and recommended that the AU find a special method for dealing with the outstanding case.¹⁰

The African Union is not silent about Somaliland. On 26 December 2025, Israel formally recognised Somaliland as an independent and sovereign State. The same day, the Chairperson of the African Union Commission rejected any recognition of Somaliland and invoked the intangibility of borders inherited at independence. On 6 January 2026, the AU Peace and Security Council condemned Israel's recognition, reaffirmed Somalia's sovereignty and territorial integrity, and declared that no outside actor may alter the territorial configuration of an AU Member State.¹¹

The problem is therefore not silence. It is the absence of a publicly reasoned reconciliation between the AU's present conclusion and its own earlier record.

If inherited borders are decisive, which independence event controls the analysis: British Somaliland's independence on 26 June 1960 within its inherited colonial borders, or the territorial configuration of the Somali Republic after union on 1 July 1960? If another legal principle resolves that conflict, what is it? How does the AU reconcile that principle with the findings and recommendation of its own 2005 mission?

An assertion of territorial integrity is a position. A reasoned application of law to history and evidence is an answer.

South Africa must apply the same intellectual discipline at home

Palestine and Western Cape self-determination are not legally identical. Palestine is treated by the AU as a question of occupation, Palestinian statehood and the Palestinian people's right to self-determination; Western Cape advocacy arises within the constitutional order of an existing AU Member State. The distinction matters. It does not justify refusing to explain what peaceful constitutional avenues exist.

⁹Constitutive Act of the African Union, art. 4(b): "respect of borders existing on achievement of independence"; OAU Assembly, AHG/Res.16(I), Border Disputes among African States, Cairo, July 1964 (Member States solemnly pledging to respect borders existing on achievement of national independence). <https://opendata.pap.au.int/akn/aa-au/act/2000/constitutive-act/eng%402000-07-11> ; <https://archives.au.int/handle/123456789/662>

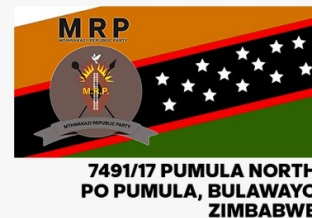
¹⁰African Union archive, Report of the Chairperson of the Commission on Conflict Situations in Africa, Doc. EX.CL/191(VII), Executive Council, 7th Ordinary Session, 28 June–2 July 2005; AU Fact-Finding Mission to Somaliland (30 April to 4 May 2005), Resume, paras. 6 and 8 (recording inherited colonial borders and describing Somaliland's recognition claim as "historically unique and self-justified in African political history," rejecting the "Pandora's box" analogy and recommending that the AU find a "special method" for the case). Official archive record for EX.CL/191(VII): <https://www.aupaps.org/en/resource/91-organ-executive-council> ; reproduced mission resume: <https://www.somtribune.net/wp-content/uploads/2021/12/au-fact-finding-mission-to-somaliland-30-april-to-4-may-2005.pdf>

¹¹State of Israel, Ministry of Foreign Affairs / Prime Minister's Office, announcement of official recognition of Somaliland as an independent and sovereign State and a joint mutual declaration, 28 December 2025 (describing the decision announced on 26 December 2025); African Union Commission Chairperson, "rejects any recognition of Somaliland," 26 December 2025 (invoking intangibility of borders inherited at independence); AU Peace and Security Council, Communiqué of the 1324th meeting, 6 January 2026, paras. 1–6 (condemning Israel's recognition, reaffirming Somalia's sovereignty and territorial integrity, and stating that no actor may alter the territorial configuration of an AU Member State). <https://www.gov.il/es/pages/israel-reconoce-a-somalilandia-como-estado-soberano-independiente> ; <https://static.au.int/en/pressreleases/20251226/auc-chairperson-rejects-any-recognition-somaliland> ; <https://www.peaceau.org/en/article/communique-of-the-1324th-meeting-of-the-psc-held-on-6-january-2026-at-the-ministerial-level-on-the-preservation-of-the-sovereignty-territorial-integrity-unity-and-stability-of-the-federal-republic-of-somalia>



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MTHWAKAZI REPUBLIC PARTY | PRESIDENTIAL STATEMENT

Section 235 of South Africa's Constitution says that the self-determination of the South African people as a whole does not preclude, within that framework, recognition of the notion of a right of self-determination for a community sharing a common cultural and language heritage, "within a territorial entity in the Republic or in any other way," as determined by national legislation.¹²

Section 235 does not itself confer a unilateral right of secession. That is precisely why serious constitutional reasoning and democratic engagement are required.

Peaceful proponents of Western Cape self-determination should therefore be told what constitutional standards apply, what democratic evidence would be relevant, what forms of internal self-determination are available, and whether any lawful process exists for proposing a change in political status. They should not be answered as though merely asking the question were illegitimate.

South Africa is entitled to distinguish Palestine, Western Sahara and the Western Cape. It is not entitled to substitute different slogans for a statement of the distinctions.

Mthwakazi asks for evidence, reasons and a peaceful process

The people of Mthwakazi advance a claim rooted in history, political identity, territorial attachment and the consequences of state violence. Zimbabwe is entitled to contest our conclusions. It should not be entitled to prevent the underlying questions from being heard.

Zimbabwe's own Gukurahundi outreach has now recorded, across three capture formats, 25,407 online submissions, 25,862 physical submissions and 25,479 audio testimonies as of 15 July 2026, with 12,956 audio testimonies already transcribed. Attorney-General Virginia Mabiza has said the consultation could extend into 2027. These categories should not be added together as though they necessarily represent 76,748 different people. Their significance is different: Zimbabwe's own process is assembling a very large documentary record of unresolved historical injury in Matabeleland and the Midlands.¹³

Our political conclusion from that history is ours. Zimbabwe may reject it. What cannot be a credible continental answer is that the history may be documented, the grievances may be recorded, but the political consequences may never be discussed.

Africa has institutions — but not yet the preventive mechanism this problem requires

The African Commission's communications procedure already exists, and Katanga and Southern Cameroons prove that it can adjudicate Article 20 claims and recommend dialogue. The African Court also forms part of the continental human-rights architecture. Those institutions should be respected, not duplicated.

But neither supplies a dedicated, continent-wide process whose central task is to receive peaceful political-status claims before conflict, identify the applicable self-determination standards, develop an evidentiary record, facilitate negotiation among status options and publish a reasoned political-status assessment. In Zimbabwe's case there is an additional access problem: as of 2 April 2026, the African Commission itself reported that Zimbabwe had not ratified the Protocol establishing the African Court on Human and Peoples' Rights.¹⁴

¹²Constitution of the Republic of South Africa, 1996, s. 235: the self-determination of the South African people as a whole "does not preclude ... recognition of the notion of the right of self-determination of any community sharing a common cultural and language heritage, within a territorial entity in the Republic or in any other way, determined by national legislation."
<https://www.gov.za/documents/constitution/constitution-republic-south-africa-1996-chapter-14-general-provisions-07-feb>

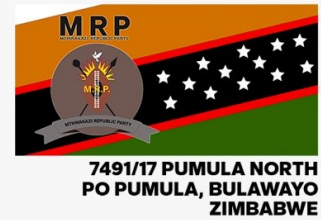
¹³The Southern Eye, "Gukurahundi public hearings set to resume," 23 August 2026, reporting government figures as of 15 July 2026: 25,407 online submissions, 25,862 physical submissions, 25,479 audio testimonies and 12,956 audio testimonies transcribed; Attorney-General Virginia Mabiza said the consultation could extend into 2027. <https://www.southerneye.co.zw/local/article/200059499/gukurahundi-public-hearings-set-to-resume>

¹⁴African Commission on Human and Peoples' Rights, Press Statement at the Conclusion of the Promotion Mission to the Republic of Zimbabwe, 2 April 2026, identifying among Zimbabwe's ratification gaps the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights.



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That is the institutional gap Luanda should address.

Palestine is not the problem. Selectivity without reasons is.

Palestine, Mthwakazi, Somaliland and the Western Cape are not factually or legally identical. They do not need to be.

The AU treats Palestine as involving occupation, an existing claim to Palestinian statehood and the Palestinian people's right to self-determination. Mthwakazi and Western Cape claims arise inside existing AU Member States. Somaliland raises a different problem again: claimed restoration of sovereignty within the borders of a former colonial territory that briefly achieved independence before union.

Consistency does not require identical outcomes. It requires identifying the governing principles, examining the relevant facts and explaining why those principles produce the same or different results.

The African Union itself told the International Court of Justice that recognition by States is not constitutive of statehood and that international law imposes no general obligation on States to recognise other States or entities purporting to be States. The AU nevertheless relied upon the breadth of recognition of Palestine when assessing Palestinian statehood.¹⁵

That makes transparency more important, not less. Discretion cannot become a substitute for principle.

A concrete proposal for Luanda

The Mthwakazi Republic Party therefore calls upon the Luanda Extraordinary Summit to establish an African Mechanism for Peaceful Self-Determination and Political-Status Claims, designed to complement — not replace — the African Commission, the African Court, the Peace and Security Council and existing mediation structures.

The mechanism should be able to receive peaceful political-status claims; determine whether the claimant constitutes a “people” for purposes of Article 20 of the African Charter; identify the applicable territorial-integrity and inherited-border principles; examine historical boundaries and prior sovereignty; assess alleged persecution, exclusion and denial of meaningful internal self-determination; evaluate democratic evidence of popular support; distinguish among autonomy, federalism, confederation, negotiated independence and other constitutional arrangements; refer justiciable human-rights questions to the appropriate African human-rights institution; facilitate negotiations; and publish reasoned findings explaining which principles apply and why.

That would not be a mechanism for fragmenting Africa. It would be a mechanism for preventing political-status disputes from becoming violent conflicts.

Africa should learn to resolve political-status disputes while they are still political disputes.

Our question to Luanda is therefore simple

We do not ask the African Union to withdraw its support for Palestinian self-determination. We ask it to apply the intellectual discipline that its own law requires.

We do not demand identical outcomes. We demand identifiable criteria, a peaceful forum, evidence and reasons.

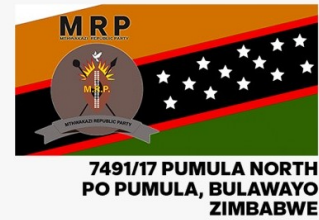
<https://achpr.au.int/en/news/press-releases/2026-04-02/press-statement-conclusion-promotion-mission-african-commis>

¹⁵African Union, Written Statement, Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, International Court of Justice, 25 July 2023, paras. 104, 109–112. Paragraph 109 states that recognition is not constitutive of statehood; para. 111 states that international law imposes no obligation on States to recognise other States or entities purporting to be States; para. 110 relies on the large number of recognitions of Palestine when concluding that Palestine satisfied the customary-law prerequisites of statehood. <https://www.icj-cij.org/index.php/node/203783>



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MTHWAKAZI REPUBLIC PARTY | PRESIDENTIAL STATEMENT

Tell Mthwakazi how the rule applies. Tell Somaliland how the rule applies. Tell peaceful advocates of Western Cape self-determination what lawful avenues exist. Tell every African people where it may place such a claim before institutions instead of armies.

A principle loudly defended abroad but left unexplained when African peoples invoke it at home will not command confidence.

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