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CAPRIVI CONCERNED GROUP AND UDP EX-POLITICAL PRISONERS  
**Joint Press Statement: Caprivi Is Not Part Of Namibia**

13 December 2015

We are here to express our shock and disappointment on the long jail term sentences given to our fellow countrymen by Judge Elton Hoff, and to clarify the historical and political status of Caprivi Strip against Hoff's claims.

The facts that they already spent 16 years in prison, that their trial took twelve (12) years, that they were tortured, and that they were detained for four years without trial, are all violations of human rights and goes against the Namibian constitution and international principles of Justice. Sentencing a 72 years old to 35 years effective jail terms, who suffers from chronic illnesses such diabetes, is an effective life or death sentence.

There was no inch of mercy. The Caprivian people should be the society in whose interest the judgment or sentencing must have featured prominently. The Caprivian society is not happy, God is not happy, and not even the devil is pleased with this injustice.

The Anglo-German (Helgoland) treaty of 01 July 1890 demarcated the Caprivi Strip and made it a German sphere of influence not a German colony. While South West Africa was a German colony since 1884, Caprivi Strip was never and has never been a German colony, neither a German protectorate, but just a German Sphere of Influence. In this agreement, German could not and never claim sovereignty over the Strip.

The signature of Mishake Muyongo in the Namibian constitution is the same signature endorsed on the SWAPO - CANU merger, and if it matters in the former, it should

equally matter in the latter, or else it should not be considered to have effect in all, and at all. Besides, the signature and both documents were not by design and purpose meant to incorporate the two separate territories. If a learned Judge and learned politicians fail to distinguish between a colony and a Sphere of Influence, or between Mishake Muyongo and Caprivi Strip, Caprivians should not be punished for that.

A unitary state is usually a democratic state and it is not a permanent or static state. Political leaderships change, challenges change, people change and boundaries can also change. All reasons or arguments being tossed around to justify the victimization and occupation of Caprivians are just excuses, not genuine reasons.

In September 2015, Judge Hoff claimed that Caprivi Strip became part of German South-West Africa (now Namibia) in 1890 through the Zanzibar-Heligoland treaty. This should have been enough, if it was a fact and convincingly substantiated.

However, addressing the same issue of jurisdiction, on 8 December 2015 the same learned and honorable Judge claimed that Caprivi became part of Namibia in 1990 when Muyongo signed the Namibian constitution to endorse Namibia as a unitary state. This proves lack of confidence, in and by the Judge himself on the matter. When exactly then did Caprivi become part of Namibia, is it 1890 or 1990? Take note that Namibian laws were forcefully made to apply to Caprivi Strip in 1999, by Act 10 of 1999!

Many Caprivians are currently living in foreign countries as refugees, many have been killed and buried in mass graves, many died in political detention, and many were tortured and sentenced mercilessly. Generally, many lives have been lost and many are suffering because of this political dispute. We know that the purpose of the severe sentence was to intimidate and frustrate Caprivians, but we remain poised and determined to step forward in our struggle always.

We are here to inform Government of Namibia that we will not be deterred by intrusion or any form of force from telling the historical facts of Caprivi Strip or from demanding freedom and independence. We strongly believe that Namibia has no sovereignty over the Caprivi Strip, and Namibian courts have no jurisdiction over the people of Caprivi Strip. This is the belief we are prepared to die for.

We know that 18 years sentence given and served by Toivo ya Toivo and other Namibians in South Africa did not make them South Africans. We know how our forefathers were publicly roasted on fire, and how many others were brutally killed or tortured, but that never deterred people from resisting the apartheid regime.

We do not need the "Land of the Brave"; we want to see the "Braves of that land"! We want the Namibian political leadership to be honest and brave enough, and enter into

dialogue with the United Democratic Party's leadership as soon as possible, instead of using or hiding behind the courts and illiterate members of the police force.

If Government of Namibia thinks that it is only a minority of Caprivians who belief in an independent Caprivi Strip, we challenge them to allow a UN organized referendum so that they shame us or shame them, while that will put this dispute to rest.

Forward Ever, Backward Never!!

Thank you

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Retief Kangongo  
Deputy Chairman  
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