



## Exposing the masked requirements of secession

Some fundamental and critical aspects of the now very popular yet also loosely used term of "secession" to gain independence need to be unmasked - as per the international laws and guidelines, and not based on any individual, group or political party's own assumptions, loose statements or emotional reactions.

There are four cumulative conditions to be met before a secessionist group can invoke secession, namely:-

- i) The secessionist group must be identified as "a people" with distinct identity and representing a clear majority within a territory;
- ii) There must be proof of gross violations of the human rights of these people leading to their suffering and oppression under the regime;
- iii) Due to the exclusion of these people from representative political participation and denial of the right to internal self-determination they have no other alternative but to secede externally;
- iv) All attempts to negotiate with the regime to settle the issues of the people have led to no solution, or are blatantly disregarded.

In support of the above conditions, international law clearly outlines the process of secession, and the 2 aspects forming the cornerstones of such a process are:-

1) *A quest for secession always first focuses with reference to (a group of) 'people', never the area or territory.*

The 'people' should be identified by their sharing a commonality of at least one of the characteristics of 1) religion, 2) language, 3) ethnicity or 4) culture.

Based on these legal guidelines of international law the United Liberty Alliance defined the people with the need to separate themselves with proof of outright racism, victimization and constantly under threat of their rightful existence as indigenous groups of people, essentially being the minority groups – the brown and white population of South Africa.

More than enough proof of the motivation of these groups of people to break away exists as it has developed over the past 27+ years since the ANC took power, with 114 race-based laws including B-BBEE, demonstrating that the rights of these people are blatantly disregarded.

2) *The territory in question needs to be determined by means of proof where historically these people (identified as previously outlined) are proven to be represented in a majority.*

An area selected for whatever other reason being it emotionally, economically or strategically preferred cannot be claimed as nowhere is it provided for in international law.

The ULA proved by means of the 2011 census the exact area where these people are represented in the majority.





*So is it really about the people, or a territory?*

The issue of a territory (the new independent region) to be seceded sadly often forms the primary focus of "secessionist" movements.

Claiming an independent region with a "cloned SA population" in the Western Cape nullifies the legal argument regarding 1) the identification of the people and 2) defining the territory (in that order!) as required for a case for secession.

A very simple test would be: what, in terms of religion, ethnicity, culture or language represents the uniqueness of the people that will secede away from the current SA to this new region of the Western Cape? How are they deemed a different, unique group of 'people', and thus eligible to secede?

The public should therefore take cognizance of the fact that leaders of some organisations, political groups or -parties in South Africa claiming to pursue secession for independence fail dismally in providing the very basis of these two fundamental legal arguments. Even if their process manages to reach the stage of a referendum, proving a majority in favour, it will not be - cannot be, ratified by the international community.

While millions of peoples' future is at stake this constitutes misrepresentation and creates false hope from the (mostly) uniformed public, and ultimately will lead to their distrust in the overall process of secession.

Unfortunately the social media platforms hosting the individuals add to the chain of misinformation by failing to expose these fundamentals, purely because of their own lack of understanding of international law and therefore the right questions are never asked.

Stay informed, be vigilant, and ask the right questions.

---

### **References:**

For the avid researcher, there are a host of international laws pertaining to secession, self-determination and independence, of which all are easily accessible via internet search. These include:

The Declaration on the Rights of Indigenous Peoples (UNDRIP or DOTROIP)

African (Banjul) Charter on Human and People's Rights

Article 1 of the International Covenant on Civil and Political Rights

Article 21(3) of the Universal Declaration of Human Rights (UDHR)

Article 1 of the International Covenant on Economic, Social, and Cultural Rights

Article 1 of the International Covenant on Civil and Political Rights

The Unrepresented Nations and Peoples Organization (UNPO)

Resolution 47/135 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

Article 235 of the SA Constitution

The 1994 Afrikaner Accord for Self-determination

A good concise reference can be found on [Handbook International Law](#)

